

Crown Pastoral Land Tenure Review

Lease name : Mt Albert

Lease number : Po 319

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.

Copied June 2003




DUE DILIGENCE REPORT
CPL PRE TENURE REVIEW ASSESSMENT STANDARD 6:
MOUNT ALBERT PASTORAL LEASE

File Ref: CON/50269/09/12573/A Report No: DN0110 Report Date: 12/04/2002
Office of Agent: Dunedin LINZ Case No: *TR 02/428* Date sent to LINZ: 19/04/2002

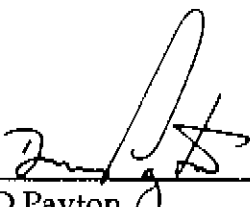
RECOMMENDATIONS

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;
 - File records indicate there are unregistered radio and television repeater installations on the lease.
 - A Farm Plan approved in 1973 was never commenced.

Signed by Opus:

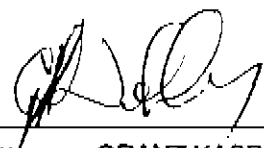


M Brown
Property Consultant



D Payton
Contract Manager

Approved/~~Declined~~ (pursuant to a delegation from the Commissioner of Crown Lands)
by:



Name: GRANT KASPER WEBLEY
Date of decision: *29/4/02*

1. Details of lease:

**RELEASED UNDER THE
OFFICIAL INFORMATION ACT**

Lease Name: Mount Albert
Location: Situated on the west side of Lake Wanaka and the Makarora River
Lessee: LSF Holdings Limited
Tenure: Pastoral Lease under the Land Act 1948 subject to Pastoral Lease Po319
Term: 33 years from 1 July 2000
Annual Rent: \$5,250.00
Rental Value: \$350,000.00
Date of Next Review: 30 June 2011
Land Registry Folio Ref: OT 3C/209 (Otago Land Registry)
Legal Description: Part Run 772 situated in Haast, McKerrow, Wilkin, Mt Pollux, and Upper Wanaka Survey Districts
Area: 11931.4607 hectares

2. File Search

Files held by Knight Frank Limited on behalf of LINZ:

File Reference	Volume	From	To
RPo/63-SDN	1	11/09/1996	Date
CON/50213/09/12573/A-ZNO-02	2	26/06/2001	Date
CON/50213/09/12573/A-ZNO	1	01/07/2000	22/06/2001
Po/319-SDN-04	4	18/10/1985	30/06/2000

Files held by Opus International Consultant Limited on behalf of LINZ:

File Reference	Volume	From	To
CON/50269/09/12573/A-ZNO	1	19/01/2002	Date

Other relevant files held by LINZ:

File Reference	Volume	From	To
Po/319-SDN-03	3	19/02/1974	29/08/1985
Po/319-SDN-02	2	06/04/1967	19/02/1973
Po/319-SDN-01	1	15/09/1965	14/04/1967

3. Summary of lease document:

Terms of lease

Stock Limitation in Lease

3150 sheep not including more than 1400 breeding ewes and 350 cattle all year round

Commencement Date

1 July 2000

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OFFICIAL INFORMATION ACT

Special Provisions

The following special conditions were included in the lease issued on 1 July 1967:

AND the Lessee doth hereby further covenant with the Lessor as follows:

- (a) THAT the Lessee referred to DOTH HEREBY COVENANT with the Lessor that he shall whenever and within three (3) months of being called upon so to do by the Commissioner of Crown Lands for the Land District of Otago execute a registerable easement reserving to the Lessor herein such rights of access over the within described land as the said Commissioner shall from time to time and in his absolute discretion consider desirable for members of the public generally and the Lessee DOTH HEREBY FURTHER COVENANT not to claim compensation or payment of any kind in respect of the granting of any such easement.
- (b) THAT the Lessee referred to herein DOTH HEREBY COVENANT with the Lessor that he shall whenever and within three (3) months of being called upon so to do by the Commissioner of Crown Lands for the District of Otago execute a variation in terms of Section 90E Land Transfer Act 1952 of any easement reserved pursuant to Clause (a) hereof.
- (c) THAT it is hereby agreed between the Lessor and the Lessee that the Land Settlement Board shall be entitled not to consent to a transfer or conveyance of the within lease unless a Deed of Covenant is first had and obtained from any prospective purchaser under which that purchaser acknowledges and agrees to be bound by the provisions of Clauses (a) and (b) hereof in all respects as if a party hereto.

Memorandum of Variation number 5076618.6 (registered 30/08/2001) varies conditions and restrictions in the lease by adding the following clauses:

1. That should the Lessee with the consent of the Commissioner of Crown Lands, transfer, sublet or otherwise dispose of his/her interest in the land affected by the said Lease or any part thereof to a company incorporated under the Companies Act 1993, then the following provisions shall apply:
 - a) The provisions of section 89 of the Land Act 1948, shall be deemed to apply to all transfers and other dispositions of shares in such 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 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 a 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 said Lease shall remain in full force and effect.

Area adjustments

There are no unregistered area discrepancies

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Registered interests

- 646324.1 New Appellation whereby part within land (27ha) is now known as Section 1 Block VI Wilkin Survey District – 4/10/1985.
- 680269 Surrender of part within Lease being Section 1 Block VI Wilkin Survey District effective from 13 January 1984 – 13/01/1987.
- 5042742.1 Memorandum of Renewal renewing the term for a further 33 years commencing on 1/7/2000 and varying the within conditions – 16/5/2001.
- 5076618.6 Variation of the within Lease (re transfer of shares)– 30/8/2001.

Unregistered interests

- A recreation permit was issued to Back Country Helicopters NZ for heliskiing and boarding on Mount Albert Pastoral Lease for a term of 5 years and 2 months from 1 October 1996 with a right of renewal for 5 years upon application. This permit expired on 30 November 2001. There is no indication on file that the permit holders have taken up the option for renewal.
- File records indicate there is a radio and television repeater installation on the lease. Both Broadcast Communications Limited and the New Zealand Police have transmitters on a small site at about NZMG F38 043511. Plans have been prepared for the Police site, however there is no indication that either installation has been registered against the lease.

4. Summarise any Government programmes approved for the lease:

The Otago Catchment Board approved a 5 year Farm Plan for the property in 1973. This plan involved the subsidised installation of conservation fencing. File records indicate that the first stage of the Plan was never commenced as the property changed hands soon after the Plan was authorised. A 1977 inspection report indicates that a revised plan is necessary before any work is proceeded with. No further work has been carried out regarding this plan.

5. Summary of Land Status Report:

Opus International Consultants Limited undertook a Land Status Check on 7 March 2002. This check confirms the status of the Land as Crown Land under the Land Act 1948, subject to Pastoral Lease Po319. A copy of the report is attached as Schedule A to this report

The following items were noted for information:

- Sections 33376, 34596, 34788, 35301, and 35314 Block I McKerrow Survey District, Sections 30277 and 34734 Block VII Wilkin Survey District and Section 21362, 23280, 23281 Block XII Wilkin Survey District [CT OT181/187] are freehold sections

encompassed or adjoining this Pastoral Lease. The owners of the Pastoral Lease also own these sections.

- The file indicates that New Zealand Police have a radio repeater site in the vicinity of Lake Wanaka. An easement was proposed by use of a Memorandum of Variation pursuant to section 170A of the Land Act 1948. The R.G.L. advised that he did not consider this a correct method to create this right. To date an easement for this site has not been registered over this pastoral lease. Broadcast Communications Limited also occupies this site.
- The computer interest register for this lease shows the legal description of this lease as being Run 772 where it should be part Run 772. The area has also been overstated. The area surrendered from this lease by Surrender document 680269 has not been deducted from the lease area [27 hectares].
- A field inspection may be required to ascertain if streams within this pastoral lease could be subject to Section 24 of the Conservation Act 1987. No evidence has been found that the requirements regarding marginal strips was investigated on renewal of this lease on 1 July 2000. The Crown Land Reserved from Sale created under Section 58 of the Land Act 1924 along Albert Burn, Craigie Burn, Wilkin River and Makarora River is now deemed to be a marginal strip of the same width (s. 24(3) Conservation Act 1987 effective date 10/4/90) the boundaries of the marginal strip do not change (s.24G (7) Conservation Act 1987).

6. Review of topographical and cadastral data:

A review if the topographic and cadastral information reveals the following:

- There are numerous huts throughout the property.
- There is a television installation at about NZMG F38 043511.
- There is a set of yards at about NZMG F38 065553.
- The formed road through Mount Albert Station rarely follows it's legal alignment.

7. Details of any neighbouring Crown or conservation land

Neighbouring Crown or Conservation Lands are detailed as follows:

River Blocks

	Legal Description	Status	Owner/Lessee
East	Crown Land Block XI Haast Survey District, Block I Mckerrow Survey District and Block VIII	Crown Land – Marginal Strip	Minister of Conservation
West	Part Section 3332 Haast Survey District	National Park	Minister of Conservation

Central Run Block

	Legal Description	Status	Owner/Lessee
North	Crown Land Blocks VI, VII and VIII Wilkin Survey District	Crown Land - Marginal Strip	Minister of Conservation
	Part Section 3332 Block VI Wilkin Survey District	National Park	Minister of Conservation
	Section 1 Block VI Wilkin Survey District	National Park	Minister of Conservation
West	Part Section 3332 Block XI Haast Survey District	National Park	Minister of Conservation
	Part Run 97	National Park	Minister of Conservation
	Part Run 96	Conservation Land under section 62 Conservation Act 1987	Minister of Conservation
South	Section 3330 Block XI Wilkin Survey District	State Forest	Minister of Conservation
East	Crown Land Block XII Wilkin Survey District	Crown Land - Marginal Strip	Minister of Conservation
Internal	Section 3331 Block XI Wilkin Survey District	State Forest	Minister of Conservation
	Crown Land Block XI Wilkin Survey District	Crown Land - Marginal Strip	Minister of Conservation

South Run Block

	Legal Description	Status	Owner/Lessee
North	Section 3330 Block XI Wilkin Survey District	State Forest	Minister of Conservation
	Crown Land Matakītuki Survey District	Crown Land - Marginal Strip	Minister of Conservation
South	Run 337	Pastoral Lease - Minaret Station	Her Majesty the Queen/ Minaret Station Limited

There is no indication that any of these parcels should be included in the review.

8. Summarise any uncompleted actions or potential liabilities:

File records indicate there is a radio and television repeater installation on the lease. Both Broad Cast Communications Limited and the New Zealand Police have transmitters on a small site at about NZMG F38 043511. Plans have been prepared for the Police site,

however there is no indication that either installation has been registered against the lease. Copies of the relevant file records and plan are attached as Schedule B to this report.

The Farm Plan approved in 1973 was never commenced. File records indicate the property changed hands soon after the authorisation of the plan. Copies of relevant file records relating to the Plan are attached as Schedule C to this report.

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OFFICIAL INFORMATION ACT

Schedule A - Land Status Report

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

Project number 6NLITR.02/286YD




This report has been prepared on the instruction of Land Information New Zealand in terms of Contract No: 50269 dated September 2001 and is undertaken for the purposes of Tenure Review in terms the Crown Pastoral Land Act 1998.

LAND STATUS REPORT for Mt Albert Station		LIPS Ref 12573
Property	1	of 2

Land District	Otago
Legal Description	Part Run 772 situated in Haast, McKerrow, Wilkin, Mt Poilux, and Upper Wanaka Survey Districts.
Area	11931.4607 hectares
Status	Crown Land under the Land Act 1948 subject to Pastoral Lease P.319
Instrument of title / lease	OT3C/209
Encumbrances	
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	
Certification Attached	

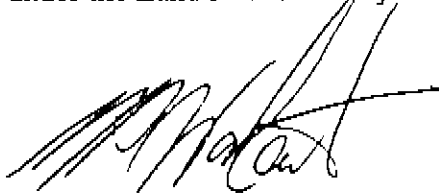
Prepared by	John Kirk 
Crown Accredited Agent	Opus International Consultants Ltd, Dunedin

Peer reviewed by G Patrick 

7 / 3 / 2002

Certification

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 Pastoral Lease OT3C/209.



Max Haydn Warburton

Chief Surveyor

Land Information New Zealand, Dunedin.

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OFFICIAL INFORMATION ACT

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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.

- Sections 33376, 34596, 34788, 35301, and 35314 Block I McKerrow Survey District, Sections 30277 and 34734 Block VII Wilkin Survey District and Section 21362, 23280, 23281 Block XII Wilkin Survey District [CT OT181/187] are freehold sections encompassed or adjoining this Pastoral Lease. The owners of the Pastoral Lease hold these sections.
- File indicates that New Zealand Police have a radio repeater site in the vicinity of Lake Wanaka. An easement was proposed by use of a Memorandum of Variation pursuant to section 170A of the Land Act 1948. The R.G.L. advised that he did not consider this a correct method to create this right. To date an easement for this site has not been registered over this pastoral lease. Broadcast Communications Limited also occupies this site.
- The computer interest register for this lease shows the legal description of this lease as being Run 772 where it should be part Run 772. The area has also been overstated. The area surrendered from this lease by Surrender document 680269 has not been deducted from the lease area [27 hectares].
- A field inspection may be required to ascertain if streams within this pastoral lease could be subject to Section 24 of the Conservation Act 1987. No evidence has been found that the requirements regarding marginal strips was investigated on renewal of this lease on 1 July 2000. The Crown Land Reserved from Sale created under Section 58 of the Land Act 1924 along Albert Burn, Craigie Burn, Wilkin River and Makarora River is now deemed to

be a marginal strip of the same width (s. 24(3) Conservation Act 1987 effective date 10/4/90) the boundaries of the marginal strip do not change (s.24G (7) Conservation Act 1987).

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OFFICIAL INFORMATION ACT

Research Data: Some Items may be not applicable

**RELEASED UNDER THE
OFFICIAL INFORMATION ACT**

SDI Print Obtained	Yes
NZMS 261 Ref	F38, F39, G38
Local Authority	Queenstown Lakes District
Crown Acquisition Map	1848 Kemp Purchase
SO Plan	<p>SO 2049-No imaged view in Landonline, original not in file.</p> <p>SO 2057-Topographical plan Makarora Valley [January 1881]</p> <p>SO 8323- Plan of Section 1 Upper Wanaka Survey District. [June 1895]</p> <p>SO 12364- Plan of Triangulation based on Geodetic Datum 1949. [October 1956]</p> <p>SO 16440- Plan of Runs 768, 769, 770, 771 & 772. Mt Albert Station [May 1967]</p> <p>SO 21633- Plan of Section 1 Block VI Wilkin Survey District [May 1985]</p> <p>SO 21634- Plan of State Forest to be Declared Crown Land Block VI Wilkin Survey District. [May 1985]</p> <p>SO 22257- G38- Plan of allocations to the Department of Conservation pursuant to Section 62 of the Conservation Act 1987. [April 1987]</p> <p>SO 22260- F38 - Plan of allocations to the Department of Conservation pursuant to Section 62 of the Conservation Act 1987. [April 1987]</p> <p>SO 22273- F39 - Plan of allocations to the Department of Conservation pursuant to Section 62 of the Conservation Act 1987. [April 1987]</p> <p>SO 24221- Plan of easement over Run 772 Block XIII Wilkin Survey District [January 1995]</p>
Relevant Gazette Notices and / or Computer interest register.	<p>Gaz 1898 page 1461- State Forest and Gaz 1978 page Indigenous State Forest Gaz 1978 page 3288.</p> <p>Gaz 1969 page 4478, Gaz 1969 page 4673, Gaz 1964 page 2305, Gaz 1971 page 1675, National Park</p> <p>Gaz 1971 page 1675 [OIC 405548] Runs 768, 769, 770, 771 added to Mount Aspiring National Park.[Formerly Mt Albert Station]</p>

LAND STATUS REPORT for Mt Albert Station		LPS Ref 12573
Propr	1	of 2

REFUSED UNDER THE OFFICIAL INFORMATION ACT	Gaz 1898 page 1457 Makarora State Forest, Gaz 1978 page 3288 Open Indigenous State Forest.
CT Ref / Lease Ref	OT3C/209 Pastoral Lease OT227/73 Licence to occupy Crown and National Endowment Lands for Pastoral Purposes. (Prior tenure)
Plan Index	Run 772, Haast, McKerrow, Wilkin, Mt Pollux, and Upper Wanaka Survey Districts. Records SO 16440
Legalisation Cards	SO 21634- Area "A" (150.0000ha) Gazette 1986 page 4673 Land added to Mount Aspiring National Park. [Adjoining land] SO 21633- Section 1 Block VI Wilkin Survey District. Gazette 1989 page 3512 (GN 736693) Conservation Purposes then Gazette 1989 page 4478 Land added to Mount Aspiring National Park. SO 24221- no action recorded on legalisation card.
Statutory Actions (Landonline)	SO 21633- Parcel Section 1 Block VI Wilkin Survey District. Current Purpose National Park (Mount Aspiring National Park) Statutory Action Gazette 1989 page 4478.
CLR	Confirms Pastoral Status
Allocation Maps (if applicable)	Adjoining Sections 3330 & 3331 Block XI Wilkin Survey District. Allocated to DOC pursuant to Section 62 of the Conservation Act 1987. Stewardship Land, Allocation Ref. D*F38*1 & 4*CO, D*F39*1 & 7*CO
VNZ Ref - if known	29062 00300 29082 22400
Crown Grant Maps	Not applicable
If Subject land Marginal Strip: a) Type [Sec 24(9) or Sec 58] b) Date Created c) Plan Reference	a) Section 58 b) 1 March 1967 c) SO 16440
If Crown land – Check Irrigation Maps.	Checked nothing found
Mining Maps	No record has been found of any lodged Mining applications over this area

LAND STATUS REPORT for Mt Albert Station

LIPS Ref 12573

Property 1 of 2

<p>If Road</p> <p>a) Is it created on a Block Plan – Section 43(1)(d) Transit NZ Act 1989</p> <p>b) By Proc</p>	<p>a) SO Plan Not applicable</p> <p>b) Proc Plan</p> <p>c) Gazette Ref</p> <p style="text-align: right;">RELEASED UNDER THE OFFICIAL INFORMATION ACT</p>
<p>Other Relevant Information</p> <p>a) Concessions – Advice from DOC or Knight Frank.</p> <p>b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998</p> <p>c) Mineral Ownership</p> <p>d) Other Info</p>	<ul style="list-style-type: none"> • On 1st October 1996 Back Country Helicopters NZ was granted a recreation permit under Section 66A of the Land Act 1984 on the terms and conditions outlined in the permit for a Heli-ski and boarding operation. The Department of Conservation has been consulted refer to letter 26 February 2002. • Jillian Mc Donald Sarginson was granted a grazing licence under the Conservation Act 1987 over adjoining Conservation Land. Term of 15 years commencing from January 1999 [Concession number LS 142] • Jillian Mc Donald Sarginson was granted a grazing licence under section 17Q(1) of the Conservation Act 1987 over adjacent Conservation Land. Term of 15 years commencing from January 1999 [Concession number LS 142] <p>b)</p> <p>Lake Wanaka is subject to a Statutory Acknowledgement in terms of the Ngai Tahu Claims Settlement Act 1998.</p> <p>c)</p> <p>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 1848 Kemp Purchase</p> <p>d)</p>

**OPUS INTERNATIONAL CONSULTANTS LIMITED
DUNEDIN OFFICE**

Project Number 6NLITR.02/286YD

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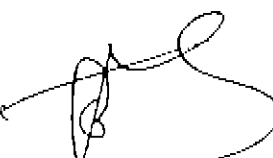
This report has been prepared on the instruction of Land Information New Zealand in terms of Contract No: 50269 dated September 2001 and is undertaken for the purposes of Tenure Review in terms the Crown Pastoral Land Act 1998.

LAND STATUS REPORT for Mt Albert Station		LIPS Ref No Ref
Property	2 of 2	

Land District	Otago
Legal Description	Sections 3330 and 3331 situated in Wilkin Survey District
Area	4370.6049 ha [subject to survey]
Status	Stewardship land pursuant to Section 62 of the Conservation Act 1987.
Instrument of title / lease	No current instrument or document registered in the Otago Registry
Encumbrances	The land is Relevant Land in terms of Part 9 [Section 48(1)] of the Ngai Tahu Claims Settlement Act 1998
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	Conservation Act 1987

Data Correct as at	7/3/2002
[Certification Attached]	

Prepared by	John Kirk 
Crown Accredited Agent	Opus International Consultants Ltd, Dunedin

Peer reviewed by G Patrick 

7/3/2002

LAND STATUS REPORT for Mt Albert Station				LIPS Ref No Ref
Property	2	of	2	

Certification

Pursuant to Section 11(1)(1) of the Survey Act 1986 and acting under delegated authority of the Surveyor-General pursuant to Section 11(2) of that Act, I hereby certify that the land described above is Stewardship land pursuant to Section 62 of the Conservation Act 1987.

M H Warburton

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

**RELEASED UNDER THE
OFFICIAL INFORMATION ACT**

1614 /2002

<p>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.</p>	<p>The converted area of this land has been obtained from a cadastral map that shows the most up to dated definition of these parcels. To obtain a more definitive area would require definition by survey.</p>
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LAND STATUS REPORT for Mt Albert Station	LIPS Ref No Ref
Prop ty 2 of 2	

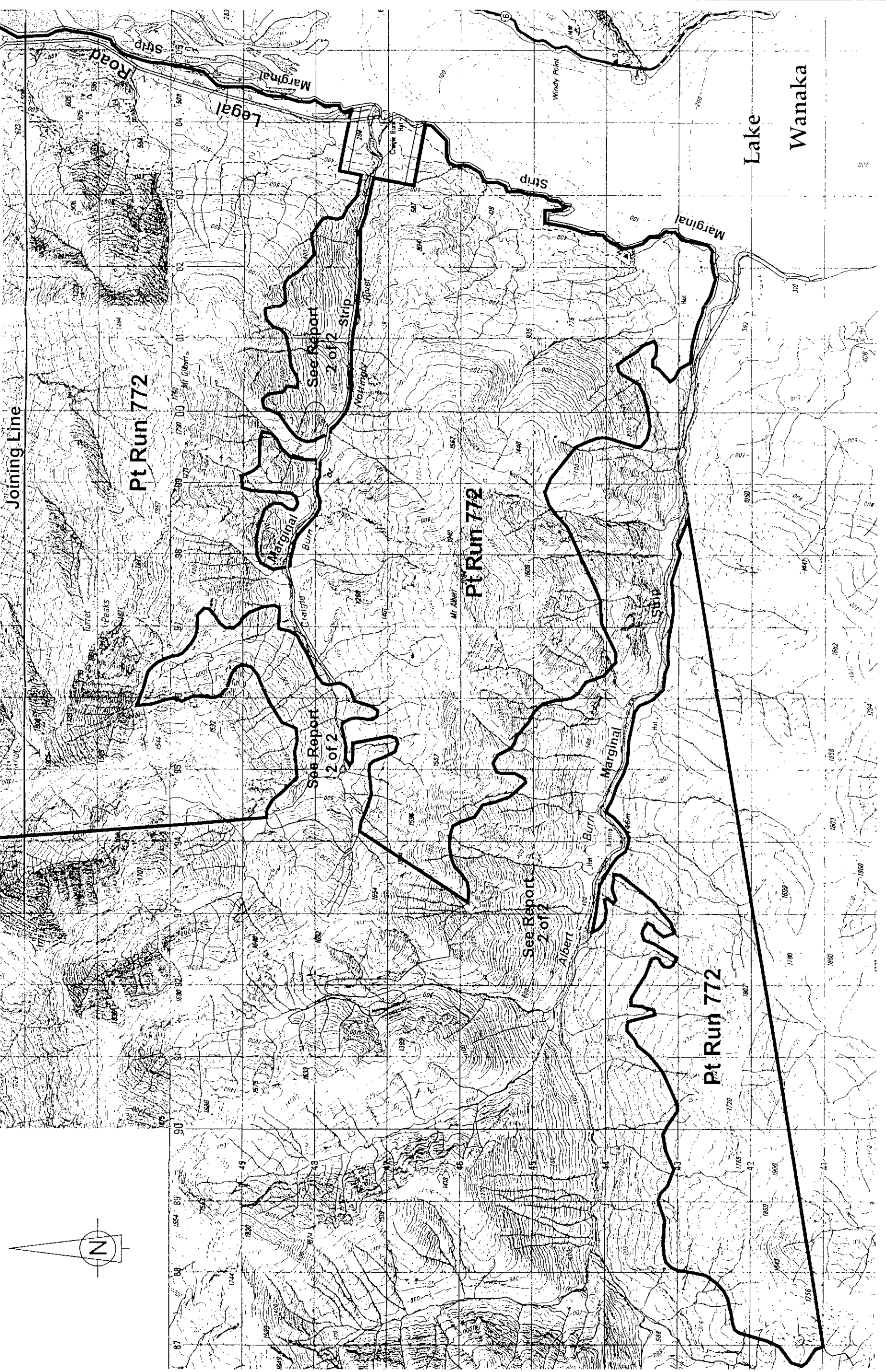
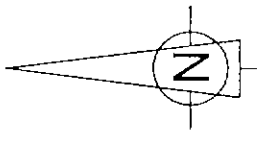
RELEASED UNDER THE
OFFICIAL INFORMATION ACT

Research Data: Some Items may be not applicable

SDI Print Obtained	Yes
NZMS 261 Ref	F38 F39
Local Authority	Queenstown Lakes District
Crown Acquisition Map	1848 Kemp Purchase
SO Plan	SO 2049-No imaged view in Landonline, original not in file. SO 16440- Plan of Runs 768, 769, 770, 771 & 772. Mt Albert Station [May 1967]
Relevant Gazette Notices and / or Computer interest register.	Makarora State Forest (State Forest) Gazette 1898 page 1461. Open Indigenous State Forest Gazette 1978 page 3288.
C of Ref / Lease Ref	No current instrument or document registered in the Otago Registry
Plan Index	Not reference found
Legalisation Cards	No cards found
Statutory Actions (Landonline)	SO 2049-Sections 3330 and 3331, Block XI Wilkin Survey District 1. Current purpose Open Indigenous State Forest Name Makarora State Forest, Statutory Action New Zealand Gazette 1978 page 3288. 2. Former purpose State Forest Name Makarora State Forest, Statutory Action New Zealand Gazette 1898 page 1461
.R	Confirms State Forest status Gaz 1898 page 1457. Shows these areas as Canterbury Rural Sections. Areas transferred from Canterbury Land District, see Gazette 1899 page 167 and Gazette 1915 page 955.
Allocation Maps (if applicable)	Adjoining Sections 3330 & 3331 Block XI Wilkin Survey District. Allocated to DOC pursuant to Section 62 of the Conservation Act 1987. Stewardship Land, Allocation Ref. D*F38*1 & 4*CO, D*F39*1 & 7*CO Albert Burn Conservation area [ref F39050], and part Craige Burn or Notting River Conservation area [ref F39052]
VNZ Ref - if known	No reference found
Crown Grant Maps	Not applicable always in Crown Ownership
If Subject land Marginal Strip: a) Type [Sec 24(9) or Sec 58]	a) Not Applicable

LAND STATUS REPORT for Mt Albert Station				LIPS Ref No Ref
Prof	v	2	of	2

b) Date Created	b)	RELEASED UNDER THE OFFICIAL INFORMATION ACT
c) Plan Reference	c)	
If Crown land – Check Irrigation Maps.	Checked nothing found	
Mining Maps	No record has been found of any lodged Mining applications over this area	
Road a) Is it created on a Block Plan – Section 43(1)(d) Transit NZ Act 1989 b) By Proc	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	a) b) The land is Relevant Land in terms of Part 9 [Section 48(1)] of the Ngai Tahu Claims Settlement Act 1998 c) 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 1848 Kemp Purchase	
d) Other Info	d)	



Joining Line

Pt Run 772

Pt Run 772

Pt Run 772

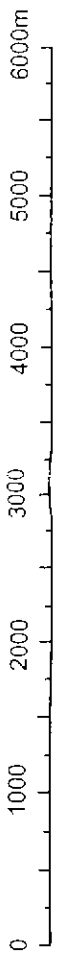
Lake Wanaka



INTERNATIONAL CONSULTANTS
Graphics by :
TL Survey Services Ltd DUNEDIN

Mt Albert Station

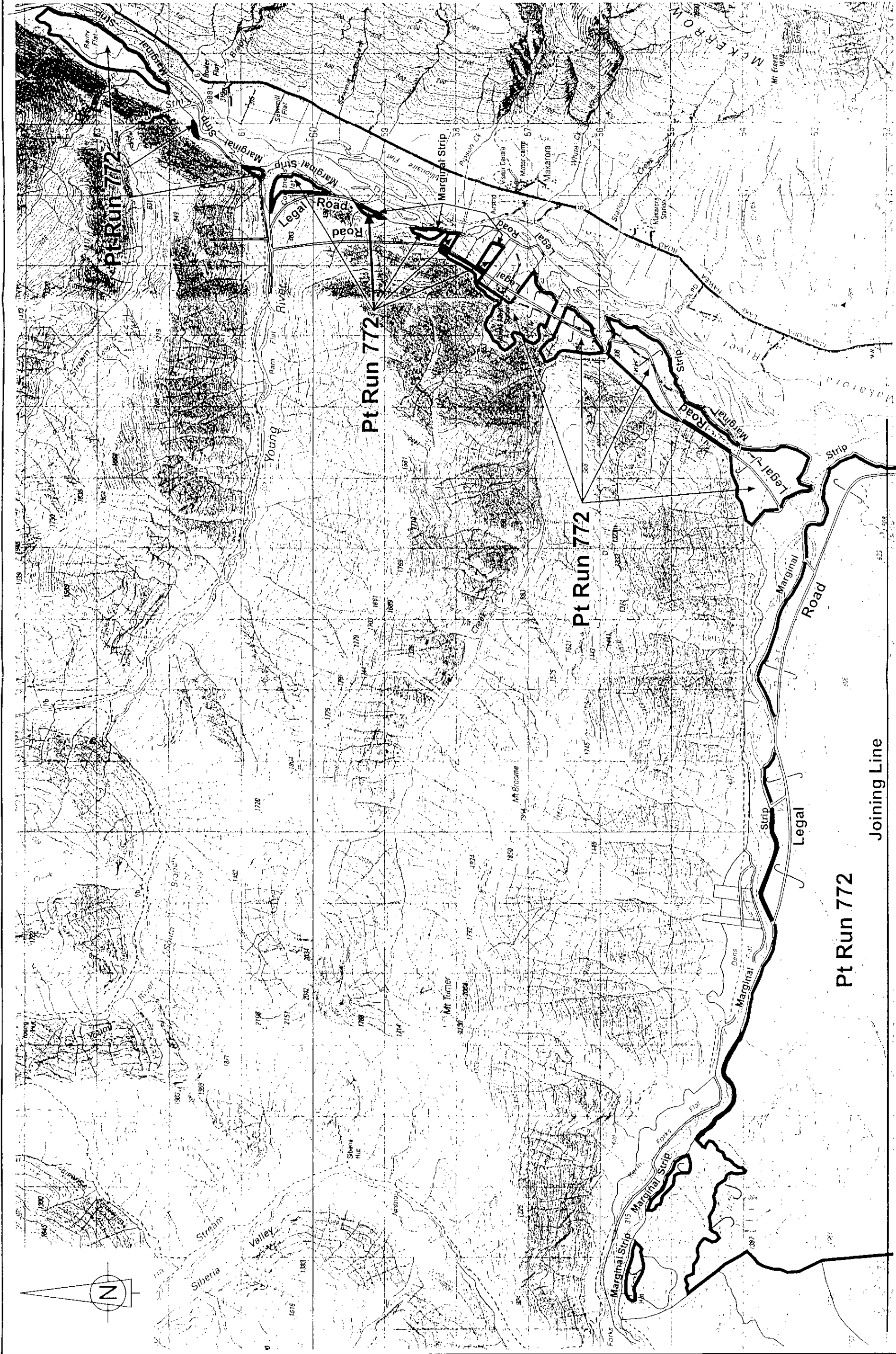
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Version

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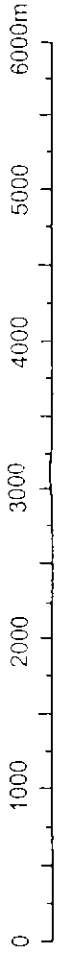
Otago Land District
NZMS 260 F38,F39,G38
Sheet 2 of 2
Date 12/02/2002



Version	1	2	3	4	5
Otago Land District	NZMS 260 F38,F39,G38				
Sheet 1 of 2	Date 12/02/2002				

Mt Albert Station

Scale 1 : 50000



Graphics by :
TL Survey services Ltd DUNEDIN



Schedule B – File Records relating to the Radio and Television Transmitters

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OFFICIAL INFORMATION ACT



POLICE

Nga Pirihimana O Aotearoa

LANDCORP PROPERTY
ALEXANDRA
20 MAR 1995
RECEIVED

ENGINEERING SERVICES NATIONAL FAX MESSAGE

20 March, 1995

FAX RETURN (04) 474-9459

4749519

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

TO: LANDCORP ALEXANDRA
ATTN: TIM WHITTAKER
FAX No (03) 448-9099
FROM: BRUCE COMFORT, PROPERTY MANAGER
VOICEMAIL (026) 401-0400
SUBJECT: MAKARORA NEW POLICE RADIO SITE VICINITY WANAKA
PAGE ONE OF: 5

1 Thank you for the work undertaken on our behalf on securing a Police right to have and operate a radio repeater site there.

2 I enclose copies of letters to and from Broadcast Communications Limited which we will use to secure their interest in the site. They have approved of the process we have initiated and I believe that they will actually want to re-locate their radio gear into our building as soon as they see how good it is!

I am a little concerned however to ensure that any right created for Police purposes actually permits Police [or Lands] to issue the agreed licence to BCL. Your letters of 14 December and 21 March, to Bruce Whitfield refer. Could you please ensure that this power is incorporated.


4 We initially asked you to organise an occupancy "based on an easement or similar device" but my understanding is now that the Crown cannot issue an easement to itself and that the Commissioner of Crown Lands generally believes that land uses like this should be dealt with by having land set apart from the pastoral lease under the Public Works Act 1981. Your letter of 21 March to Bruce Whitfield refers to a variation to the lease but your letter of 25 January talks about an easement.

WARNING: This facsimile transmission is made in confidence and may be subject to the provisions of the Official Information Act 1982. It is intended for the use of the person named and should not be disseminated to other persons. If you are not the intended recipient, you should not pass on or copy it. If you have received this message by mistake, please inform the sender by return fax. Thank you.

Refer Communications
NEW ZEALAND POLICE
ALEXANDRA
1000
1000

- 5
① Could you please comment on these two points. A 'phone call would be appreciated in the first instance. I hope we aren't making it too difficult, unnecessarily.
- 6 Regarding your letter to me of 25 January, Police have now offered a small consideration to the lessee, Mrs Sarginson. I have no doubt that it will be accepted and we look forward to getting the station built as we now have our resource consent.
- 7 I look forward to hearing from you.

Regards


Bruce Comfort; Property Manager
Engineering Services

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OFFICIAL INFORMATION ACT

Discussed with Bruce Comfort.

It appears he is ~~at~~ happy with this
and will have an internal arrangement with
BCL.

Said to proceed.



21-3-95.



15/3/95
Includes

353/16/1/29

17 Tory Street
PO Box 98 Wellington
Facsimile (+64 4) 382 6000
Telephone (+64 4) 382 6000

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OFFICIAL INFORMATION ACT

14 March, 1995

The Property Manager
New Zealand Police
PO Box 3017
WELLINGTON

15/3

Attention: Bruce Comfort



Dear Bruce

MAKARORA POLICE SITE

I refer to your fax addressed to Geoffrey Sullivan on 8 March 1995 requesting a response to your earlier letter of 30 January 1995.

I can now confirm that your proposal as outlined in your 30 January letter is acceptable to BCL which involves no change to our existing facility and an agreement between BCL and the Police for BCL's continued occupation of the site for as long as required.

Therefore, once you have secured the rights for Police to occupy the land at Mt Albert Station, please forward the authority to BCL allowing operation of the television translator as indicated in your previous correspondence.

Thank you for your assistance in this matter.

Yours sincerely

JANE MURRAY
Property Manager



POLICE
Nga Pirihimana o Aotearoa

35/3/16/1/24

30 January, 1995

John Morley
Police Account Manager
Broadcast Communications Limited
Wellington

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OFFICIAL INFORMATION ACT

1 2 95
[Handwritten signature]

Dear John

MAKARORA NEW POLICE SITE ON LAKE WANAKA

I refer to recent correspondence from Bruce Whitfield on this site (copies attached)

At the time Police first approached BCL we were reasonably certain that BCL would want to uplift our offer of space in the new building we proposed and that BCL would be happy to have some sort of arrangement with Police whereby it benefited from the long term occupation permit that we were negotiating.

Our advice was that BCL had an informal right to use the site and that you were happy to upgrade that to a licence or something. We weren't 100 percent clear on that issue but we set about surveying off a site which surrounded the existing BCL installation and which also encompassed the proposed Police facilities. On 9 May 1994 Jane Murray advised us that the BCL Makarora site had no tenure, but also that Broadcast Communications Limited requirement for such was low, I guess she was saying that BCL would be happy with an improvement in their circumstances, provided it didn't cost!

Thanks for your earlier involvement in this project. Both you and Wally Leighton have contributed to it however your responses to Bruce's letters indicate that you thought we were coming at you for a service or a right to occupy your facilities and I know that at a local level at least, this was not the understanding. Right from the start there was an intention to build a separate Police facility.

I'm sorry we have gone silent on the matter for some time now, but we have been progressing our aim of securing a reliable permanent Police right to use this site.

We have all but achieved that and are now at the point where we need to treaty with Broadcast Communications Limited on issues relating to our joint use of this site.

New Zealand Police is anxious to work cooperatively at all the sites we share and considering that BCL will be operating from inside a Police site I propose the following.

Safer Communities Together

NEW ZEALAND POLICE NATIONAL HEADQUARTERS

Molesworth Street, Wellington, New Zealand, P.O. Box 1017

Telephone: 04-493 0446 Fax: 04-493 0447

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OFFICIAL INFORMATION ACT

Receipt of our formal right to occupy land in Mt Albert Station (as shown on the attached plan) New Zealand Police will issue Broadcast Communications Limited with a simple one page authority to operate a TV translator facility from the site for as long as BCL requires, provided the site infrastructure remains substantially as existing at today's date and further, Police will permit BCL to;

(a) expand its facilities there to encompass more TV channels or broadcast radio repeaters so long as no interference is caused to Police radio services operating off the site and so long as site infrastructure changes are minimal,

(b) to remove its facility infrastructure and at any time in the next 5 years, re-locate its transmission equipment into the Police building and onto the Police pole at an annual facilities fee which reflects the cost to Police of establishing the site infrastructure. This fee is estimated to be \$1,900 per rack per year with a part rack attracting a proportional fee. We make this offer knowing that BCL's existing capital commitment at the site is low and that the Police facility, whilst technically attractive, must be affordable if BCL is to consolidate their services into a new building.

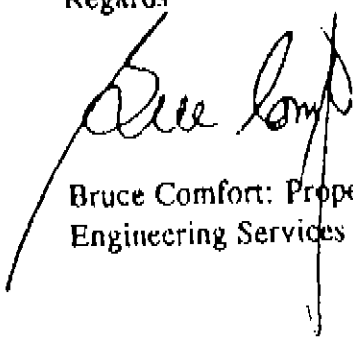
For my part, I will be happy for any arrangement that BCL wants to come to, to be dealt with at a local level between Bruce Whitfield and your regional staff and I'll just formalise any such.

At this time Police can unequivocally advise Broadcast Communications Limited that it may continue to use the site in the way it has in the past without let or hindrance from Police.

I can also assure Broadcast Communications Limited that construction, use and maintenance of the Police facility nearby will be undertaken without interference to the services provided by BCL to its customers.

I hope that in the fullness of time BCL can agree to take up our offer of space at the site as that's likely to be the best for both parties.

Regards



Bruce Comfort: Property Manager
Engineering Services

MEMORANDUM OF VARIATION OF CONDITIONS OF PASTORAL LEASE
PURSUANT TO SECTION 170A OF THE LAND ACT 1948

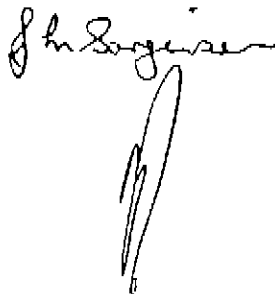
IN THE MATTER of the Land Act
1948

AND

IN THE MATTER of Pastoral Lease No Po319
registered as Volume 3C folio
209 (Otago Registry) from HER
MAJESTY THE QUEEN to the
NEW ZEALAND POLICE

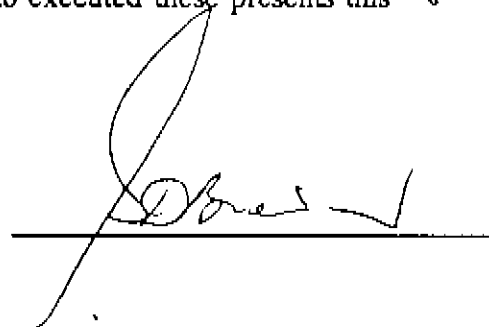
The covenants conditions and restrictions in the abovementioned lease registered in Volume 3C folio 209 (Otago Registry) are hereby varied as follows:


- (1) **THAT** pursuant to Section 60 of the Land Act 1948 the Lessor hereby reserves unto herself as an easement in gross forever the right to operate and maintain a radio repeater station in favour of the New Zealand Police (hereinafter referred to as "Police" its officers and servants agents and contractors over that part of the lease marked 'A' on Survey Office Plan No 24221 (hereinafter referred to as "the site").
- (2) **THAT** the Lessees shall permit the Lessor through Police to have access at all times to the site by helicopter and to land the helicopter adjacent to the site.
- (3) **THAT** the Lessor through Police shall erect and maintain a building the dimensions being approximately 2.5 metres length and 2.5 metres width along with poles and guy wires on the site.
- (4) **THAT** the Lessees shall not be called upon to contribute in any way whatsoever to the maintenance or operation of the radio repeater station nor the costs of and incidental to this variation.
- (5) **SAVE** as hereby expressly varied all the covenants conditions and restrictions contained or implied in the abovementioned lease shall remain in full force.

J. H. S. S. S.


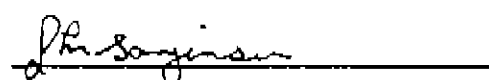
IN WITNESS WHEREOF the parties have hereto executed these presents this 6TH day
of APRIL 1994.5

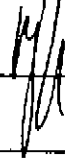
SIGNED for and on behalf of)
HER MAJESTY THE QUEEN by the)
Commissioner of Crown Lands)
in the presence of:)



Witness: 
Occupation: Senior Land Examinations Officer
Department of Survey & Land Information
Address: Wellington

SIGNED by the said)
JILLIAN MCDONALD SARGINSON)
as Lessee in the presence of)



Witness: 
Occupation: Solutor
Address: Wairua



POLICE
Nga Pirihimana O Aotearoa

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OFFICIAL INFORMATION ACT

LANDCORP PROPERTY
ALEXANDRA
- 4 MAR 1994
RECEIVED

3 March 1994

Manager
Landcorp
P O Box 27
ALEXANDRA

Tim
ATTENTION ~~David Pickens~~

Dear Sir

POLICE RADIO REPEATER INSTALLATION AT MAKARORA

Recently, the New Zealand Police received approval from the lessee of Mt Albert Station, Makarora, to install and operate a radio communications facility on that property (copy attached).

It is the intention of the Police to install the equipment adjacent to an existing TV translator prior to Winter 1994.

The Police, DOC and a surveyor, Martin Potter of Cromwell, visited the site on 16 February this year and the attached plan defines an area of land that the NZ Police wish to have notified by suitable means, as a Police Communications site with permanent occupational rights.

Would you please advise me as to how best to secure the Police interest in this site, either by easement or similar device, together with your estimate of costs in respect of this work.

In view of a Police requirement to establish this site in the short time frame now available before winter, I anticipate Police Engineering work proceeding concurrently with your work on our behalf.

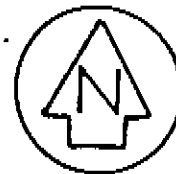
Yours faithfully

G. Harding

for W B Whitfield
Regional Engineering Coordinator

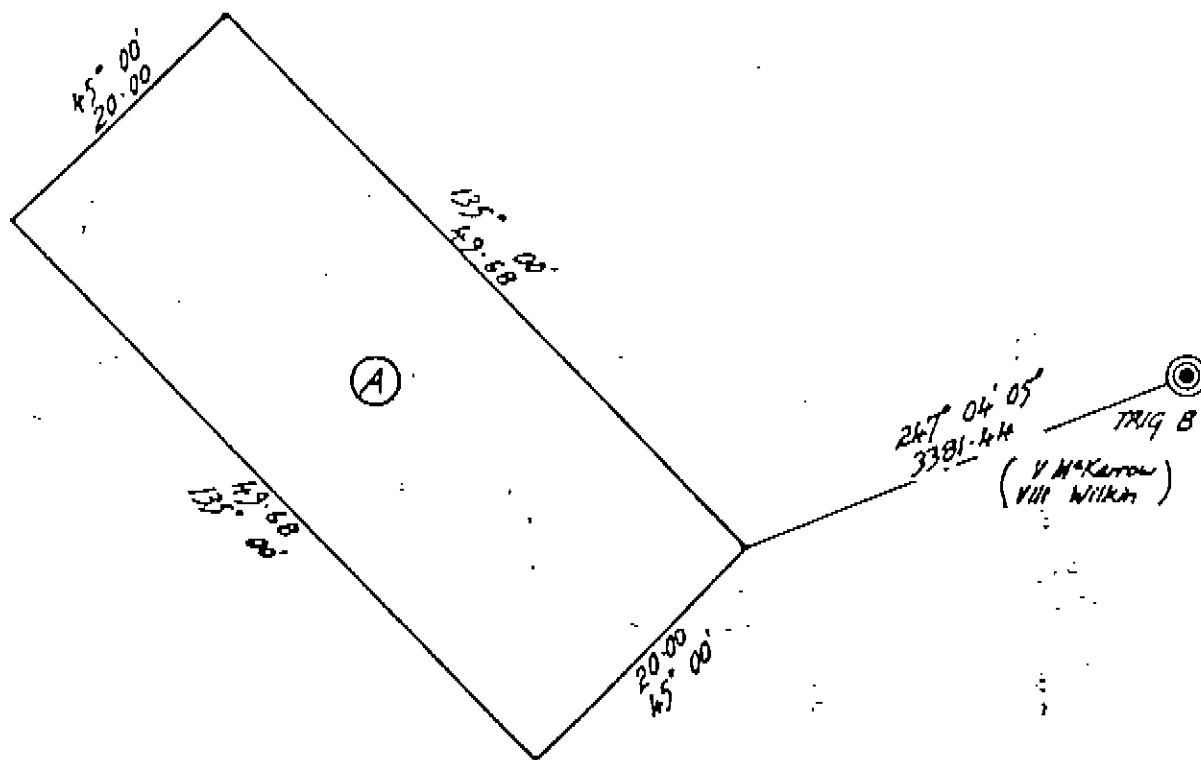
*mon owner of contract of lease
SOP signed at 3:12
WON executed*

Safer Communities Together



Need SO Plan

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OFFICIAL INFORMATION ACT



EASEMENT FOR POLICE COMMUNICATIONS SITE

RUN 772 BLK 12 WILKIN S.D.

AAS 1826

PATERSON PITTS PARTNERS LTD
SURVEYING CONSULTANTS
CROMWELL

SCALE 1:500

DRAWN:

DATE Feb 1994

APPROVED:

Schedule C - Farm Plan

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

File No: P 349

REPORT ON APPLICATION FOR STOCK INCREASE
AND/OR ROUTINE INSPECTION OF PASTORAL RUN

Lands & Survey Dept.

25 JUL 1977

DUNEDIN

PART I

LESSEE: MRS J.M. SARGINSON

RUN NAME: MT. ALBERT STATION

AREA: 11958.46 ha.

RUN NO: 272 Haast, McKerrow, Mt. Pollux & Upper Wanaka S.D.'s

LOCATION: On... across the Makarora River... kilometres from Makarora West Road...

RAIL: Cromwell..... SALEYARDS: ... Cromwell..... POWER: Connected SCHOOL: Makarora West

TENURE: Pastoral Les.-Term..... 33..... years from 1/7/67..... A.R. \$ 290

COVER AT DATE OF RENEWAL: All native. Valley bottoms, river flats and basins carry-introduced grasses; annual weeds some pig fern and manuka scrub; dense bracken fern up to 2500ft. Fescue, blue & snow tussock with a fair base of native grasses at higher altitude.

DESCRIPTION OF PASTURES AND COVER:

As shown at previous inspection

Current Inspection

277 3/72

7 777 77

Sown pasture	55 ha.	75 ha.
Down	-	-
Fallow or feed	14 ha.	Nil
Total area cultivated	69 ha.	75 ha.
Oversown and/or T.D.	52 ha.	260 ha.
Native river flats	1315 ha.	1100 ha.
Bracken fern downs	3035 ha.	3035 ha.
High altitude snow-fescue tussock	7486	7488 ha.
Other		
Total:	11958 ha	Total: 11958 ha, ha

67
33
2000

ASPECT, CONTOUR & BALANCE OF WINTER & SUMMER COUNTRY: Approx. 1/3rd. northerly; 1/3rd. easterly; 1/3rd. southerly. Balance river flats. Contour 1/3rd. flat to undulating. Balance-moderate to very steep; Balance-winter country restricted to eastern. ALTITUDE RANGE: 300-2155m. ACCESS: (a) To Property, Isolated by the Makarora River-restricted vehicle access (over) (b) Within: Aeroplane, horse and foot

LEVEL AND QUALITY OF FENCING:

- (a) Boundaries Makarora River-not cattleproof-otherwise all natural boundaries and stockproof
- (b) Internal Limited to homestead flats. Currently being renovated

ANNUAL TOPDRESSING 1976-tonnes 19 (split dressing)
19
19
Proposed see comments under "General"

ANNUAL CULTIVATION: Annual cultivation - nil. Pasture renewal programme being implemented

DEVELOPMENT COMPLETED SINCE LAST INSPECTION: See general comments later in report

RUN PLAN OPERATING: Yes/No
(Comment if necessary)
A Run Plan was prepared under the previous lessee. A revised programme is likely before any work is proceeded with.

CULTIVATION AREA PREVIOUSLY APPROVED: No record on the Alexandra file. Area cultivated is indicated on the attached plan.

ADDITIONAL CULTIVATION CARRIED OUT: Nil

LEASES SECTION

OTAGO CATCHMENT BOARD
and REGIONAL WATER BOARD
70 STAFFORD STREET, DUNEDIN

TELEGRAPHIC ADDRESS:
" CATCHMENT "

TELEPHONE 78-852
P.O. BOX 858

OUR REFERENCE _____
YOUR REFERENCE _____

19th February 1973

Lands & Survey Dept.
21 FEB 1973
DUNEDIN

Mr J.E.N. Quaife,
Mt. Albert Station,
Private Bag,
WANAKA

Dear Sir,

I am pleased to advise my Board has approved of a 5 year Farm Plan for your property. This plan involves 510 chains of Conservation Fencing at an estimated cost of \$9,584 with subsidy amounting to \$4,792. Specific approval has been granted for the first year's works estimated to cost \$6,576.

Three copies of the Farm Plan Agreement have been forwarded to the Divisional Soil Conservator at Alexandra, who will call on you within the next few days to have the documents completed. He will also deliver your copy of the Farm Plan. When the documents are completed please return them to this office at your earliest convenience.

Yours faithfully,

L.V. WILSON
SECRETARY

*c/c for Information
Commissioner of Crown Lands
Lands & Survey
Dunedin*

*Copy of plan
to DFC for filing
in his cabinet
S/S*

L.V. Wilson

LANDS SECTION

J.E.N. QUAIFFE "MT. ALBERT STATION" **REFUSED UNDER THE
OFFICIAL INFORMATION ACT**

PRIVATE BAG, WANAKA

S U M M A R Y

1. PHYSICAL DESCRIPTION:

1.01 References:

<u>Catchment Nos</u>	752990 Lake Wanaka
	752993 Albertburn
	752994 Makarora River

Aerial Photos - Full coverage
on Survey No's 2018, 826 & 824.

1.02 LOCATION:

On the western side of the head of Lake
Wanaka. Wanaka township is 30 miles distant.

1.03 Legal Description:

(a) Pastoral lease P.319 33 years from 1/7/67	32520 acres
(b) Freehold	414 acres
TOTAL	32934 acres

Stock Limitation:

3150 sheep including not more than 1400
breeding ewes and 900 cattle including not more
than 620 breeding cows.

1.04 Climate Geology/Soils Topgraphy & Vegetation:

(a) Climate:

Approximately 80" rainfall annually.
Winters cold and severe with snow at times.

(b) Geology:

Coarsely foliated quartzo feldspathic
chlorite subzone IV with bands of green schist
in the and

(c) Vegetation:

On the high tops Alpine Herb field

A.

17 April 2002

Grant Webley
Crown Property Management
Land Information New Zealand
Private Bag 4721
Christchurch

Log: 9872



Dear Grant

CON/50269/09/12573/A

Land Status Report – Mt Albert Station

Attached for the consideration of the Commissioner of Crown Lands or delegate is a copy of the status report required in terms of Crown Pastoral Land standard 6 section 3 [project plan 1 of 5 activity 3.3].

We have also enclosed as requested all supporting documents and plans relating to this land status report.

Please note there is one additional land status report attached for areas within the boundary of this lease, these do not have a pastoral status.

A handwritten signature in black ink, appearing to read "Dave Payton".

Dave Payton
Tenure Review Contract Manager

