

Crown Pastoral Land Tenure Review

Lease name : GALLOWAY STATION

Lease number : PO 180

Due Diligence Report (including Status Report) - Part 5

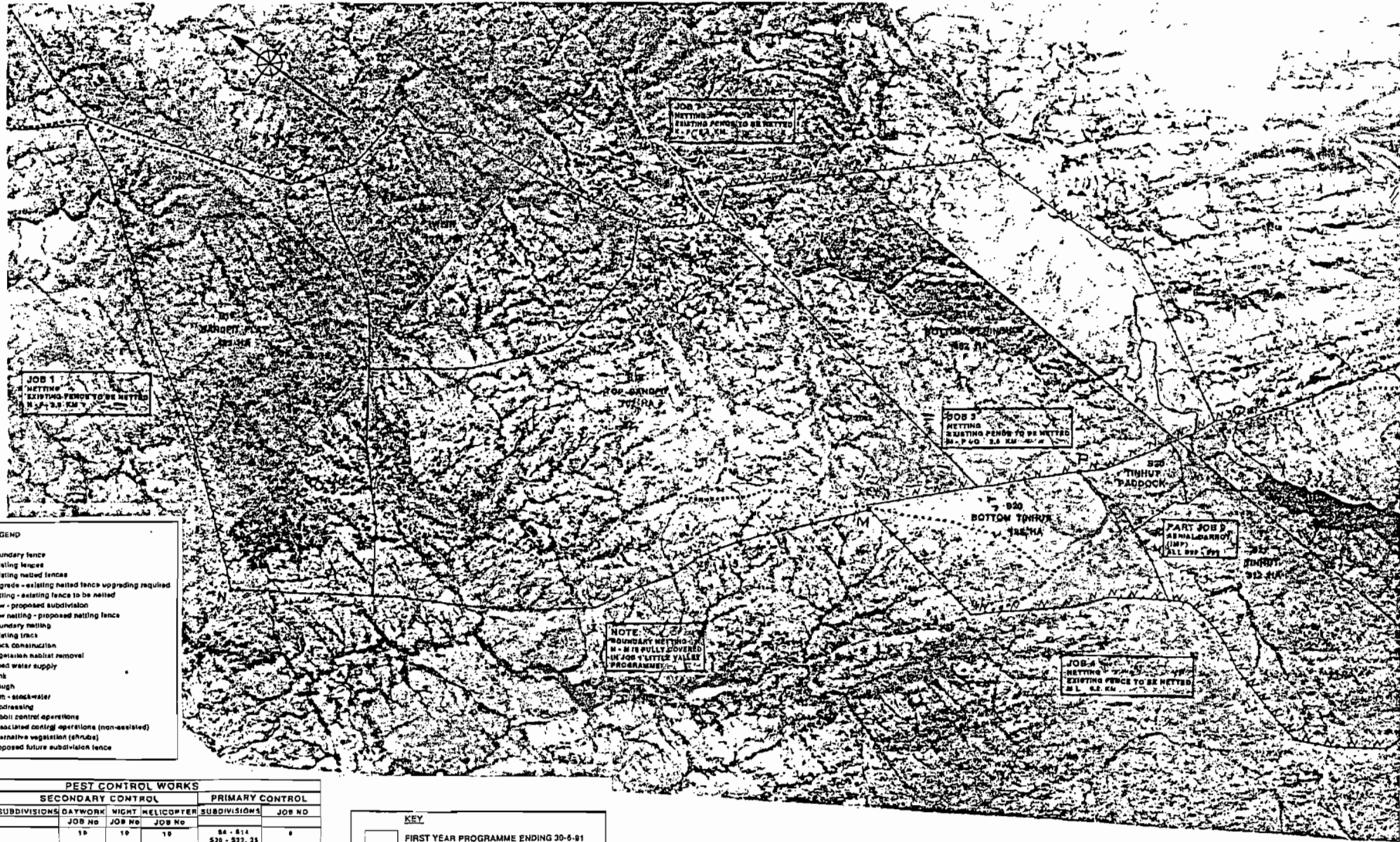
This report and attachments results from a pre-Tenure Review assessment of the pastoral lease for the purpose of confirming land available for Tenure Review and any issues, rights or obligations attaching to it. The information is gathered from files and other sources available to the LINZ contractor.

Part of the information relates to research on the status of the land, resulting in a Status Report that is signed off by a LINZ approving officer. The remainder of the information is not analysed for relevancy or possible action until required, and LINZ does not guarantee its accuracy or completeness as presented.

The report attached is released under the Official Information Act 1982.

April 09

JOIN SHEET 12965/17



LEGEND

- Boundary fence
- Existing fences
- Existing needed fences
- Upgrade - existing fences upgrading required
- Netting - existing fences to be netted
- S — S — New - proposed subdivision
- SN — New netting - proposed netting fences
- Boundary netting
- Existing tracks
- Tracks construction
- Vegetation habitat removal
- D — D — Pipet water supply
- Tank
- Trough
- Dam - stock-water
- Topdressing
- Rabbit control operations
- Associated control operations (non-assisted)
- Alternative vegetation (A/Rubs)
- Proposed future subdivision fence

1ST YEAR TO 30 / 6 / 81	PEST CONTROL WORKS					
	SECONDARY CONTROL			PRIMARY CONTROL		
	SUBDIVISIONS	DAYWORK	NIGHT	HELICOPTER	SUBDIVISIONS	
	JOB NO	JOB NO	JOB NO	JOB NO	JOB NO	
	19	19	19	84 - 814	8	
2ND YEAR TO 30 / 6 / 82	ALL R & L M LAND	18	15	17	520 - 527, 25	
3RD YEAR TO 30 / 6 / 83	ALL R & L M LAND	30	29	31		
4TH YEAR TO 30 / 6 / 84	ALL R & L M LAND	33	34	33		
5TH YEAR TO 30 / 6 / 85	ALL R & L M LAND	40	39	41		

KEY

- FIRST YEAR PROGRAMME ENDING 30-6-81
- SECOND YEAR PROGRAMME ENDING 30-6-82
- THIRD YEAR PROGRAMME ENDING 30-6-83
- FOURTH YEAR PROGRAMME ENDING 30-6-84
- FIFTH YEAR PROGRAMME ENDING 30-6-85

LEVEL DATE	FA	LB	LEGAL DESCRIPTION	DATE	APPROVED	SCALE: 1:15000	JOB NO: 12965/18
CAD	APPLICATION PROGRAM		DATE				
SURVEY COMPUTER REF.	COMPUTER FILES		DATE				
1/5 & FILE			DATE				

STATEMENT NO: 1000

DATE: 12/1/85

CONSERVATION PLAN NO: 1000

REGIONAL COUNCIL

RABBIT AND LAND MANAGEMENT PROGRAMME

GALLOWAY STATION - SAND PIT - TIN HUT - (MIDDLE PART)

ANNUAL WORKS AND PEST CONTROL

MR. A. PRESTON GALLOWAY STATION RD. ALEXANDRA

DATE: 12/1/85

SCALE: 1:15000

THE COMMON SEAL of
THE OTAGO REGIONAL COUNCIL
was attached in the presence of:



[Handwritten Signature]

Chairman
CHAIRPERSON

[Handwritten Signature]

Director

SIGNED by
Pamela Alyne Preston of Galloway and Roger
Norman Macassey and Trevor John Mason
of Dunedin

P.A. Preston

R.N. Macassey

in the presence of:

[Handwritten Signature]

Witness: T.O.R.

Occupation: Part-time Cook to Cook


Address: Allan Gibson Dunedin

CERTIFICATE AND APPLICATION FOR REGISTRATION

I, **RUSSELL WAYNE SCOTT** of Dunedin, Director of Corporate Services of the Otago Regional Council certify:

1. this agreement is a duplicate of the land improvement agreement made under Section 30(3) and 30A Soil Conservation and Rivers Control Act 1941 between the Otago Regional Council and Pamela Alyne Preston of Galloway and Roger Norman Macassey and Trevor John Mason of Dunedin called the Farmer
2. this agreement may be registered against the land described in the First Schedule of this agreement

and I apply for registration of the agreement against the title to the land described in the First Schedule.



R W Scott
Director of Corporate Services
Otago Regional Council

To; The District Land Registrar
Otago Land Registration District.

Dated

1992

**BETWEEN THE OTAGO REGIONAL
COUNCIL** a body corporate under
the Local Government Act 1974
(called "the Council")

AND Pamela Alyne Preston of Galloway
and Roger Norman Macassey and
Trevor John Mason of Dunedin

(called "the Farmer")

LAND IMPROVEMENT AGREEMENT

**Rabbit and Land Management
Land Improvement Agreement**

Guarantee for Trusts

In Consideration of:

1. The Council entering into the Agreement with the Farmer.
2. The obligations undertaken by the Council to the Farmer.
3. The Council continuing to perform the obligations set out in the Agreement.
4. The Council refraining for the time being from taking steps to recover any money owing by the Farmer to the Council under the Agreement or enforcing any other obligation of the Farmer under the Agreement unperformed:
 1. **The Guarantors (named below) guarantee the performance of all the Farmer's obligations under the Agreement including (but not limited to):**
 - (a) the payment of any money payable by the Farmer to the Council
 - (b) any interest, costs and expenses payable by the Farmer to the Council in obtaining or enforcing (or trying to obtain or enforce) performance of any of the Farmer's obligations under the Agreement.
 - 2.1 **This guarantee shall be a continuing guarantee for the duration of the Agreement between the Farmer and the Council.**
 - 2.2 **This guarantee shall not be discharged until the Farmer's obligations under the Agreement have been fully performed or the guarantee is expressly revoked by the Council in writing.**
 - 3.1 **Except** in accordance with clause 2 of this guarantee, this guarantee shall not:
 1. be released or discharged or satisfied for any reason at all
 2. be abrogated or prejudiced or affected by any ground whatsoever whether known to the Council or not.
 - 3.2 **Without limiting** clause 3.1 of this guarantee the liability of the Guarantor shall not be discharged by:
 1. any compromise, compound or arrangement made by the Council with the Farmer or any Guarantor
 2. any full or partial release given by the Council to the Farmer or any Guarantor of any obligation to the Council
 3. the Council abandoning, releasing, varying, renewing or surrendering any judgment, security or other rights held by the Council against the Farmer or any Guarantor
 4. any alteration in the nature, term, priority or enforceability or any security or right held by the Council against the Farmer or any Guarantor
 5. any assignment, disposition or other dealing affecting the farmer's interest under the Agreement or in land which is the subject of the Agreement whether the Guarantor consented to the assignment, disposition or dealing or not
 6. any breach by the Council or the Farmer of the terms of the Agreement
 7. any variation or alteration in the terms of the Agreement or any guarantee whether made with the consent of the Guarantor or not
 8. any time or other indulgence granted to the Farmer or any Guarantor



9. any obligation contained in the Agreement or any guarantee being unenforceable by the Council against the Farmer or any Guarantor
 10. the insolvency or liquidation of the Farmer or any Guarantor
 11. any changes in the shareholding or directors of the Farmer or any Guarantor
 12. any amalgamation with or absorption of the Farmer or any Guarantor by any other incorporated body
 13. any security or agreement being void or defective or unenforceable in substance or in form
 14. anything done or omitted by the Council under the Agreement or this guarantee
 15. any payment or credits to or surplus in the Farmer's property account operated by the Council under Clause 5 of the Agreement.
- 3.3** This guarantee shall remain valid and binding on the Guarantor if any of the events listed in 3.2 occur even though:
1. the Guarantor did not consent;
 2. the Guarantor did not have notice.
- 4.1** Although as between the Farmer and the Guarantor the Guarantor may be a surety only as between the Council and the Guarantor the Guarantor shall be deemed to be the principal obligor and liable on all the Farmer's obligations under the Agreement.
- 4.2** The Guarantor shall not be released by anything which would release any person liable only as a surety.
- 5.** The Guarantor has not and shall not take, without the Council's written consent, any security from the Farmer in connection with the guarantee.
- 6.1** If the Farmer is wound up or makes any assignment or arrangement for the benefit of its creditors the Guarantor shall not:
1. prove or seek recovery of any payments made by the Guarantor in competition with the Council
 2. seek to deprive the Council of any monies recovered by the Council
 3. hold the Council accountable to the Guarantor for any payments received by the Council.
- 6.2** If the Farmer is wound up or makes any assignment or arrangement for the benefit of its creditors the Guarantor shall only prove for or seek recovery of payments made by them once the Farmer's indebtedness to the Council has been discharged.
- 7.1** Each Guarantor shall be jointly and severally liable.
- 7.2** Each Guarantor shall be liable under the guarantee even though some other person or persons were intended to be a Guarantor and have refused or failed to sign the guarantee or have not become legally bound by the guarantee.
- 8.1** The Guarantor shall not exercise any rights of surety or of subrogation inconsistent with the guarantee.
- 9.** The guarantee shall be valid and binding even though:
1. the Agreement between the Council and the Farmer is outside the powers of the Farmer its directors or agents
 2. the Agreement is in any way irregular, defective or unenforceable.
- 10.1** This guarantee shall not merge in, prejudicially affect or be merged in or be prejudicially affected by any other agreement, guarantee or security.

1.2 This guarantee shall be in addition to and without prejudice to any other agreement, security or guarantee.

11.1 The Guarantor shall perform the obligations created by this guarantee on demand by the Council.

11.2 Demand shall be made by the Council in writing and served on the Guarantor

1. by being personally delivered to the Guarantor
2. by being left at the place last known to the Council as the last known place of business or residence of the Guarantor
3. by being sent by ordinary post to the place known to the Council as the last known place of business or residence of the guarantor; any notice posted shall be deemed to be served in the ordinary course of post.

11.3 Any notice shall be valid even if the Guarantor is mentally disordered, under disability, dead, bankrupt or absent from the country or the address at which the notice is left or to which it is posted.

12.2 Interpretation

12.1 "Agreement" means the Land Improvement Agreement to which this guarantee is annexed between the Farmer and the Council.

12.2 "Council" means the Otago Regional Council and includes its officers, employees, agents and independent contractors.

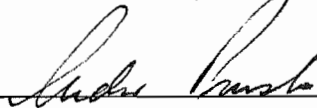
12.3 "Farmer" means the person named as the Farmer in the Agreement and includes any person acquiring the Farmer's interest in the land.

12.4 "Guarantor" means the person or persons who sign this guarantee and if more than one, both or either of those persons.

12.5 "Land" means the land described in the First Schedule of the Agreement.

SIGNED by

Andrew Farrar Preston (Guarantor)



in the presence of:

Witness: Melissa Elliot

Occupation: Computer Operator

Address: 5 Don Place, Alexandra

lkw sl2 disk

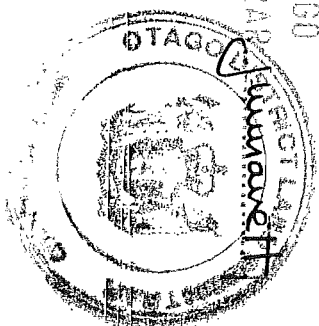


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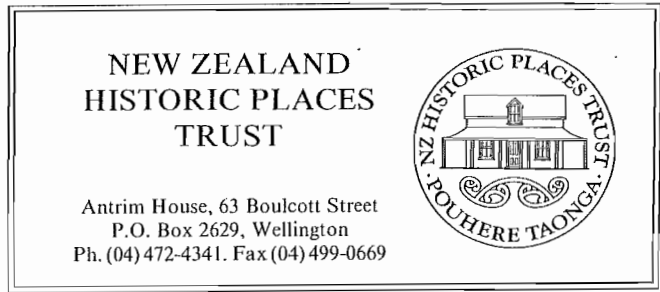
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tenure review due diligence from
file: P 180 Vol 1/14

24 June 1994



Landcorp Property Ltd
PO Box 27
ALEXANDRA 9181

Reg. No: 2373

ⓐ P180
ⓑ Seft SWH



Dear Sir/Madam

Property: Galloway Station Homestead
Crawford Hills Rd
GALLOWAY

Legal Description : P180 Run 565A Cairnside, Long Valley & Tiger Hill SD

You may already be aware, as the owner of the above property, that it has been recognised for some time for its special heritage qualities. The New Zealand Historic Places Trust previously classified your property C under the Historic Places Act 1980.

The Historic Places Act 1993 now replaces the 1980 Act. I am writing to inform you that your property is now entered as an historic place, Category II on the Register of historic places, historic areas, wahi tapu and wahi tapu areas, as set out by the Historic Places Act 1993. This reclassification of registration is set out in Section 114(3a) of the new Act, a copy of which is enclosed.

The practical situation remains largely unchanged, but the wording and system of registration has. Please be assured that registration carries no increased legal obligation for you to maintain or restore your heritage property. Furthermore, you are not obliged to give access to your property to members of the public.

I draw your attention to the provisions of Part II of the Historic Places Act 1993, a copy of which is enclosed. This Part relates to the Register, criteria for registration, provisions relating to historic places and wahi tapu, interim registration and related procedures, interim protection of places proposed for registration, final registration and confirmation by agreement, provisions relating to historic areas and wahi tapu areas, the role of territorial authorities, the availability of the register and review of registration.

YOUR PROPERTY RIGHTS

Registration of your property does not affect your property rights, nor does it directly convey legal protection.

The purpose of the Register is to identify places or areas of historical or cultural heritage significance to owners or the public. This information then assists them to make fully informed decisions concerning this heritage.

HISTORIC PLACES ACT 1993

114. Registration or classification under former Act -

- (1) All buildings classified under paragraph (a) or paragraph (b) of section 35(1) of the Historic Places Act 1980, and all places recorded under section 51 of that Act, shall, notwithstanding subsection (8) of this section, be deemed to have final registration in Category I of the Register.
- (2) Where a proposal for classification made under section 35 or section 49 of the Historic Places Act 1980, or an application made under section 50(1) of that Act, has not been finally dealt with before the commencement of this Act, those proposals or applications shall be dealt with and completed after that date in accordance with the provisions of that Act as if this Act had not been enacted.
- (3) The following shall be deemed to have final registration in Category II of the Register:
 - (a) All buildings classified under paragraph (c) or paragraph (d) of section 35(1) of the Historic Places Act 1980:
 - (b) All archaeological sites registered under section 43(1) of that Act.
- (4) All historic areas classified under section 49 of the Historic Places Act 1980 shall be deemed to have final registration under this Act as historic areas.
- (5) In respect of traditional sites declared under section 50(1) of the Historic Places Act 1980, the following provisions shall apply:
 - (a) Notwithstanding paragraph (b) of this subsection, traditional sites will be deemed to have final registration as wahi tapu:
 - (b) Within 12 months of the date of enactment of this Act, the Maori Heritage Council shall reassess every such site on an individual basis, and shall enter it in the part of the Register relating to -
 - (i) Historic places; or
 - (ii) Historic areas; or
 - (iii) Wahi tapu; or
 - (iv) Wahi tapu areas.
- (6) Within 12 months after the commencement of this Act, the Trust shall notify each owner concerned of -
 - (a) The provisions of this section that affect the owner; and
 - (b) The relevant provisions of Part II of this Act.
- (7) Where the Trust fails to notify an owner in accordance with subsection (4) of this section, the registration conferred by this section shall be deemed to have been removed under section 31(6) or section 32(6) of this Act.
- (8) Every notification to a District Land Registrar made under section 51 of the Historic Places Act 1980 shall be deemed to lapse at the date of commencement of this Act; and the Trust shall, within 3 months after that date, notify the owner of the land or building concerned and the District Land Registrar of the district concerned accordingly; and the District Land Registrar shall thereupon cancel the notification on every relevant certificate of title.

RELEASED UNDER THE OFFICIAL INFORMATION ACT
 Yes, I want to help Save Our Past For
Our Future!

Name: _____

Address: _____

Daytime Phone: _____

- As a: Family \$40
 Individual \$40
 Joint Senior Citizen \$35
 Senior Citizen \$35
 Student \$30

Subscription Fee \$ _____
For Overseas Post add \$30 \$ _____
Donation \$ _____
TOTAL \$ _____

- This is a Renewal
 I enclose a cheque made out to the
NZ Historic Places Trust, **or**

Please charge my
 Visa Mastercard/ Amex Diners
Bankcard

Card Number _____

Expiry Date: _____

Cardholder Name: _____

Signature: _____

To join, complete the coupon above and mail it
(no stamp required if posted in NZ) to:

FREEPOST 3206,
NZ Historic Places Trust,
PO Box 2629, WELLINGTON.

SAVING
OUR PAST



FOR OUR
FUTURE

The mission of the New Zealand Historic Places Trust/Pouhere Taonga is to promote the identification, protection, preservation and conservation of the historical and cultural heritage of New Zealand. Puritia nga taonga tuku iho a nga tupuna; hei tiki huia ma nga uri whakatupu o Aotearoa.

The distinctive characteristics of our land and buildings are important to the way we shape our communities: socially, economically, aesthetically and culturally. The Trust believes the conservation of this heritage enables New Zealanders to develop a greater understanding of our history and our identity.

Each time an historic place is irrevocably changed by unsympathetic 'renovation', demolished, or is falling down from neglect, part of this heritage is lost forever. Our goal is to minimise these losses and ensure that, when they do occur, it is only with the knowledge and acceptance of all the people affected.

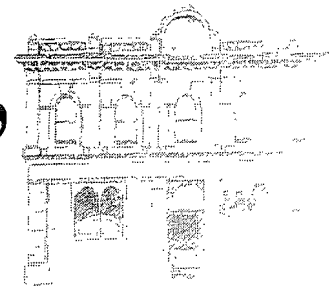
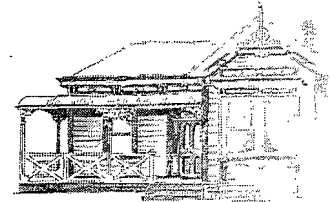
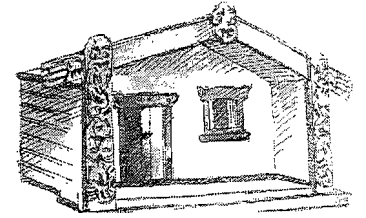
The protection and care of our historic places is a task that must be shared by the people of New Zealand and the Trust working together.

Your support of the Trust, both moral and financial, will help us to work on your behalf to save our past for the enjoyment and enrichment of future generations.

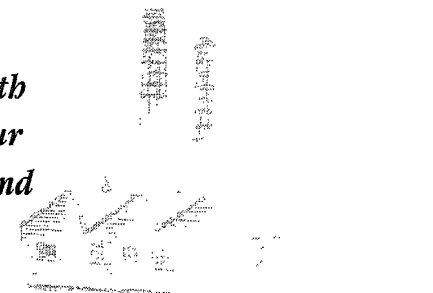
NEW ZEALAND HISTORIC PLACES TRUST
POUHERE TAONGA

PO Box 2629, Wellington, New Zealand
Telephone: (04) 472-4341; facsimile (04) 499-0669

**ACT
NOW**
To Save Our
**HISTORIC
PLACES,**
*Or They
Will Just*
DISAPPEAR...



*...and, along with
them, part of our
vital New Zealand
identity.*



FIGHT BACK

Join the New Zealand Historic Places Trust Today

PART II -- Historic Places Act 1993

REGISTRATION OF HISTORIC PLACES, HISTORIC AREAS, WAHI TAPU, AND WAHI TAPU AREAS

22. Register of historic places, historic areas, wahi tapu, and wahi tapu areas — (1) The Trust shall establish and maintain a register of historic places, historic areas, wahi tapu, and wahi tapu areas.

(2) The purposes of the Register shall be as follows:

- (a) To inform members of the public about historic places, historic areas, wahi tapu, and wahi tapu areas;
- (b) To notify owners of historic places, historic areas, wahi tapu, and wahi tapu areas where necessary for the purposes of this Act;
- (c) To assist historic places, historic areas, wahi tapu, and wahi tapu areas to be protected under the Resource Management Act 1991.

(3) The Register shall consist of the following:

- (a) A part relating to historic places, comprising the following categories:
 - (i) *Category I*: Places of special or outstanding historical or cultural heritage significance or value;
 - (ii) *Category II*: Places of historical or cultural heritage significance or value;
- (b) A part relating to historic areas;
- (c) A part relating to wahi tapu;
- (d) A part relating to wahi tapu areas.

(4) The entry in and removal from the Register of details of historic places, historic areas, wahi tapu, and wahi tapu areas shall be in accordance with this Part of this Act.

(5) An entry in the Register in respect of any historic place may include any chattel or object or class of chattels or objects —

- (a) Situated in or on that place; and
- (b) Considered by the Trust to contribute to the significance of that place; and
- (c) Nominated by the Trust.

23. Criteria for registration of historic places and historic areas — (1) The Trust may enter any historic place or historic area in the Register if the place or area possesses aesthetic, archaeological, architectural, cultural, historical, scientific, social, spiritual, technological, or traditional significance or value.

(2) The Trust may assign Category I status or Category II status to any historic place, having regard to any of the following criteria:

- (a) The extent to which the place reflects important or representative aspects of New Zealand history;
- (b) The association of the place with events, persons, or ideas of importance in New Zealand history;
- (c) The potential of the place to provide knowledge of New Zealand history;

(d) The importance of the place to the tangata whenua;

(e) The community association with, or public esteem for, the place;

(f) The potential of the place for public education;

(g) The technical accomplishment or value, or design of the place;

(h) The symbolic or commemorative value of the place;

(i) The importance of identifying historic places known to date from early periods of New Zealand settlement;

(j) The importance of identifying rare types of historic places;

(k) The extent to which the place forms part of a wider historical and cultural complex or historical and cultural landscape;

(l) Such additional criteria for registration of wahi tapu, wahi tapu areas, historic places, and historic areas of Maori interest as may be prescribed in regulations made under this Act;

(m) Such additional criteria not inconsistent with those in paragraphs (a) to (k) of this subsection for the purpose of assigning Category I or Category II status to any historic place, and for the purpose of registration of any historic area, as may be prescribed in regulations made under this Act.

24. Provisions relating to historic places — (1) The registration of any historic place may be proposed by the Trust or by any other person.

(2) Every proposal for registration —

(a) Shall describe the historic place to which it relates in such a way as to sufficiently identify it; and

(b) May state the proposed category of registration.

(3) If satisfied that the proposal is supported by sufficient evidence, the Trust shall —

(a) Publicly notify the proposal for registration in such manner and in such category as the Trust considers appropriate; and

(b) Give notice in writing of the proposal to —

- (i) The owner of the historic place concerned; and
- (ii) Every person having a registered interest in the place; and
- (iii) The relevant territorial authority.

(4) Every owner of an historic place who receives a notice under subsection (3)(b) of this section shall give notice in writing of the proposal to the occupiers of the

place.

(5) In the case of an application affecting Maori land, the Trust shall give notice of the application to the Registrar of the appropriate Maori Land Court, who shall record the effect of the notice in the Court records.

(6) No failure of an owner to notify an occupier pursuant to subsection (4) of this section shall invalidate the registration process.

25. Provisions relating to wahi tapu — (1) Any person may apply to the Maori Heritage Council to have any wahi tapu entered on the Register.

(2) An application under this section shall contain a legal description of the land affected and specify the general location and nature of the wahi tapu.

(3) If satisfied that the proposal is supported by sufficient evidence, the Council shall —

- (a) Publicly notify the proposal for registration in such manner as the Council considers appropriate; and
- (b) Give notice in writing of the proposal to —
 - (i) The owner of the wahi tapu concerned; and
 - (ii) The relevant territorial authority; and
 - (iii) Every person having a registered interest in the wahi tapu; and
 - (iv) The appropriate iwi.

(4) Every owner of a wahi tapu who receives a notice under subsection (3)(b) of this section shall give notice in writing of the proposal to the occupiers of the place.

(5) In the case of an application affecting Maori land, the Trust shall give notice of the application to the Registrar of the appropriate Maori Land Court, who shall record the effect of the notice in the Court records.

(6) No failure of an owner to notify an occupier pursuant to subsection (4) of this section shall invalidate the registration process in that case.

26. Interim registration — (1) The Trust may grant interim registration in respect of any historic place if satisfied that the proposal is supported by sufficient evidence.

(2) The Maori Heritage Council may grant interim registration of any wahi tapu, if satisfied that the proposal is supported by sufficient evidence.

(3) Interim registration of any historic place or wahi tapu shall be effective on and from the day on which the notice given under section 24(3)(b) or section 25(3)(b) of this Act is received by the owner of that place or wahi tapu, and shall lapse —

- (a) When final registration is confirmed under section 29 or section 30 of this Act; or
 - (b) Six months after the date of such interim registration, if final registration is not confirmed or interim registration is not cancelled within that period.
- (4) Notwithstanding subsection (3)(b) of this

section, the Trust or the Council, as the case may be, may extend the period of 6 months referred to in subsection (3) by a further period not exceeding 2 months, and the interim registration of the historic place or wahi tapu concerned shall continue in force for that further period and shall then lapse in accordance with subsection (3) of this section.

(5) Where the Trust or the Council proposes to extend the interim registration of any historic place or wahi tapu under subsection (4) of this section, it shall, at least 1 month before that interim registration expires, notify the owner concerned by the proposal.

(6) The owner may, within 5 working days after receiving notice under subsection (5) of this section, object in writing to the proposed extension of interim registration and the Trust or the Council, as the case may be, shall determine the objection within 5 working days after receiving the objection.

(7) The Trust or the Council, as the case may be, shall, as soon as practicable after the date of its decision to grant an extension under subsection (4) of this section, notify the owner concerned of its decision.

27. Interim protection of places proposed for registration — While any historic place or wahi tapu has interim registration under section 26 of this Act, sections 194 and 195 of the Resource Management Act 1991 shall apply to that place or wahi tapu as if interim registration were notice of a requirement for a heritage order.

28. Procedure applying where interim registration effected — (1) Where the Trust (in the case of an historic place) or the Maori Heritage Council (in the case of a wahi tapu) grants interim registration under section 26 of this Act, the following persons may make written submissions under this section about the grant, which submissions shall be made to the Trust or the Council, as the case may be, within 20 working days after the date of the public notification of the grant:

- (a) The owner of the historic place or wahi tapu;
- (b) Any occupier of the historic place or wahi tapu;
- (c) Any person having a registered interest in the historic place or wahi tapu;
- (d) Any incorporated society or body corporate engaged in or having as one of its objects the protection of historic places;
- (e) The territorial authority having jurisdiction in the area;
- (f) The appropriate iwi.

(2) The Maori Heritage Council may make such enquiries as it sees fit before deciding whether or not to confirm the registration of any wahi tapu.

(3) Where the Trust considers that any historic place granted interim registration is of Maori interest, the Trust shall refer the grant to the Maori Heritage Council for its recommendation as to whether final registration should be confirmed.

(4) When deciding whether or not to confirm the registration of any historic place, the Trust may

reconsider the category of registration proposed of the place concerned and alter the category if it considers such a variation appropriate.

29. Final registration may be confirmed by agreement — Where notice of a proposal has been given in accordance with section 24 (3)(b) or section 25 (3)(b) of this Act, the Trust or the Maori Heritage Council, as the case may be, with the agreement of the owner of the place or wahi tapu and of every person holding a registered interest in the place or wahi tapu, may confirm the registration of the place or wahi tapu at any time after the requirements of those provisions have been complied with.

30. Final registration — (1) Registration of any historic place or wahi tapu shall be final when —

(a) Either —

(i) The Trust (in the case of an historic place) or the Maori Heritage Council (in the case of a wahi tapu) has confirmed the registration of that place or wahi tapu; or

(ii) The registration of that place or wahi tapu has been confirmed by agreement under section 29 of this Act; and

(b) The owner of that historic place or wahi tapu has received a notice under subsection (2)(b) of this section.

(2) The Trust shall —

(a) Publicly notify final registration; and

(b) Give written notice of final registration to—

(i) The owner of the historic place or wahi tapu concerned; and

(ii) The holder of any registered interest in that place or wahi tapu; and

(iii) The relevant territorial authority.

31. Provisions relating to historic areas — (1) The Trust or any other person may propose registration of any historic area.

(2) Every proposal for registration shall describe the historic area to which it relates in such a way as to sufficiently identify it.

(3) If the Trust is satisfied that the proposal is supported by sufficient evidence, the Trust may register the historic area.

(4) In respect of any registered historic area, the Trust —

(a) Shall give written notice of the registration to the appropriate territorial authority or regional council in whose area the historic area is located; and

(b) May make specific recommendations to that territorial authority or regional council as to the appropriate measures the authority or council should take to assist in the conservation and protection of the historic area.

(5) Any territorial authority or regional council receiving a recommendation under subsection (4)(b) of

this section shall have particular regard to the Trust's recommendations.

(6) The Trust may from time to time, after making such enquiries as it considers appropriate, vary or remove the registration or any historic area contained in the Register and, as soon as practicable after making that variation or removal, the Trust shall notify in writing the appropriate territorial authority in whose area the historic area is located.

32. Provisions relating to wahi tapu areas — (1) Any person may propose to the Maori Heritage Council that any wahi tapu area be entered on the Register.

(2) Every proposal for registration shall contain a legal description of the general area of land affected and specify the general nature of the wahi tapu included in the area.

(3) If, after making such enquiries as it considers appropriate, the Council is satisfied that the proposal is supported by sufficient evidence, the Council may register the wahi tapu area.

(4) In respect of any registered wahi tapu area, the Council —

(a) Shall give written notice of the registration to the territorial authority or regional council in whose area the wahi tapu area is located; and

(b) May make specific recommendations to that territorial authority or regional council as to appropriate measures the authority or council should take to assist in the conservation and protection of the wahi tapu area.

(5) Any territorial authority or regional council receiving a recommendation pursuant to subsection (4)(b) of this section shall have particular regard to the Council's recommendations.

(6) The Council may from time to time, after such consultation as it considers appropriate, vary or remove the registration of any wahi tapu area contained in the Register and, as soon as practicable after making that variation or removal, the Council shall notify in writing the appropriate territorial authority or regional council in whose area the wahi tapu area is located.

33. Proposal affecting registered wahi tapu areas —

(1) Where the Trust —

(a) Is advised by a local authority that the authority has received an application for a resource consent in respect of any wahi tapu area; or

(b) Is considering an application or proposal under section 14 or section 18(2) of this Act that affects any wahi tapu area; or

(c) Proposes to take any action in respect of any wahi tapu area,—

the Trust shall refer the application or proposal to the Maori Heritage Council before taking any action in

respect of the application or proposal.

(2) The Council shall consult the local territorial authority, the applicant for the resource consent, the relevant iwi or other Maori groups, and the proposers of the wahi tapu area, as the case may require, before taking any action in respect of the application or proposal.

(3) The Council shall, within 3 months of the date of receipt of that application or proposal by the Council, advise the Trust of any comment or recommendation it wishes to make on any application or proposal referred to it under subsection (1) of this section.

34. Records to be supplied to territorial authorities

— (1) The Trust shall maintain and supply to every territorial authority a record of registered historic places, historic areas, wahi tapu, and wahi tapu areas that are located within that territorial authority's district and heritage covenants that have effect in that area, and the territorial authority shall keep the record available for public inspection during its usual business hours.

(2) Notification to a territorial authority —

(a) Pursuant to section 24(3)(b) of this Act of a proposal for interim registration or removal from the register; and

(b) Pursuant to section 30(2)(b) of this Act of final registration or removal from the register —

of any historic place, historic area, wahi tapu, or wahi tapu area (but no other notification) shall, for the purposes of section 31(2)(b) of the Building Act 1991 and section 44A(2)(g) of the Local Government Official Information and Meetings Act 1987, constitute information which has in terms of this Act been notified to the territorial authority by a statutory organisation having the power to classify land or buildings for any purpose.

35. Notification to territorial authorities for land information memorandum and project information memorandum purposes — The Trust may, in its discretion, notify any territorial authority of the particulars of any registered historic place, historic area, wahi tapu, or wahi tapu area in that territorial authority's district with sufficient detail to enable those particulars to be included in —

(a) Any land information memorandum issued by the territorial authority under section 44A of the Local Government Official Information and Meetings Act 1987; and

(b) Any project information memorandum issued by the territorial authority under section 31 of the Building Act 1991.

36. Availability of Register — The Register shall be open for public inspection during usual business hours at the principal office of the Trust in Wellington and at regional offices of the Trust.

37. Review of registration — (1) The Trust (in the case of an historic place or historic area) and the Maori Heritage Council (in the case of a wahi tapu or a wahi tapu area) may at any time review the registration of that historic place, historic area, wahi tapu, or wahi tapu area.

(2) Any person or body may —

(a) Apply to the Trust for a review of the registration of any historic place or historic area;

(b) Apply to the Maori Heritage Council for a review of the registration of any wahi tapu or wahi tapu area.

(3) Applications for the review of registration shall be made in the prescribed form (if any) and state the grounds for review.

(4) The Trust or the Council, as the case may be, may decline to consider any application that does not state any grounds for review or if it considers that the grounds stated are insufficient to justify a review, and shall advise the applicant of its decision.

(5) Following consideration of the review of registration, the Trust or the Council, as the case may be, may —

(a) Confirm or modify the registration; or

(b) In the case of an historic place, change the category of registration; or

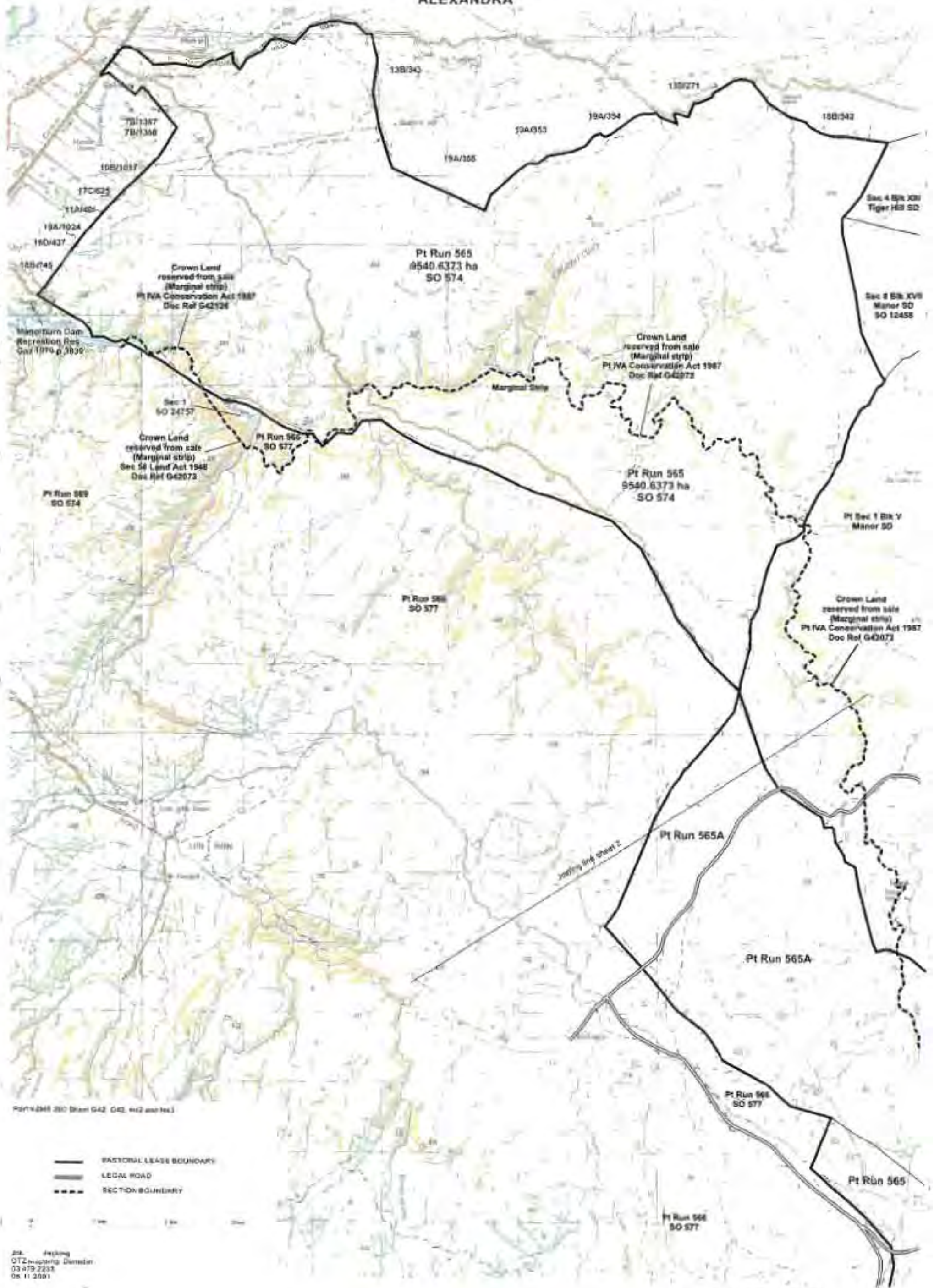
(c) Remove the entry from the Register.

(6) Subject to subsection (4) of this section, every application for the review of registration shall be considered by the Trust or the Council, as the case may be, in the same manner as if it were a proposal for registration under this Act but no person or body may apply for a review of registration of any historic place, historic area, wahi tapu, or wahi tapu area within 3 years after the date of the last submission or review.

(7) Every application for the review of registration shall be considered by the Trust or the Council, as the case may be, not later than 2 years after the date of its receipt by the Trust or Council.

(8) Where the Trust has publicly notified a proposal under this section to change the category of a registered historic place to Category I, sections 194 and 195 of the Resource Management Act 1991 shall apply until the Trust has finally dealt with the application, as if the application were a notice of a requirement for a heritage order.

Sheet 1
GALLOWAY STATION
ALEXANDRIA

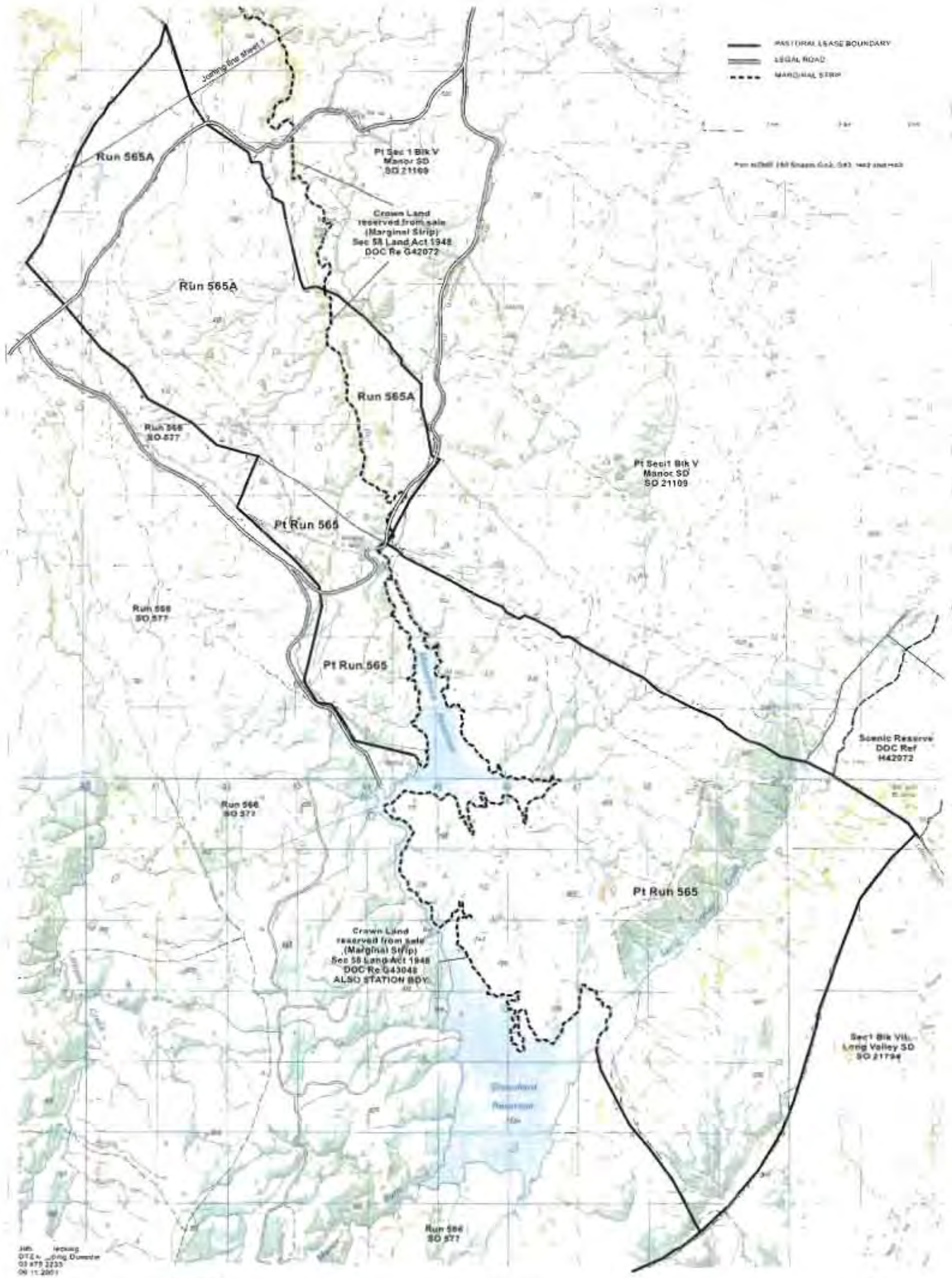


Part 4246 260 Sheet G42, G43, 442 and 443

- PASTORAL LEASE BOUNDARY
- LEGAL ROAD
- SECTION BOUNDARY

208 - Feilding
OTZ Mapping Domain
03 479 2254
05 11 2001

Sheet 2 GALLOWAY STATION ALEXANDRA



— PASTORAL LEASE BOUNDARY
== LEGAL ROAD
---- MARGINAL STRIP

0 100 200
 METRES

From section 146 of the Geomatics Act, 2002, section 21

Pt Sec 1 Bk V
Manor SD
SO 21109

Crown Land
reserved from sale
(Marginal Strip)
See 58 Land Act 1948
DOC Ref G42072

Run 565A

Run 565A

Run 565A

Pt Sec 1 Bk V
Manor SD
SO 21109

Run 566
SO 577

Pt Run 565

Run 566
SO 577

Pt Run 565

Scenic Reserve
DOC Ref
H42072

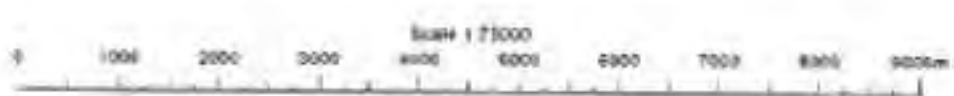
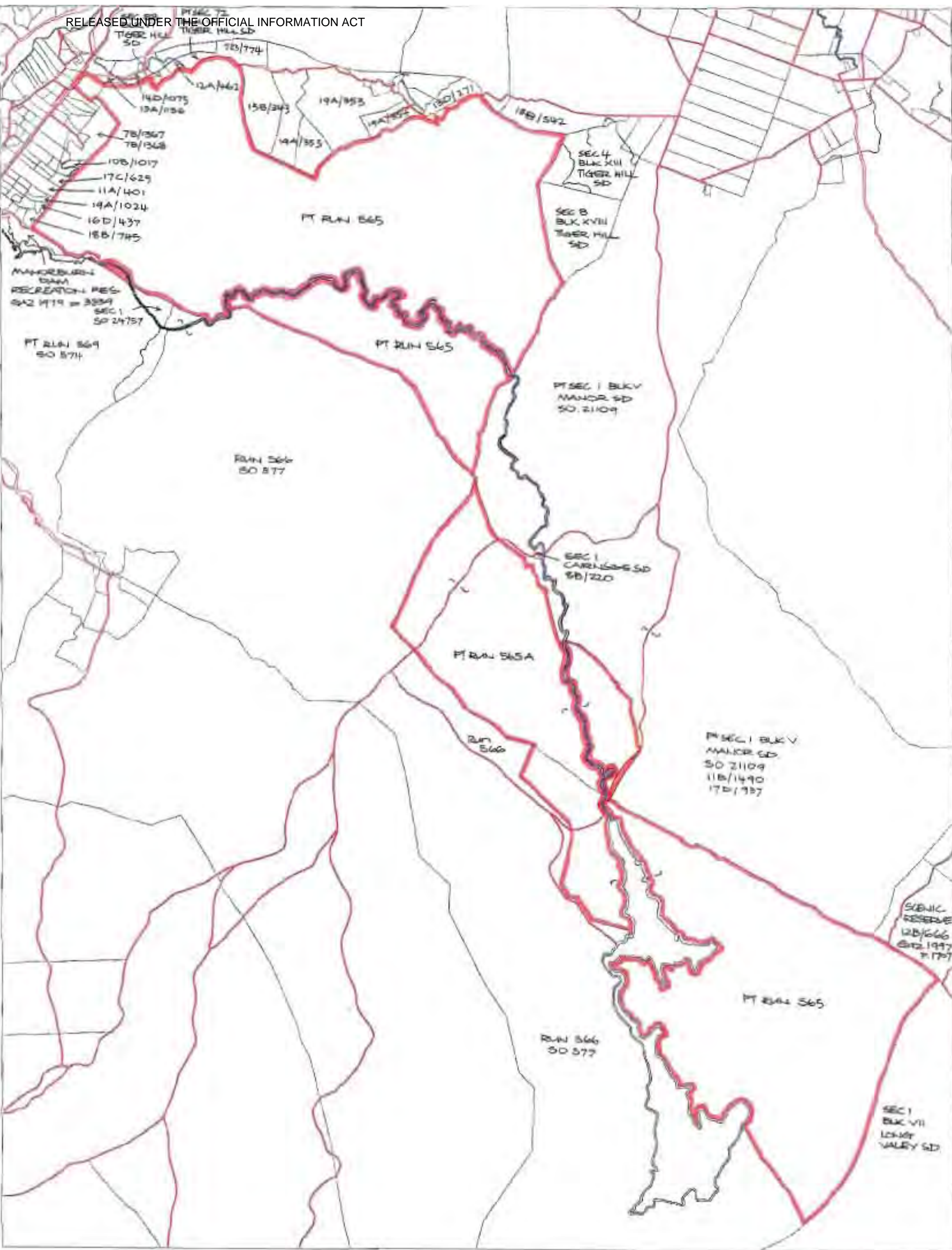
Run 566
SO 577

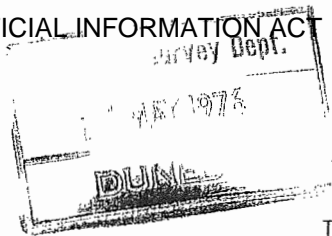
Pt Run 565

Crown Land
reserved from sale
(Marginal Strip)
See 58 Land Act 1948
DOC Ref G43048
ALSO STATION Bdy.

Sec 1 Bk VII
Long Valley SD
SO 21794

Run 566
SO 577





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tenure review due diligence from P. 180
file: P180 Vol 4/626

Department of Lands & Survey,
P.O. Box 27,
ALEXANDRA.

27 April, 1976


The Commissioner of Crown Lands,
Department of Lands & Survey,
DUNEDIN.

re: NASSELLA TUSSOCK - GALLOWAY STATION:

Your memorandum dated 1 April, 1976

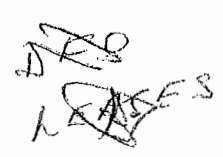
The Vincent County Council Noxious Weed Inspector has arranged a field day at Galloway Station for 25 May, 1976, the object of the day being to familiarise farmers; Pest Destruction Board staff and other interested parties with this weed.

In general the nassella is under good control in Central Otago. The Roxburgh infestation is grubbed regularly by the local farmers and the country is being kept clean. With the activities of the runholder; Vincent County Council Staff and field staff, the Galloway infestation is also being kept under control. As nassella was well established before control was implemented, a considerable amount of seed is present in the soil and as the plant has a prolific seed yield and a viable seed, it will be some years before the tussock can be eliminated. At this stage, control consists of grubbing young tussocks and assuring that no further seed is produced. Until such time as the existing seed supply already in the soil is exhausted, I do not consider that the present situation can be improved upon.


P.J. CURRY,
FIELD OFFICER


SENIOR FIELD OFFICER

Copies sent to
CPLD
18/5


LEASES

Department of Lands & Survey,
P.O. Box 27,
ALEXANDRIA.

21 February, 1973

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tenure review due diligence from
file: P 180 Vol 4601.

The Commissioner of Crown Lands,
Department of Lands & Survey,
DUNEDIN.

re: NASSELLA INFESTATION - GALLOWAY STATION:
K.F. PRESTON:

On the 19th January, 1973, I accompanied three farm advisory officers of the Ministry of Agriculture & Fisheries on their annual inspection of the Nassella Block on Galloway Station and report as follows:

The central area of the infestation has been fenced off for many years and as a result has become somewhat overgrown. When the growth is green on the Block identification of nassella plant is difficult especially in areas of rank growth. However, at the time of inspection all the native grasses had died off so that nassella plants with their characteristic of remaining green in dry conditions were reasonably easily identified. Numerous small seedlings were found and grubbed out, especially adjoining a clump of silver poplars and up a damper gully with long growth. One seedling only was found outside the area which has been fenced off and no plants were found near the eastern end of the block. There was ample evidence of plants being recently grubbed out by the lessee and it was obvious that he is making a genuine attempt to control the plant.

Lessee cannot be blamed for not grubbing out all the nassella plants as they are extremely difficult to identify amongst the long grass in their younger stages. The fact that no seeding plants were found indicates that good control is being maintained on the block. The present control of the block whereby the lessee is responsible for grubbing out nassella plants subject to annual inspection by the M.A.F. appears to be working satisfactorily.

RECOMMENDATION:

THAT Department staff continue to liaise with the M.A.F. and lessee regarding the infestation.

A.J. Banks

A.J. BANKS,
FIELD OFFICER

R.D. [Signature]

SENIOR FIELD OFFICER

22/2/73

PLEASE QUOTE
FILE N/2

COUNTY

P.O. BOX No. 4
CLYDE, N.Z.



COUNCIL

TELEPHONE No.
CYD 807 Alexandra

569

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file: P 180 Vol 3/568

LANDS & SURVEY
30 APR 1969
DUNEDIN
DEPARTMENT

28th April, 1969

The Commissioner of Crown Lands,
Department of Lands & Survey,
P.O. Box 886,
DUNEDIN.

Dear Sir,

Nassella Tussock Control
Run 565 Tiger Hill S.D. - P. 180

Pursuant to Section 8 (2) of the Nassella Tussock Act 1946, I enclose herewith a copy of a notice served on Mr Kenneth Farrar Preston of Galloway, in terms of Section 8 of the aforementioned Act.

Yours faithfully,

H. L. Chandler,
COUNTY CLERK.

JFO.
to note. Very interesting.
What is the position in relation to
assistance granted to that person at
Goat Creek. Is this Department still
assisting with an annual grant because this
will make grants now that the Control
of Nassella Tussock is under County Councils.
Best advice [Signature] 3/5/69

see file 2/591/11
foliar 119 2/31 - No longer
contributing by [Signature]

LETTERS SECTION

VINGENT COUNTY COUNCIL
NOTICE TO ERADICATE NASSELLA TUSSOCK
THE NASSELLA TUSSOCK ACT 1946


TO Kenneth Farrar Preston,
Galloway,
No.3 R.D.,
ALEXANDRA.

TAKE NOTICE that the undermentioned Council, pursuant to section 8 of the Nassella Tussock Act 1946, hereby requires you, under the supervision of the Council, to do on or in respect of the land described in the schedule hereto the acts and things specified in that schedule.

SCHEDULE

1. Description of land: All that portion of Run 565 Tiger Hill Survey District lying to the south west of Section 2 of 106 Block VIII Leaning Rock Survey District, whereon there has occurred an outbreak of the noxious weed Nassella Tussock (*Nassella trichatoma* (Nees.) Hack).
2. Acts and things to be done: (1) - To enclose the aforesaid Nassella Tussock-infested area with a suitable stock-proof fence; and (2) - To plant within the area thus enclosed trees of the species *Pinus radiata*, or other suitable type of trees.

Dated at Clyde this 23rd day of April, 1969:


H. L. Chandler,
CLERK OF THE VINGENT
COUNTY COUNCIL.

N.B. Your attention is drawn to sections 8 and 9 of the Nassella Tussock Act 1946 printed on the back hereof.

THE NASSELLA TUSSOCK ACT 1946

8. NOTICE TO OWNER TO ERADICATE OR CONTROL NASSELLA TUSSOCK -

(1) Any Council may from time to time cause to be served on the owner of any private land in the county a notice in writing in the form set out in the Schedule to this Act, or to that effect, requiring the owner, under the supervision of the Council, to do all or any of the following acts or things, namely:

- (a) To grub any nassella tussock on the land:
- (b) To plough under any nassella tussock on the land:
- (c) To plant on the land or on any part thereof such trees as the Council considers necessary for the purpose of covering any area or areas infested with nassella tussock, or for the purpose of preventing the carriage by wind of nassella tussock seed from any area so infested to any area not so infested:
- (d) To erect, in such positions as the Council may direct, on any land on which trees are planted as aforesaid, such fences as the Council thinks fit, or to repair any fence so erected:
- (e) To do in respect of the land any other act or thing appearing to the Council to be necessary or expedient for the control or eradication of nassella tussock thereon or for preventing the spread of nassella tussock to or from any other land.

(2) A copy of every notice under this section shall be served on all persons having any estate or interest in the land, so far as those persons are known to the Council.

(3) The description of any land in any notice under this section need not define the land, but shall be sufficient if it makes such reference to the land, either by name, number of section or allotment, boundaries, or otherwise, as allows of no reasonable doubt as to what land is referred to.

(4) The owner of any land who has been served with a notice under this section shall, before such date (being not less than twenty-two days after the date of service of the notice on the owner) as may be fixed by the Council, and in such manner as may be directed by the Council, do all the acts and things required by the notice to be done and take all such other measures as may be required in writing by the Council for any of the aforesaid purposes.

9. APPEALS FROM NOTICES -

(1) Within twenty-one days after any notice under the last preceding section is served on the owner of any land, the owner or any other person having an estate or interest in the land affected by the notice may give to the Council notice of appeal.

(2) Pending the determination of the appeal the notice shall be suspended.

(3) Every such appeal shall be heard and determined in a Magistrate's Court before a Magistrate alone, and the Court, for the purposes of hearing and determining the appeal, shall have all the powers vested in it in its ordinary civil jurisdiction.

(4) The procedure for the institution, hearing, and determination of the appeal in the Magistrate's Court shall be in accordance with the rules for the time being in force under the Magistrates' Courts Act 1947 in respect of originating applications to a Magistrate's Court, and, subject to those rules or so far as they do not extend, shall be in accordance with the ordinary procedure of that Court.

(5) On any such appeal the Magistrate's Court may cancel the notice or may confirm it, either absolutely or partially or subject to such conditions and modifications as the Court deems just, and the decision of the Court shall be final.

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file: P 180 Vol 3/515

5-15

WLM:FMG

78-974

P.180

-

896,

DUNEDIN.

28 August 1967

The District Electrical Engineer,
N.Z. Electricity Department,
P.O. Box 974,
DUNEDIN.

K. PRESTON, GALLOWAY STATION

This lessee has stated that in his view the nassella infestation of his property has been caused by your Department's bulldozers which have taken the seed on to his property in the course of maintaining access road to power pylons. This may or may not be correct but Mr Preston's main concern seems to be that he is not advised when a machine is being taken on to his property and he has no indication of areas which he can check against the spread of nassella.

In order to assist the position as much as possible it would be appreciated if your staff could, before taking dozers on to the property, advise Mr Preston so that he can take whatever control steps are necessary.

C.K. Eville
Commissioner of Crown Lands.

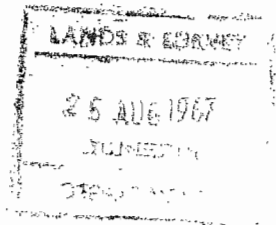
Per: 

28 AUG 1967

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file: P 180 Vol 3/94

P.180

ARA:FMG



DUNEDIN.

24 August 1967

C.C.L.,
OFFICE.

NASSELLA TUSSOCK, K. PRESTON, GALLOWAY STATION

Your memorandum to Chief Pastoral Lands Officer dated 28.7.67.

Mr Preston's complaint has been that the Electricity Department in maintaining their access road to power pylons have used a dozer and are running the risk of spreading nassella over the whole of his property. There can be no check as to the origin of the initial infestation although it must be admitted that it is located on the access track which was formed to allow pylons to be erected in the initial phase of reticulation from Roxburgh Hydro. Mr Preston's main worry is that he is never advised when a machine is being brought in to maintain the access line so that he has no indication of areas to check against the spread of nassella. I sympathise with him in his problem but can see little alternative apart from requesting that the Electricity Department display normal courtesy and advise Mr Preston when maintenance work is to commence so that the route taken by the dozer can be sighted and areas which could ultimately produce or carry nassella infestation could be watched and immediately dealt with. Because of the physical nature of the ground it is not possible without a reasonable amount of dozing to form an easy access for vehicles so that line maintenance can be carried out without difficulty and at the same time avoid the existing infestation of nassella. However, I feel that if the Department would contact Mr Preston prior to entering his property this would overcome to a large extent any objections he may raise.

Aitken
[Signature]
29 AUG 1967

[Signature]
A.R. Aitken
District Field Officer.

ARA:FMG

P.180

DUNEDIN.

24 August 1967

C.C.L.,
OFFICE.

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A.R. Aitken
District Field Officer.

FMG

3/591/11, P.180

C.C.L., DUNEDIN.

9 June 1967

C.P.L.O., CHRISTCHURCH.

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NASSELLA TUSSOCK, K. PRESTON - GALLOWAY STATION

Mr Preston saw the writer yesterday and complained that his block is being infested by Nassella brought there by N.Z. Electricity Department bulldozers which apparently periodically level out the pylon access track. He is concerned not only about his own position but also of the possibility of these bulldozers infesting other areas.

I do not know whether there is any substance in Mr Preston's allegation although it is of course correct that the property has a Nassella infestation. Before I take the matter up with N.Z. Electricity Department will you please give me your comments. Alternatively you may if you consider it advisable take the matter up yourself with the Department.

C.K. Eville
Commissioner of Crown Lands.

Per:

Simon
30 1.1.67

For your information

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file: P180 Vol 3/500

P.180

500

Lands & Survey Department,
P.O. Box 27,
ALEXANDRA.

18 August, 1966



Chief Pastoral Lands Officer,
Lands & Survey Department,
CHRISTCHURCH.

re: NASSELLA TUSSOCK - GALLOWAY STATION:

I have to advise that Nassella Tussock has been located and identified on Mr. K. Preston's Pastoral Lease P.180, near the bottom of the Bonanza Water Race on a dry hard face on Block VIII Tiger Hill S.D.

The plants were located and identified initially by Mr. G. Goodger of The Otago Catchment Board, Alexandra, and the location and extent of the infestation acknowledged by Mr. A. Lunn, Farm Advisory Officer of the Department of Agriculture, Alexandra.

An area of approximately 2 to 3 acres may be involved at this stage, but at least 1000 plants are known to exist in the area and quite a number have seed heads and are fully matured.

According to Mr. Lunn, they show signs of having been grazed by rabbits and a copy of his report will be forwarded to you as soon as it is available. I will inspect the area as soon as possible and give you any additional details which may be of assistance to you.

A.R. AITKEN,
PASTORAL LANDS OFFICER.

P.S. The infestation is within 200 yards of the power pylon line which runs from Roxburgh and the ^{26/4/66} areas which form the sites for the pylons put in a crossing through the Bonanza Race and gully very close to the site of the present infestation. It may be necessary to check the transmission line from Roxburgh north to ensure that no other infestation has occurred.

A.A.T