

## **Crown Pastoral Land Tenure Review**

**Lease name : MATANGI**

**Lease number : PO 371**

### **Due Diligence Report (including Status Report) - Part 7**

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.

**June 09**



Pegs marked AT

**CERTIFIED CORRECT**  
*Malcolm Elder*  
 Civil Engineer  
 1915/79

Datum: Geodetic 1949  
 Circuit: North Tairā  
 Coordinates in terms of false origin  
 Trig A' Nih Tairā 700 000 m N  
 300 000 m E

Total Area 8.1700 ha  
 Comprised in  
 C.L. 386/95

GEORGE ROBERTSON ELDER of ALEXANDRA  
 Registered Surveyor and holder of an annual practicing certificate  
 hereby certify that this plan has been made from surveys executed  
 by me or under my direction, that said plan and surveys are correct  
 and have been made in accordance with the regulations under the  
 Surveyors Act 1958

Dated at Alexandra this 4th day  
 of July 1980 Signature *Malcolm Elder*

Field Book 2127 & M-82 Transit Book 202 p. 82  
 Reference Plans S.O. 374  
 Examined - M. I. Young Const *M. I. Young*  
 Approved as to Survey *Malcolm Elder* 19/8/80  
 14.8.80 Chief Surveyor  
 Deponent this 19th day of July 1980

District Land Registrar

LAND DISTRICT **OTAGO** (S.O. 211)  
 SURVEY BLK & DIST VI & VII, Cairnhill, S.O.  
 NZMS 261 SHEET NO. 6.42  
 177 5.144

Mining Permit Application 41-187 by  
 Fulton Hogan (Central) Ltd.  
 over Part Run 569

LOCAL AUTHORITY Central Otago District  
 Surveyed by **McGEORGE & ELDER**  
 Scale Date Sept 1979

File 1518  
 Received 8-1-80  
 Instructions

©1979 Survey-General Department of Lands and Survey, Wellington

**SCHEDULE OF TITLE AND MINERAL OWNERSHIP FOR  
PERMIT NO: 41-187**

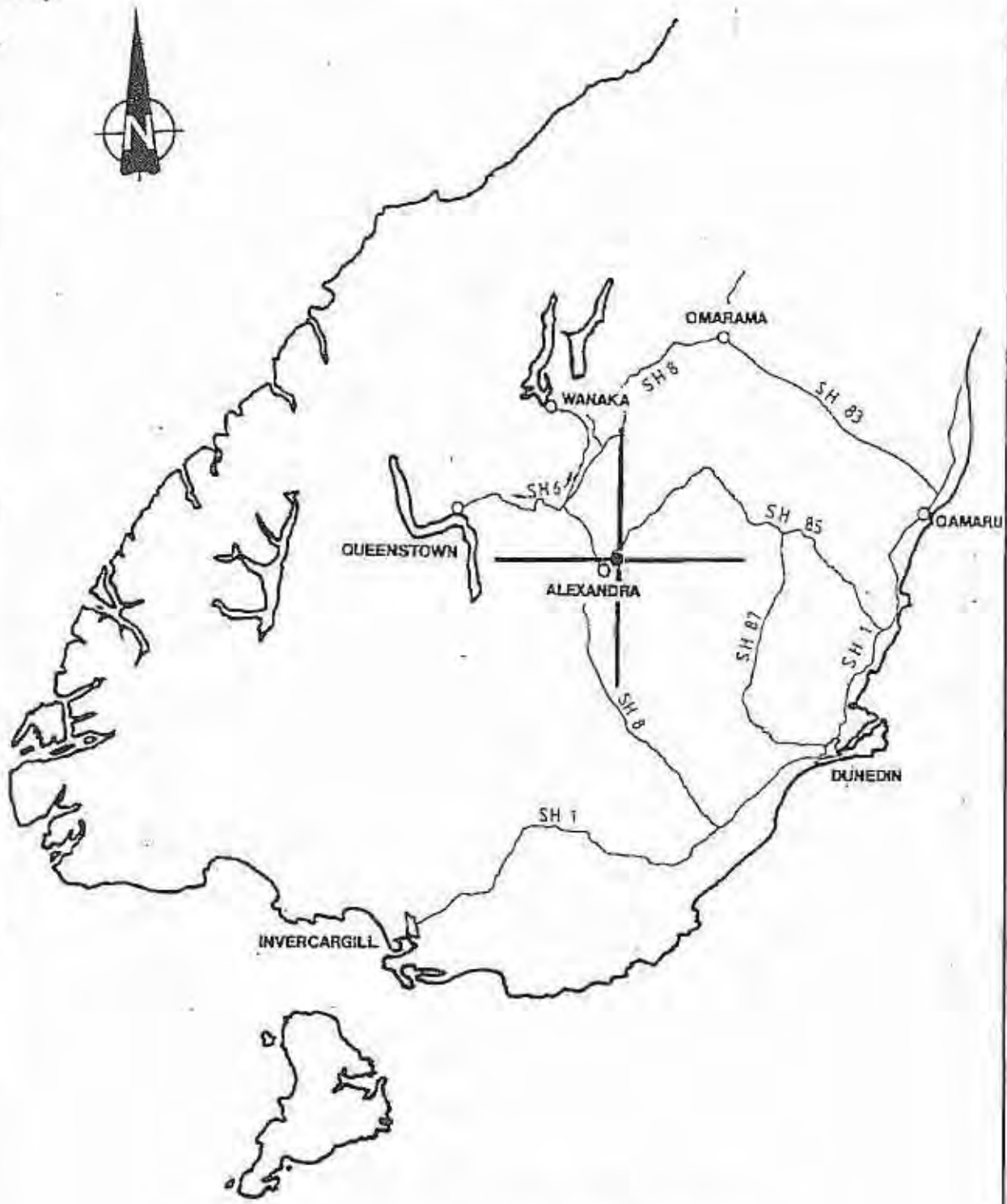
Page ..... of .....  
Date: ..... / ..... / .....  
Updated: ..... / ..... / .....  
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**THIS FORM COVERS STATUTE AND NON STATUTE MINERALS:**

1. STATUTE MINERALS ARE THE PROPERTY OF THE CROWN REFER TO SECTION 10, OF THE CROWN MINERALS ACT 1991
2. NON STATUTE MINERALS ON OR UNDER THE LAND ARE CROWN OWNED BY STATUTE OR TRANSFER

INSTRUMENT OF TITLE	LAND DESCRIPTION	NOTES
C.L. 386/95	Part Run 569 Blocks VI and VII Cairnhill	Crown ownership.
	Survey District	unalienated Crown Land
		(Pastoral licence P153 - Dept of
		Survey & Land Information
		administered by Landcorp)

THIS FORM IS TO SATISFY SECTION 81(2) AND 85(3B) OF THE CROWN MINERALS ACT 1991



Locality Map of Mining  
Permit Application 41-187  
by Fulton Hogan (Central) Ltd

Scale 1: 2 000 000

SECOND SCHEDULE  
CONDITIONS OF MINING PERMIT 41 187

Work Programme

1 The permit holder shall be permitted to mine in a systematic and efficient manner using the mining methods prescribed:

- a mining by open-cut methods using earthmoving machinery as appropriate;
- b rehabilitation as appropriate.

Provided that nothing in this clause shall exempt the permit holder from any obligation to comply with the requirements of any other Act or Regulation that may affect or apply to such operations.

- 2a The permit holder shall, before commencing work and within 30 days following the anniversary of the grant of this permit in each year, submit to the Secretary of Commerce (the Secretary) a proposed annual work statement and mine plan for written approval.
- b The proposed annual work statement and mine plan shall detail estimates of grades of ore to be recovered for the next 12 months, confirm the mining method to be used, period of mine operation, a schedule of production to date, estimated remaining recoverable reserves, and general mining activities to be undertaken.
- c The Secretary shall, within 30 working days of receipt, respond to the proposed work statement and mine plan either giving approval to the work statement or withholding approval and requesting either modification or further information to enable assessment.
- d Compliance with the work statement and mine plan shall constitute a condition of this permit.

Marking Out

3 If required by the Secretary, the permit holder shall clearly mark the boundaries of the permit or areas defined in the approved work statement of this permit by pegs, coloured tape or other approved means.

### Royalties

- 4a The permit holder shall pay to the Secretary a royalty on any silica sand or gravel produced under this permit. The royalty rate will be \$0.10 per tonne until 12 months after the date of issue of the first minerals programme applicable to silica sand and gravel issued in terms of section 19 of the Crown Minerals Act 1991 when the rate specified in that minerals programme will take effect.
- b All books, accounts and other records of the permit holder in relation to the permit for the purposes of this condition shall be open at all reasonable times to inspection by the Secretary or any person legally authorised for that purpose.

### Reports

5 The permit holder shall provide such periodic reports and returns on production as are required in the Crown Minerals Act 1991 and its regulations. In particular, the permit holder shall, within thirty days following the 30th of June and 31st of December in each year, provide the Secretary with true and accurate returns of the quantity of sand and gravel mined and the value of sand and gravel sold during the preceding six months. If there has been no production during the reporting period, then the permit holder shall provide written notification giving reasons for the lack of production.

### Other Consents and Agreements Required

6 The permit holder shall ensure that all necessary resource consents and land access agreements are obtained prior to the commencement of mining operations.

7 The permit holder shall notify the Secretary, the Inspector of Mines and appropriate local authorities when operations are due to commence.

THE CROWN MINERALS ACT 1991

MINING PERMIT No. 41 187

Minister of Energy

TO

FULTON HOGAN (CENTRAL) LTD

Area: 8.1700

MEMORIALS

934072  
Variation - 1.8.1977 at 10.30  
*John Dobbie*  
DR

90/467

FILE COPY

Particulars entered in the Register shown in the First Schedule herein on the date and at the time stamped below.

.....  
District/Assistant Land Registrar

Registry Office Use Only

10.15 24 DEC 93 846005  
386195  
PARTICULARS ENTERED IN REGISTER  
AND REGISTERED AT  
ASST. LAND REGISTRAR  
DUNEDIN



297/016

936596.1

VL

MEMORANDUM OF VARIATION OF LEASE

IN THE MATTER of the Land Act 1948

AND


IN THE MATTER of Lease No P371 Volume 386 folio 95 Otago Registry from Her Majesty the Queen to BARBARA E'STELLA SANDERS, ALEXANDER JOHN SANDERS, WILLIAM DONALD STEWART ARMITAGE AND WILLIAM THOMAS COONEY

The covenants conditions and restrictions contained or implied in the above-mentioned lease registered in Volume 386 folio 95 Otago Land Registry, are hereby varied as follows:

1. That should the Lessee with the consent of Her Majesty the Queen transfer, sublet or otherwise dispose of his interest in the land affected by the said lease or any part thereof to a company incorporated under the Companies Act 1955, then the following provisions shall apply.
  - (a) The provisions of Section 89 of the Land Act 1948, shall apply to all such transfers and other dispositions of shares in such a company as if such shares were interests in the said land and no share or shares in such company shall be transferred or otherwise disposed of by any shareholder without the consent of the Commissioner of Crown Lands.
  - (b) The provisions of the Land Act 1948, with regard to the residence shall continue to be applicable to the said lease notwithstanding the transfer or other disposition to such company provided however that such provisions shall be deemed to be complied with by such company only if and when there resides on the said land a person who manages the land on behalf of such company and who has been approved in writing for that purpose by the Commissioner of Crown Lands.
  - (c) A breach by the company or by any shareholder of all or any of the provisions of subclauses (a) and (b) hereof shall be deemed to be in breach of the covenants conditions and restrictions contained in the said lease entitling the lessor to exercise all or any of the powers conferred upon her by the said lease in such circumstances.
2. Save as hereby expressly varied all the covenants conditions and restrictions contained or implied in the Memorandum of Lease shall remain in full force.

WRE  
JOL  
8

6





9.03 17 SEP 97 936596

PARTICULARS ENTERED IN REGISTER  
LAND REGISTERED IN DIAGO  
ASST. LAND REGISTRAR.....

IN WITNESS WHEREOF the parties have hereunto subscribed their names this 21<sup>st</sup> day of July 1997

SIGNED by the Commissioner of Crown Lands for and on behalf of HER MAJESTY THE QUEEN in the presence of:

S. D. BROWN  
COMMISSIONER OF CROWN LANDS  
LAND INFORMATION NZ.  
WELLINGTON

Witness: [Signature]

Occupation: LYNETTE PORTER  
TEAM MEMBER  
Address: NATIONAL OFFICE  
LAND INFORMATION NZ.  
WELLINGTON

Signed by BARBARA STELLA SANDERS as Lessee:

[Signature]

Witness: [Signature]

Occupation: J. A. Williamson  
Solicitor  
Address: Alexandra

Signed by ALEXANDER JOHN SANDERS as Lessee:

[Signature]

Witness: [Signature]

Occupation: J. A. Williamson  
Solicitor  
Address: Alexandra

Signed by WILLIAM DONALD STEWART ARMITAGE as Lessee:

[Signature]

Witness: [Signature]

Occupation: Jan R. Leonard  
Legal Executive  
Address: Dunedin

*MLL*

Signed by WILLIAM THOMAS COONEY  
as Lessee:

Witness: 

*William*

Occupation: J. A. Williamson

Solicitor

Address: Alexandra

57-120-1  
57-120-2  
57-120-3  
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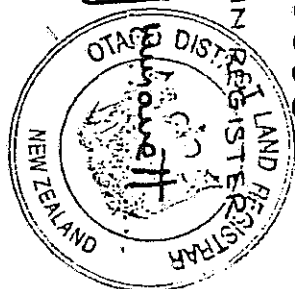
**FILE COPY**

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PARTICULARS ENTERED IN REGISTERED  
LAND REGISTRY OTAGO  
ASST. LAND REGISTRAR  
586/95

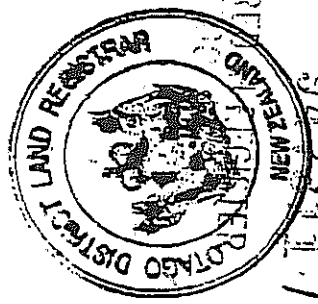


947311.1

9.05 08 MAY 98

PROPERTY REGISTRATION

947311.1



MWP\_0015818



MC030, 3222, 98088

**CERTIFICATE UNDER S. 417 OF THE RESOURCE MANAGEMENT ACT 1991**

oOo

Pursuant to Section 417(2) of the Resource Management Act 1991, the Otago Regional Council hereby certifies that:

Matangi Station Ltd  
C/o Checketts McKay  
P O Box 41, Alexandra

being registered as holder of Licence for a Water Race No.2231, Alexandra Registry of the Warden's Court, is entitled to cut, construct, and maintain a race, to use as a race a natural channel (but only where that channel has been so used under the licences), to occupy (but only for the purposes of the construction, maintenance, and improvement of the race) the land forming the course of the race plus a three-metre strip on each side, to deposit within those strips any material removed from the race in the course of maintaining and improving it, and to convey water in the race, across the lands described in the Schedule, as indicated on the attached diagram.

M E Weaver  
Manager Resource Administration

This Certificate is issued by the Chairperson of the Otago Regional Council, acting under powers delegated to her by the Council and not revoked at the date of issue.

Common Seal



R W Scott  
Director Corporate Services

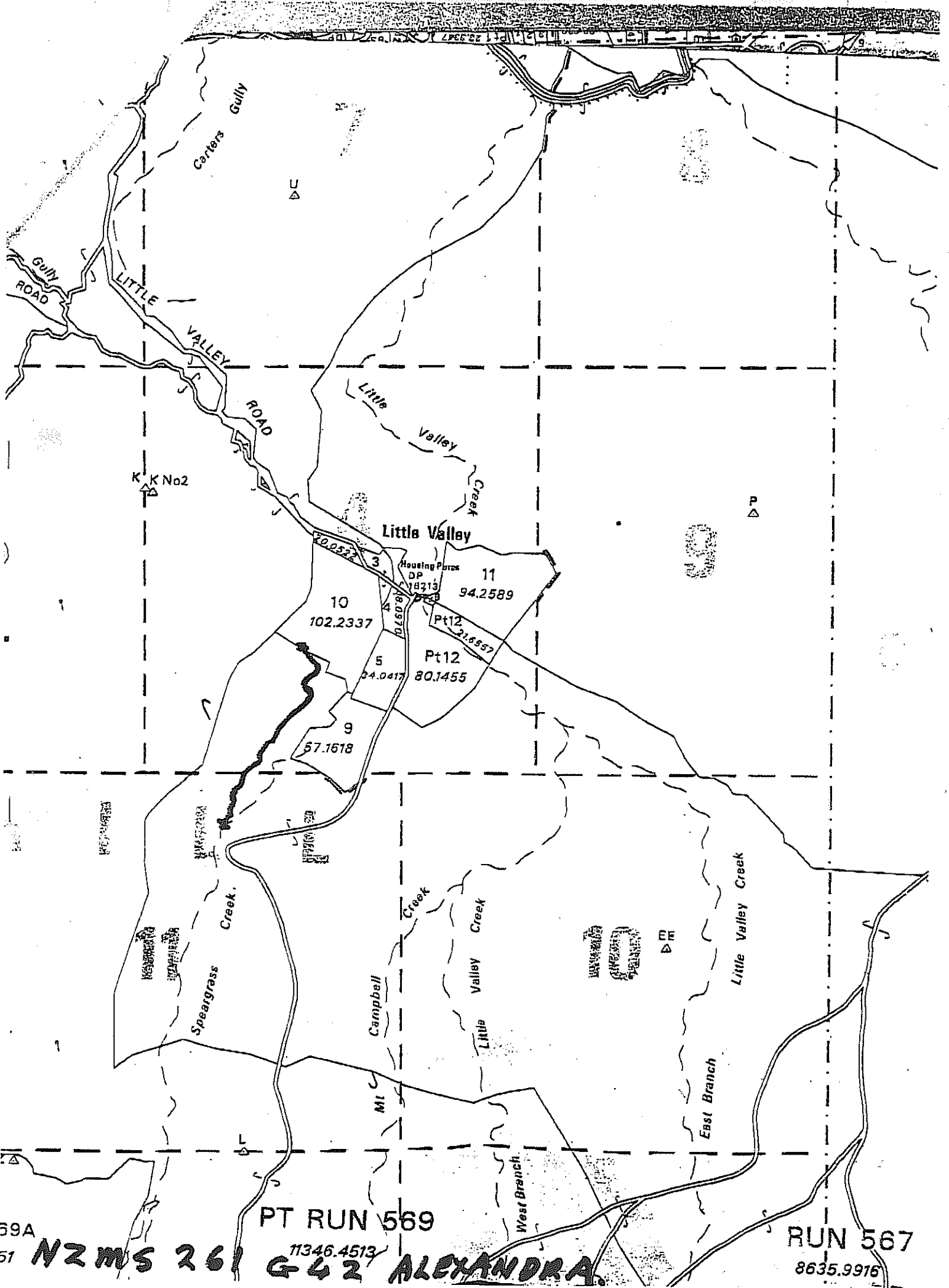
M L Rossen  
Chairperson

23/4/95



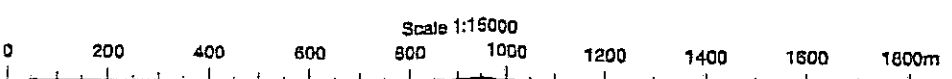
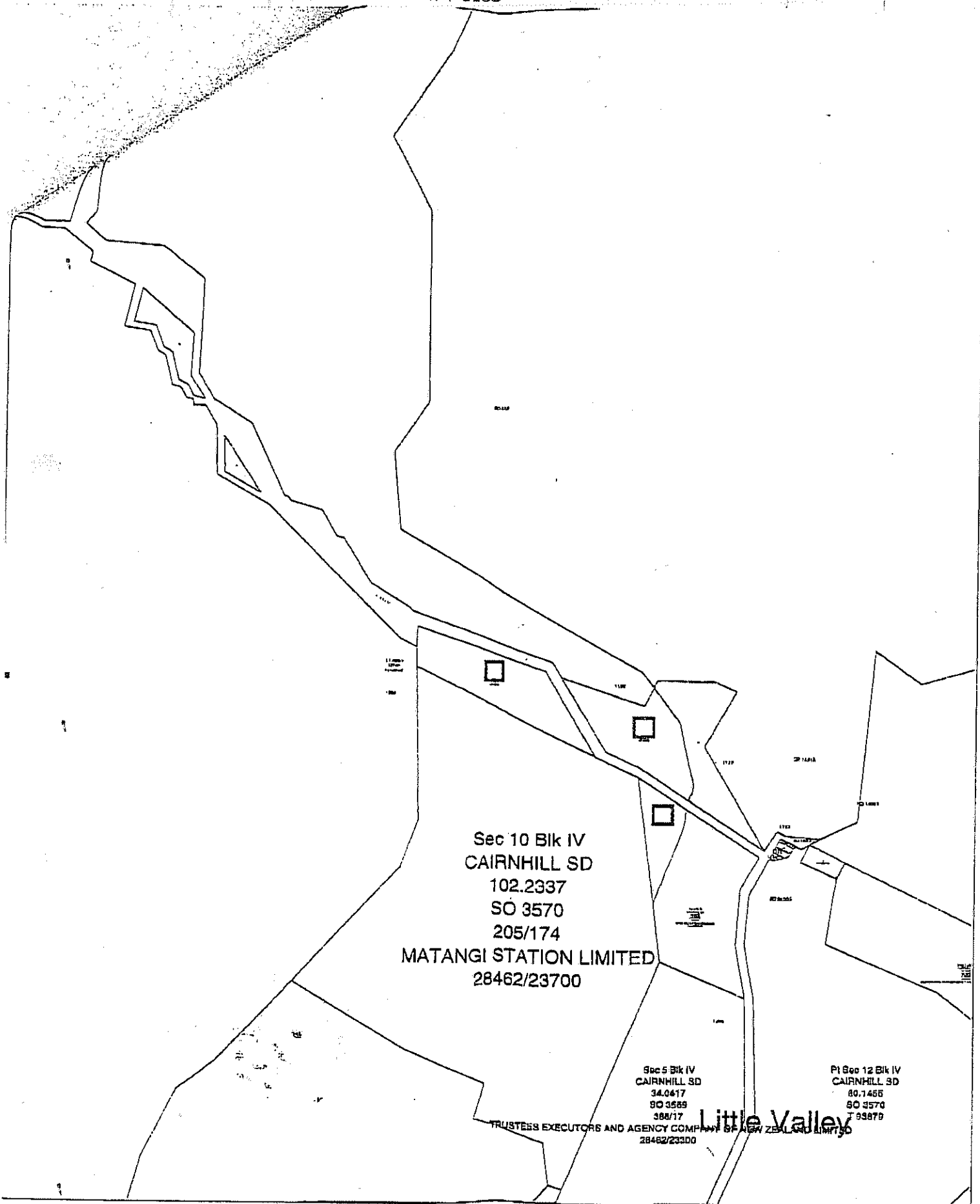
**SCHEDULE**

Land Affected	Title Reference	Property Owner
Dominant land Sec 3 Block IV Cairnhill Survey District. Run 569 Cairnhill Teviot and Long Valley Survey District Pastoral lease P153	386/95	Matangi Station Ltd
Servient land Sec 5 Block IV Cairnhill Survey District and Run 567 Cairnhill Cairnside, Long Valley and Teviot Survey Districts Pastoral lease P137	386/17	John Walter Matangi Saunders and Trustees Executors and Agency Co. of NZ



39A  
 51 NZMS 261 11346.4513 G 42 ALEXANDRA  
 PT RUN 569  
 RUN 567 8635.9916





955 264/1



9.00 20.MAR 00  
PARTICULARS ENTERED  
LAND REGISTRY OF AUCKLAND  
FOR REGISTRAR - GENERAL



# Internal Memo



Dunedin Regional Office  
John Wickliffe House  
Princes Street  
Private Bag 1828  
Dunedin  
New Zealand  
Tel 64-3-477 0660  
Fax 64-3-477 3647  
Internet  
<http://www.linz.govt.nz>

To: Registrar General of Land

cc: \_\_\_\_\_

From: David Bowman  
HELP DESK - SURVEY

Date: 20 March 2000

Reference: LAD/02/01/00

Subject: New Appellation SO 24757

Please see the enclosed plan for the new legal descriptions to be included in your records:

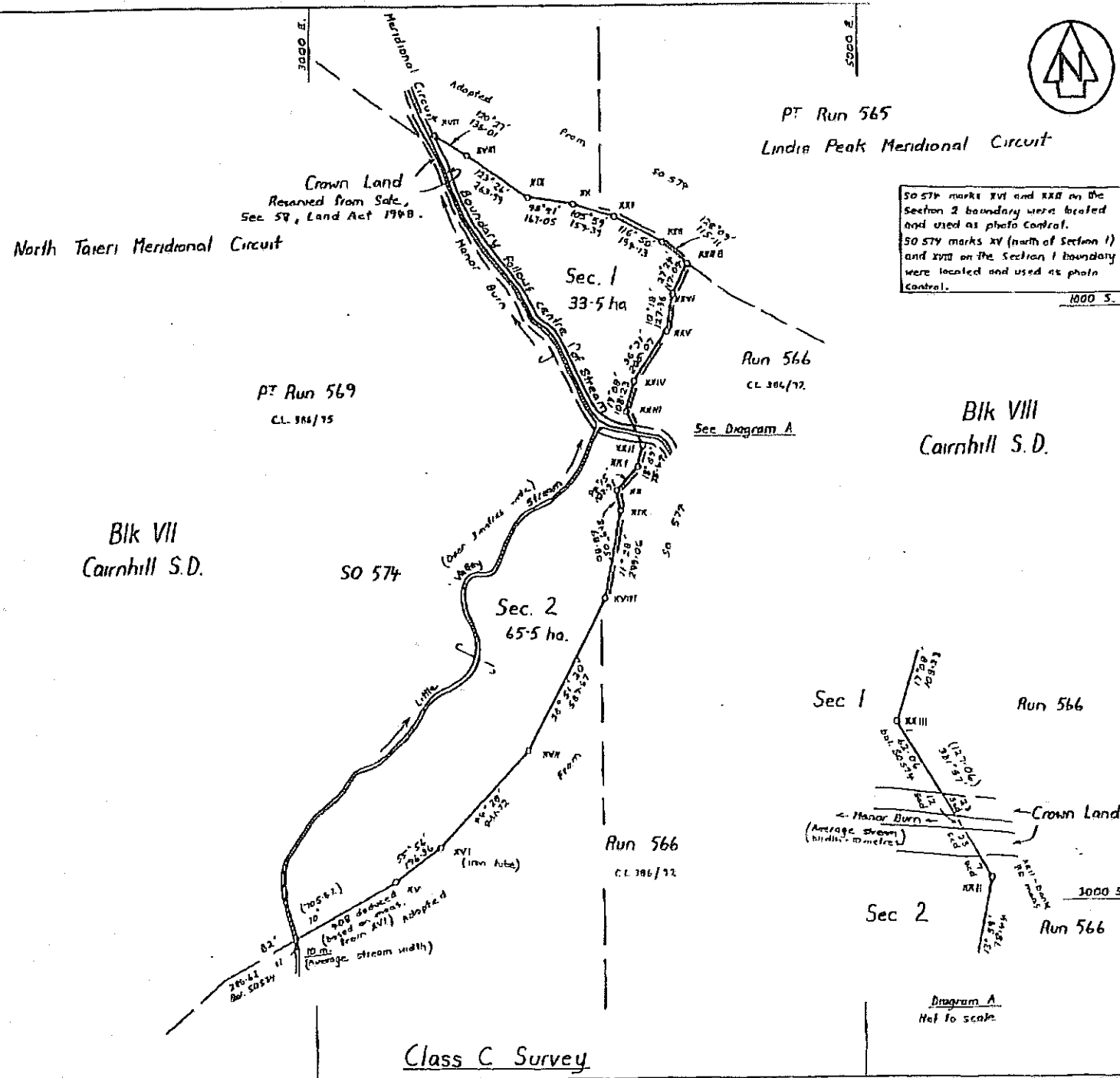
### SO 24757

Former Description	New Description	Area
Part Run 569 Block VII Cairnhill Survey District	Section 1 SO 24757	33.5ha
Part CL 386/95	Section 2 SO 24757	65.5ha

Total Area: 99.0ha

David Bowman  
HELP DESK SURVEY SIGNING

From LAND INFORMATION RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982 #098 P.003/023



SO 574 marks XVI and XXII on the Section 2 boundary were located and used as photo control.  
 SO 574 marks XV (north of Section 1) and XXIII on the Section 1 boundary were located and used as photo control.



Approved *[Signature]* For Commission of Crown Land  
 On behalf of HM the Queen at Otago

Approved pursuant to Section 223 of the Resource Management Act 1991 on the 05 day of June 1997.

The Common Seal of the Central Otago District Council is affixed hereto in the presence of  
*[Signature]* Mayor  
*[Signature]* General Manager

Pursuant to Section 224(c) of the Resource Management Act 1991 I hereby certify that all conditions of the subdivision consent have been complied with to the satisfaction of the Central Otago District Council.

Dated this 12<sup>th</sup> day of December 1997  
*[Signature]*  
 General Manager

- Notes:
- 1/ Manor Burn and Little Valley Stream been defined to Class C survey by standard using aerial photograph S.I. 12324 to U.S. Plan 10/9/96
  - 2/ All elevations are from SO 574

Datum: Old Cadastral  
 Circuit: Lindis Peak  
 Origin of Coords: Trig T Cairnhill S.D.

Total Area: 99.0 ha

Compiled in CL 386/95 (P1)

I, Geo. F. W. Gordon, Walter  
 Registered Surveyor and holder of an estate planning certificate who may act as a registered surveyor pursuant to section 2 of the Survey Act 1978 hereby certify that this plan has been surveyed and used by me or under my direction, and that both surveys are correct and have been made in accordance with the Regulations 1978 or any regulations made in substitution thereof at Alexandra this 15<sup>th</sup> day of October 1997 Signature *[Signature]*

Field Book 1 Reference Plans SO 574  
 Enclosed 4 Copies

Approved as to Survey 15.1.98 *[Signature]* Chief S

Deposited this 15.1.98 day of January

District Land R  
 No 1113 a  
 Received 18/12/97  
 Authorised SO 247

LAND DISTRICT Otago  
 SURVEY BLK. & DIST. VII, Cairnhill S.D.  
 NZMS 261 SH1 G.42 RECORD MAP No

Sections 1 & 2 being a subdivision of P<sup>r</sup> Run 569

TERRITORIAL AUTHORITY Central Otago District  
 Prepared by G.G. Neller - Surveying Consultant  
 Scale 1:10000 Date October 1997

985733/1

REGALL FILE LABEL  
F5000000521312

9.00 28.MAR.00 985733-/  
PARTICULARS ENTERED IN REGISTER  
LAND REGISTRY OF AGENCIES  
FOR REGISTRAR - GENERAL OF LAND



**MEMORANDUM OF PARTIAL SURRENDER**

**IN THE MATTER** of the Land Act 1948 and its Amendments

**IN THE MATTER** of Pastoral Lease No. <sup>1117</sup>~~1374~~ under the Land Act 1948 of **ALL** that piece of land situated in the Otago Land District containing 11356.4512 hectares more or less and being all the land comprised and described in the aforesaid Pastoral Lease recorded in Register Book, Vol. 386 Folio 95.

We, **MATANGI STATION LIMITED** the Lessees under the above mentioned lease **DO HEREBY SURRENDER** in terms of Section 145 of the Land Act 1948, all our estate and interest as such Lessees in all that piece of land containing 99.0 hectares more or less being Sections 1 and 2 SO 24757.

**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 and comprised therein as fully and effectually as if such residue of the said land above had originally been comprised therein.

**AND WE HEREBY FURTHER AGREE AND DECLARE** that the said surrender shall take effect from the 3<sup>rd</sup> day of November 1998.

*St/S.*  
*SD.*

SURRENDER ACCEPTED for and on behalf of Her Majesty the Queen as lessor  
dated this 17<sup>th</sup> day of November 1998

SIGNED for and on behalf of HER MAJESTY )  
THE QUEEN by ROBERT WILLIAM )  
LYSAGHT pursuant to a delegation from )  
the Commissioner of Crown Lands in the )  
presence of:

*R.W. Lysaght*

Signature of Witness: *[Signature]*

Name of Witness: *M. R. Makowski*

Occupation: *Crown Property Contracts*

Address: *Land Information N2 Charlottetown*

*[Handwritten initials]*  
*[Handwritten initials]*

SIGNED by the said  
**MATANGI STATION LIMITED**  
in the presence of:

Signature of Witness: \_\_\_\_\_

Name of Witness: \_\_\_\_\_

Occupation: \_\_\_\_\_

Address: \_\_\_\_\_

*A. J. Sanders*

Director

*A. J. Sanders*

Director



### APPLICATION

TO: The District Land Registrar, Dunedin (Otago Registry)

Re: Memorandum of Mortgage No: 936596.3

RABO WRIGHTSON FINANCE LIMITED hereby applies to be registered as proprietor of all the estate and interest as mortgagee under Memorandum of Mortgage referred to above in accordance with a declaration lodged under the applicable Abstract number appearing below.

Registry

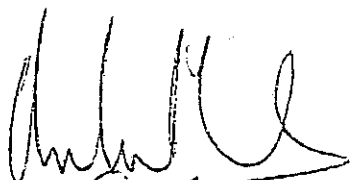
Abstract No.

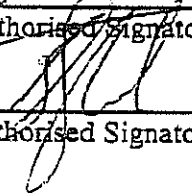
Auckland (North Auckland Registry) under number	D269158.1
Blenheim (Marlborough Registry) under number	197427.1
Christchurch (Canterbury Registry) under number	A350308.1
Dunedin (Otago Registry) under number	947302.1
Gisborne (Gisborne Registry) under number	G220254.1
Hamilton (South Auckland Registry) under number	B479697.1
Hokitika (Westland Registry) under number	109815.1
Invercargill (Southland Registry) under number	257590.1
Napier (Hawkes Bay Registry) under number	670513.1
Nelson (Nelson Registry) under number	377265.1
New Plymouth (Taranaki Registry) under number	450724.1
Wellington (Wellington Registry) under number	B665327.1

DATED this 16th day of August 1999

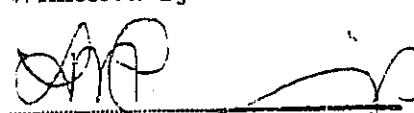
Executed by  
RABO WRIGHTSON FINANCE  
LIMITED

)  
)  
)  
)

  
\_\_\_\_\_  
Authorised Signatory

  
\_\_\_\_\_  
Authorised Signatory

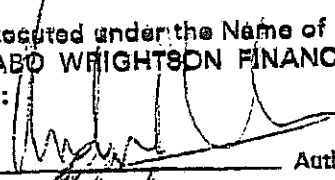
Witnessed by:

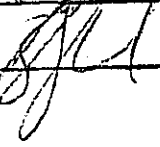



\_\_\_\_\_  
Leanne Marie Cummings  
Bank Officer  
Wellington

Rabo Wrightson Farmers Finance Limited as Mortgagee under and by virtue of Memorandum of Mortgage No. 936596.3 DOES HEREBY CONSENT to the aforesaid surrender BUT WITHOUT PREJUDICE to the rights powers and remedies otherwise under or in respect of the said mortgage.

Executed under the Name of  
RABO WRIGHTSON FINANCE LIMITED  
by:

  
\_\_\_\_\_  
Authorised Signatory

  
\_\_\_\_\_  
Authorised Signatory

Witnessed by:  
  
\_\_\_\_\_  
Leanne Marie Cummings  
Bank Officer  
Wellington



Department of Conservation  
*Te Papa Atawhai*

DTZ New Zealand Ltd.

20 JUL 2002

Our ref: P 371

25 July 2002

Crown Accredited Supplier  
DTZ New Zealand  
Box 142  
CHRISTCHURCH

Attention: Murray Bradley

Dear Sir

**TENURE REVIEW: MATANGI**

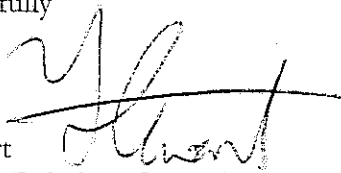
I refer to your letter of 19 July 2002.

The attached plan illustrates marginal strips on the boundary of the lease. These are recorded as con unit G42126 G42 073 and G42076. Also adjoining the pastoral lease is an area of conservation land G42 075 and recreation reserve (part Otago Central Rail Trail) I42061.





There are no relevant concessions over any of this land.

As the department has not always received advice from LINZ when marginal strips are created the department is not able with certainty to say whether there are any other marginal strips affecting this property.

Yours faithfully

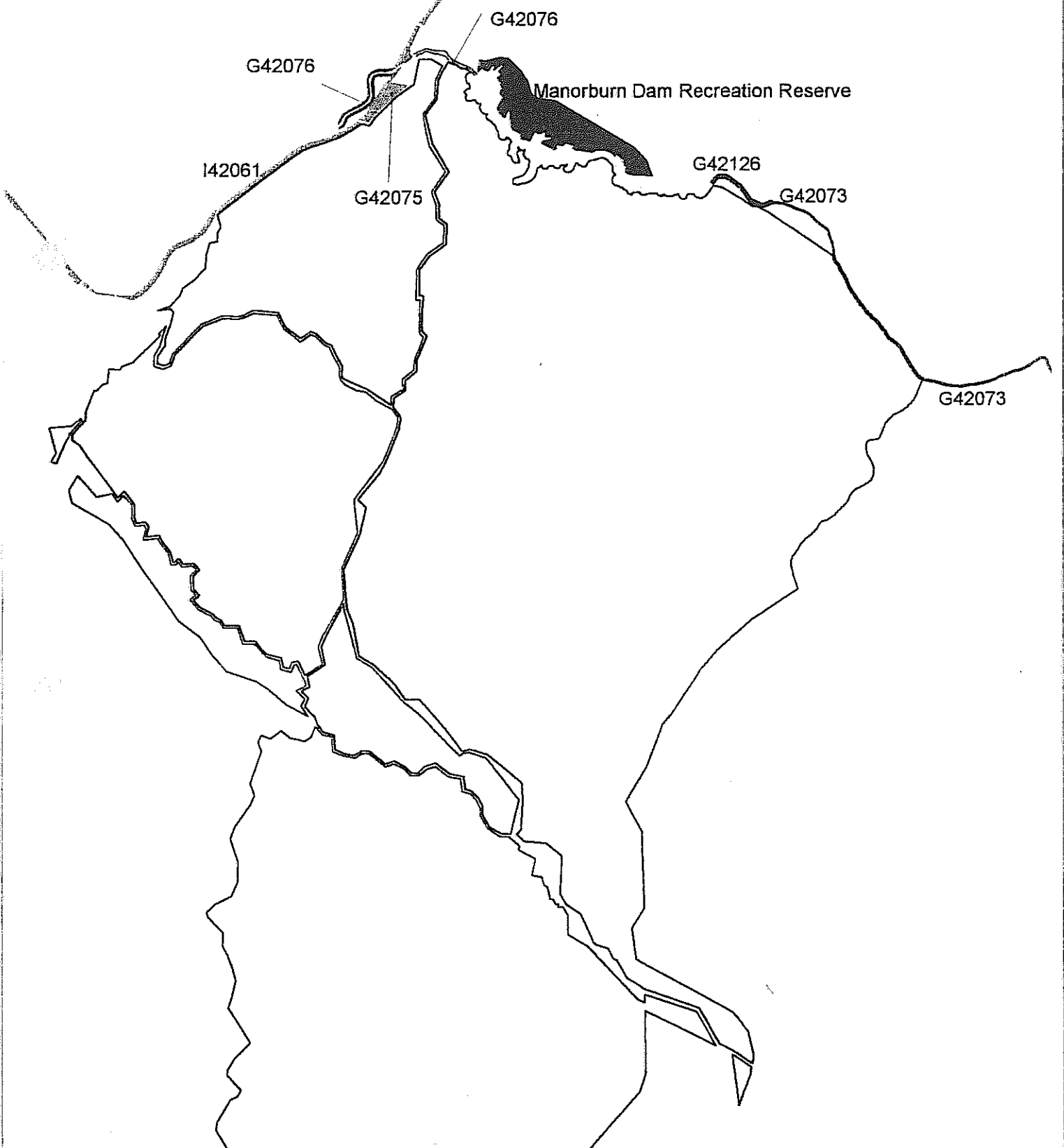
  
Ken Stewart  
Community Relations Supervisor  
For Conservator

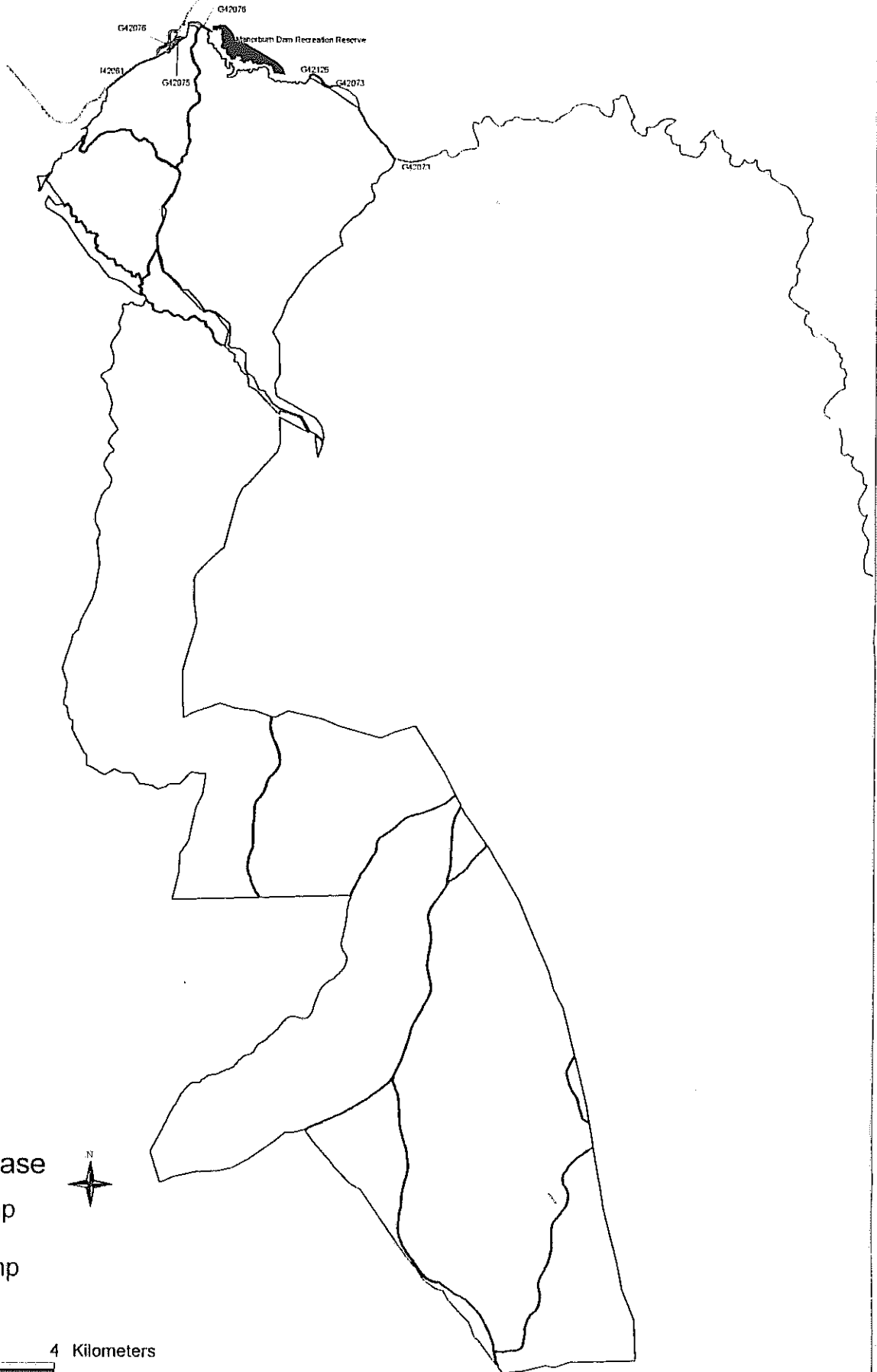
Matangi Pastoral Lease

-  Pastoral lease.shp
-  Others.shp
-  Marginal strips.shp
-  Estate.shp







500 0 500 1000 Meters





Matangi Pastoral Lease

-  Pastoral lease.shp
-  Others.shp
-  Marginal strips.shp
-  Estate.shp



2 0 2 4 Kilometers



~~CONFIDENTIAL~~  
"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

Ministry of Economic  
Development



Manarū ōhanga

Crown Minerals

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**Date:** 7 August 2002  
**To:** Murray Bradley DTZ New Zealand 03 379 8440  
**From:** Jennifer Bathgate (contact details below)  
**Priority:** Immediate  
**Pages:** 1 of 2

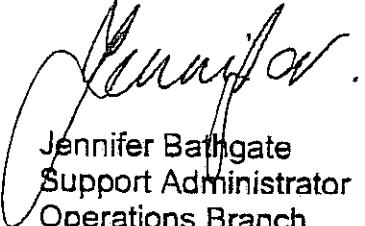
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**NOTE OF CONFIDENTIAL INFORMATION:** This facsimile message contains information that is confidential and that may be subject to legal privilege. If you are not the intended recipient, you are hereby notified that you must not use, review, disseminate, distribute or copy this facsimile message. If you have received this message in error, please immediately notify us by facsimile or telephone (call collect) and return the original message to us by mail. Thank you.

**SUBJECT: MINING INTERESTS - OTAGO LAND DISTRICT**

Murray

There is currently one permit on the area shown Cairnhill Survey District. Details of permit are shown on attached map.

  
Jennifer Bathgate  
Support Administrator  
Operations Branch

