

Crown Pastoral Land Tenure Review

Lease name : MT POTTS

Lease number : PC 143

Due Diligence Report (including Status Report) - Part 2

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.

September

05

APPENDIX 1



**COMPUTER INTEREST REGISTER
UNDER LAND TRANSFER ACT 1952**



Historical Search Copy


R. W. Muir
Registrar-General
of Land

Identifier CB34A/711
Land Registration District Canterbury
Date Registered 11 February 1991 11:07 am

Prior References
CB529/17

Type	Lease under s83 Land Act 1948	Term	33 years commencing on the 1 July 1984 effective from 1 July 1990
Area	9692.0000 hectares more or less		

Legal Description Section 5-10 Survey Office Plan 18222

Original Proprietors
Mt Potts Station Limited

Interests

Subject to Section 58 Land Act 1948

A359525.3 Variation of the within Lease - 8.7.1998 at 9.50 am

A359525.6 Mortgage to ANZ Banking Group (New Zealand) Limited - 8.7.1998 at 9.50 am

5141308.1 Discharge of Mortgage A359525.6 - 24.1.2002 at 9:00 am

5141308.2 Mortgage to The National Bank of New Zealand Limited - 24.1.2002 at 9:00 am

Id Number

CB34A/711

L. & S.—B. 4

Former Ref. Vol. 529 fol. 17

L. & S. Ref. No. P 143

NEW ZEALAND

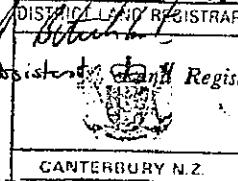
Entered in the Register-book, the

11th day of February

1991, at 11:57 o'clock.

No. 34A/711

REGISTER



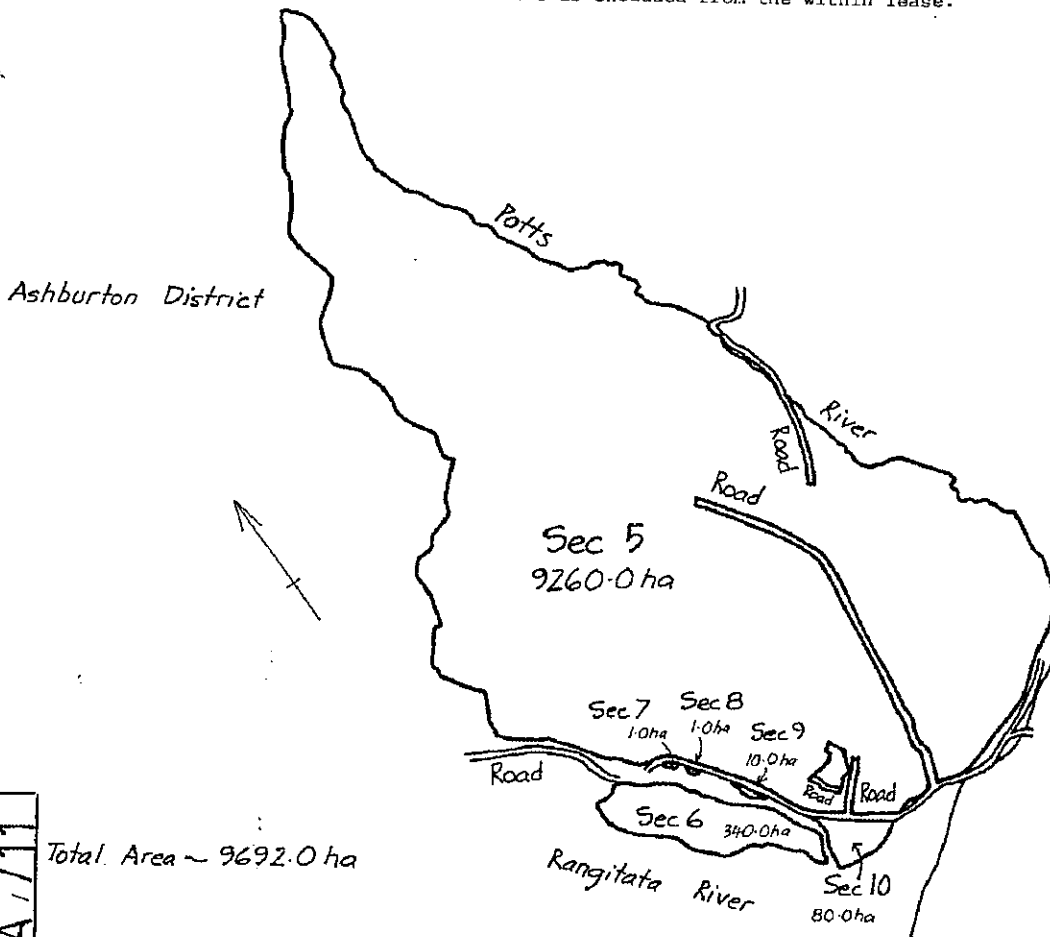
Pastoral Lease under the Land Act 1948

This Deed, made the 1st day of July 1990 between HER MAJESTY THE QUEEN (hereinafter referred to as "the Lessor") of the one part, and ALASDAIR WILLIAM URQUHART of Mt Potts, Sheep Farmer

(hereinafter referred to as "the Lessee"), of the other part: WITNESSETH that, in consideration of the rent hereinafter reserved, and of the covenants, conditions, and agreements herein contained and implied, and on the part of the Lessee to be paid, observed, and performed, the Lessor doth hereby demise and lease unto the Lessee, all that parcel of land containing by estimation 9692.0 hectares more or less, situated in the Land District of Canterbury, and being Sections 5, 6, 7, 8, 9 and 10 SO 18222 situated in Clyde, Heron, Potts and Tripp Survey Districts

as the same is more particularly delineated with bold black lines on the plan hereon; together with the rights,

NOTE: Pursuant to Section 58 of the Land Act, 1949, a strip of land 20 metres in width along the banks of all streams and rivers is excluded from the within lease.



Total Area ~ 9692.0 ha

S.O. 18222

Handwritten initials/signature

No. 34A/711

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Id 'ifier

CB34A/711

~~leases, and appurtenances thereto belonging. TO HOLD the said premises intended to be hereby demised~~
 unto the Lessee for the term of 33 years, commencing on the 1st day of _____ 19____, together
 with the period between the date of this lease and the aforesaid 1st day of _____ 19____, YIELDING
 and paying therefor for the first 11 years of the said term unto the Department of Lands and Survey at
 the annual rent of \$ _____ payable without demand by equal half-
 yearly payments in advance on the 1st day of January and the 1st day of July in each and every year during
 the said period of 11 years, and for the next two successive periods of 11 years of the said term a rent deter-
 mined in respect of each of those periods in the manner provided in Section 66 (4A) of the Land Act 1948.
 AND also paying in respect of the improvements specified in the Schedule hereto the sum of \$ _____
 by a deposit of \$ _____ (which has already been paid) and thereafter by _____ half-yearly
 instalments of \$ _____ on the 1st day of January and the 1st day of July in each and every year.

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

1. That without derogating from or restricting the covenants contained and implied in this lease and on the part of the Lessee to be performed or complied with the Lessee will not at any time during the said term de- pasture on the land hereby demised more than _____ sheep which number shall not include more than _____ breeding ewes nor more than _____ cattle which number shall not include more than _____ breeding cows PROVIDED HOWEVER that the Lessee may with the prior written consent of the Land Settlement Board carry such additional stock on such terms and conditions as may therein be specified subject nevertheless to the right of the Land Settlement Board to revoke or vary such consent at any time.

2. That the Lessee will at all times farm the land hereby demised in a manner to promote soil conservation and prevent erosion and will comply with the provisions of the Soil Conservation and Rivers Control Act 1941.

AND it is hereby agreed and declared by and between the Lessor and Lessee:

THAT pursuant to the provisions of the Noxious Animals Act 1956 officers and employees of the New Zealand Forest Service and other authorised persons shall at all times have a right of ingress, egress, and regress over the land comprised in this lease for the purpose of determining whether such land or any adjoining land is infested with deer, wild goats, wild pigs, opossums, or other animals which the said Service is charged with the duty of exterminating or controlling, or for the purpose of destroying any such animals: Provided that such officers, employees, and other authorised persons in the performance of the said duties shall at all times avoid undue disturbance of the Lessee's stock.

AND it is hereby declared and agreed that these presents are intended to take effect as a Pastoral Lease of pastoral land under Section 66 of the Land Act 1948, and the provisions of the said Act and of the regulations made there- under applicable to such leases shall be binding in all respects upon the parties hereto in the same manner as if such provisions had been fully set out herein.

SCHEDULE OF IMPROVEMENTS BELONGING TO THE CROWN

In witness whereof the Commissioner of Crown Lands for the said Land District, on behalf of the Lessor, has hereunto set his hand, and these presents have also been signed by the said Lessee.

Signed by the said Commissioner on behalf of the Lessor, in the presence of—

Witness: _____

Occupation: _____

Address: _____

Commissioner of Crown Lands.

Signed by the above-named Lessee, in the presence of—

Witness: _____

Occupation: _____

Address: _____

Lessee.

W. N. Stewart

62274J-86PTK

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Id Officer

CB34A/711

easements, and appurtenances thereto belonging. TO HOLD the said premises intended to be hereby demised unto the Lessee for the balance term of 33 years, commencing on the 1 July 1984 effective from 1 July 1990. YIELDING and paying therefor for the first 11 years of the said term unto the Land Corporation Limited at Christchurch the annual rent of \$2,200.00 (exclusive of GST) payable without demand by the equal half-yearly payments in advance on the 1st day of January and the 1st day of July in each and every year during the said period of 11 years, and for the next two successive periods of 11 years of the said term a rent determined in respect of each of those periods in the manner provided in Section 66(7b) of the Land Act 1948.

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

1. THAT without derogating from or restricting the covenants contained and implied in this lease and on the part of the Lessee to be performed or complied with the Lessee will not at any time during the said term depasture on the land hereby demised more than 4,400 sheep PROVIDED HOWEVER that the Lessee may with the prior written consent of the Land Corporation Limited carry such additional stock on such terms and conditions as may therein be specified subject nevertheless to the right of Land Corporation Limited to revoke or vary such consent at any time.

2. THAT the Lessee will at all times farm the land hereby demised in a manner to promote soil conservation and prevent erosion and will comply with the provisions of the Soil Conservation and Rivers Control Act 1941.

AND it is hereby agreed and declared by and between the Lessor and Lessee:

3. THAT pursuant to the provisions of the Wild Animal Control Act 1977 any warranted officer thereunder and other authorised persons shall at all times have a right of ingress, egress, and regress over the land comprised in this lease for the purpose of determining whether such land or any adjoining land is infested with deer, wild pigs, opossums, or other animals which the Department of Conservation is charged with the duty of exterminating or controlling, or for the purpose of destroying any such animals: Provided that such officers, employees, and other authorised persons in the performance of the said duties shall be all times avoid undue disturbance of the Lessee's stock.

4. AND it is hereby declared and agreed that these presents are intended to take effect as a Pastoral Lease of pastoral land under Section 66 of the Land Act 1948, and the provisions of the said Act and of the regulations made thereunder applicable to such leases shall be binding in all respects upon the parties hereto in the same manner as if such provisions had been fully set out herein.

SCHEDULE OF IMPROVEMENTS BELONGING TO THE CROWN

Nil

Ch. H. Cloughan

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Identifier

CB34A/711

IN WITNESS WHEREOF the parties have hereunto subscribed their name this day of 28 December 1990.

*ROBERT ALAN CANT

SIGNED for and on behalf of HER MAJESTY THE QUEEN pursuant to an Agreement lodged with the District Land Registrar as No 856748/1 by LAND CORPORATION LIMITED by its Attorney*XXXXXXXXXXXXXXXXXXXX in the presence of:

LAND CORPORATION LIMITED by its Attorney

[Signature]

WITNESS: [Signature]
OCCUPATION: CONSULTANT
ADDRESS: SANDGAP, CHRISTCHURCH

SIGNED by the said ALASDAIR WILLIAM UROUHART as lessee in the presence of:

[Signature] Lessee

WITNESS: [Signature]
OCCUPATION: Solicitor
ADDRESS: [Signature]

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

I, ROBERT ALAN CANT Property Officer, of Christchurch.

HEREBY CERTIFY -

1. THAT by an agreement dated the 24th day of January 1990 a copy of which is deposited in the Land Registry Office at -

CHRISTCHURCH (Canterbury Registry) and there number 856748/1

HER MAJESTY THE QUEEN appointed LAND CORPORATION LIMITED at Wellington its Attorney on the terms and subject to the conditions set out in the said Agreement.

2. THAT by Deed dated the 12th day of June 1987 a copy of which is deposited in the Land Registry Office at -

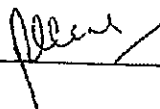
CHRISTCHURCH (Canterbury Registry) and there numbered 686366/2

LAND CORPORATION LIMITED at Wellington carrying on the business of land management appointed me its Attorney on the terms and subject to the conditions set out in the said Deed.

3. THAT at the date hereof I was Property Officer of the said Corporation.

4. THAT at the date hereof I have not received any notice or information of the revocation of that appointment by the winding up or dissolution of the said LAND CORPORATION LIMITED or otherwise.

SIGNED at Christchurch
this 21 day of December 1990)



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Identifier

CB34A/711

34A/711

Mortgage 924920/1 to Lillian Urquhart,
Graham McKenzie Black and PPS Trust Limited
- 14.3.1991 at 11.07am

DISCLOSED
20 JUL 1995
[Signature]
for A.L.R.

Transfer A118114/1 to Alasdair William
Urquhart, abovenamed and Maxine Joan
Urquhart of Mt Potts Married Woman as
tenants in common in equal shares -
15.6.1994 at 11.44am

[Signature]
for A.L.R.

Transfer A184410/2 to Robert Mark Cotton of
Cromwell, Farmer - 20.7.1995 at 11.07am

Mortgage A184410/4 to Southland Building
and Investment Society - 20.7.1995 at
11.07am

DISCLOSED
20 JUL 1995
[Signature]
for A.L.R.

Mortgage A184410/5 to Vertrud Veriechen
Cotton, Ian McNab, Douglas and Robert Mark
Cotton - 20.7.1995 at 11.07am

DISCLOSED
20 JUL 1995
[Signature]
for A.L.R.

Variation of Mortgage A184410/4 - 20.7.1995
at 11.00am

[Signature]
for A.L.R.

for A.L.R.

A359525.3 Variation of the within Lease

A359525.5 Transfer to Mt Potts Station
Limited

A359525.6 Mortgage to ANZ Banking Group
(New Zealand) Limited

all 8.7.1998 at 9.50

[Signature]
for DLR



APPENDIX 2

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Original of:

RECREATION PERMIT

RPc 080

MT POTTS/SKI

ON MT POTTS STATION LIMITED (PC 143)

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RECREATION PERMIT

UNDER THE LAND ACT 1948

PARTIES: THE COMMISSIONER OF CROWN LANDS pursuant to the Land Act 1948
("the Grantor")

AND MT POTTS STATION LIMITED ("the Grantee")

BACKGROUND:

- A. The Grantee wishes to undertake the activities described in the First Schedule over the land described in the Second Schedule ("the Operational Area").
- B. The Grantor has agreed to grant a non-exclusive recreation permit pursuant to Section 66A of the Land Act 1948 to the Grantee on the terms and conditions set out herein.

THE PARTIES AGREE as follows:

1. AUTHORISATION

- 1.1. The Grantor hereby authorises the Grantee to use the Operational Area for the purposes and activities set out in the First Schedule hereto.
- 1.2. This permit is intended to take effect as a recreation permit under Section 66A of the Land Act 1948 and any enactments passed in substitution thereof and the provisions of the said Act and of the regulations made thereunder shall be binding in all respects in the same manner as if such provisions had been fully set out herein.
- 1.3. This permit does not create any registerable interest in the Operational Area or any other part of the Grantor's land.
- 1.4. This permit is personal to the Grantee and shall not be capable of assignment, charge, transfer or other disposition or dealing including the transfer of shares should the Grantee be an incorporated company, in whole or in part or any purpose whatsoever.

2. TERM

- 2.1. The term of this permit shall be for a period of 3 years and 10 months commencing on the 1st day of March 2000, subject always to the provisions of clause 7 hereof.



3. FEES

- 3.1 The Grantee will pay to the Grantor at the offices of the Commissioner of Crown Lands at Wellington or such other place as the Grantor shall nominate from time to time the permit fee of \$1,000.00 plus GST payable without demand in advance on the 1st day of July in each and every year
- 3.2 The Grantee shall supply to the Grantor by 1 July in each and every year of the permit a record of the number of skiers/snowboarders who visit the field.
- 3.3 If payment is not made within seven (7) days of due date, then the Grantee shall pay in addition penalty interest of 12.5% per annum on the amount outstanding calculated from due date until the date of actual payment.

4. GRANTEE'S OBLIGATIONS

- 4.1. The Grantee shall:
 - 4.1.1. Not remove any vegetation, disturb and soil or light any fire on the Operational Area.
 - 4.1.2. Not at any time cause any building, erection, structure or fence or alteration or addition thereto to be placed or carried out upon the Operational Area.
 - 4.1.3. Not do or cause to be done anything for which consent would be required in terms of the Land Act 1948 or the Crown Pastoral Land Act 1998 without that consent first being obtained.
 - 4.1.4. Comply at all times with all statutes and regulations and obtain all approvals, consents and authorisations as are necessary for the Grantee to conduct the activities permitted by this Permit.
 - 4.1.5. Remove and take away or cause to be removed and taken away all refuse.
 - 4.1.6. Comply with the provisions of the Health and Safety in Employment Act 1992.
 - 4.1.7. Ensure that the activities authorised by this permit will be confined exclusively to the Operational Area and use the Operational Area solely for the activities authorised by this permit.
 - 4.1.8. Take all reasonable precautions to guard against danger on the Grantor's land.
 - 4.1.9. Not interfere or obstruct the Grantor or his/her agent's employees or contractors or authorised invitees.



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4.1.10. Not operate any vehicles off the formed access roads unless there is sufficient snow on the ground to prevent damage to soil and vegetation.

4.1.11. Note that the following applies particularly to the access road which is included within the permit area;

- a) Maintain at all times the access road and associated works to the standard necessary to minimise the risk of soil erosion.
- b) Not alter the alignment of the access road without the prior written consent of the Grantor.

5. COSTS

5.1. The Grantee shall be responsible for all costs associated with the preparation of this permit and for any costs legal or otherwise arising as a result of a breach by the Grantee of any of the conditions of this permit or default by the Grantee hereunder.

6. INDEMNITY

6.1. The Grantee hereby indemnifies the Grantor against any loss, claim, damage, costs, expense, liability or proceeding suffered or incurred at any time by the Grantor in connection with this permit or as a direct result of the exercise by the Grantee of its rights under this permit, or any breach by the Grantee of its obligations, undertakings or warranties contained or implied by this permit.

6.2. The Grantor shall not be liable to the Grantee in contract tort or otherwise in relation to any aspect of this permit (extending to consequential loss, anything arising directly or indirectly from the permit or any activity on the Grantor's land).

7. TERMINATION

7.1. Notwithstanding anything contained herein the Grantor shall be entitled to revoke this permit:

7.1.1. at any time and upon the giving of one month's notice in writing of such revocation to the Grantee; or

7.1.2. by written notice to the Grantee of immediate revocation of the permit if the Grantee is in breach of any condition of this Permit PROVIDED THAT such revocation shall not release the Grantee from liability in respect of any breach of any of the conditions of this permit.



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8. DISPUTES

8.1 If any dispute arises between the Grantor and Grantee under this permit the parties shall enter into negotiations in good faith to resolve their dispute. If the dispute is not resolved within one month of the date on which the parties begin their negotiations or within such time as both parties agree, the Grantor shall make a determination and the overriding provisions of section 17 Land Act 1948 shall apply.

9. NOTICES

9.1. The address for service for the Grantor shall be as follows or as notified in writing by the Grantor to the Grantee from time to time:

Commissioner of Crown Lands
C/- Knight Frank (NZ) Limited
142 Cashel Street
PO Box 142
Christchurch


Telephone: (03) 379 9787
Facsimile: (03) 379 8440

9.2. The address of the Grantee shall be as follows or as notified in writing by the Grantee to the Grantor from time to time:

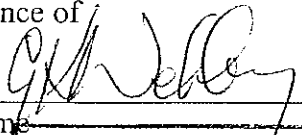
Mt Potts Station Limited
C/- Woodnorth Joyce
100-104 Sophia Street
Timaru

Telephone: (03) 684 5079
Facsimile: (03) 688 4623

SIGNED for an on behalf of)
HER MAJESTY THE QUEEN)
by **MICHAEL JOHN TODD**)
pursuant to a delegation from the)
COMMISSIONER OF CROWN LANDS)
in the presence of)

 16/11/2000

Witness Name



Occupation

GRANT KASPER WEBLEY
PORTFOLIO MANAGER
CROWN PROPERTY MANAGEMENT
C/- LINZ, CHRISTCHURCH

Address

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SIGNED for and on behalf of MT POTTS)
STATION LIMITED as Permit Holder by:)

M. Dwyer

[Signature] DIRECTOR

[Signature]

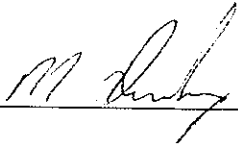
RELEASED UNDER THE OFFICIAL INFORMATION ACT⁶

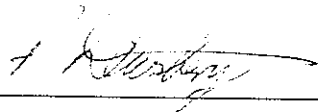
CONSENT OF LESSEE

Mt Potts Station Limited as lessee of Mt Potts pastoral lease (12785/Pc 143) together with its successors and assigns consents to the issue of a recreation permit to Mt Potts Station Limited by the Commissioner of Crown Lands pursuant to section 66A of the Land Act 1948 on the terms of the accompanying recreation permit.

DATED this 24th day of OCTOBER, 2000

SIGNED for and on behalf of MT POTTS)
STATION LIMITED as ~~Permit Holder~~ by:)
)



 _____



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FIRST SCHEDULE

PURPOSE AND ACTIVITIES

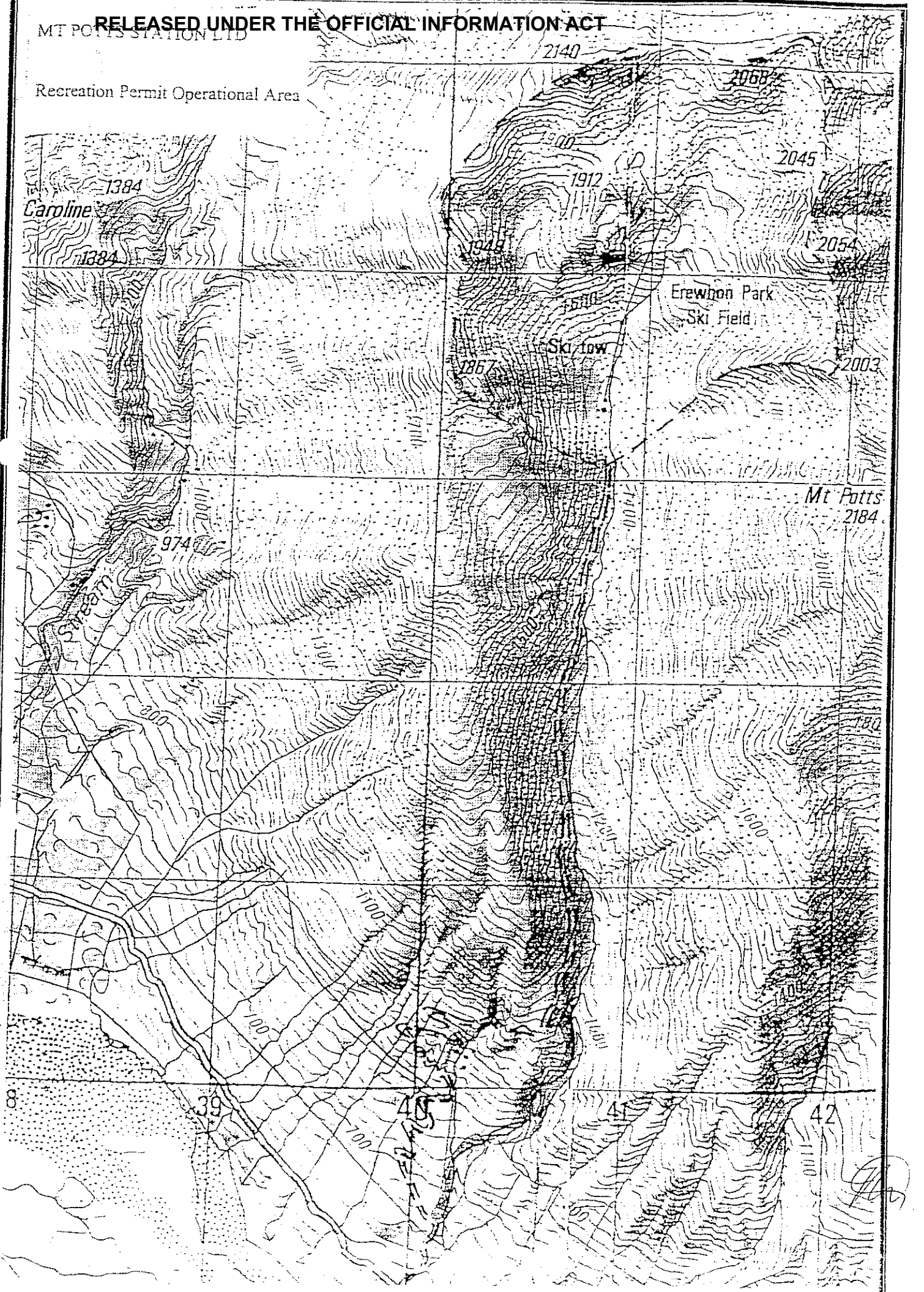
Recreational skiing/snowboarding.

SECOND SCHEDULE

That part of Mt Potts Pastoral Lease PC143 as is more particularly shown as depicted on the map attached hereto.



MT POTTS STATION LTD
Recreation Permit Operational Area



APPENDIX 3

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OUR FILE: 8/8/130

YOUR FILE: P16

From HEAD OFFICE

Date: 22 February 1984

To CCL CHRISTCHURCH

Ref.: Ours/Yours of

Person to consult:

Land Survey Department
27 FEB 1984
CHRISTCHURCH

Handwritten notes and initials:
 [Signature]
 [Signature]
 [Signature]

SUBJECT: RENEWAL OF PASTORAL LEASE : EREWHON

Your submission covering the renewal of the Erewhon pastoral lease was approved by the Head Office Committee under case number 84/22 of 21 February 1984. The Committee has made the following minor amendments.

Recommendation 3B to read "the stock limit to be shown on the lease document to be set as follows:

Not more than 7700 sheep (including not more than x breeding ewes)"

Recommendation 5 to read that "a general section 58 Land Act provision for the exclusion of land alongside of rivers and streams not less than 3 metres wide to included in the renewal lease".

When this case was considered in Head Office it was felt that the department should tread carefully in the matter of the walking easements as there was some controversy over this in the early 1970s. The recommendation made on this is not clear. Is the walking easement to be in addition to the access previously negotiated i.e. where route 3 was agreed to on condition that portions of route 1 be closed. It was agreed and gazetted finally took place in September 1976 where parts of route 3 were proclaimed as road and parts of route 1 were closed. Would you please provide guidance on this point.

Finally the Committee asked that more care be taken in the preparation and checking of the submissions. Some of the comments included in those under DFO's comments did not seem to be clear to the Head Office Committee which found that there was some inconsistency between the first two sentences in the second paragraph of these comments, and also in the last paragraph. While the Committee was able to get the gist of what was meant I would ask you to pay close attention to these points when preparing the submissions. It must be remembered that the Head Office Committee in most cases does not have the benefit of the full comments made by various officers therefore when including parts of these in the submission care should be taken to see that they follow on logically.

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 LINZ (CROWN PROPERTY MANAGEMENT)
 CONTRACTS UNIT FOR PURPOSES ASSOCIATED
 for Director-General ONLY.
 WITH CONTRACT 50
 NOT TO BE FURTHER COPIED, REPRODUCED
 OR DISTRIBUTED WITHOUT THE

Handwritten notes:
 HQ Head. - see /825.
 Comment please on walking
 easement.
 [Signature]
 12/3

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LAND SETTLEMENT BOARD

HEAD OFFICE COMMITTEE

RENEWAL OF PASTORAL LEASE

FILES: H.O. 8/8/130
D.O. P16

CASE NO: 84/ 22 . CANTERBURY LAND DISTRICT

LESSEE

ALASDAIR WILLIAM URQUHART and COLIN FREDERICK URQUHART

LAND HELD IN LEASE

Runs 111 and 112 "Erewhon" and part Run 114 "Mt Potts" Rural Section 8178 situated in Havelock, Clyde, Ramsay, Heron, Potts and Tripp Survey Districts.

Area: 23383.7 hectares.

LOCATION

In the headwaters of the Rangitata River, 56.3 kilometres west of Mt Somers via Lake Clearwater, South Canterbury.

PARTICULARS OF TENURE

Tenure: Pastoral Lease
Term: 33 years from 1 July 1951
Expires: 30 June 1984
Annual Rental: \$640
Stock Limit in Lease: 7700 sheep
Present Stock Limit:

Following the incorporation of Mt Potts, Run 114 in 1957 the then Commissioner of Crown Lands confirmed a limitation of 7700 and the past practice of allowing Urquhart the liberty of discretion over the stock numbers carried until such time as this power is withdrawn. It was intended that this privilege should not be extended to a new lessee following transfer of the run. In 1978 the run was transferred to Urquhart's two sons with Chief Pastoral Lands Officer Gregan recommending that the existing limitation be transferred to the two sons. The present situation thus allows the Urquhart brothers to carry whatever stock numbers they wish.

Stock wintered 1983:

<u>C.F. Urquhart</u>		<u>A.W. Urquhart</u>	
<u>Stud sheep</u>		<u>Stud sheep</u>	
Ewe hoggets	150	Ewe hoggets	22
Ram hoggets	150	Ram hoggets	34
Two tooth ewes	150	Two tooth ewes	20
Mixed age ewes	400	Mixed age ewes	62
Rams	75		
<u>Flock sheep</u>		<u>Flock sheep</u>	
Ewe hoggets	670	Ewe hoggets	352
Dry stock	2015	Wether hoggets	348
Mixed age ewes	1313	Two tooth ewes	320
		Wethers	1703
		Mixed age ewes	1320
		Others	80
			4261

<u>Cattle</u>		<u>Cattle</u>	
Breeding cows	34	Heifer calves	15
Bulls	6	Heifers	15
		Breeding cows	110
	—		—
	40		135

C.F. & A.W. Urquhart

Red deer 350 in total
 Thar 1 in total

Total stock carried on Erewhon and Mt Potts is:

9184 sheep including 3265 breeding ewes
 180 cattle including 144 breeding cows
 350 red deer
 1 thar

CROWN IMPROVEMENTS

Nil.

OTHER LAND HELD

Freehold : A.W. and C.F. Urquhart, 8.9 hectares
 Special Lease S156 : Erewhon Park Ltd, 32.6657 hectares

FIELD OFFICER'S REPORT (Field Officer T. Hood)

The property is approximately triangular in shape, being bounded on the south-west side by the Rangitata and Havelock Rivers and on the eastern side by the Potts River. Arbitrary legal boundaries occur on the north-west edge.

The property is divided by the Clyde and Lawrence Rivers to form three distinct blocks within the property.

Approximately 1490 hectares of river flats are scattered along the main rivers, altitude varying from 523 m to 769 m a.s.l. An extensive area of approximately 2430 hectares of gently to strongly rolling glacial till and fan occurs in the southern corner of the property adjacent to the Potts River. Another area of approximately 400 hectares of fans and downs are found near the Erewhon homestead at the junction of the Clyde and Havelock Rivers. The remainder of the property (83%) is dominantly of steep slope of diverse aspect, with small areas of moderately steep and very steep. Most slopes below 1385 m a.s.l. are strongly dissected by water courses.

Altitude varies from 523 m to a maximum of 2446 m with many peaks over 2153 m a.s.l. 70% of the existing run area is over 923 m while 40% is above 1385 m a.s.l.

Annual precipitation is high with rainfall averages in excess of 2500 mm per annum. Much of the precipitation over 1230 m a.s.l. is snow which may lie from May to November. Periodic falls of snow also lie over the lower portions of the property for extended periods. The run lacks winter country.

Variation to the basic stock limitation

Field officer recommends that the basic stock limitation be confirmed as 7700 sheep and that a personal limitation, taking into account the sheep, cattle, deer and thar wintered over 1983, be implemented as follows:

9220 sheep including not more than 3300 breeding ewes
200 cattle including not more than 150 breeding cows
350 red deer
1 thar

Given the acceptance of the basic limitation as 7700 sheep:- see comments under present stock limit above, the areas being suggested for surrender do not provide quantifiable grazing. Thus there is no need to adjust the basic stock limitation from 7700 sheep.

Boundary adjustments

(a) Run plan -

The South Canterbury Catchment Board carried out a detailed land classification survey of the property in January 1969. Land use classification maps and an accompanying report were produced but no run plan was ever drawn up.

(b) Land unsuitable for grazing (15 340 hectares approximately) -

19% of Erewhon is Class VII and 58% Class VIII land. Approximately 40% of the Class VII land would benefit from retirement or at least temporary retirement (to allow the condition of the grasslands to improve). With the exception of several high basins which offer good summer and early autumn grazing, all the Class VIII land is either unstable, open scree, scrub or rock. Considering the unsuitability for continued grazing of the above Class VII and VIII land these areas should ideally be surrendered from the pastoral lease. Permit grazing over the summer could be made available for the high basins considered suitable for limited grazing.

The proposed boundary (allowing for surrender of the above areas) becomes a line varying between 900 m and 1100 m a.s.l. approximately. Fencing along this line would be generally impractical, due to topography and expense. Although stock would undoubtedly move outside the proposed lease area it is still desirable to have the above areas surrendered from pastoral lease. Following surrender the above areas would become unoccupied Crown land subject to a Crown land management plan.

Areas to be protected

(a) Wetlands (approximately 100 hectares) -

Protection of the streams, stream banks and a 20 metre berm, for the streams flowing through the Rangitata River flats below Craig Phillips and adjacent to the Mt Potts homestead area. Protection is necessary to maintain stream bank stability and water quality should cultivation be carried out on the adjoining land. Protection would be best achieved by way of a conservation covenant to prevent drainage and cultivation within 20 metres of any stream bed.

(b) Access -

A walking easement to be created over an existing track leading from the Erewhon homestead, across the paddocks behind the homestead, through a sandy gully planted out in trees and down to the Clyde River. This route is at present used freely by pedestrian shooters gaining access to the Clyde and Lawrence Rivers. The track follows closely a legal road closed in 1974.

(c) Section 53 reservation -

This is required along the Potts, Rangitata, Havelock, Clyde and Lawrence Rivers. All to be a minimum of 20 metres in width. The purpose of this reservation is to protect public access along the river berm and to prohibit this berm from sale, should reclassification and freeholding take place.

General

Erewhon Park Limited (A.W. Urquhart and C.F. Urquhart are shareholders) operates a tourist and ski-ing enterprise utilising 32.6657 hectares surrounding the Mt Potts homestead (held on Special Lease S156) and Erewhon Skifield (operated under a recreation permit). Since A.A. Urquhart's death, this enterprise has been managed by his widow, who now proposes to sell it. As Mrs Urquhart wishes to remain living on Erewhon in her present home (located on S156) negotiations are currently under way to subdivide out of S156 and incorporate into P16, that area (Lot 1, 2.8257 hectares) containing her house. Legal access to be maintained by creation of an easement through S156. In addition a further area of approximately 1.5 hectares will be subdivided from Lot 2 and incorporated into P16. This is to include within P16 the present access to A.W. Urquhart's house. Neither the subdivision and incorporation of the above areas or the sale and transfer to another concern, of Erewhon Park Ltd's interest in S156 and Erewhon Skifield, will have any effect on the farming enterprise.

Lessees' comments on lease renewal proposals

The Urquharts are against the surrender of the Class VIII land for the reason that both would lose their balance of summer wether grazing. They stated that permit grazing on an annual basis would be unacceptable as they would have no guarantee over the permanency of grazing. Both agreed with the proposal for an easement allowing walking access from the Erewhon homestead to the Clyde River and are prepared to covenant the streams and associated 20 metre berms in the Rangitata River below Craig Phillips and adjacent to the Mt Potts homestead area.

With respect to stock limitations, the Urquharts will accept a basic limitation of 7700 sheep and a personal limitation based on the present stock carried (i.e. see present stock and variation to basic stock limitation above).

In addition Colin Urquhart raised the possibility of an exchange of approximately 130 hectares of pastoral lease for approximately 120 hectares of forestry (all within the Clyde River). Erewhon's stock presently graze the forestry area but do not graze the pastoral lease area. A verbal approach over this matter has been made by the Urquharts to B. Jenson (New Zealand Forest Service, Geraldine) but until a formal approach is made no further action will be taken by New Zealand Forest Service.

Field Officer's Recommendations

Field Officer Hood recommends the lease over "Erewhon" be renewed for a further term subject to the following conditions:-

- (i) The stock limit shown in the lease document be shown as follows:-
not more than 7700 sheep.
- (ii) Surrender from the run of that area of Class VII & VIII land containing some 15340 hectares approximately and situated above the 900-1100 m a.s.l. contour.
- (iii) Protection by way of conservation covenant for the streams, stream banks and a 20 m berm along each side of those streams flowing through the Rangitata River flats below Craig Phillips and adjacent to the Mt Potts homestead.

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- (iv) Creation of an easement over the existing walking track running from the Erewhon homestead to the Clyde River allowing walking (foot) access only.
- (v) A strip of land 20 m wide be reserved along both sides of the Potts, Rangitata, Havelock, Clyde and Lawrence Rivers.

LAND USE CAPABILITY

<u>Class</u>	<u>Area (ha)</u>	<u>% of Total Area</u>
IV	701.6	3
VI	4676.7	20
VII	4442.9	19
VIII	13562.5	58
	<u>23383.7 ha</u>	<u>100%</u>

SENIOR FIELD OFFICER'S COMMENTS (W. Chalmers)

Recommendation (ii) cannot be implemented because lessees have not agreed. Area covered by recommendation (iii) will need accurate definition on the ground and a formal agreement drawn up.

DISTRICT FIELD OFFICER'S COMMENTS (D. Webster)

I agree with the objectives outlined by field officer in his report and most of his recommendations.

The absence of an effective stock limitation is an irregularity which is overdue for correction. To have coped without one for 30 odd years with no apparent detrimental effect underlines the necessity for such a restriction. While the family is well respected for their high country interest, the discretionary stocking allowed in the past should not be interpreted as a general precedent.

if?
Leaving SEN (See p 821 & my comments)

Although it is desirable for much of the high country to be retired this should not be attempted without lessees' concurrence. In this regard I do not support field officer's recommendation (ii). Field officer has correctly indicated the extent of land likely to be excluded should reclassification and freeholding be proceeded with. It is my view that lessees will opt to continue with a pastoral lease over the entire property rather than become involved with grazing permits and so on.

I agree with the other recommendations and in addition recommend that the Commissioner of Crown Lands negotiate a transfer of the forested portion of the pastoral lease to New Zealand Forest Service in return for the non-forested area presently within the pastoral lease. This latter proposal is a commonsense one and should be accomplished without too much difficulty.

CHIEF PASTORAL LANDS OFFICER'S COMMENTS (B. Card)

I agree with DFO Webster's comments and the recommendations, and comment as follows.

It is unlikely in this case that the lessees will agree to surrender any land from their pastoral lease. This lease encompasses large areas of land not used for pastoral production and is close to the Main Divide. This lease although a difficult property has been well managed by the Urquhart family for many years. The "arrangement", over the personal stock limitation is both an anomaly and mistake and reflects a laxity in the management of these lands. A lease such as this needs not only a personal stock limitation but also block stock limits on the more sensitive areas which are monitored by the Range Management staff. If the land which has been identified as desirable for surrender remains in the lease the areas that are grazed

within this area should have block stock limits negotiated for them.

COMMISSIONER OF CROWN LANDS' COMMENTS

I agree with the DFO's comments. In terms of board policy, the Class VII and VIII lands cannot be excluded from the renewal lease without the consent of the lessees. At the same time, however, the opportunity should be taken, as suggested by CPLO to set block stock limits on the more sensitive areas as part of the personal stock limitation approvals. The opportunity must also be taken to regularise the latter by terminating the lessees' discretion.

The Chief Surveyor has made it clear that the Section 58 strips along the Potts, Rangitata, Havelock, Clyde and Lawrence Rivers cannot be given effect to until such time as an opportunity is given for these areas to be adequately defined by survey. These proposals must therefore be implemented on an opportunity basis, covered in the meantime by a general Section 58 provision being carried down on to the new lease.

The Conservator of Forests has recently informed me of a suggestion by the lessees involving the exchange of parts of the lease for an area of State forest. This proposal is substantially the same as that referred to by the field officer but involves an additional area of lease. This proposal will be followed up in consultation with the lessees and the Conservator. It cannot be effected in terms of the renewal because further negotiations will be required as well probably as adjustments to the valuations.

The legalisation of the Hakatere-Potts Road referred to by the Chief Surveyor will need to be taken up with the local authority in the first instance as strictly it is the council's responsibility. The survey of the Erewhon homestead access has been completed.

The Chief Surveyor's suggestion for the resumption of other legal roads that "do not go anywhere" should be further considered but in the context of negotiating effective alternative public access rights.

ROLL VALUATION - 1980

Valuation Ref: 24480/474

Improvements	\$285,000
Land Value	\$320,000
Capital Value	\$605,000

Date of Valuation: 1/10/80

SPECIAL VALUATION - 1983

Valuation Department for renewal 23/2/83 [Details attached - Appendix A]

Value of Improvements	\$ 732,000
Land exclusive of improvements	\$ 323,000
Capital Value	\$1,055,000

*See p. 359
2/869.*

CHIEF SURVEYOR'S COMMENTS (G. Wilson)

A plan compilation will be necessary to redefine the part appellations following road closing and taking. Survey should be carried out to define the formed road into Erewhon homestead. Legal Hakatere-Potts Road is over 500 m away from the road formation. The opportunity should also be taken to resume or close unformed legal roads which do not go anywhere. If land is to be retired as recommended a better boundary will have to be determined than the 900 to 1100 m a.s.l. contour line. The Section 58 clause needs to be brought down on the new lease. If an easement (ROW) for walking access is to be created, survey definition will be required. Survey will also be required for subdivision of Special Lease S156 if/when it proceeds. In addition a plan compilation may be required for the portion of pastoral run to become State

forest. The State forest area to be exchanged is defined as Reserve 3324 with an area so it can be included in the Washing Up Bill in due course and incorporated into the new pastoral lease.

PHOTOS

Photo of the run enclosed (please return).

PLANS

An illustrative plan of the run is also attached.

RECOMMENDATIONS

- (1) That pursuant to Section 51 Land Act 1948 the classification of the land in the above run be confirmed as pastoral.
- (2) That pursuant to Section 131 Land Act 1948 the values for renewal purposes be fixed as follows:-

(a) Value of improvements	\$732,000	<i>See p 85</i>
(b) Value of improvements included in Rental Value	Nil	<i>2 p 869</i>
(c) Value of land exclusive of improvements	\$323,000	

- (3) That the lease be renewed pursuant to Section 66 Land Act 1948 subject to the following conditions/provisions:-

- (a) The annual rent for the first 11 years of the new lease based on 1 1/3% of 2(c) above be fixed at - \$4,845, the rental after the initial period to be 2 1/3% (less one-ninth rebate) of the then LEI and lease to be subject to 11 yearly reviews of rent.
- (b) The stock limit to be shown in the lease document be set as follows: *not more than 7700 sheep. (including not more than 300 breeding ewes.)* *See p 85
p 869*

that

- (4) That the Commissioner of Crown Lands be authorised to pursue negotiations and initiate action as appropriate, to effect the following:-

- (a) Surrender of the forested portion of the pastoral run for the non-forested area of State forest by way of exchange with New Zealand Forest Service (both areas being in the vicinity of the Clyde River).
- (b) Protection from development by way of conservation covenant for the streams, stream banks, and a 20 m berm along each side of those streams flowing through the Rangitata River flats below Craig Phillips and adjacent to the Mt Potts homestead.
- (c) An easement to be created over the existing walking track running from the Erewhon homestead to the Clyde River allowing public walking or pedestrian access only.

- (5) That a general Section 58 Land Act 1948 provision for the exclusion of land alongside all rivers and streams, be included in the renewal lease.

- (6) That a personal limitation based on present stock numbers be implemented including block stock limits to be determined by the Commissioner for the more sensitive areas, following consultation with the lessees.

- (7) That the local authority be informed that the Hakatere-Potts Road formation is not on the legal line and requested to take appropriate legalisation action.

- (8) That the resumption of unformed legal roads be further examined.

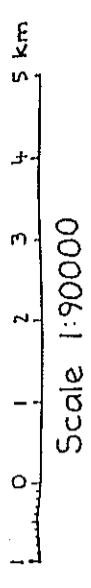
DECISION

HEAD OFFICE COMMITTEE
21 FEB 1984
APPROVED






see memo of 22/2/84 about possible walking easement

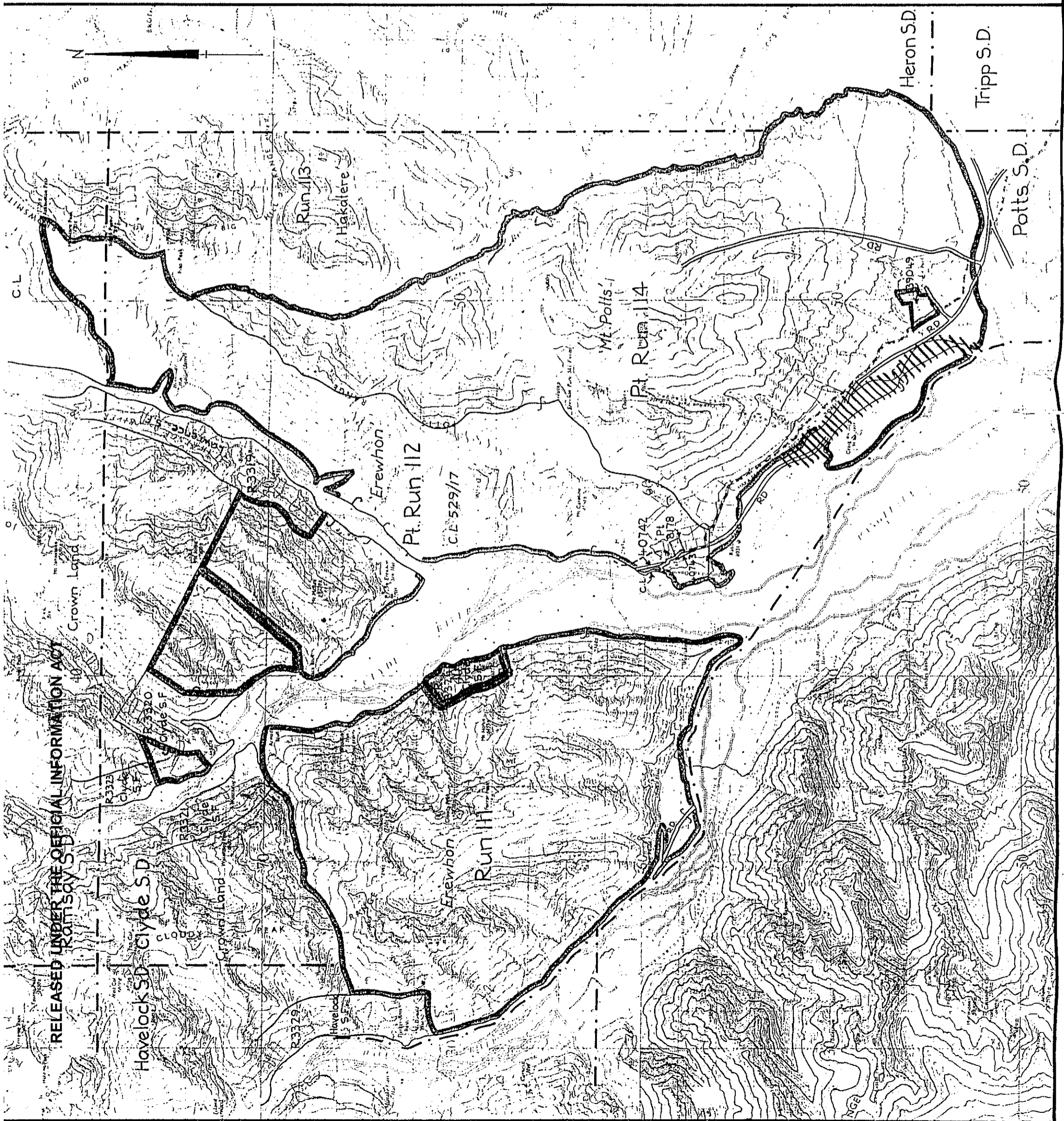
R.S. 4074Z, 40743,
 Pt. R.S. 8178, Run III &
 Pt. Runs 112 & 114

Situated in Ramsay, Havelock,
 Clyde, Heron, Potts & Tripp S.D.'s
 Ashburton County
 Canterbury Land District.



N.Z.M.S. 1 Shts 72,73, 80,81 Drawn 13-9-85 ££

-  Pastoral Lease Boundary
-  State Forest Surrendered to Erewhon Station
-  Pt. Run 112 Surrendered to State Forest
-  Conservation Covenant to Prevent Development
-  Easement over Existing Walkway



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APPENDIX 4

968



Landcorp
LAND CORPORATION LIMITED

Ref: P16

20th April, 1990

The Manager,
Telecom South Limited,
P.O. Box 1473,
CHRISTCHURCH.

Attention: RUSSELL FAGAN

Dear Sir,

re: CABLE LAYING AND SITE CLEARING, MOUNT POTTS STATION

I am pleased to advise approval has been given to work discussed and detailed in your letter of 9th April 1990 subject to the following conditions:

- (i) that any earth disturbance is kept to an absolute minimum;
- (ii) that the building and aerial mast is painted in such a colour to blend with the landscape.

Should you have any further enquiries, please do not hesitate to contact the undersigned.

Yours faithfully,

S.J.K. Bamford
Consultant
for LANDCORP MANAGEMENT SERVICES LIMITED.

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INCORPORATING LANDCORP INVESTMENTS LIMITED & LANDCORP MANAGEMENT SERVICES LIMITED

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Reply to:

RELEASED UNDER THE OFFICIAL INFORMATION ACT

CHRISTCHURCH

Our Ref: P 16

20 February 1990

Field Centre Manager
Department of Conservation
Private Bag
TIMARU



Dear Sir

**RE; INSTALLATION OF RADIO TELEPHONE LINK
AND ASSOCIATED UNDERGROUND CABLING**

I have had discussions with Mr Russell Fagen of Telecom re the above. A building (1.28m x 1.68m x 2.4m high) is required to house equipment with a 10m pole and small aerial and solar panel array. The building will be painted Desert Sand.

This will be located in the deer farm not far from Mr Urquharts deer shed. From there an underground cable will be pulled in to the buildings of Erewhon Park and Mt Potts.

Our consent is only required for the earth disturbance. Very minimal levelling is required for the building site and minimal disturbance will be created putting in the underground cable.

Telecom seems relatively aware of environmental concerns. The installation of this radio link is being done in conjunction with upgrading all the phones in the Ashburton Gorge area. All the other sites for the receivers are located on freehold or University Endowment lease land and any other cables are being laid immediately beside the roads, hence no consent is required for this. When this upgrading is completed all the pole lines will be removed from Mt Somers. Hence any small impact created by the new installations will be outweighed by the removal of the other lines.

It is marginal whether formal approval is required for this proposed work on Erewhon. I do not believe it warrants an inspection and would appreciate your comments and recommendations as soon as possible, and not later than 15 working days from the date of this letter.

Yours faithfully
LANDCORP MANAGEMENT SERVICES LIMITED

SJK Bamford
CONSULTANT

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Cnr Church & Sophia Sts
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Invercargill
Land Corporation Building
192 Spey Street
PO Box 825
Telephone (021) 44-489
Fax (021) 88-628

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PART CREWHUN

SD
POLICE

Radio
Telephone
Receiver

Airstrip

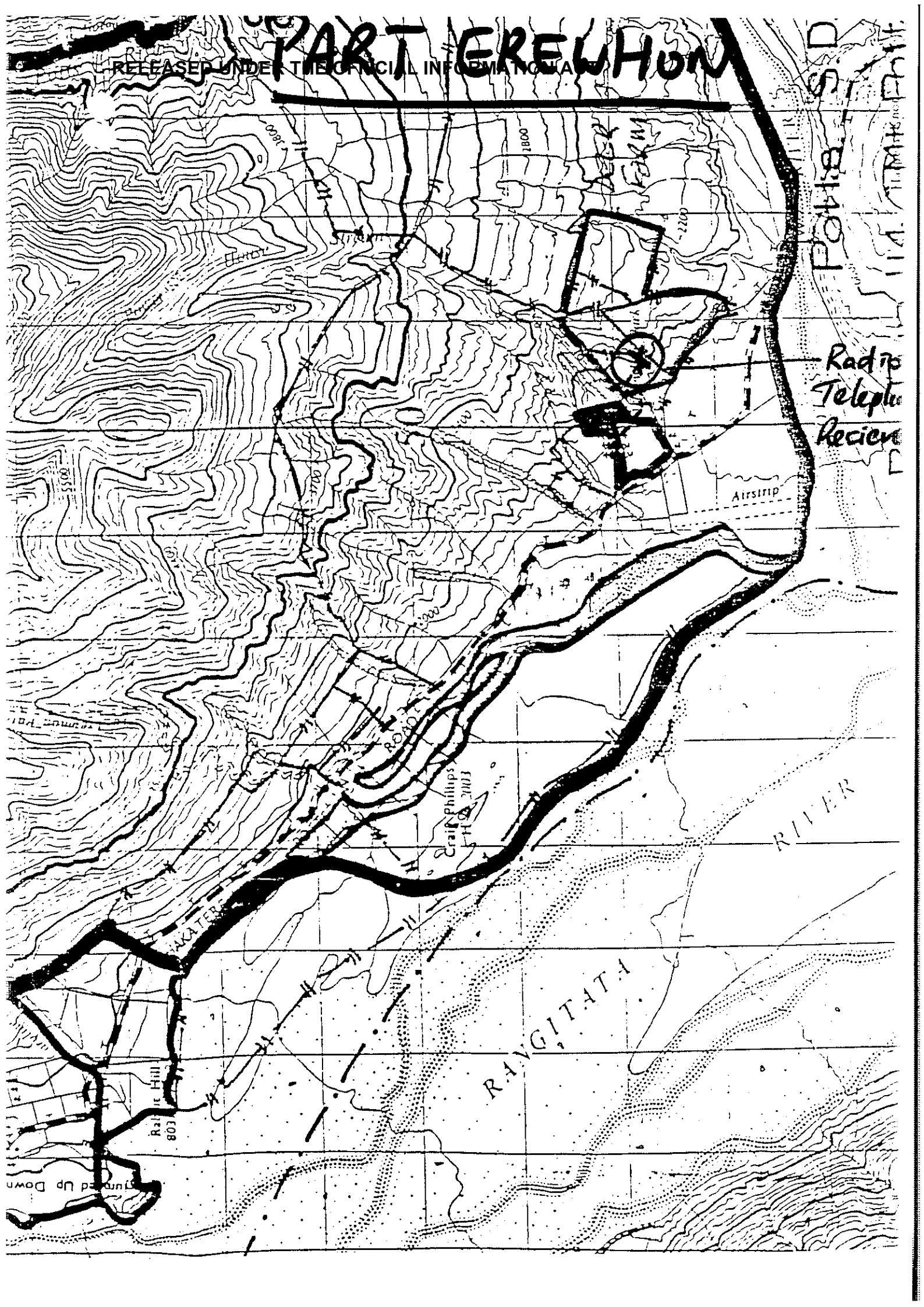
Craig Phillips
4490 7003

RIVER

RAVIGITATA

Rainie Hill
803

Jumped Up Down



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DUE DILIGENCE

MT POTTS

SUPPORTING FILE SUMMARY

File Summary – [Mt Potts]

		DETAILS	
FOLIO	DATE	TO	FROM
Pc / 016 – SCH – 01 (22/07/1943 – 01/02/1955) - (Folios 1 – 180)			
86	28/06/1949	-	-
<p>Runs 111, 112 Stronchrubie (Now Erewhon) Pastoral Occupation Licence transfer from T S Johnstone to A A Urquhart approved by Lands Board . Licence extended by 4 years under R& OLD Act 1946 – Expired 28/02/1951.</p> <p style="text-align: center;">ACTION COMPLETE</p>			
128	11/08/1950	-	-
<p>LSB Case 1861 approved a Pastoral Lease in favour of A A Urquhart over Runs 111, 112 Erewhon – Area 35,500 acres. AR – \$400. Stock limitation 5,505 dry sheep.</p> <p>On 14/12/1950 CCL advises Lessee of LSB approval. (f.130) and lessee accepts on 23/04/1951 (f 143).</p> <p>Lessee accepts terms of new lease.</p> <p>[New lease P.16 issued 01/03/1951 and registered as CL529/17.</p> <p style="text-align: center;">ACTION COMPLETE</p>			
166	15/01/1953	-	-
<p>NZ Gazette 1953 p18 – Authorising A A Urquhart to use water for the purpose of generating electricity from unnamed stream shown on plan S.H.D 227 held in State Hydro electric Dept in Wellington. Duration of licence – 31/03/1973.</p> <p style="text-align: center;">TERM EXPIRED - FUNCTIONS NOW WITH REGIONAL AUTHORITIES</p>			

File Summary – [Mt Potts]

FOLIO	DATE	TO	FROM	DETAILS
175	16/11/1954	DG	CCL	<p>Last 4 miles of access road impassable. Consideration of possible deviation. Ministry of Works and Ashburton County Council seeking Crown support for funding.</p> <p>CCL letter to Lessee (f.178) of 19/01/1955 consideration to rent adjustment.</p> <p>LSB considering the amalgamation of Mt Potts and Erewhon.</p> <p>District Commissioner of Works approached the Comm. of Works re NRB subsidising restoration of access road.</p> <p>Copy of DCW letter to Ashburton County Council advised NRB loath to depart from the flood damage formula. Agreed to provide some assistance. (f.186). Vol.2.</p> <p>ACTION COMPLETED</p>
<p>Pc / 016 – SCH – 02 (02/02/1955 – 23/09/1969) (Folios 181 – 395)</p>				
201	29/04/1957	-	-	<p>LSB Case 5352 on 08/05/1957 (f.208) LSB approved the incorporation of Mt Potts into Erewhon as at 01/07/1957 increasing the area by 26500acres to 62000 acres, AR by \$240 to \$640 and stock limitation by 2000 sheep.</p> <p>[Certificate of Alteration 465068 incorporating Mt Potts registered 27/08/1957].</p> <p>ACTION COMPLETE</p>

File Summary – [Mt Potts]

FOLIO	DATE	TO	FROM	DETAILS
On 314/323	03/09/1964	-	-	<p>LSB Case No. 7210 of 6/11/1963 approved the partial surrender of 100 acres - now RS 39049 out of Erewhon (subject to survey) to enable the issue of a Special Lease over that area for tourist accommodation S156) in exchange for transfer of RS 8178 (20 acres) of freehold (CT 198/137) and without payment of equality.</p> <p>Change of Appellation 649999 of Part Run 114 to RS 39049 (80 acres 2 roods 35 perches registered 09/04/01965 – SO 10337 (approved 17/07/1964).</p> <p>Partial Surrender 666076 registered 11/08/1965 records the partial surrender of RS 39049.</p> <p>RS 8178 was transferred to the Crown by Transfer 660075 on 11/08/1965 and Certificate of Alteration 660077 of even date incorporated it into the lease.</p> <p>ACTION COMPLETED</p>
331	28/06/66	CCL	DGL	<p>Minister requested investigation into legal access to the Lawrence River as result of Canterbury Mountain Club representations.</p> <p>Longstanding impasse between New Zealand Deerstalkers Assn and Federated Mountain Clubs and the Crown over access across Erewhon from homestead area to the Clyde River</p> <p>Following consultations with above groups, Catchment Board, Ashburton County Council and lessee Minister of Lands on 8 October 1971 advised parties he favoured nominated Route 3 (f506).</p>

File Summary – [Mt Potts]

FOLIO	DATE	TO	FROM	DETAILS
365	08/03/1968	CCL	Kennedy and Morton, Sols	<p>NZDA subsequently reneged indicating didn't favour Route 3 but Council proceeded with legalisation action. Survey completed - SO 11789 – (approved 3 March 1972).</p> <p>Minister of Lands approved road closing 26 June 1974.</p> <p>Ombudsman involved and subsequently Petitioned to the Lands and Agriculture Select Committee of Parliament. Cabinet on 12 July 1976 decided that the Crown should press on with legalisation of Route 3 (f 706).</p> <p>NZ Gazette 1976 p2185 (GN 103146.1 registered 26/10/1976) proclaiming Pt Run 112 (2acres 3 roods 08.9 p) as road and incorporating (5acres 20 p) of closed road (subsequently RS's 40472 and 40473) into the Pastoral lease.</p> <p>ACTION COMPLETED</p> <p>Advised that Ashburton College propose to erect accommodation on lease near Erewhon Park Limited Special lease area.</p> <p>On 13 March 1968 Lessee provides support for College plans (f.367).</p> <p>Sublease document returned to Sols and requested to forward application forms for sublease and executed Sublease Agt (f 381).</p> <p>Reminder to solicitors 30 July 1969 (f388) following publicity on intention to proceed. College Solicitors say Sublease to proceed. (f.394).</p>

File Summary – [Mt Potts]

FOLIO	DATE	TO	FROM	DETAILS
				<p>NO FURTHER SUBLEASE ACTION ON FILE - UNKNOWN AS TO WHETHER OR NOT PART LEASE UTILISED BY COLLEGE (MT POTTS SUBDIVISION)</p>

Pc / 016 – SCH – 03 (06/10/1969 – 26/07/1971) (Folios 396 – 499)

402	22/01/1970	-	-	<p>Advice of new redefinition plans and requirement to incorporate hut site prior to registration of certificate of alteration in accordance with new plans.</p> <p>Pt Run 111 (hut site) incorporated into lease by Certificate of Alteration 806331 registered 21/08/1970 records new lease area as above.</p> <p>ACTION COMPLETED</p>
411	02/03/01970	-	-	<p>Alteration redefinition by new Topographical mapping (SO 11331 and adjoining SO 11026 and 11076) area reduced to 57,780 acres.</p> <p>[Registration 806332 Certificate of Alteration registered 21/08/1970 records new lease area as above.]</p> <p>ACTION COMPLETED</p>

File Summary – [Mt Potts]

FOLIO	DATE	TO	FROM	DETAILS
<p style="text-align: center;">Pc / 016 – SCH – 04 (16/08/1971 – 20/12/1973) (Folios 500 – 653)</p> <p>No relevant uncompleted actions</p>				
<p style="text-align: center;">Pc / 016 – SCH – 05 (14/02/1974 – 17/10/1979) (Folios 654 – 735)</p>				
657	26/02/1974	CCL	FO	<p>Concern about regularising existing skiffeld (and road access) and airstrip developments that had been overlooked.</p> <p>LSB (HOC) Case No 1982/232 of 29/10/1982 approved issue of a Recreation permit to Erehon Park Limited over the skiffeld and access for a 9 year period from 1 July 1981 with right of renewal for a further 9 years and at the A.R. of \$360 for the first 3 years (f796). Lessee advised of approval 04/11/1982 (f797) and permit issued (expired 30/06/1999).</p> <p>New Recreation permit issued to Mt Potts Station Limited under Sec 66A Land Act 1948 for period of 3 years 10 months from 1 March 2000 (expiring 31 December 2003) at the annual fee of \$1000.</p> <p>ACTION COMPLETED – (RELEVANT TO MT POTTS SUBDIVISION ONLY)</p>

File Summary – [Mt Potts]

		DETAILS	
FOLIO	DATE	TO	FROM
720	20/09/1978	CCL	PGG Ltd Trust Manager
<p>Application to Transfer from A A Urquhart to his sons A W and C F Urquhart. CCL Case No 1978/48 approved of 08/02/1979 (f.724) approved transfer and lessee's solicitors advised on 15/02/1979 [Transfer 228037/2 to A W and C F Urquhart as tenants in common in equal shares registered 25/05/1979] ACTION COMPLETED</p>			
<p>Pc / 016 – SCH – 06 (24/10/19794 – 01/02/1989) (Folios 736 – 926)</p>			
818	21/12/1983	CCL	NZForest Service
823	22/02/1984	CCL	DG
<p>Advice that lessee suggested an exchange – Part unforested Clyde SF (R 3324) for forested lease area. LSB (HOC)Case No.84/22 of 21/02/1984 as amended by Case No 1985/129 of 5 July 1985 (f 869) approved lease renewal (Value of Lessee Impts \$677,000 LEI \$323,000 AR \$4845) Approval also given to negotiations proceeding for : 1) Surrender of part Run for R3324 by exchange with Forest Service. 2) Conservation covenant over parts of Rangitata River flats below Craig Phillips Island. 3) Easement to be created over the walking track from the Erewhon Homestead to the Clyde River for pedestrian access only.</p>			

File Summary – [Mt Potts]

DETAILS			
FOLIO	DATE	TO	FROM
842A-844	September / October 1984	-	-
<p>Identified requirement for Council to legalise the Hakatere –Mt Potts Rd through the lease and for examination of roads to be resumed to the Crown.</p> <p>CCL advised NZFS that exchange proposal approved in principle and field report confirms lessee in agreement with concept of exchange (f 833A), to be dealt with in conjunction with renewal.</p> <p>Lessee advised of terms of renewal lease (f876) and accepts renewal (f.887)</p> <p>Memorandum of Renewal registered as 808974.1 on 8 June 1989.</p> <p>EXCHANGE AND OTHER AGREEMENTS NOT RESOLVED PRIOR TO RENEWAL - LEASE RENEWAL COMPLETED</p> <p>Alteration action sheet and Certificate of Alteration drafted relative to Incorporation of Rural Sections 41595 and 41596 (to be surrendered from Special lease (S156)) – Areas 3.8520 ha (SO 15985 – approved 1 November 1983) and ROW Easements to be created.</p> <p>Subdivision approved by CCL Case No 82/ 573 dated 2 November 1982 and lessees surveyor advised of approvals. Documentation to effect the surrender was referred to the lessees for execution but this was delayed until sale in 1995 whereupon the surrender /incorporation proposals became irrelevant to the subsequent lessees.</p> <p>The question of access to the Power house and Water supply from the Pastoral lease to the Special lease area was also traversed (f 872) and the solicitors advised that they may wish to prepare Easements for those services for</p>			

File Summary – [Mt Potts]

FOLIO	DATE	TO	FROM	DETAILS
				<p>registration with the proposed incorporation.</p> <p>This situation may need to be legalised if the future status and /or ownership differs.</p> <p>SURRENDER / INCORPORATION AND ROW EASEMENT ACTION INCOMPLETE – NOW IRRELEVANT BECAUSE OF CHANGE IN LESSEE. POSSIBLE REQUIREMENT FOR POWER AND WATER SUPPLY EASEMENT.</p> <p>(RELEVANT TO MT POTTS SUBDIVISION)</p>
860	15/11/84	Conservator Forests	CCL	<p>On request for update advised exchange agreed in principle but held up pending renewal issues (Mains case).</p>
861	06/04/01985	Minister of Lands	CCL	<p>Submission recommending transfer of unformed legal road (Area A on SO 16113 – 2.4140ha) to Crown for incorporation into Pastoral lease.</p> <p>Ministerial approval obtained 21 May 1985 and Transfer to Crown affected by N.Z. Gazette 1985 p 5488 (f 885). New Appellation subsequently allocated to Area A (RS 42168).</p> <p>ROAD TRANSFER COMPLETED BUT AREA STILL NOT INCORPORATED INTO THE LEASE.</p> <p>(RELEVANT TO MT POTTS SUBDIVISION)</p>

File Summary – [Mt Potts]

RELEASED UNDER THE OFFICIAL INFORMATION ACT

FOLIO	DATE	TO	FROM	DETAILS
890	10/04/1986	CCL	Lessee	Following acceptance of renewal values advised prepared to proceed with exchange at the Crown's cost.
909	12/01/1987	CCL	-	<p>Field report received relating to outcome of negotiations on Land exchange with NZFS (already agreed to by lessee) and Conservation covenant and an Easement over the walking track from the Erewhon Homestead to the Clyde River allowing pedestrian access only.</p> <p>Lessees written agreement to a 20 m wide covenant (covered by Section 58 strip clause) and the access easement obtained 9 January 1987.</p> <p>EXCHANGE AND ACCESS EASEMENT ISSUES INCOMPLETE HOWEVER LEASE SUBSEQUENTLY TRANSFERRED THEREFORE THESE ISSUES TO BE RENEGOTIATED IF THEY ARE TO PROCEED. (ISSUES RELEVANT TO EREWHON SUBDIVISION)</p>
925	27/01/1989	-	-	<p>CCL File note records concerns about action on agreed exchange proposals. Many issues still to be resolved and suggested should be tidied up prior to impending partition of the lease</p>

File Summary – [Mt Potts]

FOLIO	DATE	TO	FROM	DETAILS
				<p>lease buildings as part of a telephone upgrade in the Ashburton Gorge area enabling removal of pole lines.</p> <p>Indicated no consent required and treated only as minimal earth disturbance issue.</p> <p>On 9 April 1990 (f967) Telecom applied for permission to lay cable from the radio site to the houses in the valley.</p> <p>Landcorp approved the work subject to conditions on 20 April 1990 (f 968).</p> <p>ACTION MAY BE REQUIRED TO FORMALISE THE BUILDING AND ASSOCIATED CABLING BY GRANT OF EASEMENT TO TELECOM</p> <p>(RELEVANT TO MT POTTS SUBDIVISION)</p>
<p>Pc /143 – SCH - 01 (27/02/1991 – 24/02/1995) (Folios 1 – not numbered at closure date)</p>				
14	26/03/1991	-	-	<p>Landcorp's report notes that the land with Mrs Urquhart (senior) has never been surrendered from the Special lease and incorporated into the pastoral lease. It was suggested this should be followed up.</p>

File Summary – [Mt Potts]

FOLIO	DATE	TO	FROM	DETAILS
				<p>On 7 May 1991 (on file Sc 156) the Estate of A. A. Urquhart (Special lessees) were advised that the surrender of RS's 41595 and 41596 had not been completed and were asked if the proposal was to proceed.</p> <p>On 14 May 1991 (on file Sc 156) Mr A. W. Urquhart responded advising that the surrender / incorporation should proceed as intended at his cost.</p> <p>On 17 October 1991 (f 23) a fresh partial surrender document was referred to the Estate for action to enable subsequent incorporation into the Pastoral lease. It was also observed that the easements (ROW Easements and Easements to convey power and water supply over the Pastoral lease to the Special lease area) may not be necessary when the ownership of both leases effectively in same control but could be considered if the Special lease area was sold separately.</p> <p>No further substantive action taken.</p> <p>ACTION INCOMPLETE AND LARGELY IRRELEVANT SINCE NEW LESSEES. WHILE THE CURRENT LESSEES USE DOES NOT REQUIRE THE EASEMENTS SHOWN ON SO 15985 UNLESS THE STATUS AND OWNERSHIP MERGE THE POWER AND WATER SUPPLY EASEMENTS MAY STILL BE APPROPRIATE.</p>
31	21/09/1992	Landcorp	DOSLI	<p>Roads to be transferred to the Crown defined on SO 17411 (approved 29/06/1992) completed. Parcel "T" for inclusion in Run 358 - Mt Potts.</p> <p>Area "T" transferred to the Crown by N.Z. Gazette 1992 P.3136.</p> <p>A189973/2 Change of Appellation of Area I – to Section 2, SO 18222.</p>

File Summary – [Mt Potts]

RELEASED UNDER THE OFFICIAL INFORMATION ACT

		DETAILS		
FOLIO	DATE	TO	FROM	
61	19/04/1994	CCL	Russell Moon Fail Solicitors	<p>INCOMPLETE ACTION – LAND HAS NOT BEEN INCORPORATED INTO LEASE</p> <p>Application to Transfer one half share from A W Urquhart to AW and M J Urquhart – the transfer pursuant to a Matrimonial Property Agreement.</p> <p>CCL approved 06/05/1994 (above f.62) and Lessee's solicitors informed 09/05/1994.</p> <p>[Transfer A118114/1 to A W Urquhart and M J Urquhart as tenants in common in equal shares registered 15/06/1994].</p> <p>ACTION COMPLETED</p>
-	21/09/1994	CCL	Landcorp	<p>Submission to CCL for approval to rent review values, Lessees Impts \$884,000, LEI \$246,000, AR \$5,535 plus GST, being 2.25% of LEI</p> <p>CCL Case no. 95/118 of 28/09/1994 approved rent review values. Advice to lessees 30/09/1994 and new rent accepted 27 December 1994.</p> <p>RENT REVIEW COMPLETED– ADMINISTRATIVE ACTION ONLY</p>

File Summary – [Mt Potts]

				DETAILS	
FOLIO	DATE	TO	FROM		
Pc /143 -- SCH 02 (01/03/1995 -- 31/12/1998) (No folio numbers)					
-	02/03/1995	Landcorp	Race and Douglas, Solicitors	<p>Application to Transfer Pastoral lease and Special lease (S156) held by F.L. Urquhart, G.M. Black and Pyne Gould and Guinness to R M Cotton.</p> <p>CCL approved transfer on 23/03/1995 and advised solicitors on 24/03/1995 .</p> <p>[Transfer A184410/2 to R M Cotton registered on 20/07/1995.]</p> <p>ACTION COMPLETE</p>	
	27/06/1996	-	-	<p>Landcorp file note Lessee interested in Heli skiing operation - wanted to know process time for his application for a Recreation permit.</p> <p>On 16 August 1996 Recreation Permit 073 issued to Mark Cotton for a scenic flight and helisking operation for 3 years four months from 1 September 1996 (expiring 31 December 1999).</p> <p>RM Cotton advised 07/10/1998 no longer requires permit</p> <p>NO FURTHER ACTION</p>	
	29/04/1998	KFL	Race & Douglas, Solicitors	<p>Application to transfer Pastoral and Special leases to M A Dewsbury as agent for Mt Potts Station Ltd.</p>	

File Summary – [Mt Potts]

FOLIO	DATE	TO	FROM	DETAILS
				<p>CCL Case Nos 98/232 (Pastoral Lease) and 98/233 (Special lease) approved transfers on 28/05/1998 including on the basis of RM Cotton continuing to operate the Recreation permit.</p> <p>[Transfer of lease to Mt Potts Station registered as A35925.6 on 08/07/1998.]</p> <p>ACTION COMPLETE.</p>
	25/06/1998	-	-	<p>File note by KFL – M Dewsbury interested in Recreation permit for Heli skiing.</p> <p>CCL Case No. 99/102 of 30/09/1998 approved issue of Recreation Permit to Mt Potts Station Limited over the Erehwon Park Skifield and access for recreational skiing and snowboarding for a term of 3 years four months from 1 March (expiring 31 March 2003) at the annual fee of \$1000.</p> <p>ACTION COMPLETED</p>

Pc /143 – SCH - 03 (01/01/1999 – 30/06/2000) (No folio numbers)

No relevant folios

File Summary – [Mt Potts]

FOLIO	DATE	TO	FROM	DETAILS
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CON / 50213 / 09 / 12785 / A – ZNO (01/07/2000 – Current) (No folio numbers)
No relevant folios