

Crown Pastoral Land Tenure Review

Lease name : THE MULLER

Lease number : PM 021

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.

June

02

ATTACHMENT 2:

Correspondence re retirement area.

P 21

8/6/55

CCL BLENHEIM

18 February 1983

DG HEAD OFFICE

APPLICATION FOR FINANCE : RETIREMENT FENCING : MULLER STATION

Further to your memo of 15 February 1983 I advise that I am in agreement to the amount of \$ [redacted] approved by Head Office Committee being made available for retirement boundary fencing on Muller Station.

The Lessee intends to retire the area from grazing immediately and lease title adjustments will be actioned on completion of the survey.

CB 18/2/83

C B Sloane (Miss) for
Commissioner of Crown Lands

~~DFO to advise reply, per Mr O'Regan's note below 19/6/ below.
I presume you will now proceed with purchase of materials or let contract to bring finance to charge before 21/2/83.~~

~~*my* 27/2/83~~

Records B/M for Admin on 8/3/83
(to follow up re financial authority and payment this year as fence built).
(contact HO urgently if authority not to hand).

18 February 1983

CCL
Office

APPLICATION FOR FINANCE : RETIREMENT FENCE : MULLER STATION

Head Office memorandum dated 15 February 1983.

It is recommended that the _____ approved by the Land Settlement Board Committee be accepted, and that the Committee be informed that the Lessee will retire the area immediately and that the retirement area will be surrendered from the lease as soon as survey can be completed.


T J O'Reagan
Field Officer

OUR FILE: 8/6/55

YOUR FILE: P21

From HEAD OFFICE

RECEIVED
Date: 11 March 1983
14 MAR 1983
LANDS & SURVEY BLN

11 March 1983

To CCL BLENHEIM

Ref.: ~~Our~~/Yours of 18.2.83

Person to consult:

SUBJECT: FINANCIAL AUTHORITY FOR RETIREMENT FENCING - MULLER STATION

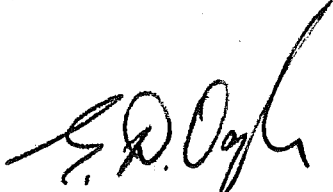
I am now pleased to confirm that the Head Office Committee under Case No 83/18 of 10 March 1983 has approved a financial allocation of _____ to enable the above work to be put in hand.

Your financial authority is PH 83/0510 and the expenditure is to come to charge to:

Vote: Lands and Survey
Activity 6 Seg 7
Item: Capital Works.

0660/714610/0

To confirm our discussion I appreciate that it is now too late in the year to enable the full amount to come to charge before 31 March. However I would be grateful if you would ensure that as great a percentage as possible is spent this year.


G D Ogle
for Director-General

DAAN (3)
Adm. (2)
Accountant (1)

Authority noted
w/

Pay Voucher to Muller Station
Ltd.
Private Bay
Blenheim

File Ref: P 21

21 December 1983



CCL
Office

MULLER STATION RETIREMENT FENCING
HIGH COUNTRY VEGETATION SURVEY AND BIOLOGICAL SURVEY WORK -
CAPITAL WORKS

Last year was approved and spent on retirement fencing on Muller station. This was approved on the basis of 70% of total cost as per retirement fence subsidy rates approved by NWASCO stages 1 and 2 comprised 11500 metres costing

Stage 3 is now ready to proceed and in fact materials are on hand for this work which comprises 5300 metres and will be the same type of fence as erected for stages 1 and 2.

The estimated costs are as follows:-

Posts	265 No 2 Posts	@
	50 Angles	@
	50 Stays	@
	50 Stay Blocks	@
Standards	1100 Uprights and 375 tie downs etc 1475 total	@
Wire	50 coils 2.50mm	@
	26 coils barbed	@
Total Materials		
	Bulldozing time est 18 hrs	@
	Labour to erect	@
Total Cost		
70% Total Cost =		

This stage 3 will complete that section of the retirement fence along the North western side of the easy Awatere Valley country from Castle Creek to the old Langridge homestead locality and offering retirement protection to the upper catchments of Langridge and Ward Streams.

Also required is financial authority to airlift by helicopter the High Country Vegetation Survey team into Richmondale (Muller Station) as part of their summer programme for the Marlborough Land District. This became necessary as the access track up the Acheron River was not negotiable by 4 WD vehicle after winter rain damage. The team were also working on Glazebrook so this necessitated a reasonably short journey for the 8 member team and all their gear. This meant 4 trips each way (2 passenger capacity) but was a saving on time factor for the team members.

The apportioned share of this flying is

Included in this years summer programme is ongoing botanical survey work being conducted by DSIR Botany Division staff in association with members of staff from this office. Because of the remoteness of much of the country and the generally poor state of tracks this year, airlifting to and from the country by helicopter will save a considerable amount of time and also vehicle travelling costs. Estimated requirement 3 hours

In summary requirement for financial authority for 1983/84 is as follows:-

Muller retirement fencing

High Country vegetation helicopter work

Botanical Survey helicopter work

It is recommended that this authority be sought from HO.

A M Millson
A M Millson
District Field Officer

AOSTD 1980
AOSTD 1981
AOSTD 1982
AOSTD 1983
5 ton sand spraying 1982

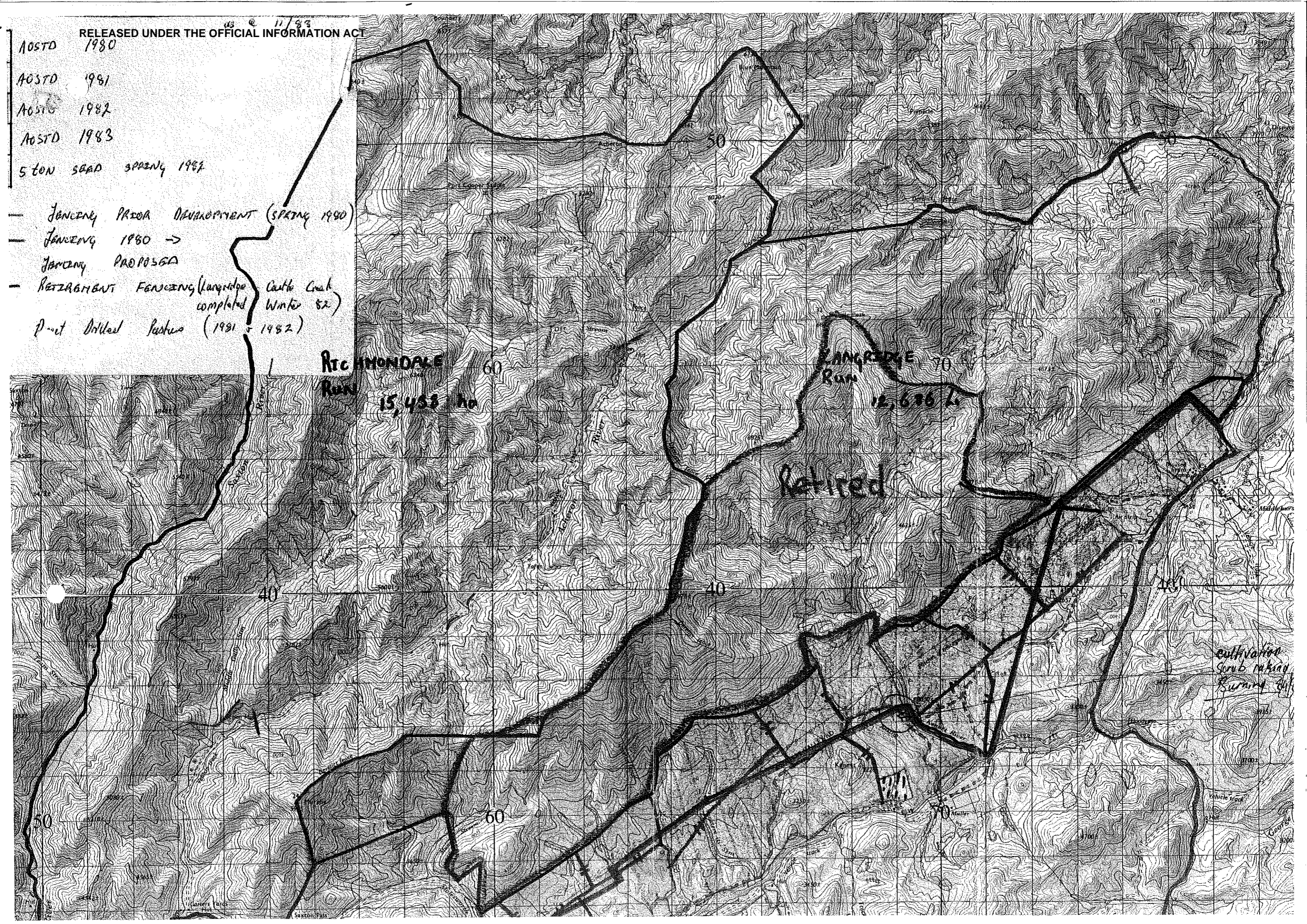
- JANUARY PRISON DEBARMENT (SPRING 1980)
- JANUARY 1980 ->
- JANUARY PROPOSAL
- RETRAIMENT FENCING (Langridge Castle Creek completed Winter 82)
- Point Drilled Pickets (1981 - 1982)

REIMONDALE Run 15,458 ha

LANGRIDGE Run 12,696 ha

Retired

cultivation
scrub taking
burning etc



RELEASED UNDER THE OFFICIAL INFORMATION ACT

From: Grant Webley
To: Caroline Mason
Date: Tuesday, 28 May 2002 09:42
Subject: Contract 50268

Hi Caroline

This is to acknowledge receipt of the status checks for Godley Peaks,
Muller and Otematata II.

I have also approved under delegation the due diligence report for Cloudy
Peaks (Case TR02/459)

Cheers

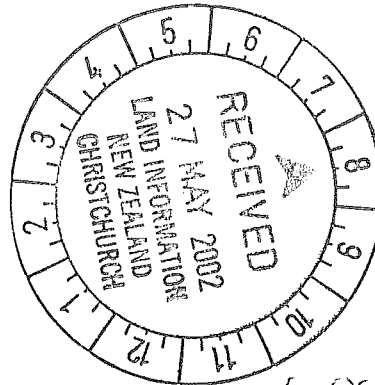


New Zealand
International Property Advisers

Your Ref : Contract 50268
Our Ref : CH 1021 & 1023

24 May 2002

Crown Property Management
Land Information New Zealand
Private Bag 4721
CHRISTCHURCH



50510248

Attention : Mr G Webley

Dear Sir

**STATUS INVESTIGATION - PASTORAL TENURE REVIEW
LINZ CONTRACT 50268**

Attached as required under the terms of the contract;

- Status Check Report
- One colour photocopy of the plan(s),

for pastoral run

*Runs 218 & 220 "Muller" and
Pt Run 80 "Godley Peaks"*

located, in the Marlborough and Canterbury Conservancy and Marlborough and Canterbury Land District.

Please acknowledge receipt by facsimile, of the status check and plan to my attention at this office, thankyou.

Yours faithfully
DTZ New Zealand Limited

Peter M King
Accredited Crown Supplier
Email: peter.king@dtz.co.nz
DDI 03 964-3754

Encl.

DTZ New Zealand Limited MREINZ, Level 4, 76 Cashel Street, Christchurch, PO Box 142, Christchurch, New Zealand
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DTZ NEW ZEALAND LIMITED

Appendix A

This report has been prepared on the instruction of Land Information New Zealand in terms of the contract number 50268 dated 31 August 2001 and is undertaken for the purposes of the Crown Pastoral Leases Act 1998.

LAND STATUS REPORT for MULLER				<i>[LIPS ref.12640]</i>
Property	1	of	1	

Land District	Marlborough
Legal Description	Runs 218, 220 & Section 1 Block VII Upcot SD all situated in Blocks I, II, III, V, VI, VII, IX & X Upcot, Blocks V, VI, IX, X, XI, XIV, XV, XVI, XX, XXI & XXII Molesworth and Block I Barefell Survey Districts
Area	28,127.6472 hectares (subject to survey)
Status	Crown Land subject to the Land Act 1948.
Instrument of lease	All Computer Interest Register MB46/198 pursuant to section 66 and as registered under section 83 of the Land Act 1948, renewed by document No.170453.
Encumbrances	Document 168367 – Land Improvement Agreement pursuant to section 30A Soil Conservation and Rivers Control Act 1941. Subject to Part IVA Conservation Act 1987.
Mineral Ownership	Minerals remain with the Crown as the land has never been alienated since its acquisition for settlement purposes, from the former Maori owners under the Kaikoura purchase 1859.
Statute	Land Act 1948 & Crown Pastoral Land Act 1998.

Data Correct as at	22 April 2002
[Certification Attached]	Yes

Prepared by	Peter M King
Crown Accredited Supplier	DTZ New Zealand Limited

DTZ NEW ZEALAND LIMITED

Appendix B

This Land status report has been prepared on the instruction of Land Information New Zealand in terms of the contract number 50268 dated 31 August 2001 and is undertaken for the purposes of the Crown Pastoral Leases Act 1998.

LAND STATUS REPORT for MULLER				[LIPS ref.12640]
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Encumbrances	Document 168367 – Land Improvement Agreement pursuant to section 30A Soil Conservation and Rivers Control Act 1941. Subject to Part IVA Conservation Act 1987.
Statute	Land Act 1948 & Crown Pastoral Land Act 1998.

Data Correct as at	22 April 2002
[Certification Attached]	Yes

Prepared by	Peter M King
Crown Accredited Supplier	DTZ New Zealand Limited

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 subject to the Land Act 1948.

..... *R. Moulton*

Date ... *1* / *5* / 2002

**Ross Moulton, Chief Surveyor
Land Information New Zealand
Marlborough Land District**



File Reference : CH 1021

CERTIFICATE OF AUTHORISATION

(Crown Land subject to the Land Act 1948)

PROPERTY ADDRESS: **Run 218, 220 & Section 1 Blk VII Upcot SD**
“MULLER” (Pm 21)
AWATERE VALLEY ROAD
MARLBOROUGH LAND DISTRICT

ASSURANCE

DTZ New Zealand gives an assurance that the document attached to this certificate is in order for signature.

The decision when made will comply with the following statutory requirements:

- The New Standards & Guidelines Manuals CCPO; Roding/Legalisation, Volume 4, OSG Standard 1999/05

In giving this assurance DTZ New Zealand undertakes that all relevant policy instructions, legal requirements, court judgements and any other matters have been taken into account and applied where appropriate.

A large, stylized handwritten signature in black ink, appearing to read 'Peter M King'. The signature is written over a horizontal dotted line.

Peter M King
Crown Accredited Supplier

Date: 23 April 2002

DTZ New Zealand Limited MREINZ, PO Box 142 Level 4, 76 Cashel Street, Christchurch, New Zealand
Telephone +64 3 3799787 Fax +64 3 3798440 Email christchurch@dtz.co.nz Website www.dtz.co.nz

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MULLER Property 1 of 1

<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>Although the structured text areas are correct, it is misleading in that the area reconciliation has not been deducted and or added in the conventional manner. However the balance area result is the same.</p> <p>Although the current cadastral data base does not record SO 7111 as a definition plan (approved May 1993), by the renewal of the lease (July 1993) after this plan, it effectively removes the rivers and streams identified by alphabetical letter, from the lease and instigates the marginal strip provisions.</p> <p>File Pm21 volume 1 folio 133 topographical plan identifies an area "retired" ? Earlier correspondence (folio 124, March 1983) approves the expenditure for fencing. This area still remains within the pastoral lease.</p> <p>An existing DC main line of power pylons runs across the lower south eastern side of Run 218 (Benmore-Haywards A 350kV HVDC).</p> <p>No formal easement exists with Transpower New Zealand Ltd, therefore protection is afforded pursuant to section 22 Electricity Act 1992.</p>
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LAND STATUS REPORT MULLER				<i>[LIPS ref 12640]</i>
Property	1	of	1	

Research Data: Some Items may be not applicable

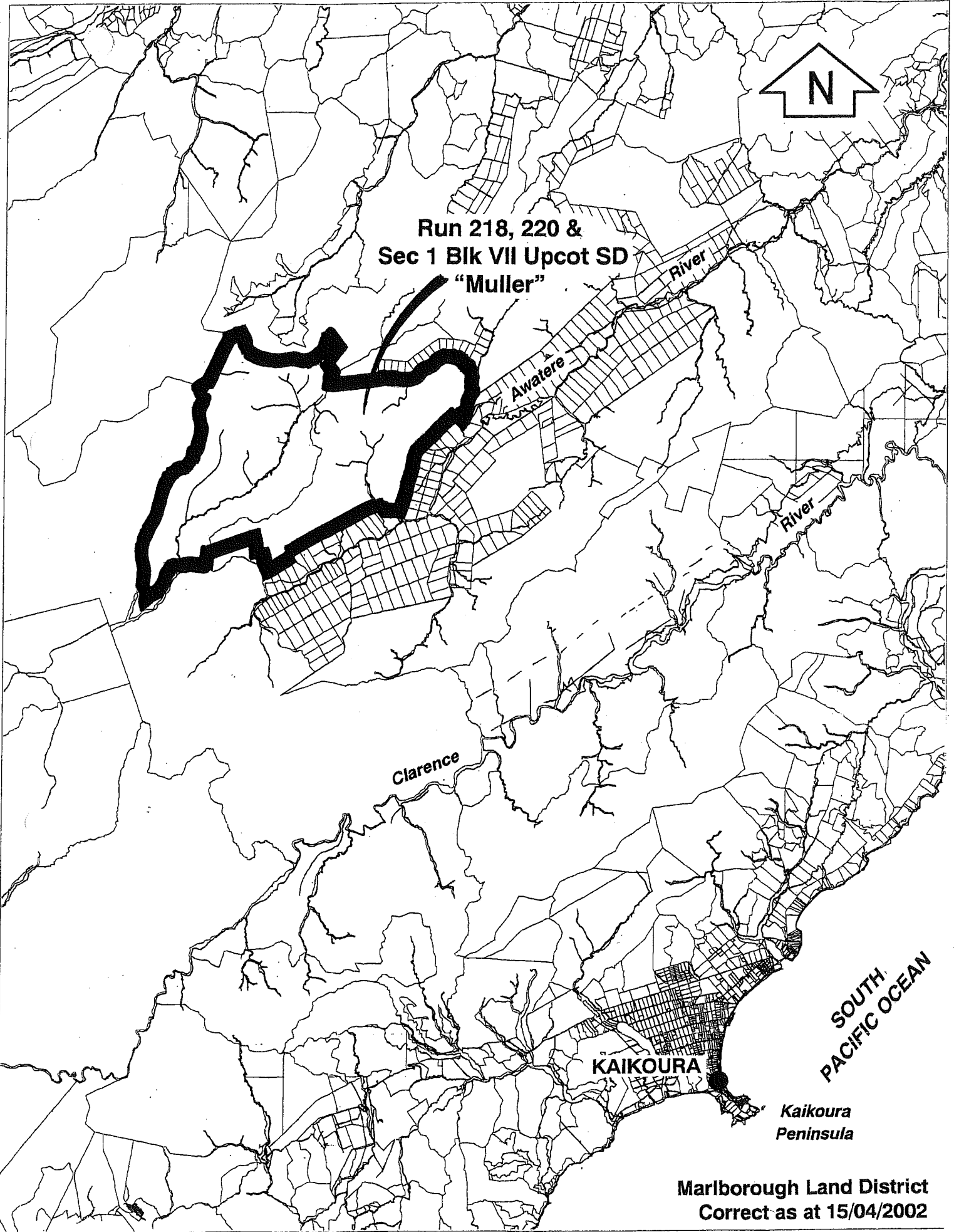
Property	1	of	1	
Cadastral Print Obtained				Yes
NZMS 261 Ref				N29, O29, N30 & O30
Local Authority				Marlborough District Council
Crown Acquisition Map				Kaikoura Purchase 1859
SO Plan				SO 4480 (1960), SO 4481 (1960), SO 4368 (1958)
Relevant Gazette Notices				N/A
CT Ref / Lease Ref				All CIR MB46/198 (1960)
Legalisation Cards				SO 4368 NZ gazette 1960 page 651, GN 32821 NZ gazette 1982 page 2026, No Registration.
CLR				N/A
Allocation Maps (if applicable)				SOE - SO 6617 (N29) no overlaps SO 6618 (O29) no overlaps No plan (N30) SO 6620 (O30) no overlaps DoC - SO 6638 (N29) no overlaps SO 6639 (O29) no overlaps SO 6641 (N30) no overlaps SO 6642 (O30) no overlaps
Rating Ref - if known				All assessment 20720/006700
Crown Grant Maps				Barefell No.26 (1880) Molesworth No.22 (1880)
If Subject land Marginal Strip: a) Type [Sec 24(9) or Sec 58]				No subject provision for section 58 of the Land Act 1948 on lease MB46/198 although SO Plans 4480 and 4481 depict one chain strips along Castle Creek, Kennet River, Acheron River and Saxton River Reserved under section 58 Land Act 1948. SO 7111 has identified several waterways shown marked A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P and Q subject to section 24(9) of the Conservation Act 1987. Lease renewal in July 1993 is a disposition under section 24(9) of the Conservation Act 1987.
b) Date Created				July 1993
c) Plan Reference				SO 7111

LAND STATUS REPORT MULLER				<i>[LIPS ref 12640]</i>
Property	1	of	1	

Research – continued

Property	1	of	1	
If Crown land – Check Irrigation Maps.				N/A
Mining Maps				No interest recorded National Mining Index.
If Road				
a) Is it created on a Block Plan - Section 43(1)(d) Transit NZ Act 1989				a) .Crown Grant – SO 389, 391A (1896) Section 110A Public Works Act 1928 – SO 194 (1891), SO 373 (circa 1880) and Section 29 Public Works Amendment Act 1948 - SO 4044, 4045 (1951)
b) By Proc				b) NZ gazette 1955 page 324 & 1112
c) Plan				c) SO 4044/4045 (1951)
Other Relevant Information				
a) Concessions – Advice from DOC or DTZ New Zealand Limited.				a) There are no DoC concessions and or no current Recreation Permits.
b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998 or Northern South Island Regional Landbank.				b) Subject to Part 9 of the Ngai Tahu Claims Settlement Act 1998. Schedule 65 of the Act identifies Statutory Acknowledgement for Tutae Putaputa (Conway River) refer SO 7328 Marlborough/SO 19906 Canterbury.
c) Mineral Ownership				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 the Kaikoura Purchase (1859) Contained in [provide evidence]: Run 218 and 220 formerly; Run 107A and 117 “Unoccupied Crown Land, Part Richmond-Dale, Pass, Langridge and Barefells Runs”. MB46/152 (1941) and MB46/153 (1939) under the Land Act 1924 are the earliest recorded lease/licence available in the Land Titles Office and Section 1 SO 4368; reserve for rabbit board (NZ gazette 1960 page 651) revocation of reservation by NZ gazette 1982 page 2026, after the Nelson Waste Lands Regulations 1856 (Nelson Provincial Gazette 1856 page 11) and subsequent Marlborough Waste Lands Regulations Amendment Act 1863.
d) Other Info				d) N/A

LOCATION PLAN



LOCATION PLAN

Scale 1:350000

0 5000 10000 15000 20000 25000 30000 35000 40000 45000m

Marlborough Land District
Correct as at 15/04/2002