

Crown Pastoral Land Tenure Review

**Lease name : GLENCOE
(ARROWTOWN)**

**Lease number : PO 144
Due Diligence Report
(including Status Report)
- Part 1**

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.

May

07

DUE DILIGENCE REPORT

CPL PRE TENURE REVIEW ASSESSMENT STANDARD 6:

File Ref:	Po144	Report No:	AT1033	Report Date:	16 July 2001
LINZ Ref:	12475				
Office of Agent:	Alexandra	LINZ Case No:	TK02/14,	Date sent to LINZ:	24/7/01

RECOMMENDATIONS:

- (1) That the Commissioner of Crown Lands or his delegate **note** this Due Diligence Report which has been prepared in accordance with the Pre Tenure Review Assessment Standard;
- (2) That the Commissioner of Crown Lands or his delegate **note** the following incomplete actions which may require action by the Manager Crown Property Contracts

Status check shows that boundary is from an old plan as along a stream. The current fenced boundary is along the stream but a small distance from it. I don't see this matter as 'too much of a problem' merely that the old boundary was poorly mapped.

30/7/01.

(a) It has been identified for almost 50 years that the boundaries of Glencoe do not follow the fencelines and there is some considerable variations in places. The Land Settlement Board approved boundary adjustments on 2 February 1955, Case No. 4466, however this then required a survey of the boundaries and because of the expense it has never been completed. Tenure review may be an opportune time to complete the work approved by the Land Settlement Board.

(b) It is likely there are some issues regarding water races. In particular Crown water races which were incorporated in the pastoral lease at Section 4 Block X Shotover Survey District and Section 11 Block VII Kowarau Survey District. We note that the remainder of these water races still appear as Crown land where they cross freehold on the Cadastral plans. As these various areas of land were under the same ownership previously there were no problems. Given the multitude of titles resulting from development in the area, we foresee that there could be a liability here for the Crown, if the races are still active.



- (c) The Arrowtown Golf Club take water from a creek on the pastoral lease. They have yet to apply for an easement.
 - (d) The road up the Arrow River has never been surveyed. It may be legal road by way of its history of public use and expenditure of money to build and maintain it.
- (3) That the CCL or his delegate note the following:
- (a) The use of Glencoe by Cardrona Skifield both for skiing and for siting part of a track should be noted.

- (b) The adjoining Mount Soho Pastoral Lease obtain access through Glencoe for farming purposes. They may require an easement.
- (4) That the attached draft letter be sent to the Crown Property Management in relation to the road up the Arrow River.

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The registration of the limited access road notice on the CT 386/62 is an obvious case of misidentification of the correct CT reference & DLR Dundas should be advised accordingly & asked to correct his record. See notes at blue paper below

Signed by Knight Frank (NZ) Limited:


T.J. Whittaker:
Manager:Approved/~~Declined~~ (pursuant to a delegation from the Commissioner of Crown Lands) by:
Name: ROBERT WILLIAM LYSAGHT
Date of decision: 30/7/01

(1) Details of lease:

Lease Name: Glencoe

Location: Arrowtown

Lessee: Jean Francois Taquet

Tenure: Pastoral lease

Term: 33 years from 1 July 1986

Annual Rent: \$11,250 (*plus GST*)

Rental Value: \$500,000

Date of Next Review: 1 July 2008

Land Registry Folio Ref: 386/62

Legal Description: Sections 1, 3, 6, 8, 9, 11, 12, 13, 14, 15, 16, 17 and 19 Block VII Kawarau Survey District, Sections 4, 7, 29 and 30 Block X Shotover Survey District and Runs 25, 37 and 39 (*Otago Registry*).

Area: 8579.1409 hectares

(2) File Search:***Files held by Agent on behalf of LINZ:***

<i>File Reference</i>	<i>Volume</i>	<i>First Folio</i>	<i>Date</i>	<i>Last Folio</i>	<i>Date</i>
P144 (<i>PR1912</i>)	1	323	8/6/1938	455	27/8/1948
P144	2	456	2/9/1948	568	23/6/1959
P144	3	569	30/3/1960	684	11/4/1973

Pastoral files held by LINZ:

P144	4	685	18/4/1973	804	23/7/1982
P144	5	805	23/2/1983	908	5/7/1988
Po144	6	909	15/7/1988	291	8/6/2000
CON/50213/09/12475/ A – ZNO	7	1a	13/7/2000	10	6/9/2000
Po144/1	1	1	15/5/1994	19	17/6/1998
P144/1	2	20	1/9/1998	40	Undated

Other relevant files held by LINZ:

<i>File Reference</i>	<i>Volume</i>	<i>First Folio</i>	<i>Date</i>	<i>Last Folio</i>	<i>Date</i>
PRO1912	II	103	5/7/28	322	8/2/38

Items of note from the file search:

20 March 1956 - With regard to boundary adjustments between Mount Soho and both Motatapu and Glencoe Stations it was agreed that the fencelines should be regarded as the boundaries instead of the boundary as shown on the respective pastoral run licences. The Land Settlement Board has approved the boundary adjustments which would have to be surveyed before the lease could be issued on the new boundaries. The cost of survey would be borne by the lessees. However to overcome the need for survey the cost of which would be excessive it is intended to issue the renewed leases from Motatapu and Glencoe Stations on the boundaries as shown in the old licences but with the provisions of the new leases that the actual boundaries are as fenced at the commencement of the leases.

3 May 1956, Folio 524 - A letter to the District Commissioner of Works identifying that investigations have shown that there are water races intersecting sections to be incorporated in the pastoral lease asking whether there are any objections to the inclusion of the water races in the pastoral lease to be issued. It is necessary in this case to include the usual clause to protect the Queen's right of access to the water races (*which appears never to have been actioned on the leasehold title*). Plans attached as Appendix 1.

22 July 1957 - It has now been ascertained that the Land Registry Office will not accept registration of lease stating that the boundaries of the run are not shown on the lease document but are as fenced, for to accept such a document it would need a description of the run and the lease. The lessees asked to sign an acknowledgement that the boundaries shown in the lease documents do not follow the actual fencelines. For the purpose of working the properties they were to agree to follow the fencelines.

4 October 1956 - Two small areas indicated in the plan. Dated 1877 and 1892 as residence sites have been unoccupied for years and as no claimant has been found can be considered abandoned. These were to be incorporated in the pastoral lease, references PR1993 and M864.

2 April 1969, Folio 604 - Boundary adjustments Glencoe and Royal Burn Stations. Some areas adversely occupied and position of the existing fenceline does not provide for legal access to the road.

18 December 1980, Folio 779 - Otago Catchment Board pursuant to Section 24 (5b) of the Water and Soil Conservation Amendment Act 1971 have to advise that B M Waters Farming Company Limited, Glencoe Station Arrowtown the right to continue to use and maintain a race described in Licence 1032 Arrowtown Registry. Reserve (*unformed road*) between Section 30 and 29 Block X Shotover Survey District.

11 May 1981 - Copy of letter with regard to backdrop to Arrowtown and local authority interest in preserving deciduous trees.

5 June 1985, Folio 847 - A new track being constructed on Glencoe without lessee's permission. Part of Cardrona skifield has been extended through onto pastoral lease without consent.

7 June 1985, Folio 848 - Unauthorised earthworks. Indicated that track has substantially improved the ability of skiers to proceed from Mr Lee's skifield into easy rolling areas of Glencoe Station adjacent. The skifield in affect has been extended by something around 20 – 40 ha, all of this being on pastoral lease. The department will need to consider whether it will issue a recreation permit on the lease.

February 1985, Folio 854 - Summary of values identified on Glencoe Pastoral Lease.

- (1) Historic – mining relics in Bracken Gully region.
- (2) Walkway – potential may exist in Bracken Gully.
- (3) Scenic – visible from the Arrow Basin and provides a significant scenic vista.
- (4) Botanical – potential interest in the Mount Cardrona area (1982) reports the presence of *Cotula albida* (*Appears noted in Conservation Resources Report with a new botanical name Leptinella albida*).

6 October 1986, Folio 877 - Letter to lessee on renewal of pastoral lease, Crown retains the right to apply provisions of Sections 58 of the Land Act 1948.

Identified certain areas of lease that may be worthy of preservation/protection.

8 March 1988, Folio 903 - History of pastoral lease Mount Soho Station. On 6 January 1982 the Land Settlement Board had approved issue of a pastoral lease to replace the pastoral occupation licence subject to the Crown reserving the right to rationalise the lease boundaries without compensation. It is another attempt to get the boundaries surveyed and rationalised.

14 June 1999, Folio 261 - Proposed sealing of Crown Range Road. CCL delegate initially declined to sign the affected parties certificate as some of adjoining lands undergoing tenure review and that Crown may be left in worse off position than before the action started.

23 August 1999, Folio 277 - Sealing and widening Crown Range Road being undertaken. Various encroachments onto pastoral lease.

4 August 1999, Folio 279 - Undertaking from Queenstown Lakes District Council to legalise existing road when works completed.

23 August 2000, Folio 7 - The Arrowtown Golf Club applied for a Resource Consent to take water from a stream known as the Tryburn. Applicant informed by letter of the need for an easement under the Land Act 1948.

4 August 2000, Folio 3 - Queenstown-Lakes District Council notification of an application for subdivision consent by Southern Peaks Limited. This application applied to freehold land adjoining the lease. It may have an effect if the adjoining land is proposed for incorporation into the review.

The DGC report identified a proposed walkway through this area.

(3) Summary of lease document:

Terms of lease:

The terms of the lease document appears standard apart from the addition of stock limitation Clause (f) which reads:

The lessee shall be deemed not to have failed to use undue care in stocking or have overstocked so long as the number of sheep depastured on the said land do not exceed 3960 (being an increase of 10% on the carrying capacity in which is based the rent here before reserved) but the Commissioner may by notice in writing permit the lessee to depasture thereon any greater number should he deem it advisable or expedient to do so. Any permission so granted shall be subject to revocation or amendment by the Commissioner at any time and particularly in the event of a transfer. Any variation consented to by the Commissioner shall not reflect the rent payable hereunder.

Lease Memorials:

- | | |
|-----------|---|
| 340848 | Certificate of Alteration incorporating the within lease Sections 29 and 30 Block X Shotover Survey District (169 acres 3 roods 20 perches) 1969. |
| 454702 | Variation of within lease, 27 February 1996. |
| 562644 | Certificate of Alteration incorporating the within lease 114.2504 ha, being Section 7, and Run 37 Block X Shotover Survey District and increasing the annual rental to \$180 from 1 July 1981, entered 29 September 1981. |
| 751310 | Memorandum renewing the term of the within lease for a further period of 33 years commencing on 1 July 1986 and fixing (for the first 11 years) the annual rent at \$7,800 calculated on a rental value of \$520,000. |
| 834754 | Transfer being a grant of a right (in gross) to convey water over part herein shown marked (e) on the diagram annexed hereto together with incidental rights in favour of the Arrow Irrigation Company, 23 July 1993. |
| 5002654.1 | Gazette Notice declaring adjoining road (State Highway 6) to be a limited access road, 26 May 2000. |

Area adjustments:

No area adjustment errors were found as all adjustments are noted on the title and tally with the area in the Land Status Report.

Registered interests:

- 834754 Grant of a right to convey water in favour of the Arrow Irrigation Company. Effect on the lease is to provide for legal occupation of a large irrigation water pipe that crosses the lease near the Arrow River.
- 980095.1 Transfer to Jean Francois Taquet.
- 980095.2 Mortgage to the Bank of New Zealand.

Unregistered interests:

There is an existing recreation permit in favour of Heliguides. D R, S E, H W and A D McKay, also hold a recreation permit for 4WD trips, mountain bike trips and tramping for 1 year from 1 January 2001. Permit fees have been paid.

We are aware that Arrowtown Golf Club take water from a stream on the property which requires to be legalised by way of an easement. They were advised of this requirement on 13 July 2000. No easement application has yet been received.

Cardrona Skifield tracks appear to encroach on parts of the pastoral lease, this was noted previously on the file.

Boundaries of Glencoe in the area of Soho Creek to Mount Cardrona do not conform to the fence boundaries by a wide margin in places.

The road up the Arrow River appears in a number of places to be on the pastoral lease. This road has never been surveyed, but due to the expenditure of public money to build it, its maintenance by the Council, and the history of public use, it may be considered a public road. The road is not identified as legal in the Opus Land Status Report. The road is identified as a road on the Queenstown-Lakes District Council Proposed District Plan.

The adjoining Soho Pastoral Lease uses a track on Glencoe (*up Soho Creek*) for access for farming purposes.

(4) Summarise any Government programmes approved for the lease:

An Otago Catchment Board Run Plan was proposed. This was for cattle proofing fences in October 1968 and for a fire break (*track*) in November 1975. It is unclear whether these were actually undertaken.

(5) Summary of Land Status Report:

The Land Status was completed by Opus and dated 3 November 1999. It notes the encumbrance 834754 in favour of the Arrow River Irrigation Company Limited. The mines and minerals are owned by the Crown. The pastoral status has been confirmed. Nothing is shown on the irrigation maps or the mining maps. It notes boundary discrepancies with Run 25.

An update of the status was completed by Knight Frank on 28 June 2001. The only change was the recent encumbrance of a limited access road on State Highway 6.

(6) Review of topographical and Cadastral data:

As previously identified there are discrepancies in the boundary of Run 25, these are between Glencoe Station and Mount Soho Station and Glencoe Station and Motatapu Station. An estimated 192 ha is farmed by Motatapu and 87 ha by Mount Soho. The fences have been changed from the legal boundary to provide for ease of fencing.

There is also a small variation in the occupation with Section 5 Block I Knuckle Peak Survey District. It appears Glencoe may be farming approximately 60 ha of adjoining land.

The legal road alignment on the Crown Range Road may not be exactly on line. A set of plans produced by South Roads on 1 July 1999 for the purposes of widening and sealing the Crown Range Road identified some possible minor encroachment. A set of these plans are held in the Knight Frank, Alexandra office. There is some indication from the Opus plan that a small part of Section 25 may be on the otherside of the Crown Range Road however this is not apparent from the South Road plans.

There are numerous freehold titles farmed by the same entity to the southwest of the property. Many of these are not separately fenced.

There is an irrigation pipeline shown in the Arrow River which may in places be located within the pastoral lease. An easement, noted previously, legalises a significant encroachment.

The topographical map F41 shows numerous historical mining sites in Brackens Gully.

(7) Details of any neighbouring Crown or conservation land:

The property bounds marginal strip on the Arrow River and three other pastoral leases being Mount Soho, Motatapu and Eastburn are adjoining.

There are a number of number of unformed legal roads in the vicinity of Crown Peak that may be useful access points in any tenure review.

(8) Summarise any uncompleted actions or potential liabilities:

- (a) It has been identified for almost 50 years that the boundaries of Glencoe do not follow the fencelines and there is some considerable variations in places. The Land Settlement Board approved the boundary adjustments on 2 February 1955, Case No. 4466. However this then required a survey of the boundaries and because of the expense it has never been completed. Tenure review may be an opportune time to complete the work approved by the Land Settlement Board?

- (b) It is likely there are some issues regarding water races. In particular Crown water races were incorporated in the pastoral lease at Section 4 Block X Shotover Survey District and Section 11 Block VII Kawarau Survey District. We note that the remainder of these water races still appear as Crown land where they cross freehold on the Cadastral plans.

As these various areas of land were under the same ownership previously there were no problems. Given the multitude of titles, and the proposed development in the area, we foresee that if these races are active, there could be a liability here for the Crown (*see Appendix 1*).

- (c) The use of Glencoe Pastoral Lease by Cardrona Skifield both for skiing and for siting part of a track should be noted.
- (d) The Arrowtown Golf Club take water from a creek on the pastoral lease. They have yet to apply for an easement, although they have been advised of this requirement.
- (e) The road up the Arrow River has never been surveyed. It may be legal road by way of its history of public use and expenditure of public money to build and maintain it. This was not identified in the Opus Status Report. A draft letter attached outlines the issues and requests that its status be clarified.
- (f) The adjoining Mount Soho Pastoral Lease gain access through Glencoe for farming purposes. They may require an easement.

APPENDIX:

- (1) Background papers:
- (a) Boundary discrepancies
 - (b) Water races
 - (c) Skifield track
 - (d) Arrowtown Golf Club
 - (e) Arrow River Road
 - (f) Mount Soho access
- (2) Letter on status of Arrow (*Macetown*) Road.
- (3) Copy of title.
- (4) Land Status Report and update.

SURRENDER AND DISPOSAL OF LAND WITHOUT COMPETITION.

FILES: H.O. 8/9/141 CASE NO. 4466 OTAGO LAND DISTRICT.
D.O. PR 1993
M. 373
M. 864

LICENSEE: William Lloyd Alan Ewing.

LAND: Run Name: "Glencoe".

Survey Description:

(1) Run 25 Shotover, Kaverau Crown & 17,955a. Or. 00p.
Knucklepeak S.D.

(2) Run 39 and Section 4 Block X 492a. 3r. 20p.
Shotover S.D.

(3) Sections 1,3,6,8,9,11/17,19 Block 2,306a. 3r. 06p.
VII Kaverau S.D.

Area.

20,754a. 2r. 26p.

Location: On Crown Terrace road 12½ miles south of Arrowtown which is 171 miles north west from Dunedin.

Amenities: No Rural Mail or Electricity; telephone; Store 12½ miles; school 4 miles no bus; saleyards 32 miles; Railway 33 miles Cromwell.

LICENSES:

Status: All Crown land.

Tenures: (1) Pastoral License under Section 98 Land Act 1924
(2 & 3) Miscellaneous Licenses under Section 68 Land Act 1948.

Term: (1) 6 years from 1.3.47
(2) 4 years from 1.7.52
(3) 4 years from 1.7.53

Expire: (1) 28.2.53
(2) 30.6.56
(3) 30.6.57

Annual Rent: (1)
(2)
(3)

History: (1) Previously part of Glencoe Station-Subdivision and transfer 1947. Term 6 years from 1.3.47 Annual Rent. Present lessee acquired by transfer Consideration 1948.
(2) Held on Miscellaneous License since 1906 Annual Rent Annual Rent increased to 1922 and
(3) Held on Miscellaneous License since 1922 Annual Rent

INVESTIGATION Completed and filed on District Office file.

DOCKET:

CROWN IMPTS: Nil.

GENERAL DESCRIPTION:

Soil sheisty, southerly aspect, steep country broken by deep gullies and gorges; 20 acres ploughable; altitude 2000 - 6200'; rainfall 20"; good water from spring, creeks and rivers; natural contour shelter only generally cold; no erosion or reversion; severe snow risk, poor balance, lacks adequate winter country.

Present Cover.

Well covered tussock country, silver, blue and snow. Good summer grazing. Winter country comprised of small areas up the Arrow River and the Roaring Billy Creek. 20 acres of

21 FEB 1955

LEASES

*copy to
lease advice
and adjustment
9/31/255
lease fee 12 10/-
enclosure fee
11.10.55*

William Lloyd Alan Ewing.FEEDS &
PESTS:Brier, Tutu, Blackberry and Lawyer.
Rabbits under control, keas, deer (and tourists)OTHER LAND
HELD:Leasehold 179a.3r.21p. and Freehold 932a.Or.33p. 41,949
acres leasehold PR 1994 held with H.K. Emerson. PR 1994 is
worked as a separate unit.STOCKING:

<u>Year.</u>	<u>Ewes.</u>	<u>Wethers</u>	<u>Hoggets</u>	<u>Total.</u>
	<u>2th</u>	<u>Other</u>		
1949	150 (dry)	1800	300	2890
1950	250 (dry)	2000	550	3700
1951	400	3200	900	5800
1952	Not known	2500	1200	5200
1953	450	2200	1100	5000
	312	2340	810	4518

Est carrying capacity for freehold 1400 sheep.

Flock depleted and old ewes taken over and building up a
balanced flock.PRODUCTION:

<u>Year.</u>	<u>Shearing</u>	<u>Wool</u>	<u>Death</u>	<u>Lambing</u>
	<u>Tally</u>	<u>Total</u>	<u>Rate</u>	
1949	2362	17090	7.2	640
1950	Not known	26591	-	-
1951	5300	39095	8.6%	1100
1952	5000	41799	10.5%	1450
Ave	4221	31144	7.6	1063

Sales: 1950 240 ewes (Potters)
1951 160 ewes (Potters)
1952 600 ewes C.F.A. 100 wethers 200 M.S. hoggets

Marginal without freehold.

SUBDIVISION &
BOUNDARY
ADJUSTMENT:Not subdivisible. No adjustment needed, but slight alterat-
ion has been agreed to in consultation with adjoining
runholder (H. McLean) viz boundary to be altered to follow
the fence as shown on attached plan A.- B.MANAGEMENT:An energetic man who was fortunate to go into the property
before wool prices rose. A good hill man.VALUATION AND
RENTAL
ASSESSMENT:

(1) Roll 28.2.53.

<u>C.V.</u>	<u>U.V.</u>	<u>Impts.</u>
5065	3100	1965

(2) Field Officer Hinchey 19.2.53.

Recommends one Pastoral Lease over amalgamated and
amended areas at an annual rental of £80 based on

<u>Flock.</u>	<u>Ewe Equivalents.</u>
2000 ewes	2000
1000 hoggets	660
500 dry 2ths	330
1500 wethers	750
5000	3740

Less 700 ewe equivalents for freehold
600 homestead
100 winter feed

4040

H.O. 8/9/141
D.O. PR 1993
M. 373
M. 864

William Lloyd Alan Ewing.

VALUATION AND RENTAL ASSESSMENT: (Contd) 2340 ewe equivalents at : per 1000 = say.
Maximum carrying capacity 3600 plus 10%
Lessee agrees
District Field Officer concurs.

PASTORAL LANDS OFFICER: Has discussed with Field Officer and agrees.

COMPARISONS: Schedule attached.

PLAN: Attached.

RECOMMENDATION: That (a) pursuant to Section 107 (2) Land Act 1948 the boundary alteration between Run 25 and Run 23 be amended as outlined above.
(b) pursuant to Section 145 Land Act 1948 surrender of M. 373 and 864 be accepted at 28.2.53.
(c) pursuant to Section 51 (1) (d) and 125 (3), Land Act 1948 Runs 25, 39 Shotover, Kawarau, Crown and Knucklepeak S.D's, Section 4 Block X Shotover S.D. (as amended) and Sections 1,3,6,8,9,11/17,19 Block VII Kawarau S.D. be classified as pastoral land suitable for disposal on Pastoral Lease.
(d) pursuant to Sections 54(1)(f) and 131, Land Act 1948, William Lloyd Alan Ewing be offered a Pastoral Lease of Runs 25, 39, Section 4 Block X (as amended) Sections 1,3,6,8,9, 11/17, 19 Block VII at a rental of £80 per annum for a term of 33 years from 1.7.53 and broken period 1.3.53 to 30.6.53.
(e) pursuant to Section 66 (2) Land Act 1948 it be a condition of the above lease that sheep carried on the property be limited to 3600 sheep plus 10%.

DECISION: The Land Settlement Board on 2.2.55 resolved

that the recommendation be approved.

The Commissioner of Crown Lands,

Dunedin

For your information.

W. Ewing
Director General
7/FEB/1955

Handwritten:
 1-3-53-31.12.56.
 2.0.0
 10-
 12.10.0
 26.6.56

P.O. Box 896,
 DUNEDIN C.1.
 19th March, 1956.

Mr W.L.A. Ewing,
 Glencoe Station,
ARROWTOWN.

Dear Sir,

Grant of Pastoral Lease.

- PR 1993: Run 25 Shotover, Kawarau, Crown and Knucklepeak
 S.D's. 17,955 acres.
 M. 373 : Run 39 and Section 4, Block X, Shotover S.D.
 492a. 3r. 20p.
 M. 864 : Sections 1, 3, 6, 8, 9, 11/17, 19, Block VII Kawarau
 S.D. 2,306a. 3r. 6p.

Your Pastoral Run Licence as described above, expired on the 28th February, 1953 and the Land Settlement Board has determined that the land should be held on Pastoral Lease. You are now offered a Pastoral Lease for a term of 33 years from 1st July, 1953 and the broken period from the 1st March to the 30th June, 1953 at a rental for the first term of £80 per annum which is payable half yearly in advance on the 1st January and 1st July in each year and is subject to a rebate of 10% for prompt payment. The new lease will include those areas which you have previously held under temporary grazing licences numbers M. 373 and 864.

A Pastoral Lease is a lease for a term of 33 years, perpetually renewable for similar terms, but without a right to freehold. Rent is based on carrying capacity. In your case the rent is based on 3600 sheep and the lease will provide that this number of sheep may not be exceeded by more than 10% without the consent of the Commissioner of Crown Lands. If such consent is granted no increase in rental will be involved. The consent will be subject to review at any time and especially in the event of a transfer of the lease.

The limitation of stock described in the last paragraph applies solely to the land to be included in your pastoral lease. While you continue to work your present freehold in conjunction with the land under pastoral lease, there will be no objection to 5,000 sheep being carried on the combined properties. If in the future the land under pastoral lease is worked separately the stock limitation of 3,600 plus 10% will have to be complied with. The new lease will also provide that you must not cultivate or burn tussock on any portion of the land without first obtaining permission from the Commissioner of Crown Lands. The prior permission of the Otago Catchment Board where required, will be sufficient compliance with the lease in respect of burning. Permission to cultivate will however have to be obtained from this office.

that

You will remember/at the time of the renewal inspection agreement was reached, in discussion with the Field Officer, in respect of boundary adjustment between Glencoe and Mt Soho Stations. The Land Settlement Board has approved the boundary adjustment which would, however, have to be surveyed before the lease could be issued on the new boundary. The cost of survey would have to be arranged between the licensees concerned.

PR 1993

To overcome the need for survey the cost of which would be considerable, the new lease will, as far as Run 25 is concerned, show the old boundaries but with the provision that the actual boundary is as fenced at the commencement of the lease. The areas of the two Miscellaneous Licenses will of course also be included. A Plan is attached showing the old boundary by a coloured red border ^{and} the fence line concerned by a broken red line.

If you accept the new lease, fees totalling - and an adjustment of your rental account from the 1st March, 1953 will be required. Details of the adjustment will be supplied when I know your decision.

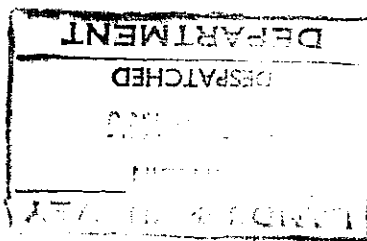
Please inform me at an early date whether or not you wish to accept a new lease on the above terms. If no reply is received from you within one month of the date of this letter I shall assume that you accept and I will arrange for the preparation of the new lease.

Yours faithfully,

J.M. Macdonald,
Commissioner of Crown Lands.

Encl.

A.R. REGISTER.



23.4.56 ^{CAS} *hds*

P.O. Box 896,
DUNEDIN C.1.
19th March, 1956.

The Branch Manager,
Valuation Department,
P.O. Box 123,
INVERCARGILL.

Renewal of Licences : Motatapu and Glencoe
Stations (Valuation No 2907/217).

I refer to your memoranda of 29th August, and 19th October, 1955 asking for details of the new Pastoral Lease to be issued as a renewal of PR 1994 (Motatapu Station). Pastoral Leases are to be issued as renewals in respect of both Motatapu and Glencoe Stations. The terms of the new leases offered but not yet accepted by the lessees are as follows:

Motatapu Station: previously PR 1994.

Renewal offered: Pastoral Lease under Land Act 1948.
Term: 33 years from 1st July, 1953 and broken period 1.3.53 to 30.6.53.
Annual Rent: -. (inclusive of - per annum payable in respect of this Department's contribution of towards road and bridge access)
Stock limitation: 5500 sheep plus 10%, i.e. 6050 sheep.
Land: Run 334B Motatapu, Knucklepeak, Lower Wanaka and Cardrona S.D's and Sections 8 and 9, Block VII, Motatapu S.D.
Area: 41,949a. Or. 00p.

Glencoe Station: previously PR 1993.

Renewal offered: Pastoral Lease under Land Act 1948.
Term: 33 years from 1.7.53 and broken period 1.3.53 to 30.6.53.
Annual Rent:
Stock Limitation: 3600 sheep plus 10%, i.e. 3960 sheep (while present freehold is farmed in conjunction with Pastoral Lease Department will not object to lessee carrying 5,000 sheep on combined properties.)
Land: Run 25 Shotover, Kawarau, Crown and Knucklepeak S.D's. Run 39 and Section 4, Block X, Shotover S.D. Sections 1,3,6,8,9, 11/17, 19, Block VII Kawarau S.D. (there being all the land previously held under PR 1993, M. 373 and M. 864).
Area: 20,754a. 2r. 26p.

Adjustments affecting the boundaries of the above stations have been approved by the Land Settlement Board. The adjustments are between:

- (1) Motatapu and Glendhu Stations.
- (2) Motatapu and Mt Soho Stations.
- (3) Glencoe and Mt Soho Stations.

All the adjustments are to effect a change in the boundary as shown in the old licence for the boundaries as actually fenced. A survey would be required before the new boundaries could be shown and it is considered that the cost would be excessive.

PR 1994
PR 1993

- 2 -

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To overcome the need for survey it is intended to issue the new leases for Motatapu and Glencoe Stations on the same boundaries as shown in the old licences but with the additional provision in the new leases that the actual boundaries are as fenced at the commencement of the leases. A similar provision will be included by variation to be registered against the new leases which have already been issued in respect of Glendhu and Mt Soho Stations.

... Plans are attached showing fence lines in red and the old boundaries by a coloured border.

I regret that the information herein has not been supplied earlier. While verbal agreement to the new leases and the adjustments described above were obtained by the Field Officer at the time of the renewal inspection, formal acceptance by the lessees is still required.

Enc.

J.M. Macdonald,
Commissioner of Crown Lands.

Encl.

P.O. Box 896,
DUNEDIN C.4.
20th March, 1956.

Mr J. E. Dagg,
Mt Soho,
ARROTCORN.

Dear Sir,

Boundary Adjustment.

The department is at present attending to the renewal of the Pastoral Run Licences over the properties known as Motatapu and Glencoe Stations.

... The Field Officer who inspected the properties for renewal discussed and reached terms with your predecessor on Mt Soho, Mr H. McLean, concerning an adjustment of boundaries between Mt Soho and both Motatapu and Glencoe Stations. It was agreed that the fence lines shown by a broken red line on the attached plan should be regarded as the boundaries instead of the boundary as shown in the respective Pastoral Run Licences. The boundary of Mt Soho Station as shown in your licence is indicated on the attached plan by a blue border.

The Land Settlement Board has approved the boundary adjustments which would, however, have to be surveyed before a lease could be issued on the new boundaries. The cost of survey would have to be arranged between the licensees concerned. However, to overcome the need for survey, the cost of which would be excessive, it is intended to issue the renewal leases of Motatapu and Glencoe Stations on the boundaries as shown in the old licences but with the provision in the new leases that the actual boundaries are as fenced at the commencement of the leases.

As your Pastoral Occupation Licence over Mt Soho Station has already been issued it will be necessary to register a variation of the lease to include a provision similar to that to be inserted in the new leases of Motatapu and Glencoe Stations. When I am ready to complete adjustments I shall ask you to sign the necessary variation and to send in your licence so that registration can be completed. The only cost which you would have to pay is a variation of licence fee

Please inform me if you are in agreement with these proposals.

Yours faithfully,

J. H. Macdonald,
Commissioner of Crown Lands.

Encl.

INWEDIN.
30th May, 1957.

The Commissioner of Crown Lands,
Private Bag,
CHRISTCHURCH.

Alteration to Boundaries.

The following runs are held as follows;

- (a) Run 23, Seht, Knuckle Peak, Shotover and Kawarau S.D.'s. (19526a. Or. 00p.)
Licensees: John Douglas Bagg of Arrowtown, Farmer. Term 13 years from 1.7.51. Pastoral Occupation O.14 (Regd 338/79)
License dated 1.3.51.
- (b) Run 334C and Part Run 334D Lower Wanaka and Motatapu S.D.s. and Section 14, Block XIII, Lower Wanaka S.D. (19065a. 3r. 01p.)
Lessees: Willis Alan Scaife (2/3 share) and Arthur Stanley Scaife (1/3 share) both of Wanaka, Sheep farmers, as tenants in common in the shares set out after their respective names. Pastoral Lease P.13 (Regd 338/18). Term 33 years from 1.7.51. Lease dated 1.3.51.
- (c) Sections 8 and 9 Block XII Motatapu S.D. and Run 334B Motatapu Knuckle Peak, Lower Wanaka and Cardrona S.D.s. (41988a. Or. 00p.)
Lessees: William Lloyd Allan Ewing and Herbert Kenmore Emerson, both of Wanaka, Farmers as tenants in common in equal shares, Pastoral Lease P.150 (Not yet registered) Term 33 years from 1.7.33. Lease dated 1.3.51.
- (d) Sections 1,3,6,8,9,11,12,13,14,15,16,17 and 19 Block VII Kawarau S.D., Section 4, Block X Shotover S.D. and Runs 25 and 39 Shotover Kawarau, Crown and Knuckle Peak S.D.s. (20747a. 1r. 02p.)
Lessee: William Lloyd Allan Ewing of Arrowtown, Farmer. Pastoral Lease P.144 (Lease not yet registered) Term 33 years from 1.7.53. Lease dated 1.3.53.

These holdings are adjacent and when the Field Officer was making his inspection for renewal purposes for two of the holdings his attention was drawn to the fact that in some areas the boundaries as shown on the survey plans do not follow the fence lines.

As a survey cannot be carried out and in any case the cost would be prohibitive it is proposed to have the leasees and licensees sign covenants to the effect that the boundaries of the runs are not as shown on the plans of the lease and licence documents but follow the fencing and to have the terms and conditions of the leases and licenses varied to refer to the deeds of covenant.

No mention is to be made in the variations however to the effect that the boundaries are not as shown on the plans on the lease and license documents, for if this is done the District Land Registrar will not accept them. Also in the case of the two unregistered leases there will be inserted a special condition in the Leases and in these cases it will not be necessary for variation of leases to be registered.

I should be pleased if you would arrange for the Office Solicitor to prepare suitable variations of leases, special conditions for the leases not registered and deeds of Covenant in all cases. The Deeds of Covenant will of course require to have provisions therein for any

TELEGRAPHIC ADDRESS:

"LANDS."



JMS. MM

DEPARTMENT OF LANDS AND SURVEY,

District Office, P.O. Box 896

DUNEDIN, C.I.

22nd July, 1957.

Mr W.L.A. Ewing,
Glencee Station,
ARROWTOWN.

Dear Sir,

Boundary Adjustments

I refer to my letter of 19th March, 1956 wherein I advised you of the position in regard to an adjustment of boundaries between Glencee and Mt Soho Stations.

In that letter I advised you that before your lease could be issued on the boundaries as fenced a survey would be required and the cost of this would have to be arranged between the runholders concerned. I added that to overcome the need for survey, the cost of which would be considerable, the new lease so far as Run 25 was concerned, would show the old boundaries but with the provision that the actual boundary is as fenced as at the commencement of the lease.

It has now been ascertained that the Land Registry Office will not accept for registration a lease stating that the boundaries of the Run are not as shown on the lease document but are as fenced, for to accept such a document would negative the description of the Run in the Lease.

I assume that neither you nor the Licensee of Mt Soho Station desire to be involved in survey costs and, as the fenced boundaries will be known to you and the Licensee of Mt Soho Station, I suggest that it will suffice if you and the other Runholder agree that you two are aware that the boundaries as shown on the two lease documents do not follow the actual fence lines and that for the purpose of working the properties you two are agreeable to follow the fence lines.

If you agree to the above please sign the note on the duplicate of this letter and return it to me as soon as possible. A stamped addressed envelope is enclosed.

The Lessees of Glendhu Station have been asked to sign a similar acknowledgment.

The lease in your name has been prepared and will shortly be forwarded for your signature.

Yours faithfully,

Encl.

C.K. Eville
Commissioner of Crown Lands.

transferee or assignee executing fresh Deeds on the transfer of the holdings. I think also that the variations and special conditions should also contain similar provisions.

In the case of Messrs W.L.A. Ewing and H.K. Emerson a transfer of the interest of Mr Ewing to Mr Emerson is held up pending the preparation of the Deed of Covenant and the inclusion of the special condition in the new lease.

... A plan showing the normal Run boundaries in colours and the approximate position of the fenced boundaries in blue ink is enclosed. There has been some difference of opinion between some of the tenants in regard to the exact location of the fencing and it would be preferable if the covenants were not supported by plans as this would only give rise to more arguments before agreement is reached.

Encl:

C.K. Eville
Commissioner of Crown Lands.

LAND SETTLEMENT BOARD

COMMISSIONER OF CROWN LANDS

RENEWAL OF PASTORAL LEASE

File: P 144

Case No

Otago Land District

Run Name: "Glencoe Station"Lessee: B M Waters Farming Company Limited a company incorporated under the Companies Act 1955 and having its registered office at Timaru.Land and Area: sections 1, 3, 6, 8, 9, 11 to 17 and 19 Block VIII Kawarau SD
sections 4, 7, 29 and 30 Block X Shotover SD and Runs 25, 37
and 39 Shotover Kawarau, Knuckle Peak and Crown SDs.
8579.1407 haDetails of LeaseTerm: 33 yrs from 1 July 1953Expires: 30 June 1986Annual Rent:Crown Improvements: NilStock Limit in Lease: 3600 sheep (plus 10%)Current stock limit: 9750 sheep and 500 breeding cowsOverall stock limit whilerun with 640-6312 haof freehold land: 11000 sheep plus 650 cattle (including not more than 500 breeding cows)Special Conditions: noneSurvey: sufficient for renewal purposesSection 58 Land Act 1948 Requirements: noneGeneral

One of the adjoining pastoral leases, 'Mt Asho', P339, was issued subject to the crown reserving the right to rationalise the boundaries. Investigations are currently underway, and at this stage it would appear that Glencoe could stand to gain valuable areas. These investigations will, however, have to be taken as separate to renewal

Le 3 Values Identified: 1) Joint Inspection Report - folio 827
2) Summary of Values - Sue Maturin - folio 854

Valuation: Roll 29070/212 by Senior Valuer Robertson as at 6-5-84
Endorsed by DFO - Confirmed by Valuation Dept 4-7-86 as being "reflex"

VI

LEI

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Reports:

- (1) Joint Renewal Report - refer folio 827
- (2) Valuation - refer folio 843
- (3) S Ranger Simpson - refer folio 846, 829

Comments:

Chief Ranger Perrett - folio 827
DFO Sawyer - folio 827
LPLD Helgate - folio 836
Sue Maturin - folio 854

Recommendations:

1. That pursuant to Section 51 Land Act 1948 the classification of the above land be confirmed as pastoral.
2. That pursuant to Sections 66 and 131 Land Act 1948 the values and base stock limit for renewal of the pastoral lease are fixed as follows:

§

- a) Improvements
- b) Improvements included in the Rental Value
- c) Land Exclusive of Improvements
- d) Annual Rent of the new Pastoral Lease
(based on 1.5% of the LEI for the first 11 years)
- e) Base stock limit to remain at 3600 sheep (plus 10%)

The annual rent is subject to 11 yearly rent reviews.

3. That the Crown retains the right to apply the provisions of Section 58 Land Act 1948 in respect of all rivers and streams in excess of 3 metres in width traversing or forming the boundary to the property, subject to legal clarification.

4. That the lessee be advised that it is the department's intention, when time and resources permit, to further investigate those values identified in the joint-inspection report, particularly regarding the possibility of a walkway via Bracken Gully.
 - (b) Botanical - further inspection necessary
 - (c) Scenic - Back-drop to Annawtown
 - (d) Historic - Mining remnants Bracken Gully region

Decision:

Approved/~~Declined~~

*Left intention under sec 4 to be
forwarded to land under relevant memo.*

[Signature]

Commissioner of Crown Lands

25/8 /1982

Prepared by:

Checked by:

[Signature] 17/7

[Signature]

JCE/KBN

PR.1993

896,

DUNEDIN.

3rd May, 1956.

The District Commissioner of Works,
P.O. Box 451,
DUNEDIN.

Renewal of Lease: Section 4, Block I,
Shotover S.D., Section 11, Block VII,
Kaitake S.D.,

Mr W.L.A. King holds the above land under Miscellaneous Licences which are being surrendered and included with other land under one new Pastoral Lease. Investigation has shown that there are water races intersecting the above sections and it may be that the water racecourse under your control. It is usual in cases of this nature to include in the new lease the area of water races intersecting.

Would you please inform me whether in this cases:

- (1) The water races having a total area of 1a. 3r. 26p. are used or likely to be required by your Department.
- (2) There are any objections from your point of view to the inclusion of the water-races in the new Pastoral Lease to be issued.
- (3) It is necessary in this case to include the usual clause to protect the Crown's right of access to the water races.

Correspondence concerning this condition will be found on your file P.N. 15/2.

... Please return the attached plan with your reply.

J.M. Macdonald
Commissioner of Crown Lands.

Encl:

