

## **Crown Pastoral Land Tenure Review**

**Lease name : LITTLE MT IDA**

**Lease number : PO 321**

### **Due Diligence Report (including Status Report)**

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.

**December**

**05**

## DUE DILIGENCE REPORT

## CPL PRE TENURE REVIEW ASSESSMENT STANDARD 6:

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File Ref:	Po321	Report No:	AT0057	Report Date:	11 May 2000
Office of Agent:	Alexandra	LINZ Case No:		Date sent to LINZ:	13/5/00

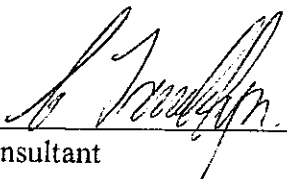
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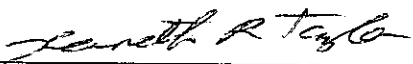
## RECOMMENDATIONS:

- (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 action which require action by the Manager Crown Property Contracts

A proposed easement in favour of So357 Little Mount Ida Special Lease has not been recorded on the pastoral lease document 3B/847. This easement is referred to on the special lease only.

Signed for Knight Frank (NZ) Limited

  
Consultant 12/5/00

  
Manager 12/5/00

Approved/Declined by:

\_\_\_\_\_  
Name:  
Date of decision:     /     /

Discussed easement to special lease area with Joseph Montgomery 2/5/2001. He will get back in a week or so with a suggestion on how to deal with the matter. *RM*, 2/5

**(1) Details of lease:**

**Lease Name:** Little Mount Ida

**Location:** Wedderburn

**Lessee:** Mount Ida Station Limited

**Tenure:** Pastoral lease under the Land Act 1948.

**Term:** 33 years from 1 January 1968

**Annual Rent:** \$450 (*assessed on a stock unit basis*)

**Rental Value:** N/A

**Date of Next Review:** 1 January 2001

**Land Registry Folio Ref:** 3B/847 (*Otago Registry*)

**Legal Description:** Part Run 790

**Area:** 2339.3350 hectares

**(2) File Search:**

*Little Mount Ida POL and pastoral lease (Volume I not held by Knight Frank):*

<i>File Reference</i>	<i>Volume</i>	<i>First Folio</i>	<i>Date</i>	<i>Last Folio</i>	<i>Date</i>
Oo70, 50	2	217	6/12/1960	370	10/12/1980
Po321	3	371	24/9/1980	478	8/6/1999

*Little Mount Ida BCL Special Lease:*

<i>File Reference</i>	<i>Volume</i>	<i>First Folio</i>	<i>Date</i>	<i>Last Folio</i>	<i>Date</i>
So357	1	0	28/2/1974	105	* 18/9/1996
	2	1	21/10/1997	33	23/12/1999

\* *Folio 75, 25/6/1996, letter stating easement over access road not yet granted.*

*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>
CPL/04/11/12574 ZCH	1	1	8/11/1997	11	28/6/1999
5200/D14/M26 DCH	1	1	<i>No folios</i>		
7900/04/P321 1 DDN	1	1	<i>Undated</i>	1	<i>Undated</i>

**(3) Summary of lease document:***Terms of lease:*

- (a) There are no special terms in the lease document that would affect the ability of the Commissioner of Crown Lands to complete a review of the lease.
- (b) (i) When the pastoral lease commenced, the area around Mount Ida (*not Little Mount Ida*) was surrendered and continued as POL tenure.
- Although not referred to on file there is a transfer of 33 ha from the POL to the pastoral lease block. It could be that the area of the POL block was either:
    - Overstated by some 33 ha and the new pastoral lease block understated by the same amount or:
    - there was an error in conversion (*of the POL block*) from the imperial to the metric area. This resulted in an appellation deeming the new pastoral lease area to be 2440 ha.

As the former reason seems more likely, this discrepancy does not seem to warrant further investigation.
  - The surrender for a further 100 ha from the pastoral lease was necessary as the initial pastoral lease and POL boundary was unfenceable. The boundary fenceline was brought down into the pastoral lease thus 100 ha was surrendered and added to the POL area. This corresponds with the file information.
- (ii) A special lease on the summit of Little Mount Ida was granted to NZBC in 1974. The area taken out of the pastoral lease for the special lease was 6650 m<sup>2</sup>. This corresponds with the file information.
- (iii) The file information refers to the closing of the old State Highway 85 legal road north of Wedderburn only when the folios were removed to another file. The pastoral lease is not near the state highway at Wedderburn and the road closing could only relate to freehold land.

## (c) Registered interests:

- (i) Mortgages - 951855-3 First mortgage to Westpac Banking Corporation.  
951855.4 Second mortgage to S G & S M McKnight.
- (ii) Memorandum - 806138 Grant of irrigation rights in favour of the Hawkdun Idaburn Irrigation Company Limited.

*No it does not.  
it is quite specific in  
the document that it deals  
with the land shown on the  
diagram which includes the riparian area*

This seems to relate to the overhead piped section of the race over a gully that shortens the land route around the head of a large gully. The land route of the disused section of the water race is not part of the lease.

- Memorandum - 917740 - Exploration Permit 9D/560 for 5 years from 30 September 1996 in favour of the Macraes Mining Company.

**Unregistered interests:**

The holders of the Little Mount Ida Special Lease have an unregistered right for an easement across the pastoral lease to gain access to the special lease (*Section 6c*).

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

The lease was the subject of several Catchment Board Run Plans, the erection of a fence was the condition to change the tenure for the bulk of the run from the occupation licence to pastoral lease. This fence was completed in 1967.

All registered Run Plan agreements have now been discharged from the title.

**(5) Summary of Land Status Report (Schedule A):**

There are three pieces of land separate from but located within the lease, they are described as follows:

**(a) Pastoral Lease:**

No issues were reported.

**(b) Recreation Reserve:**

Part of a 7.9986 ha railway land, Block 3 Idaburn Survey District passes. This narrow strip of land passes through but is not part of the title area. It is located on the western side of State Highway 85.

**(c) Mount Ida Water Race:**

Section 1 SO 24043, 60 ha.

A large live open water race that flows through but is not part of the lease. It is subject to an easement between HMQ and the operators of the race, the Hawkdun Idaburn Irrigation Company Limited.

(d) *Telecommunication Site:*

Section 1, Block IV Naseby Survey District, together with the rights and easement and appurtenances thereto (*ROW*), a special lease (8D/701) under the Land Act 1948.

(6) ***Review of topographical and Cadastral data:***

(a) *Telecommunication Site:*

The existing telecommunications site on the summit of Little Mount Ida is held separately from the pastoral lease as a special lease by Broadcasting Communications Limited for TV broadcasting purposes. BCL have co-siter agreements with Delta Energy (*formerly Central Electric*) and Telecom. Vodafone may have also recently negotiated a co-siter agreement with BCL. According to the file information, only Delta (*formerly the Otago Central Electric Power Board*) have the Commissioner of Crown Land's consent to be co-siters.

A planned extension of the special lease area into the pastoral lease (*initiated by the then Post Office*) did not proceed and all telecommunication equipment appears to be within the special lease title.

*Special Lease Details (see Schedule B):*

<b><i>Name:</i></b>	So357 - Little Mount Ida
<b><i>Location:</i></b>	Summit of Little Mount Ida, within pastoral lease Little Mount Ida near Wedderburn.
<b><i>Lessee:</i></b>	Broadcast Communications Limited.
<b><i>Tenure:</i></b>	Special lease under the Land Act 1948.
<b><i>Term:</i></b>	33 years from 1 July 1974
<b><i>Annual Rent:</i></b>	\$72
<b><i>Rental Assessment:</i></b>	No more than a 20% increase at each 11 year rent review
<b><i>Date of Expiry:</i></b>	1 July 2009 ( <i>no right of renewal</i> )
<b><i>Land Registry Folio Ref:</i></b>	8D/701 ( <i>Otago Registry</i> )
<b><i>Legal Description:</i></b>	Section 1, Block IV Naseby Survey District, together with the rights, easements and appurtenances thereto ( <i>a ROW</i> )

*Area:* 6650 m<sup>2</sup>

*(b) Legal and fenced boundaries:*

- (i) Approximately 60 ha of the neighbour's property (Dowling to the east ) appears to be fenced into the pastoral lease (Pipeline and Lower Wedderburn Faces Blocks).*
- (ii) A small area of pastoral lease (15 ha approximately) is fenced into Dowlings (Upper Wedderburn Faces Blocks).*

These boundary discrepancies have not been discussed with the lessees.

- (c) Several unformed legal roads traverse the lease. The flat portion of the main farm track to the Little Mount Ida summit is near to but not on a legal road. This track gives also access to the maintenance track adjacent to the Mount Ida Water Race. Approximately three-quarters of the access to the summit is near to the legal road, the formed and legal roads deviate near the base of the mountain. The mountain portion of the access track is not legal and has been surveyed. Presumably with the intention to create an easement through the pastoral lease. The access rights are referred to in the special lease document but not on the pastoral lease document. This may constitute an incomplete action in terms of being an unregistered easement across the pastoral lease.*

*(d) Gravel pit:*

The local authority has extracted gravel from a gravel pit on the lease for many years.

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

*(a) Railway land (see Schedule C):*

Stated as Recreation Reserve by Gazette Notice under the Reserves Act 1977. It is part of the Central Otago Rail Trail route administered by DoC, there would be no reason to include it as reviewable land.

*(b) Little Mount Ida water race:*

Stated as Crown land under the Land Act 1948 in the Land Status Report. The race and adjacent access track on this land are used for irrigation purposes, there is no case to include as reviewable land.

*(c) Mount Ida conservation area:*

Conservation Unit No H41 157.

Area: 1415 ha

This land adjoins the north-eastern end of the pastoral lease.

*(d) Other Crown land (see Schedule D):*

There are two small blocks of Crown land held as stewardship land, listed in the CMS - Otago Conservancy Land Inventory. There are no strong reasons to include these as reviewable land.

*(i) H41 111:*

Section 22, 5.8723 ha adjoining to Central Otago Rail Trail.

This land does adjoin (*but doesn't run through*) the pastoral lease.

*(ii) H4 112:*

Adjoins Section 22, 1.9020 ha adjoining the Central Otago Rail Trail.

This land is further removed from the lease to the north of Section 22.

***(8) Summarise any uncompleted actions or potential liabilities:******Little Mount Ida Special Lease:***

Although not part of the reviewable land, there is a potential liability in that the access to the special lease across the pastoral lease may constitute an incomplete action.

***APPENDED:***

## Schedule A Land Status Reports

- (i) Pastoral lease - Po321 Little Mount Ida
- (ii) Railway land
- (iii) Mount Ida Water Race
- (iv) Special lease - SO357 Little Mount Ida

## Schedule B Special lease document - Certificate 8D/701

## C Railway land

## D Other Crown land

## E Pastoral lease document

F (*So357*) Folio 75 25 June 1980 intention to create an easement



RELEASED UNDER THE OFFICIAL INFORMATION ACT

# OPUS INTERNATIONAL CONSULTANTS LIMITED

## DUNEDIN OFFICE

Project Number 6NI11 01 026YD

This report has been prepared on the instruction of Land Information New Zealand in terms of Contract No: 50177 dated September 1999 and is undertaken for the purposes of the Crown Pastoral Land Act 1998.



<b>LAND STATUS REPORT for Little Mount Ida</b>				LIPS Ref. <del>12628</del>
Property	1	of	4	12574

Land District	Otago
Legal Description	Part Run 790
Area	2339.3350 ha
Use	Crown Land under the Land Act 1948 subject to Pastoral Lease P 321.
Instrument of title / lease	CL 3B/847
Encumbrances	1. Subject to Memorandum of Transfer 806138 granting irrigation rights. 2. Exploration Permit 9D/560.
Mineral Ownership	Mines and 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 1848 Kemp Purchase.
Statute	Land Act 1948 and Crown Pastoral Land Act 1998.

Data Correct as at	3 November 1999
[Certification Attached]	

Prepared by	G Patrick
Crown Accredited Agent	Opus International Consultants Ltd, Dunedin

### Certification – as to status

Pursuant to Section 11(1)(i) 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

RELEASED UNDER THE OFFICIAL INFORMATION ACT		LAND STATUS REPORT for Little Mount Ida		LIPS Ref 12628	
Property	1	of	4		

under the Land Act 1948 subject to Pastoral Lease registered as 3B/847.



**Max Haydn Warburton**

**Chief Surveyor**

**Land Information New Zealand, Dunedin.**

17 / 11 / 1999

**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.

File sighted and nothing noted.

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<b>LAND STATUS REPORT for Little Mount Ida</b>			LIPS Ref 12628
Property	1	of	4

**Research Data:** *Some Items may be not applicable*

SDI Print Obtained	Yes /No
NZMS 261 Ref	H41
Local Authority	Central Otago District Council
Crown Acquisition Map	Kemp
SO Plan	SO 17710 approved May 1974 being a plan of Run 790. SO 19428 approved May 1980 being a plan of Section 1 Block IV Naseby SD.
Relevant Gazette Notices	None found.
CT Ref / Lease Ref	1. 3B/847[live] 2. 8D/701.
Plan Index	Attached.
Legalisation Cards	SO 17710 – no card found. SO 19428 – no card found.
CLR	Confirms Pastoral status.
Allocation Maps (if applicable)	1. H41 – DOC & SOE – nothing found. 2. H 41 Proposed SOE Land Claims shows site TV1.
VNZ Ref - if known	28260/21800
Crown Grant Maps	Not searched.
<b>If Subject land Marginal Strip :</b> a) Type [Sec 24(9) or Sec 58]  b) Date Created  c) Plan Reference	a) Nothing found  b)  c)

## LAND STATUS REPORT for Little Mount Ida

LIPS Ref 12628

Property 1 of 4

**Research – continued**

If Crown land – Check Irrigation Maps.	H41 – subject to H41/4 a Deed of Easement between HMQ & Hawkdun – Idaburn Irrigation Co Ltd. See report 3 of 4.
Mining Maps	Not searched. See title for registered interest.
<b>If Road</b> a) Is it created on a Block Plan – Section 43(1)(d) Transit NZ Act 1989  b) By Proc  c) Gazette Ref	a) SO Plan - Not applicable.  b) Proc Plan  c) Gazette Ref
Other Relevant Information a) Concessions – Advice from DOC or Knight Frank.  b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998  c) Mineral Ownership  d) Other Info	a) Nothing noted on file.  b) Nothing known.  c) Either  <input checked="" type="checkbox"/> Mines and 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 1848 Kemp Purchase.  <input type="checkbox"/> Contained in [provide evidence].  d)

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<b>LAND STATUS REPORT for Little Mount Ida</b>				LIPS Ref
Property	2	of	4	

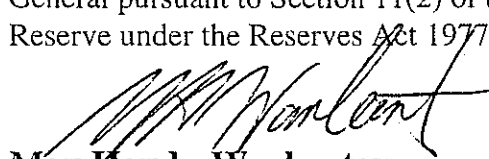
Land District	Otago
Legal Description	Part Railway Land Block III Idaburn SD.
Area	Area not known. – Part of total area of 7.9986.
Status	Recreation Reserve by New Zealand Gazette 1996 page 4440.
Instrument of title / lease	Unable to verify registration of gazette notice.
Encumbrances	Subject to Part IX of the Ngai Tahu Claims Settlement Act 1998 [Relevant Land].
Mineral Ownership	Mines and 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 1848 Kemp Purchase.
Statute	Reserves Act 1977.

Data Correct as at	3 November 1999
Certification Attached]	

Prepared by	G Patrick
Crown Accredited Agent	Opus International Consultants Ltd, Dunedin

**Certification – as to status**

Pursuant to Section 11(1)(l) 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 Recreation Reserve under the Reserves Act 1977.

  
**Max Haydn Warburton**  
**Chief Surveyor**  
**Land Information New Zealand, Dunedin.**

17/11/1999

**LAND STATUS REPORT for Little Mount Ida**

LIPS Ref

Property 2 of 4

**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.

<b>LAND STATUS REPORT for Little Mount Ida</b>				LIPS Ref
Property	2	of	4	

**Research Data:** *Some Items may be not applicable*

SDI Print Obtained	Yes / No
NZMS 261 Ref	H41
Local Authority	Central Otago District Council
Crown Acquisition Map	Kemp
SO Plan	SO 24366 approved April 1996 being a plan of Land to be set apart.
Relevant Gazette Notices	New Zealand Gazette 1996 page 4440.
CT Ref / Lease Ref	
Plan Index	
Legalisation Cards	SO 24366 – attached.
CLR	Not searched.
Allocation Maps (if applicable)	H41 Nothing showing affecting this land.
VNZ Ref - if known	
Crown Grant Maps	Not searched.
<b>If Subject land Marginal Strip :</b> a) Type [Sec 24(9) or Sec 58]  b) Date Created  c) Plan Reference	a) Nothing found  b)  c)

<b>LAND STATUS REPORT for Little Mount Ida</b>				LIPS Ref
Property	2	of	4	

**Research – continued**

If Crown land – Check Irrigation Maps.	H41 – Nothing in respect to subject land..
Mining Maps	H41 – nothing affecting subject land.
<b>If Road</b> a) Is it created on a Block Plan – Section 43(1)(d) Transit NZ Act 1989  b) By Proc  c) Gazette Ref	a) SO Plan - Not applicable.  b) Proc Plan  c) Gazette Ref
Other Relevant Information a) Concessions – Advice from DOC or Knight Frank.  b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998  c) Mineral Ownership  d) Other Info	a)  b) Subject to Part IX of the Ngai Tahu Claims Settlement Act 1998 [Relevant Land].  c) Either <input checked="" type="checkbox"/> Mines and 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 1848 Kemp Purchase.  <input type="checkbox"/> Contained in [provide evidence].  d)



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**DUNEDIN OFFICE**

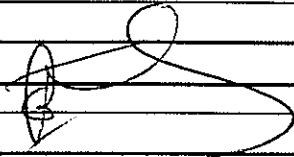
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<b>LAND STATUS REPORT for Little Mount Ida</b>				LIPS Ref 14266
Property	3	of	4	Crown Land

Land District	Otago
Legal Description	Section 1 SO 24043
Area	60 ha
Use	Crown Land under the Land Act 1948.
Instrument of title / lease	No registrations.
Encumbrances	<ol style="list-style-type: none"> <li>Subject to Deed of Easement dated 4/5/1994 between HMQ and the Hawkdun Idaburn Irrigation Company Ltd. Recorded on Chief Surveyors records as H41/4.</li> <li>Subject to Part IX of the Ngai Tahu Claims Settlement Act 1998 [Relevant Land].</li> </ol>
Mineral Ownership	Mines and 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 1848 Kemp Purchase.
Statute	Land Act 1948 and Crown Pastoral Land Act 1998.

Data Correct as at	3 November 1999
[Certification Attached]	
Prepared by	G Patrick
Crown Accredited Agent	Opus International Consultants Ltd, Dunedin

**Certification – as to status**

Pursuant to Section 11(1)(l) of the Survey Act 1986 and acting under delegated authority of the Surveyor-

<small>RELEASED UNDER THE OFFICIAL INFORMATION ACT</small> <b>LAND STATUS REPORT for Little Mount Ida</b>		LIPS Ref 14266
Property	3 of 4	Crown Land

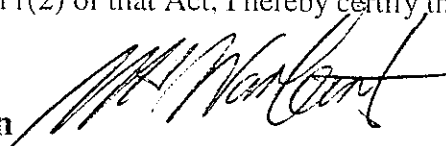
General pursuant to Section 11(2) of that Act, I hereby certify that the land described above is Crown Land under the Land Act 1948.

Max Haydn Warburton

Chief Surveyor

Land Information New Zealand, Dunedin.

17 / 11 / 1999



**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.

5400-02-1834 sighted. Nothing on file.

<b>LAND STATUS REPORT for Little Mount Ida</b>				LIPS Ref 14266
Property	3	of	4	Crown Land

**Research Data:** *Some Items may be not applicable*

SDI Print Obtained	Yes / No
NZMS 261 Ref	H41
Local Authority	Central Otago District Council
Crown Acquisition Map	Kemp
SO Plan	SO 19428 approved May 1980 being a plan of Section 1 Block IV Naseby SD.
Relevant Gazette Notices	None found.
CT Ref / Lease Ref	3B/847[live]
Plan Index	Attached.
Legalisation Cards	SO 19428 -- no card found.
CLR	
Allocation Maps (if applicable)	H 41 SOE, DOC & Proposed SOE Land Claims nothing. LIPS Map H41. Shown as property 1834.
VNZ Ref - if known	
Crown Grant Maps	Not searched.
<b>If Subject land Marginal Strip :</b> a) Type [Sec 24(9) or Sec 58]	a) Nothing found
b) Date Created	b)
c) Plan Reference	c)

<b>LAND STATUS REPORT for Little Mount Ida</b>				LIPS Ref 14266
Property	3	of	4	Crown Land

**Research – continued**

If Crown land – Check Irrigation Maps.	H41 – subject to H41/4 a Deed of Easement between HMQ & Hawkdun – Idaburn Irrigation Co Ltd.
Mining Maps	Not searched. See title for registered interest.
<b>If Road</b> a) <b>Is it created on a Block Plan – Section 43(1)(d) Transit NZ Act 1989</b>  b) <b>By Proc</b>  c) <b>Gazette Ref</b>	a) SO Plan - Not applicable.  b) Proc Plan  c) Gazette Ref
Other Relevant Information a) Concessions – Advice from DOC or Knight Frank.  b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998  c) Mineral Ownership  d) Other Info	a)  b) Subject to Part IX of the Ngai Tahu Claims Settlement Act 1998 [Relevant Land].  c) Either <input checked="" type="checkbox"/> Mines and 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 1848 Kemp Purchase.  <input type="checkbox"/> Contained in [provide evidence].  d)

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**DUNEDIN OFFICE**

Project Number 6NI11 01 026YD

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<b>LAND STATUS REPORT for Little Mount Ida</b>				LIPS Ref <del>14115</del>
Property	4	of	4	12628

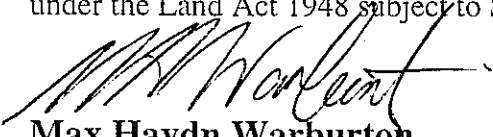
Land District	Otago
Legal Description	Section 1 Block IV Naseby SD together with the rights easements and appurtenances thereto [Right of Way].
Area	6650m <sup>2</sup>
Status	Crown Land under the Land Act 1948.
Instrument of title / lease	Special Lease registered as 8D/701
Encumbrances	Subject to Part IX of the Ngai Tahu Claims Settlement Act 1998 [Relevant Land].
Mineral Ownership	Mines and 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 1848 Kemp Purchase.
Statute	Land Act 1948.

Data Correct as at	3 November 1999
[Certification Attached]	

Prepared by	G Patrick
Crown Accredited Agent	Opus International Consultants Ltd, Dunedin

**Certification – as to status**

Pursuant to Section 11(1)(l) 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 under the Land Act 1948 subject to Special Lease 8D/701.

  
**Max Haydn Warburton**  
**Chief Surveyor**

**Land Information New Zealand, Dunedin.**

17 / 11 / 1999

## LAND STATUS REPORT for Little Mount Ida

LIPS Ref 14115

Property 4 of 4

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.

**LAND STATUS REPORT for Little Mount Ida**

LIPS Ref 14115

Property 4 of 4

**Research Data: Some Items may be not applicable**

SDI Print Obtained	Yes / No
NZMS 261 Ref	H41
Local Authority	Central Otago District Council
Crown Acquisition Map	Kemp
SO Plan	SO 19428 approved May 1980 being a plan of Section 1 Block IV Naseby SD.
Relevant Gazette Notices	None found.
CT Ref / Lease Ref	CL 8D/701 [live] CL 3B/847[live]
Plan Index	Attached.
Legalisation Cards	SO 19428 – no card found.
CLR	Not searched.
Allocation Maps (if applicable)	1. H 41 Proposed SOE Land Claims shows site TV1. 2. H 41 SOE, DOC - nothing. 3. LIPS Map H41. Shown as property 1136.
VNZ Ref - if known	Not known.
Crown Grant Maps	Not searched.
<b>1 subject land Marginal Strip :</b> <b>a) Type [Sec 24(9) or Sec 58]</b>  <b>b) Date Created</b>  <b>c) Plan Reference</b>	a) Nothing found  b)  c)

<b>LAND STATUS REPORT for Little Mount Ida</b>				LIPS Ref 14115
Property	4	of	4	

**Research – continued**

If Crown land – Check Irrigation Maps.	H41 – Nothing in respect to subject land.
Mining Maps	H41 Nothing in respect to subject land.
<b>If Road</b> a) Is it created on a Block Plan – Section 43(1)(d) Transit NZ Act 1989  b) By Proc  c) Gazette Ref	a) SO Plan - Not applicable.  b) Proc Plan  c) Gazette Ref
Other Relevant Information a) Concessions – Advice from DOC or Knight Frank.  b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998  c) Mineral Ownership  d) Other Info	a)  b) Subject to Part IX of the Ngai Tahu Claims Settlement Act 1998 [Relevant Land].  c) Either <input checked="" type="checkbox"/> Mines and 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 1848 Kemp Purchase.  <input type="checkbox"/> Contained in [provide evidence].  d)



Our Ref:

Your Ref:



12 November 1999

OPUS International Consultants  
Private Bag 1913  
Dunedin

Attention Gary Patrick

Dear Sir

**Status Report - Little Mt Ida**

2 of 4, Pt Railway Land, Blk III, Idaburn SD

In terms of NZ Gazette 1996, page 4440, this land is clearly not included in the pastoral lease. Is it appropriate to include this land under the heading Land Status Report for Little Mount Ida? The diagram 2 of 2 misleads as the subject land is not bordered out.

Please comment:

3 of 4, Section 1, SO 24043

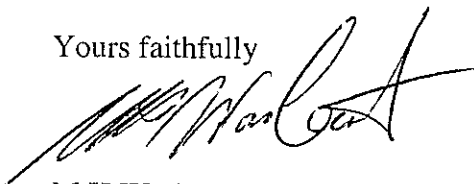
I believe the document granting irrigation rights over this land is I-H41/4.

T806138 grants irrigation rights over the lease.

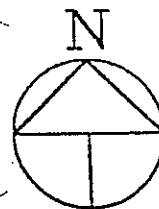
Section 1, SO 24043 is not included in the lease.

In view of the problems we are now experiencing with water races on Crown land, I hope the Commissioner is prepared to incorporate Sec 1, SO 24043 into the lease on the basis that the rights of the irrigation company are protected by the two transfers.

Yours faithfully



M H Warburton  
Chief Surveyor



Sec 1 Blk IV  
Naseby SD  
Report 4 of 4

**Pt Run 790**

Sec 1  
SO 24043  
Report 3 of 4

LEGAL ROAD

LEGAL ROAD

LEGAL ROAD

LEGAL ROAD

LEGAL ROAD

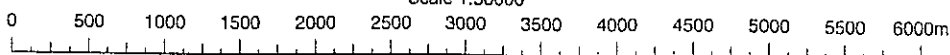
LEGAL ROAD

See Sheet 2 of 2

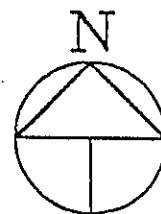
Version	1	2	3	4	5
Otago Land District	Sheet 1 of 2				
NZMS 260 H41	Date 14/10/1999				

**Little Mt Ida**

Scale 1:50000



RUN 790 (PT)



Pt Run 790

Pt Run 790

Report 2 of 4

LEGAL ROAD

LEGAL ROAD

Railway Land Blk III  
Idaburn S D

Pt Run 790

LEGAL ROAD

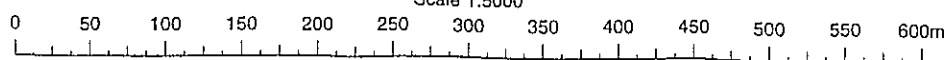
Pt Run 790

LEGAL ROAD

Version	1	2	3	4	5
Otago Land District	Sheet 2 of 2				
NZMS 260 H41	Date 14/10/1999				

Little Mt Ida

Scale 1:5000





Sec 1 Blk IV  
Naseby SD  
Report 4 of 4

Pt Run 790

Sec 1  
SO 24043  
Report 3 of 4

See Sheet 2 of 2

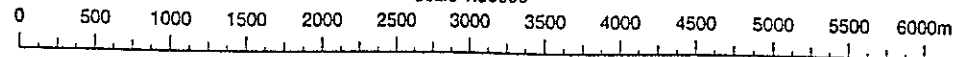
**OPUS**

INTERNATIONAL CONSULTANTS

Version	1	2	3	4	5
Orago Land District					
NZMS 260 H41					
Sheet 1 of 2					
Date 14/10/1999					

# Little Mt Ida

Scale 1:50000



MEMORANDUM OF PARTIAL SURRENDER

IN THE MATTER of the Land Act 1948 and its  
Amendments

AND

IN THE MATTER of Pastoral Lease No P 321  
under the Land Act 1948 of ALL that piece  
of land situated in the Otago Land District,  
containing 2307.8796 hectares, more or less,  
being Section 1 Block IV Naseby Survey  
District and Part Run 777/Blocks II, III and  
IV Idaburn Survey District and Blocks IV, V,  
VIII and IX Naseby Survey District and being  
the whole of land comprised and described in  
the aforesaid Pastoral Lease recorded in  
Register Book, Vol 3B Folio 847 /

*For Diagram  
See Other Sheet*

I, STEWART GEMMELL McKNIGHT of Oturehua, Sheepfarmer, the Lessee under the above-mentioned lease DO HEREBY SURRENDER in terms of Section 145 of the Land Act 1948, all my estate and interest as such lessee in all that piece of land containing 6650 square metres, being Section 1 Block IV Naseby Survey District AND I AGREE AND DECLARE THAT all and singular the covenants conditions and agreements of the said recited lease expressed and/or implied shall continue in force in respect of the residue of the land henceforth comprised therein as fully and effectually as if such residue of the said land above had originally been comprised therein AND I HEREBY FURTHER AGREE AND DECLARE that the said surrender shall take effect from the 30th day of June 1974

SIGNED by the said STEWART GEMMELL  
McKNIGHT Lessee, in the presence of:

*Stewart Gemmell McKnight*  
Lessee

Witness: *[Signature]*

Occupation: *Sheepfarmer*

Address: *Longford*

SURRENDER ACCEPTED for and on behalf of Her Majesty the Queen as Lessor

SIGNED by the <sup>Deputy</sup> Assistant Commissioner  
of Crown Lands for the Otago Land  
District in the presence of:

*[Signature]*  
Assistant Commissioner of Crown Lands

Witness: *[Signature]*

Occupation: *Acting Asst. Commr. of Survey*

Address: *Dunedin*

DM 26753 (6/79)

THE AUSTRALIAN MUTUAL PROVIDENT SOCIETY as Mortgagee under and by virtue of Memoranda of Mortgage Nos 326919 and 396856 DOES HEREBY CONSENT to the aforesaid surrender BUT WITHOUT PREJUDICE to its rights powers and remedies otherwise under or in respect of the said Mortgages

Signed by the AUSTRALIAN MUTUAL PROVIDENT SOCIETY by its Attorneys

Australian Mutual Provident Society  
GORDON ALFRED POOLEY by its Attorneys:

and  
in the presence of:

BARRY JOHN CLARKE

THE RURAL BANKING AND FINANCE CORPORATION OF NEW ZEALAND as Mortgagee under and by virtue of Memoranda of Mortgage Nos 386167 and 396857 DOES HEREBY CONSENT to the aforesaid surrender BUT WITHOUT PREJUDICE to its rights powers and remedies otherwise under or in respect of the said mortgages

SIGNED for and on behalf of the Rural Banking and Finance Corporation of New Zealand by Don Blomfield Stacey acting under the authority of the said Corporation pursuant to Section 16 of the Rural Banking and Finance Corporation Act 1974 in the presence of:

for Mortgagee

Witness: [Signature]

Occupation: [Signature]

Address: [Signature]

THE NATIONAL BANK OF NEW ZEALAND as Mortgagee under and by virtue of Memorandum of Mortgage No 519897/2 DOES HEREBY CONSENT to the aforesaid surrender BUT WITHOUT PREJUDICE to its rights powers and remedies otherwise under or in respect of the said Mortgage

SIGNED for and on behalf of

BANK OF NEW ZEALAND

BANK OF NEW ZEALAND

By its Attorneys:

by its Attorneys

DAVID JOHN MURRAY ALEXANDER

JOHN BARRY BLANK

in the presence of:

Witness: [Signature]

R. L. ALLEN, 211.1.11.1

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

WE,

GORDON ALFRED POOLEY  
BARRY JOHN CLARKE

and

both of Wellington,

New Zealand, Life Assurance Officers, hereby severally certify:

1. THAT by Deed dated at Sydney in Australia the 13th day of June 1973 (a copy whereof is deposited at the following Land Transfer Offices under the following numbers, namely:

<u>OFFICE</u>	<u>NUMBER</u>	<u>OFFICE</u>	<u>NUMBER</u>
Auckland	265722.1	Hokitika	44220
Blenheim	72484	Invercargill	272788
Christchurch	923208	Napier	285857
Dunedin	408837	Nelson	151140
Gisborne	109619	New Plymouth	205166
Hamilton	S.619176	Wellington	986263

the Australian Mutual Provident Society appointed as its Attorneys on the terms and subject to the conditions set out in the said Deed the following persons, namely the Manager for New Zealand of the said Society for the time being the Deputy Manager for New Zealand of the said Society for the time being the Investments Manager for New Zealand of the said Society for the time being the Property Manager for New Zealand of the said Society for the time being the Assistant Investments Manager for New Zealand of the said Society for the time being the A.M.P. Discount Manager for New Zealand of the said Society for the time being the Accountant for New Zealand of the said Society for the time being the Sub-Managers Ordinary Policy Division for New Zealand of the said Society for the time being and the Assistant Superannuation Manager for New Zealand of the said Society for the time being.

**ASSISTANT SUPERANNUATION MANAGER**

2. THAT we are respectively **SUB-MANAGER** and for New Zealand of the said Society and as such are Attorneys in New Zealand for the said Society pursuant to the said Deed.

3. THAT at the date hereof we have not received any notice or information of the revocation of that appointment by the winding-up of the said Society or otherwise.

DATED this

22<sup>nd</sup> day of January 1987  
Wellington

SIGNED at

GORDON ALFRED POOLEY

BARRY JOHN CLARKE



LOCALITY MAP  
Scale 1:12,000

BLK II

IDABURN S.D.

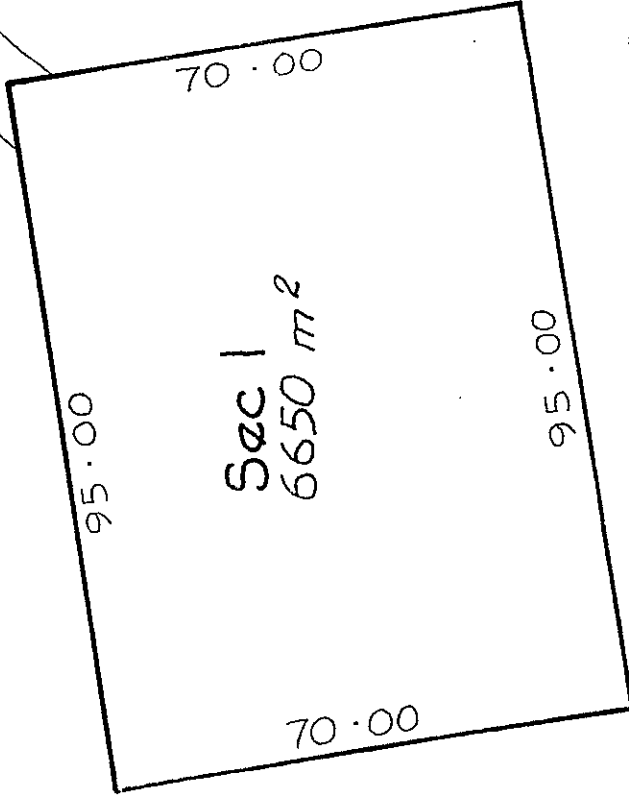
BLK IV

BLK IV  
NASEBY S.D.

ACCESS TRACK

ACCESS TRACK

ROAD

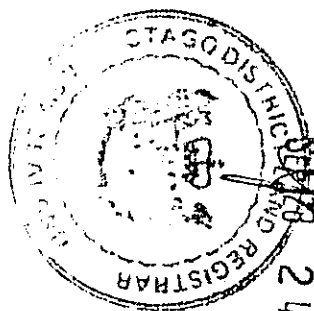


Scale 1:1000

SO.19428

Special Lease 30/701 issued  
for Section 1 Block IV Naseby  
District.

*[Signature]*  
A.L.R.



SEP 20 2 47 PM '91  
DISTRICT REGISTRAR  
DUNEDIN N.Z.

A.L.R.

562590/1  
38/847