

Crown Pastoral Land Tenure Review

Lease name: GLEN LYON

Lease number: PT 007

Due Diligence Report (including Status Report) - Part 3

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.

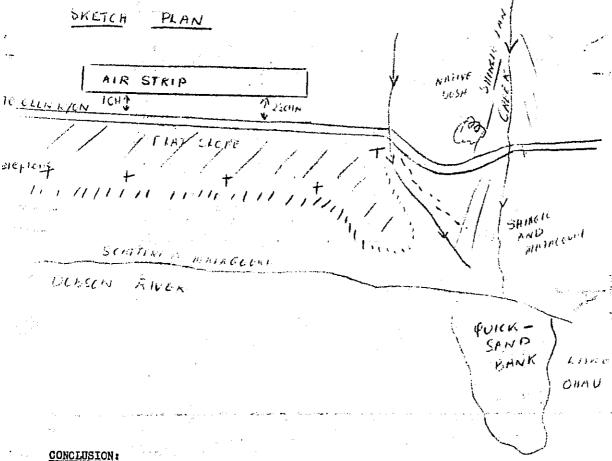
Part of the information relates to research on the status of the land, resulting in a Status Report that is signed off by a LINZ approving officer. The remainder of the information is not analysed for relevancy or possible action until required, and LINZ does not guarantee its accuracy or completeness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

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

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APPENDIX 7

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I am not sure what this Department's policy is on applications of this sort. I would assume that as the application is being made by the runholder that a more liberal view will be taken. Already on Glen Lyon Station there is one unauthorised but or bach which could be either on Glen Lyon or on the 1 chain Crown Reserve above mean high water level Lake Ohau. (This hut is boing reported on in a separate report which will follow).

I understand that the MacKensie County Council have no control of subdivision over 10 acres, but anything under requires the Council's approval. The County Clerk suggests 5 acres and he does not see the County objecting to Wigley's proposal, as some time back they approved a similar subdivision.

As I see it at this stage Mr Wigley wants approval to go ahead with his proposal in this locality.

Provided he meets all costs then I would recommend approval subject to him advising the Crown at a later date of the exact location.

ENCL: Photo 27/5A/30 Please Return

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Appendix A

This report has been prepared on the testruction of Land Information New Zealand to terms of the contract number 50178 dated September 1999 and is undertaken for the purposes of the Crown Pasteral Leases Act 1998.

LAND STATUS REPORT for GLEN LYON			[LIPS ref 12763]	
Property	1	of	1	

Land District	Canterbury	
Legal Description	Part Run 315, Glen Lyon oltrated in Blocks XVI & XVII Mueller Survey District, Blocks III, VI, IX, X, XIII and XIV, Ward Survey District, Blocks I, II, V, VI, IX, X, XIII and XIV, Tasman Survey District Blocks III, IV, VII, VIII, XII and XVI, Bipkins Survey District, Blocks I, II and V, Pukaki West Survey District, Blocks IV Campbell Survey District and Bural Section 39779 situated in Block XVI Hopkins Survey District.	
Area	31800,0000 bestares	
Status	Crown Land subject to the Land Act 1948,	
Instrument of lease	Pastoral Lease 529/12 pursuant to Section 66 as registered under Section 83 Land Act 1948.	
Encumbrances	Subject to part IVA of the Conservation Act 1987 upon disposition.	
Mineral Ownership	Minerals remain with the Crown as the land has never been alienated since its acquisition for Settlement purposes from the former Maori owners under the Kemp purchase in 1848.	
Statute Land Act 1948 & Crown Pastoral Land Act 19		

Data Correct as at	20 October 1999	
[Certification Attached]	Yes	

Prepared by	Murray Bradley Must.
Crown Accredited Agens	Knight Frank (NZ) Limited

See also pleo 3

KNIGHT FRANK (NZ) LIMITED

Appendis B

This land status report has been prepared on the instruction of Land Information New Zealand in terms of the contract number 50178 stated September 1999 and is undertaken for the purposes of the Crown Pastoral Leases Act 1998.

LAND STATUS REPORT for GLEN LYON			[LIPS rel 12763]	
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Encumbrances	Subject to part IVA of the Conservation Act 1987 upon disposition.		
Statute	Land Act 1948 & Crown Pastoral Land Act 1998,		

Data Correct as at	20 October 1999
[Certification Attached]	Yes
	· Ma
Prepared by	Murray Bradley 12004 .
Crown Accredited Agent	Knight Frank (NZ) Limited

Certification:

Pursuant to section 11(1)(1) of the Survey Act 1986 and acting under delegated authority of the Surveyor-General pursuant to section 11 (2) of that act. I hereby certify that the land described above is, Crown Land subject to the Land Act 1948

A Moulle

Date 27 10 /1999

R Moulton, Chief Surveyor Land Information New Zealand, Christchurch

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File Ref: LINZ (LIPS) 12763

4th Floor, Knight Frank House 76 Cashel Street, Christchurch Telephone: (03) 379 9787 Facsimile: (03) 379 8440

CERTIFICATE OF AUTHORISATION

PROPERTY ADDRESS: GLEN LYON - LAKE OHAU - CANTERBURY.

ASSURANCE

Knight Frank (NZ) Limited gives an assurance that the documents attached to this certificate are in order for signature.

The decision when made will comply with the following statutory requirements:

- The New Standards & Guidelines Manuals CCPO: Legalisation/Roading, OSG Standard 1995/05.
- Land Act 1948.
- Crown Pastoral Land Act 1998.

In giving this assurance **Knight Frank (NZ) Limited** undertakes that all relevant policy instructions, legal requirements, court judgements and any other matters have been taken into account and applied where appropriate.

Murray Bradley

ahad

Crown Accredited Agent

Dated / /

France

Germany

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GLEN LYON RESEARCH Property 1 of 1

Notes: This information does not affect	
the status of the land but was identified as possibly requiring further	
investigation at the due diligence stage:	
See Crown Pastoral Standard 6 paragraph 6	

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LAND STATUS REPORT for GLEN LYON	[LIPS ref.12763]
Property 1 of 1	

Research Data: Some Items may be not applicable

Property 1 of 1		
SDI Print Obtained	Yes	
NZMS 261 Ref	H37 & H38	
Local Authority	MacKenzie District	
Crown Acquisition Map	Kemp Purchase	
SO Plan	SO 5620, 13326 and SO 11288.	
Relevant Gazette Notices	1973 Page 1515 - Part Run 315 Proclaimed Road (6-0-23 acres)	
CT Ref / Lease Ref	Pastoral Lease 529/12	
Legalisation Cards	SO 11236 shows that an area of part Run 315 (6-0-23) was Proclaimed Road by Gaz. 1975 page 1515.	
CLR	N/A	
Allocation Maps (if applicable)	N/A	
VNZ Ref - if known	25320 - 02200	
Crown Grant Maps	N/A (See Sale Plan 191-1898).	
If Subject land Marginal Strip:	Note: Lease 529/12 and SO 13326 are subject to	
a) Type [Sec 24(9) or Sec 58]	the provisions of Section 58 of the Land Act 1948. The Dobson and Hopkins Rivers are clearly	
b) Date Created	depicted on SO 13326 without a one chain strip having been laid off. In view of LINZ letter dated	
c) Plan Reference	13 November 1997 regarding 'Lilybank' and Ministerial Co-ordinating Committee/State Owned Enterprises paper 271 dated 31 March 1987 (Dept of Justice) it would appear this memorial to have no substance unless a one chain strip was laid of by definition on a plan in the Chief Surveyors records.	
	SO11288 which defines the boundaries of RS39779 also defines a 20 metre strip as Crown land subject to Section 58 of the Land Act 1948 adjoining the Hopkins River.	

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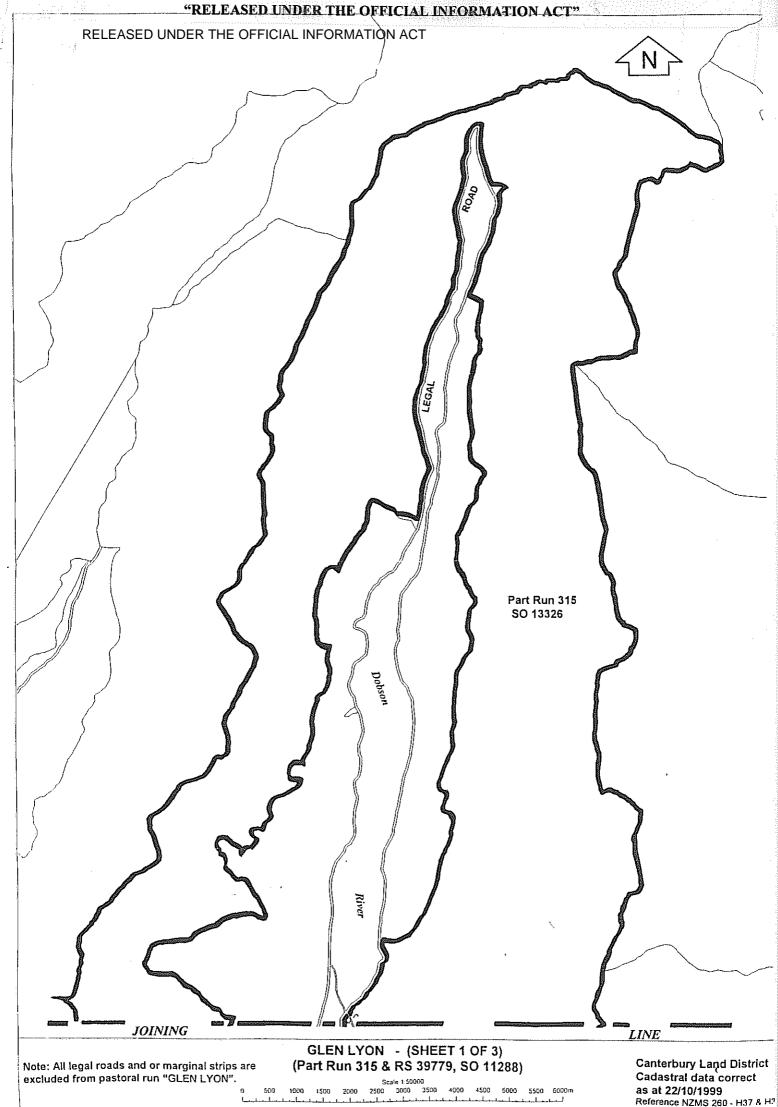
LAND STATUS REPORT for GLEN LYON		[LIPS ref.12763]		
Property	1	of	1	

Research – continued		
Property 1 of 1		
If Crown land - Check Irrigation Maps.	N/A	
Mining Maps	No current Mining privileges identified within the run boundaries.	
If Road a) Is it created on a Block Plan - Section 43(1)(d) Transit NZ Act 1989 b) By Proc	a) No part of the formed Glen Lyon Road has been defined by Survey except the ends of the deviation on SO11236 and the east and west boundaries of RS39779 on SO11288. All other unformed and formed legal roads are held by Crown Grant and or Section 110A Public Works Act 1981.	
	b) SO11236 shows that an area of Part Run 315 (6-0-23) was Proclaimed Road by Gaz. 1975 page 1515.	
Other Relevant Information a) Concessions - Advice from DOC or Knight Frank.	 (a) Glen Lyon Limited holds recreation permits for the following activities: (i) Hunting operations: Term 1 yr from 01/07/99; (ii) Fishing, 4WD Vehicle Tours and Horse Treking: Term 9 yrs from 01/07/99. 	
b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998.	(b) Subject to Part 9 Ngai Tahu Claims Settlement Act 1998.	
c) Mineral Ownership	(c) Minerals are owned by the Crown because the Land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the Kemp purchase 1848. Contained in:- PR158 (1898) (earliest Lease available after Canterbury Gazette 1864 Page 160 - 163 (Nos 300, 307, 315, 477, 479, 480 and 534 - 538) - Confirmation of runs under the Canterbury Land Regulations.	
d) Other Information	(i) In April 1969 (folio 548) the LSBd approved the surrender of 1 acre from the lease and the issue of a special lease pursuant to Section 67 Land Act 1948 for a Holiday bach site. However, in February 1973 the lessee advised that he did not wish to proceed with this lease.	

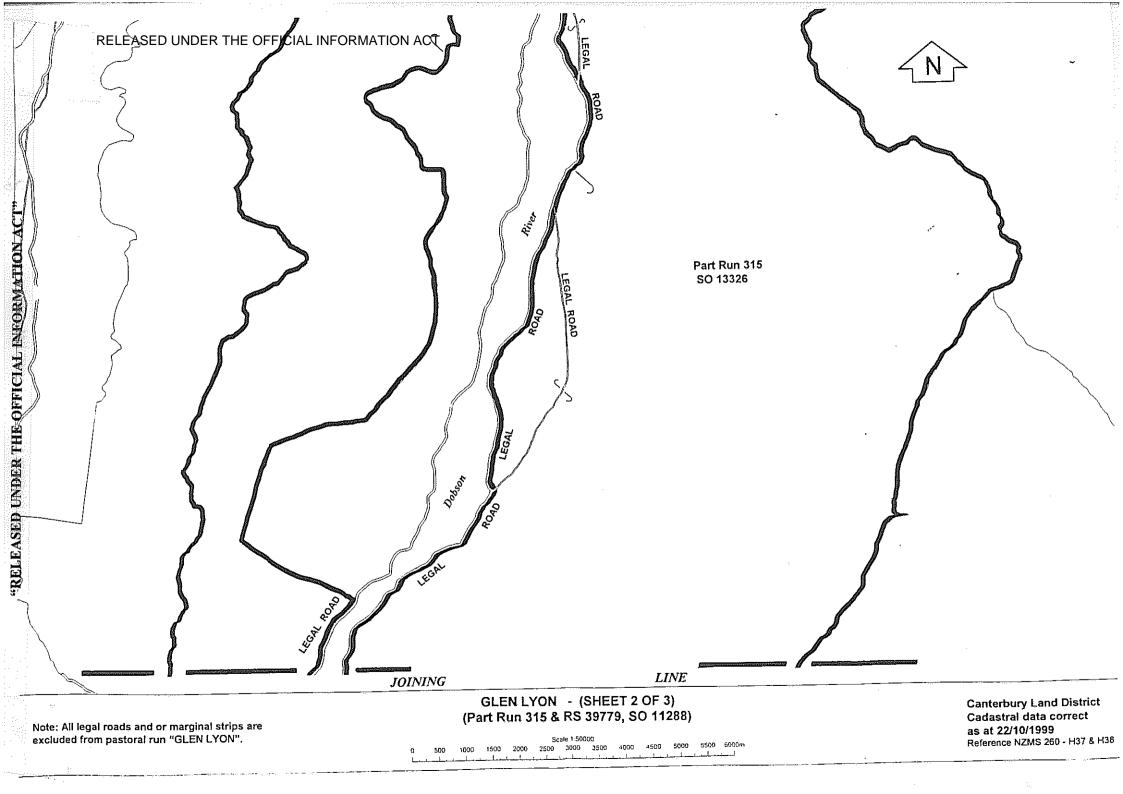
- (ii) The following issues have been identified on a report dated 30/03/87 (folio 727) that may require further investigation as part of the Tenure review process:-
 - (A) Glen Lyon Station to surrender land hatched yellow on Plan (not on file) and grassed areas of presently gazetted state forest (hatched red) to be incorporated in the pastoral lease subject to:
 - (i) The boundary between land to be surrendered and land to be incorporated other than well defined bush edges (further subject to advice as to the Chief Surveyor as to definition in this latter case) to be the 1000m contour.
 - (ii) covenant to be included in the lease to the effect that the lessee and lessor acknowledge that the contour open boundary is unfencable; that some stock drift over this is inevitable; that the lessee will not intentionally drive or have driven stock grazing on block adjoining an open boundary over and above that boundary; that it is agreed that if stock drift becomes unacceptably high, block limit to reduce this may be enforced.
 - (B) Inclusion of a further covenant (clause) in the lease granting the public the right to wander on foot at will on the leased land upstream of the black lines dotted across the Dobson River.
 - (C) Preservation of existing hut sites will need to be allowed for. Discussion with the Chief Surveyor (determining the best and easiest defined method) will be undertaken to finalise these.
 - (D) The pastoral leases to be amended removing the lessee's right under Section 100 Land Act to take native timber for certain uses and further giving acknowledgement to the importance of the native bush on the leases and the need to preserve these from undue stock damage.

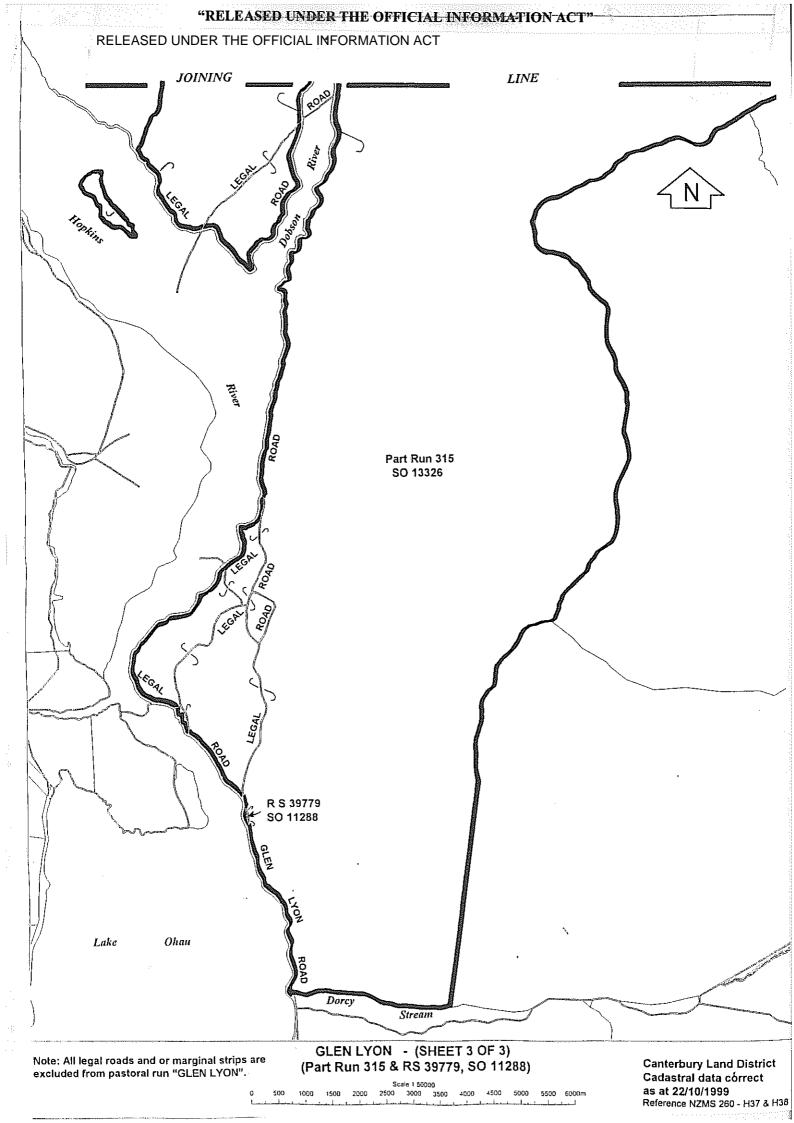
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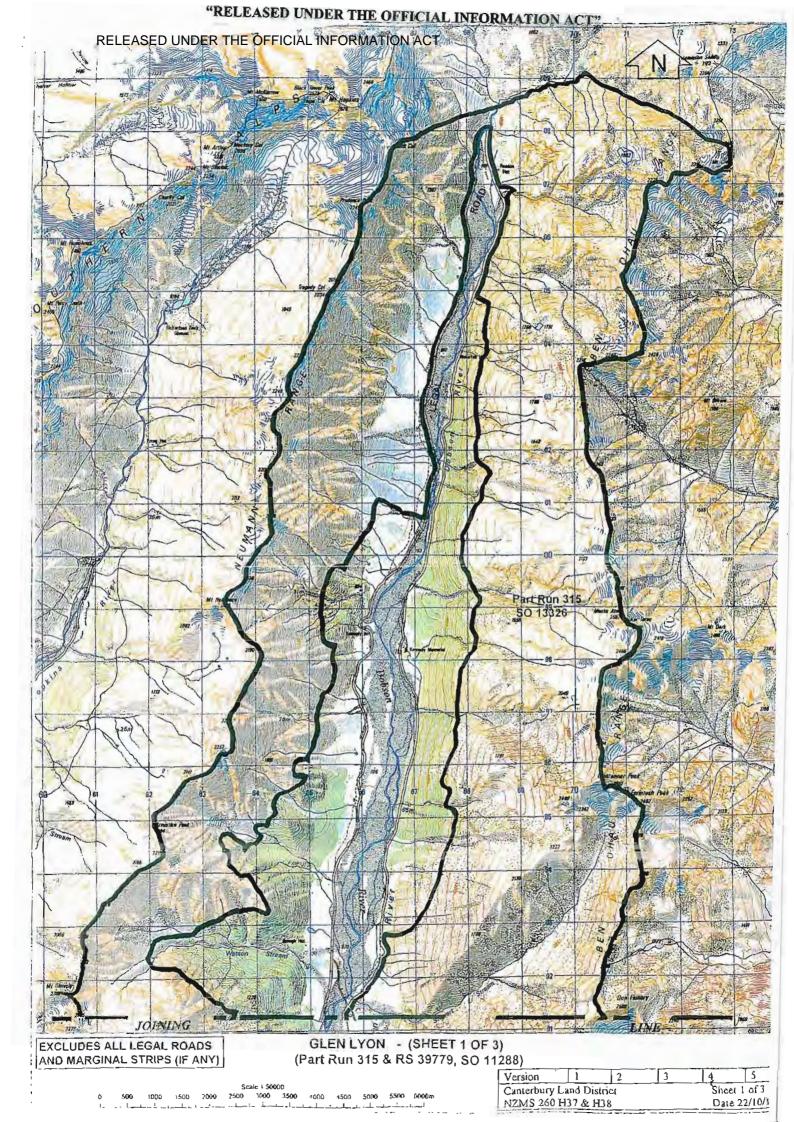
- (iii) We note reference on file that Telecom applied for a telecommunications easement in June 1997 which has not yet been granted. It appears that LINZ Head office are giving consideration to granting telecommunications easements to Telecom over a number of other runs and are still formulating the easement documentation.
- (iv) We note that the lessee elected to have the lease renewed values to be determined by the Land Valuation Tribunal in 1975 which has not yet been actioned. The CCL outlined the process that would be followed in a letter addressed to the Chairman of the South Island High Country Committee of Federated Farmers dated 07th October 1998 but no further action has taken place since then.

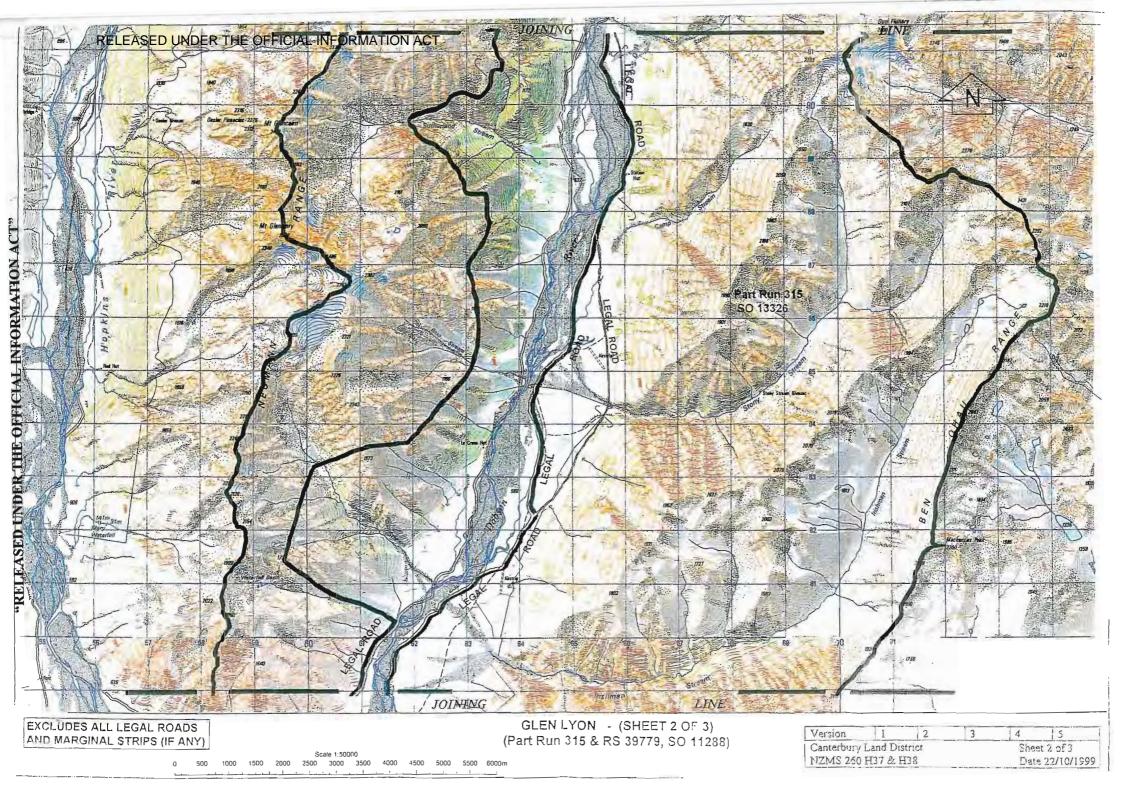


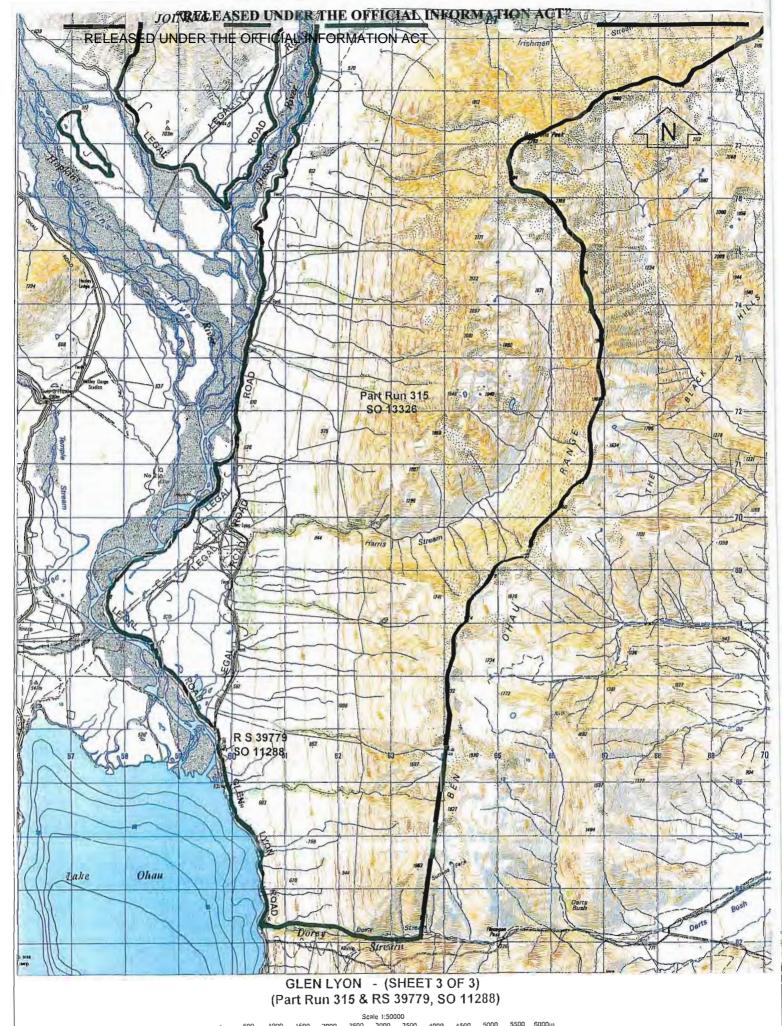
Reference NZMS 260 - H37 & H3











EXCLUDES ALL LEGAL ROADS AND MARGINAL STRIPS (IF ANY)

Version	1	2	3	_ 4	5	
Canterbury La	terbury Land District			Sheet 3 of 3		
NZMS 260 H	37 & E	[38		Date	22/10/1999	

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529/12

Variation of Mortgage 357816/1-23.1.1985 at 10.45am.

No. 838745/1 Variation of the within Lease and extension of the term for 33 years commencing on 1.7,1984 - 20,11-1989 at 11.47am usymater.

for A.L.R.

Mortgage 843822/1 to Bank of New Zealand - 14.12.1989 at 1.55pm

(NZ) LIMITED - TO. 11. 1983 2 255 bm

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(1) That purement to deation 8 of the Cost Mines Accordant Act, 1950, this lease to employ to the reservation to the leaser of all and existing on or unfer the surface of the local, and sunject also to the reservation is the leaser of the power to grant such mining rights over the land under Port I of the Cost Since Act, 1925.

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That the leases shall be deemed not to have failed to bin due ourse in stocking, or to have overstocked so long so the number of energy depositors so the said less ones not anneed 7920 (being an increase of inc per cent on the encrying separate on which is based the rest service for recovered) and the number of sattle case not exact 900 but the Commissions may be notice in writing permit the leases to depositors thereon any greater mander should be deem it selected or special or commissions of services and the commissioner of ear lies and particularly in the event of a themself, any variation somewhat to by the Commissioner shall not affect the cent payble hereunder.

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Gazette Notice 925422 proclaiming Part Run 315 (6a. 23p.) as road which shall yest in The Chairman Councillors and Inhabitants of the County of WacKenzie - 24/8/1973 at 1.34 p.m.

A.L.R.

. L.R.

No. 59263/1 Certificate of Alteration decreasing the area of the within lease to \$1800 18.11.1975 at 9.27 a.m.

Mortgage 357816/1 to The Aural Banking and finance Corporation - 1-11-1901 at 10.114.6.

for A.I.A. Hortgage 463131/1 be Aper and Finance Corporation at 10.41 a.m. ATT FORMEDE

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529/12

Variation of Mortgage 357816/1-23.1.1985 at 19.45am. [-]

No. B38745/1 Variation of the within Lease and extension of the term for 33 years commencing on 1.7.1984 - 20.11.1989 at 11.47am

for A.L.R.

Mortgage 843822/1 to Bank of New Zealand - 14.12.1989 at 1.55pm

(NZ) LIMITED - 10.11.1993 2 255 int

for A.L.R

