

Crown Pastoral Land Tenure Review

Lease name : OBELISK

Lease number : PO 264

Due Diligence Report (including Status Report) - Part 6

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.

July 09

MEMORANDUM

OUR REF: P264
TO: South Island Assets Manager
FROM: Manager, Alexandra
DATE: 8 July 1992
SUBJECT: BURNING CONSENT - OBELISK

The following is the background to the Obelisk Burning Application (AC Sanders and Sons).

The Sanders purchased Obelisk in mid 1991 and immediately applied to burn a substantial portion of the property. This application was declined as it was made well after the closing date for applications.

The Sanders again applied for consents in 1992 as indicated on the attached plan.

Landcorp initially held the view that long standing trial plots established by Dr Alan Mark to monitor burning recovery should be read again prior to any burning. The Sanders have refused access for Dr Mark but have agreed to endeavour to avoid burning the plots.

The application was then considered by Landcorp in association with the Otago Regional Council and Department of Conservation. The Regional Council proceeded with a notified consent under the Resource Management Act for the area above 1000 metres. Objections were lodged by Department of Conservation, Dr Mark, Maruia Society and Royal Forest and Bird Protection Society. Following a formal hearing the Regional Council have granted consent for the entire area applied for.

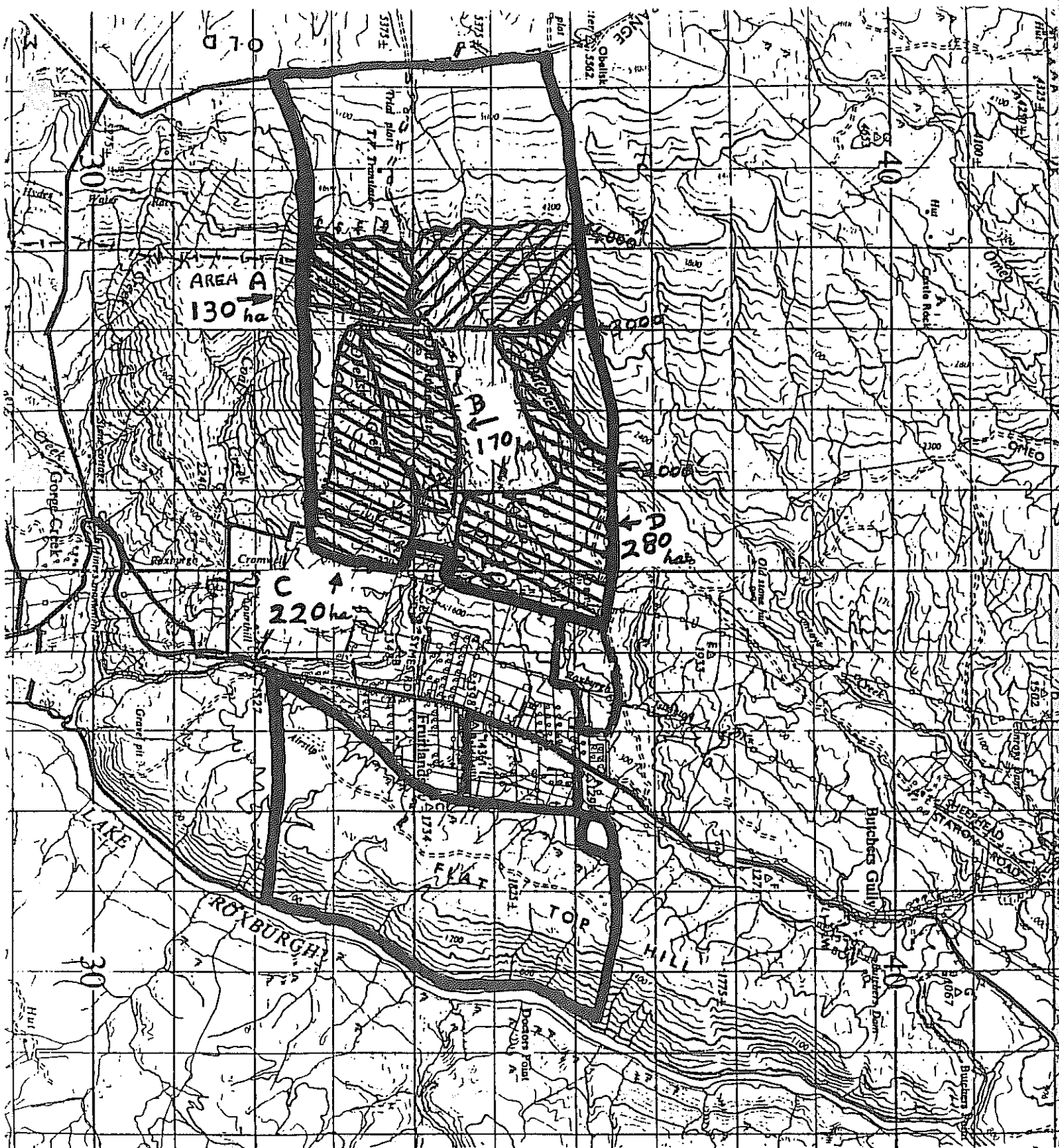
Department of Conservation separately advised Landcorp under the pastoral management agreement that consent should be withheld on conservation grounds. The area is a Recommended Area for Protection and is an excellent example of the range of grassland types present in the Old Man Ecological District and is in generally very good condition reflecting the conservative management of the previous lessee. Landcorp supported the proposed burn on land management grounds but considered that the Department of Conservation evidence warranted declining the application. I was not prepared to leave the position open ended and have advised both the Department of Conservation and the lessees that I will review the application in twelve months on the basis of a genuine attempt by both parties to negotiate an appropriate management regime to meet both interests. I have previously sent you a copy of my letter to the lessees.

While we may be standing a little alone on this, I believe it was the correct stance under the Pastoral Management Agreement particularly as there is a review provision. While court action may ensure, this is a legal position which needs clarifying and we should not be concerned by it. The Department of Conservation are very serious about this proposal and are prepared to purchase the area should the lessees agree to sell.

Please advise if any change to our position is warranted.

A handwritten signature in cursive script that reads "Kenneth R. Taylor".



K R Taylor
Manager, Alexandra




(f & f = fire break.)

Mr NEIL SANDERS.
 OBELISK STN
 FRUITLANDS
 NO 4 R.D. ALEXANDRA.

1992-1993

BURNING CONSENT AREAS 
 Burning Declined 

 Property Boundary.

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file: P264 Vol 3/398

2 July 1992

OTAGO DAILY TIMES

Burn-off refusal could cost station \$82,000 a year

By John Fridd

Alexandra. — A Fruitlands farmer has been refused permission to burn part of his pastoral-lease land on the Old Man Range.

Mr Neil Sanders said yesterday the decision had left him "cut off at the knees".

Last week, an Otago Regional Council consents panel approved the controlled burn on Obelisk Station, along with high-altitude burn-offs on three other Central Otago pastoral-lease properties. But Landcorp said in a letter to Mr Sanders this week that it had declined to allow burning on part of the area applied for.

Landcorp acts for the "owner" of the land, the Commissioner of Crown Lands, while the regional council administers the Resource Management Act.

Mr Sanders said yesterday the decision would considerably affect the way Obelisk Station could be farm-

ed. The family company, A. C. Sanders and Sons, had told the regional council hearing that if the Top Block could not be used for grazing it would cost \$82,720 a year in lost revenue, based on a reduction of 1360 stock units.

The manager of Landcorp Management Services in Alexandra, Mr Ken Taylor, said in the letter a large part of the area above 900m applied for could not be burned off because it would damage an area which was recommended for protection. He said the area "has been assessed as having high conservation values under the protected natural areas programme".

Burning could only be done on the area south of Symes Rd, Mr Taylor said. And that area

could not be toppedressed and oversown "on the ground that undesirable modification would result to a relatively intact area of high conservation value".

However, Mr Sanders was granted permission to burn all the areas applied for below the Top Block "subject to certain conditions".

Mr Taylor told Mr Sanders that while consent had been declined for the Butchers Creek part of the Top Block, he should continue to negotiate with the Department of Conservation about the future management of the area. "I will review this decision prior to the 1993 burning season on the basis of such negotiations."

Mr David Gullen, pastoral

administration officer with the office of Crown Lands in Wellington, said yesterday Landcorp was the commissioner's burning permits agent and consulted DOC on applications. He said that if any lessee did not like a decision he could apply for a rehearing and ultimately take the matter to the High Court.

Mr Sanders said he had not yet decided what his next step would be.

Mr John Williamson, the Alexandra lawyer who acted for farmers in the regional council consents hearings, said yesterday he did not believe the Land Act and pastoral lease contracts obliged Landcorp to take conservation values into account and that DOC should not be involved in permit applications.

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file: PAEL Vol 2, 3A6



Landcorp
LAND CORPORATION LIMITED

Our Ref: P264

25 June 1992

Checketts McKay
Lawyers
Box 41
ALEXANDRA

ATTENTION: JOHN WILLIAMSON

Dear Sir

A C SANDERS AND SONS - APPLICATION FOR CONSENT TO BURN

I refer to your letter of 12 June 1992.

I have discussed this letter with the Corporate Solicitor and with the South Island Assets Manager of Land Corporation I wish to advise that Mr Mouat will be replying on behalf of the Corporation.

I also wish to advise that I am still considering the matter of the consent to be issued to A C Sanders and Sons and expect to be in a position to advise them later this week on the outcome.

Thank you for your interest in this matter.

Yours faithfully

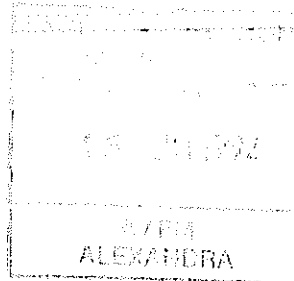
K R Taylor
Manager, Alexandra
LANDCORP MANAGEMENT SERVICES LTD

INCORPORATING LANDCORP INVESTMENTS LIMITED & LANDCORP MANAGEMENT SERVICES LIMITED

Alexandra Branch Office
4 Limerick Street
P.O. Box 27
ALEXANDRA, N.Z.
Tel (03) 448-6935

cc Mr K Mouat
Corporate Solicitor
CHRISTCHURCH

Checketts McKay
Lawyers Central Otago



Alexandra Office:
Address 32 Centennial Avenue, Alexandra,
Post P.O. Box 41, Alexandra, New Zealand.
Phone (03) 448-6969
Fax (03) 448-8960
Trust Account BNZ 020916 0007675 00
G.S.T. Number 30-317-955

Please ask for:

John Williamson

12 June 1992

The Manager
Land Corporation Management Services
PO Box 27
ALEXANDRA

Dear Sir

RE: HIGH COUNTRY TRUSTEES (SOUTHERN) AND A C SANDERS & SONS -
PASTORAL LEASES - CONSERVATION VALUES

This letter is written on behalf of the High Country Trustees (Southern) who we represent and in particular the A C Sanders & Sons family with respect to their Obelisk burning permit application.

At the Waldron & Co burning permit rehearing, part of our presentation was that Land Corporation had no authority to introduce conservation values (at the request of DOC) to the decision making process on burning permits with respect to pastoral leases. DOC was represented at the rehearing and their response to our submission was that there was a contractual responsibility between the Crown and Land Corporation Ltd requiring Landcorp to reflect DOC's requirements on these conservation issues. Our response to this was that such a contract did not change the legal position as it related between Landcorp and the pastoral lessees.

This issue is again present with the Sanders Obelisk burning permit application in that DOC require the RAP area to be protected from the burning permit area. It is therefore important that the legal position on this issue is resolved hence this letter.

Our points are:

1. The relationship between the Crown and the pastoral lessees is a combination of part statutory (the Land Act) and part contractual (the pastoral lease).
2. The pastoral lease terms cannot be inconsistent with the Land Act (Section 103).
3. The major Land Act provisions which apply are:
 - (a) The lessee has "the exclusive right of pasturage over the land comprised in the lease" however a pastoral lease may be granted subject to restrictions as to numbers of stock carried (Section 66).
 - (b) With respect to every lease there shall be implied a covenant that the lessee will:

.../2

- 2 -

- (i) Farm the land diligently and in a husbandlike manner and will not commit waste.
 - (ii) Keep the land free from wild animals and vermin.
 - (iii) Keep the land free from weeds (Section 99).
- (c) Burning requires the consent of the Commissioner of Crown Lands (delegated to Landcorp) which consent may be given subject to conditions (Section 106).
- [The common law rules as to administrative action and the exercise of a discretion apply, i.e. that the discretionary powers must be exercised in good faith, for the purpose for which they were granted, within the limits of the Act, and exercised fairly in accordance with proper legal principles and after taking into account all relevant considerations and disregarding all extraneous considerations.]
- (d) The consent of the Commissioner of Crown Lands, delegated to Landcorp, is required before a lessee can clear any portion of the lease by burning bush or scrub and sow grass in the land cleared, or surface sow any portion in grass (Section 108).
 - (e) The lessee will at all times farm the land in a manner to promote soil conservation and prevent erosion and will comply with the provisions of the Soil Conservation and Rivers Control Act, (the pastoral lease provisions itself).
4. There is no statutory or contractual reference to conservation values in terms of the lessees farming operation.
5. The Management Agreement between the Crown and Land Corporation Ltd, pursuant to Clauses 3.3 and 3.4 provide that Landcorp shall consult with DOC on conservation issues and have regard to DOC's advice on these issues before exercising its consents under Sections 106 and 108 of the Land Act.

It is our clear legal opinion that the lessees have the exclusive right of pasturage (i.e. to graze their stock) on the pastoral lease land) and provided their burning or scrub clearing and grass sowing is pursuant to farming in a good husbandrylike fashion, will not commit waste or cause erosion, the Commission of Crown Lands is obliged, at law, to consent to such burning or sowing.

The Commissioner does not have the legal authority under the Land Act or under the pastoral lease to introduce conservation issues in the exercise of this discretion or wording of any conditions and does not have the legal authority to impose conservation issues on the lessee.

The statutory and pastoral lease contractual obligations on the Commissioner of Crown Lands, delegated to Land Corporation Ltd, denying conservation values, is clearly in contradiction with the

- 3 -

contractual agreement between Land Corporation Ltd and the Crown under the "Management Agreement With Respect to Pastoral Interests" dated 24 January 1990 (referred to as the Management Agreement).

Clearly Landcorp's obligations under the Management Agreement, with respect to the conservation issues and having to have regard to DOC's advice on such issues, is in conflict with the Land Act and consequently is legally impossible to perform. The rules relating to frustration therefore apply. Our legal opinion on this position is quite clear.

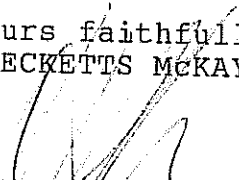
If DOC is to have the legal authority to influence pastoral lease management decisions, this will need to be incorporated into a Land Act amendment accompanied by an agreed variation to the pastoral lease, as it must be understood that the pastoral lease, incorporating the terms of the Land Act, determine the contractual relationship between the Crown and the lessee, which contractual relationship does not include consideration of conservation values.

This matter is of immediate importance with respect to the Sanders burning permit application with respect to Obelisk. We stress on behalf of the Sanders family that conservation values with respect to the RAP area cannot be taken into consideration. Furthermore, we point out that the pastoral lease between the Crown and the Sanders family documents the contractual rights and obligations (incorporating the provisions under the Land Act) and a breach by the Crown in issuing a burning permit for the RAP area (because of conservation values) places the Crown in contractual breach of the pastoral lease which would give rise to damages being able to be claimed against the Crown. In the Obelisk situation, a burning permit on the RAP area is critical to the total Obelisk development and a refusal of the burning permit for the RAP area will result in substantial losses suffered by the Sanders family and a substantial liability of the Crown.

In our opinion, this legal issue is quite clear and should have been resolved at a much earlier date than this.

Please urgently give us your comments on the above.

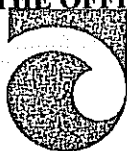
Yours faithfully
CHECKETTS MCKAY


John Williamson LLB
Lawyer
AJ1-06119

CC Mr J Edmonds
Commissioner of Crown Lands
DOSLI
PO Box 170
WELLINGTON

CC Mr K Mouat
Solicitor
Land Corporation Ltd
PO Box 142
CHRISTCHURCH

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file: P264 Vol3 366



CONSERVATION

Records.

Our file: RAP
OM 1/7/2

B/Up -

15/2/89

25 January 1989

Mr J McCambridge
"Obelisk"
4 RD
ALEXANDRA

① Dave O'K
② File

Dear Mr McCambridge

PROPOSED PROTECTED PRIVATE LAND AGREEMENT

Following Paul Marsh's discussion with you about the natural values within your pastoral lease, I thought it might be helpful to outline our preferred option for protecting these values.

A A protected private land agreement (PPL) under Section 76 of the Reserve Act 1977 over the area marked yellow on the attached map is considered to be the most appropriate way to protect these values. The lower boundary follows the snowline. If such a proposal was agreed to by both you and my central office, a notice declaring part of your lease to be protected private land would be published in the NZ Gazette and registered against your lease. This would highlight the natural features found in this area and ensure that future lessees maintain your pastoral regime and protect these values.

The conditions attached to any protected private land agreement are subject to negotiation. A suggested list of conditions for this agreement is as follows:

- 1 The agreement will be in perpetuity.
- 2 Individual conditions can be changed by mutual agreement.
- 3 The consent of the regional manager, Department of Conservation will need to be obtained before the following occurs within the land subject to the agreement:
 - a tree planting
 - b earth disturbance
 - c burning
 - d erecting buildings, transmission lines or other structures
 - e mining
 - f AOSTD.

DEPARTMENT OF CONSERVATION
Regional Office P.O. Box 5244 Moray Place Dunedin
77 Stuart Street, Dunedin New Zealand
Telephone (024) 770-677 Fax (024) 778-626

You will be asked to keep the area subject to the agreement clear from gorse, broom, sweetbriar, noxious weeds and rabbits, as far as possible. This condition is also contained in your pastoral lease. In some instances, departmental assistance can be negotiated.

- 5 You will be asked to observe the offence provisions of Sections 93-105 of the Reserves Act. The PPL is treated as if it were a public reserve under these sections of the Act.
- 6 We would like stock numbers within the PPL to remain at the present levels. The department may wish to establish some vegetation monitoring. If monitoring showed that stock were causing a decline in the vegetation quality the department would like to renegotiate the block limit with you.
- 7 Grazing within the protected private land area shall be limited to sheep only, as it is at present.
- 8 Officers of the department or people working on behalf of it will, in liaison with you, be allowed access to the PPL area for management purposes.
- 9 The public will be allowed foot access through the PPL at your discretion at all reasonable times for such recreation activities as botanising, walking, cross country skiing and photography.
- 10 The department will meet the cost of surveying the PPL and your legal costs. We will also ask the Vincent County Council to consider granting you rate relief over this area if you request this service.

B The old stone miners hut and gold reef workings shown pink on the map are historically associated with the Mitchell family and Mitchells Cottage. We believe that a separate protected private land agreement over these features and their immediate landscape setting would be appropriate. The same conditions as stated in paragraph A would apply with the exclusion of numbers 6 and 7. Also rate relief over this small area would be difficult to obtain and therefore unrealistic to pursue.

Given the historical association, we would like to identify this protected private land as part of the Otago Goldfields Park. This would involve the department in undertaking any necessary maintenance of the site and interpreting it to the public. Nothing major is envisaged other than perhaps a relatively simple sign.

C A landscape or visual corridor along Symes Road has also been identified. This is shown as a red coloured strip on the attached map. No specific protection is considered necessary here other than the adherence of Land Settlement Board high country policies. Specifically the following should apply:

- 1 No tree planting or exotic shrub planting.
- 2 The vegetation should be maintained in its existing condition. This may require care with burning and follow-up stocking.
- 3 New buildings and structures, tracking and other forms of earth disturbance should be sited outside of the visual corridor.

Departmental staff are readily available to discuss these suggested conditions and any other points you may wish to raise.

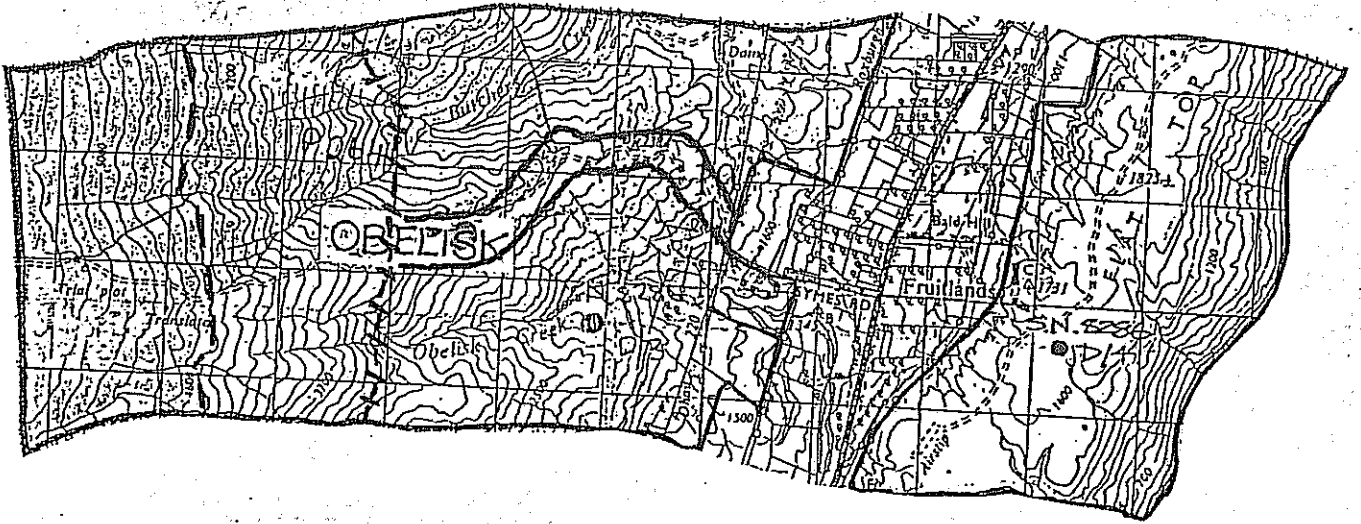
Yours faithfully

A handwritten signature in cursive script, appearing to read "A Perrett".

A Perrett
for Regional Manager

Obelisk Pastoral Lease

Lessee - J. McCambridge

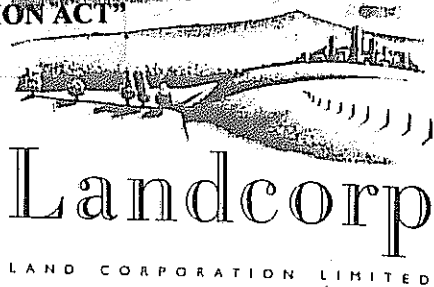


PT RAP 0M 1/7

□ = Proposed Protected Private Land Agreement

● = Approx location of old stone hut
(Proposed Protected Private Land Agreement)

== = Landscape (Visual) Corridor



ir Ref: **P264**
Your Ref: **RAP OM 1/7/2**

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file: P264 Vol 3/429

31 March 1992

Regional Conservator
Department of Conservation
PO Box 5244
DUNEDIN

ATTENTION: TONY PERRETT

Dear Sir

PROPOSAL FOR PURCHASE OF P264 OBELISK FOR CONSERVATION PURPOSES

Thank you for your letter of 16 March 1992.

I note your concern that DOC does not get involved in acquiring land that it has no purpose for. This is accepted and forms part of our proposal in that following negotiation with the lessees we would look at putting at total package to you which involved purchase, subdivision and on sale of the non conservation areas all at one time before any funds are expended. I note also your desire to use the land involved in this property as possible exchanges for other conservation interests in the vicinity. I also note that you can only take the proposal so far before obtaining Head Office approval to funding and acquisition and also the necessary consents from the Commissioner of Crown Lands. All these matters are acceptable to Landcorp and will be considered when progressing with the proposal.

At this point Landcorp will proceed to investigate the interest of the Lessee selling the property. Once this interest level has been ascertained we will then advise you as we understand you wish to reconsider the range of Conservation Values that may be represented on the property.

Thank you for the opportunity to assist you in this matter we will keep you advised as to progress.

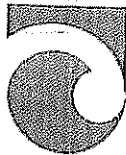
Yours faithfully

K R Taylor
District Manager
LANDCORP MANAGEMENT SERVICES LTD

INCORPORATING LANDCORP INVESTMENTS LIMITED & LANDCORP MANAGEMENT SERVICES LIMITED

Alexandra Branch Office
4 Limnack Street
P.O. Box 27
ALEXANDRA, N.Z.
Tel (03) 448-6935
Fax (03) 448-9099

Scott
Please proceed with
job.
Job No 2059.

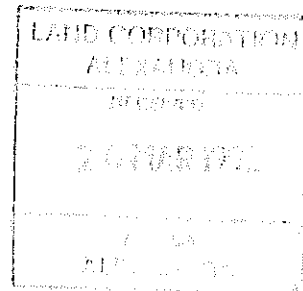


CONSERVATION
TE PAPA ATAWHAI

Our ref: RAP OM 1/7/2

16 March 1992

Managing Consultant
Landcorp
Box 27
ALEXANDRA



ATTENTION G Heward/K Taylor

Dear Sir

PROPOSAL FOR PURCHASE OF P 264 OBELISK FOR CONSERVATION PURPOSES

Thank you for forwarding your proposal for this property. I confirm our interest in acquiring key parts of the property for conservation purposes and authorise Landcorp to investigate the options available.

Some conditions apply however. In particular, I make the point that the property contains areas of farmland (both freehold and pastoral lease) which DOC has no interest in acquiring. Any proposal for acquisition therefore will be accepted by DOC only on the basis that this developed land is disposed of to another party and that DOC does not incur any costs associated with this action unless such action results in conservation gains. DOC therefore would accept a deal on the basis of it meeting only those costs associated with land it acquires.

Both ends of deal need tied together

The acquisition of land of conservation interest located on adjacent properties should be investigated by Landcorp as part of the disposal of land surplus to DOC requirements on the Obelisk property. I suggest that close contact be made with me with regard to details of DOC interest on any other property prior to any commitment being made.

Any final proposal negotiated by Landcorp will be subject to approval and funding by my head office and also the consent of the Commissioner of Crown Lands.

DOC has investigated part of the Obelisk property for conservation values and had submitted a conservation protection proposal to Mr McCambridge, the previous lessee, which was not accepted. A copy of this proposal should be on your file.

There is a need to review and update the conservation interest in the property, especially as the second priority RAP OM 2/3 Butchers Creek is the alternative to the Shingle Creek RAP below the high alpine plateau. As you are aware, substantial efforts to protect the Shingle Creek RAP have occurred without success. Given that at least the major part of the Shingle Creek catchment has continued to be incrementally developed, it is anticipated that the Butchers Creek alternative, which has remained under a more conservative farm management, may be in better ecological condition now than much of Shingle

DEPARTMENT OF CONSERVATION
Otago Conservancy
P.O. Box 5244 Moray Place Dunedin
77 Stuart Street Dunedin New Zealand
Telephone (03) 4770 677 Fax (03) 4778 626

Obelisk and therefore of interest to DOC. This obviously will require close investigation to confirm this view. Also the Obelisk property contains the mid section of Flat Top Hill and there is the possibility of some overlap of the key conservation features present partly on the Heaney acquisition onto Obelisk that require investigation.

If the lessee confirms his interest in Landcorp proceeding with the proposal, then the additional DOC field investigations and a report to Landcorp establishing the full extent of conservation interest in the property could be available by late April, early May.

Some initial discussions between the lessee, Landcorp and DOC could occur at the time of the planned burning permit inspection scheduled for 17 March.

Incidentally, the DOC representative in this inspection and subsequent discussion on acquisition will be Dave Gage. I am unable to be involved directly because of other commitments.

I look forward to receiving advice from you of the lessee's intentions following discussions on acquisition.

Yours faithfully



T Perrett
for Regional Conservator

Ref: P264
Ref: RAP OM 1/7/2

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10 April 1992

Regional Conservator
Department of Conservation
Box 5244
DUNEDIN

ATTENTION: TONY PERRETT/DAVE GAGE

Dear Sirs

PROPOSAL FOR PURCHASE P264 OBELISK FOR CONSERVATION PURPOSES

Further to Ken Taylor's letter dated 31 March 1992 regarding the above proposal, I have had discussion with Neil Sanders who has assured me that he and his father, Alec Sanders have decided not to proceed with sale negotiations at this stage including the preliminary Landcorp valuation exercise.

I will be in contact with the Sanders and will notify you promptly if they decide to proceed with negotiations.

Yours faithfully

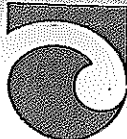
Geoff Heward

G W Heward
Consultant
LANDCORP MANAGEMENT SERVICES LTD

~~Handwritten mark~~

INCORPORATING LANDCORP INVESTMENTS LIMITED & LANDCORP MANAGEMENT SERVICES LIMITED

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**CONSERVATION
TE PAPA ATAWHAI**

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Our ref: RAP OM 1/7/2

16 March 1992

Managing Consultant
Landcorp
Box 27
ALEXANDRA

LAND CORPORATION ALEXANDRA
RECEIVED
20 MAR 1992
ALEX ALEXANDRA

ATTENTION G Heward/K Taylor

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Yours faithfully



T Perrett
for Regional Conservator

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file: P264 Vol 3/39C



ir Ref: P264

2 March 1992

The Manager PNA/Pastoral
Department of Conservation
Box 5244
DUNEDIN

Dear Sir

PROPOSAL FOR PURCHASE OF P264 OBELISK FOR CONSERVATION PURPOSES

In response to our recent discussion the attached proposal has been completed with the aim of achieving the objective your Department has of adequately preserving and protecting the natural and historic resources including provision for recreational needs within the Old Man Ecological District with specific reference to the Clutha and East Old Man Land systems.

A definite indication as to your attitude to this proposal would be appreciated by Tuesday 31 March 1992. Assuming your positive response, Landcorp staff involved in this project commit themselves to completing this project promptly and in accordance with your instructions.

Yours faithfully

**G W Heward
Consultant**

**K R Taylor (ANZIV, MNZSFM)
Managing Consultant**

Needs Analysis:

On 13 December 1991, Ken Taylor and Geoff Heward of Landcorp had discussions on separate occasions with A C Sanders & Sons, Lessees of P264 Obelisk; Dr Alan Mark, Advisor to the Miss E L Hellaby Indigenous Grasslands Research Trust; and Mr Tony Perrett, Manager PNA/Pastoral regarding possible Department of Conservation objectives in relation to Obelisk pastoral lease and freehold.

On Thursday 5 March 1992 a full inspection of P264 is to be conducted by Landcorp staff in the company of the Lessee.

Strategic Issues Identified:

That the Department of Conservation is constrained in its ability to achieve conservation, recreational and protected natural areas objectives within the Clutha and East Old Man Land Systems of the Old Man Ecological District due to:

- Remoteness of existing Department of Conservation lands.
- The large area being held under pastoral lease tenure by private lessees.
- A limited amount of finance with which to purchase lands of conservation value.

Recommendation:

That Landcorp negotiate the purchase of the lessees interest and associated freehold on P264, Obelisk on behalf of the Department of Conservation in order to allow the Department of Conservation to retain areas specific to their needs, with the remaining portions of the property being subdivided and on sold by Landcorp on behalf of the Department.

Benefits of Proposal:

- Management of specific areas for conservation purposes.
- Ensure protection of values identified within the Old Man Ecological District.
 - Obelisk contains a portion of PNA priority area 1/7 described as a diverse and outstanding landscape. Priority area 2/3 is also located on Obelisk in the Butchers Creek catchment and has been assessed as the best second priority alternative to the Shingle Creek Catchment below the high alpine plateau within the Old Man Ecological District.
 - Obelisk contains a portion east of SH 8 comprising part of Flat Top Hill topographical feature (Clutha Land System) thereby complementing the recently purchased Department of Conservation Flat Top Hill conservation area on the north west boundary.
- Allow Department of Conservation controlled public use within the parameters of conservation.
 - Allow development by Department of Conservation of recreational use in conjunction with the all weather access opportunity provided by Symes Road.
 - Allow public access to historical sites and areas of ecological interest.
- Complement the existing Department of Conservation interest contained within Bains Block and the Mitchell's cottage historic site.

Benefits of Proposal Continued:

- A substantial reduction in the final monetary cost of securing the areas of conservation value because this cost should be somewhat offset by profit associated with the on selling of land not required by the Department of Conservation.

Critical Path Analysis:

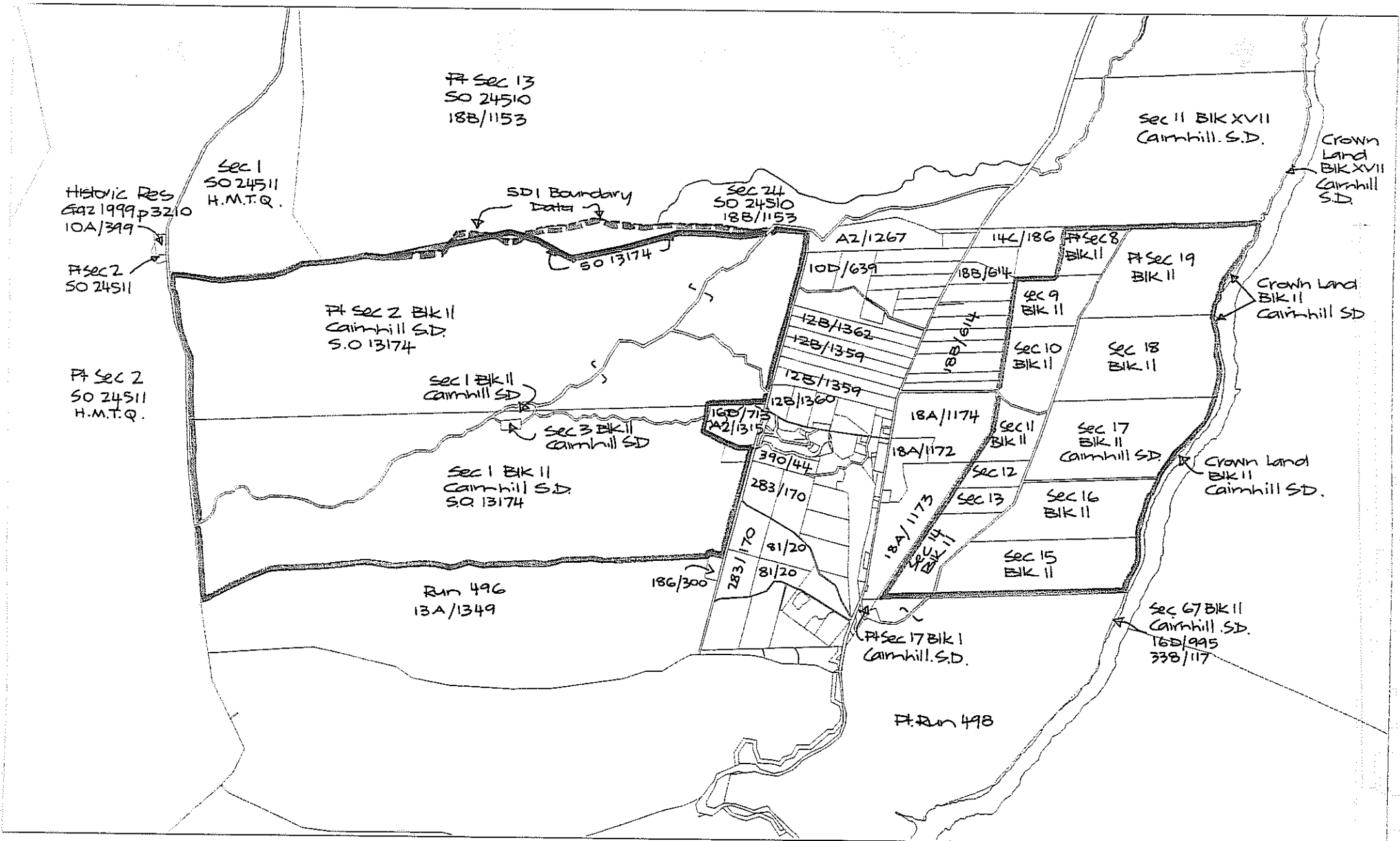
- Preliminary discussion with Department of Conservation and Lessee re prospective proposal. (Completed).
- Inspection of property - Landcorp/Lessee.
- Presentation of proposal to Department of Conservation.
- Decision by Department of Conservation and Lessee to proceed, (31 March 1992).
- Valuation of P264, Obelisk, (Pastoral Lease and Freehold) by Landcorp.
- Agreement on purchase price - Department of Conservation/Lessee.
- Purchase of property by Department of Conservation.
- Identification by Department of Conservation of conservation areas to be retained.
- Presentation by Department of Conservation of detailed instructions to Landcorp regarding Department of Conservation conservation areas and interests within the Obelisk pastoral lease and freehold.
- Landcorp to arrange completion of title survey and legal requirements associated with subdivision of the property prior to Department of Conservation retention of selected areas and on selling of remaining land.
- Valuation by Landcorp of surplus land.
- On selling of surplus lands by Landcorp.

Investment:

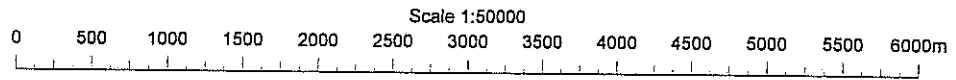
In order to complete this proposal the total investment to be covered by Department of Conservation would include the following costs -

In order to complete this proposal the investment required will be equal to a flat fee of \$2,500 plus 1.5% of the negotiated purchase price and 3.75% of the sale price of the land sold.

The Department will also be responsible for disbursements including all costs associated with subdivision.



G42 Alexandra.



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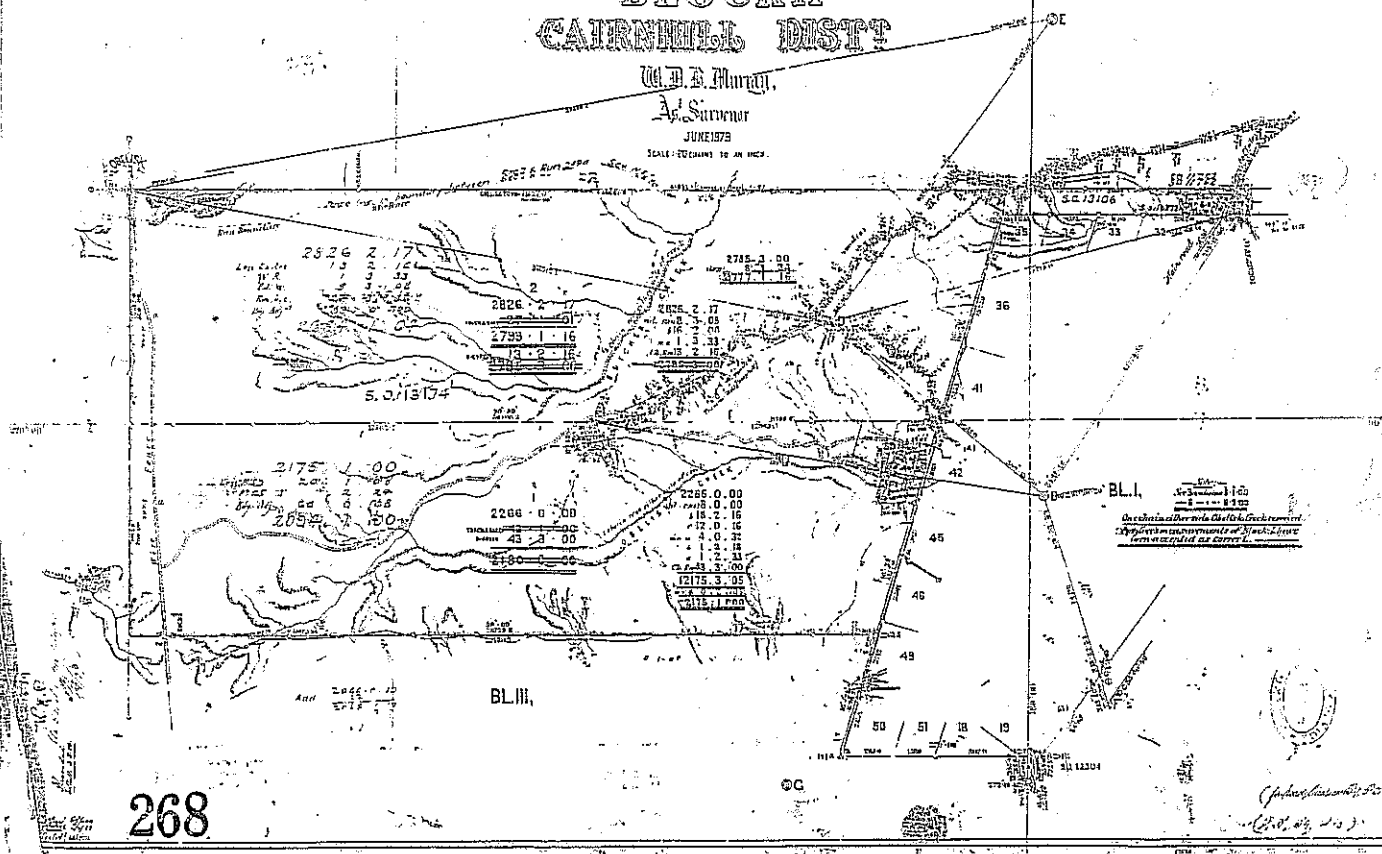
268

Plan of BLOCK II CAIRNHILL DIST.

W.D. Murray,
A.C. Surveyor

JUNE 1973

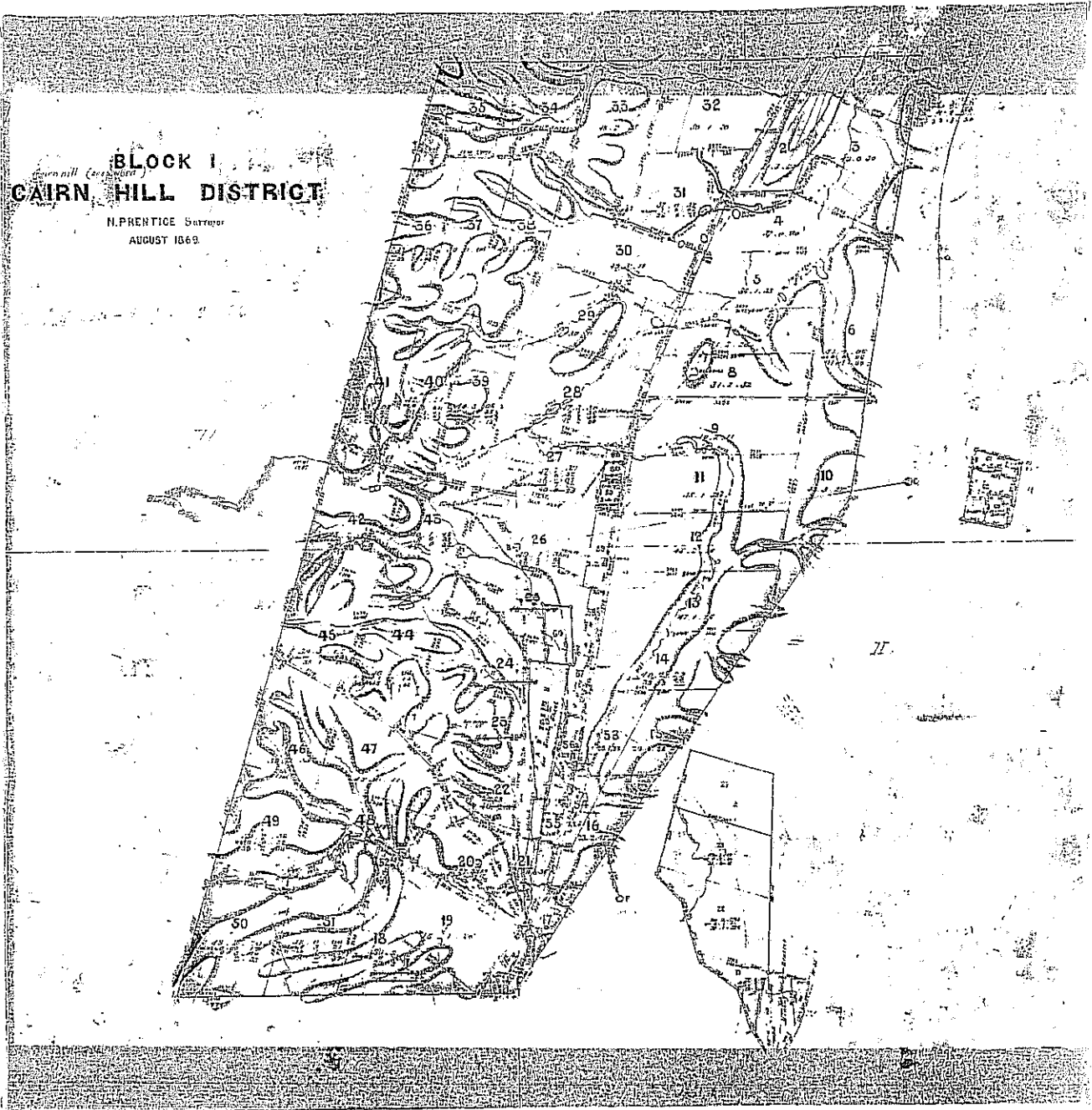
SCALE: 1 TO 1000

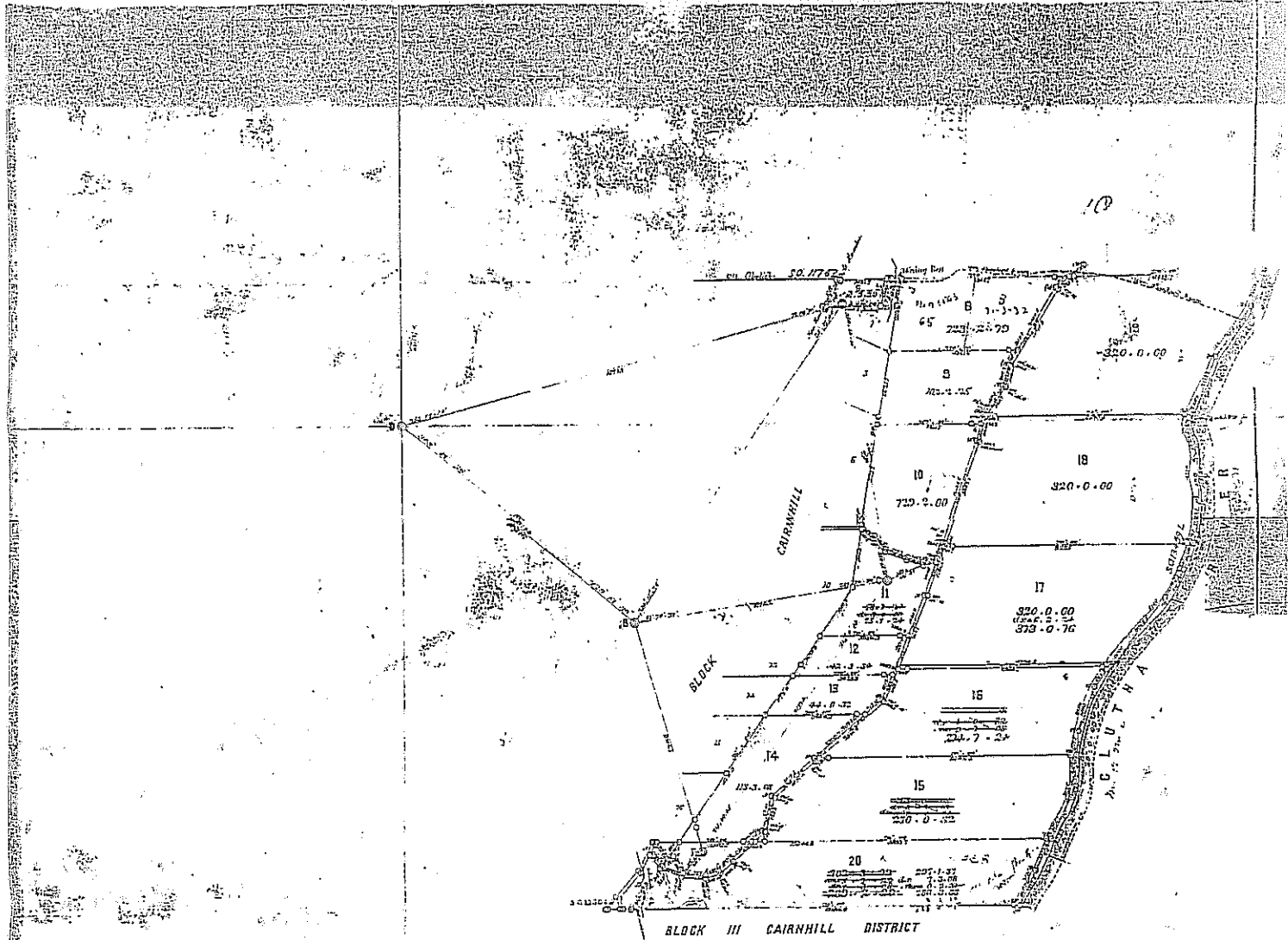


268

Cairnhill Dist.

268 6





PART OF
BLOCK II CAIRNHILL DISTRICT
 Surveyed by J. Allen for John Strachan

APRIL 1879



269

1164

1164

M. BENDER RUNS

Subdivisions 496, 497, 498, 499.

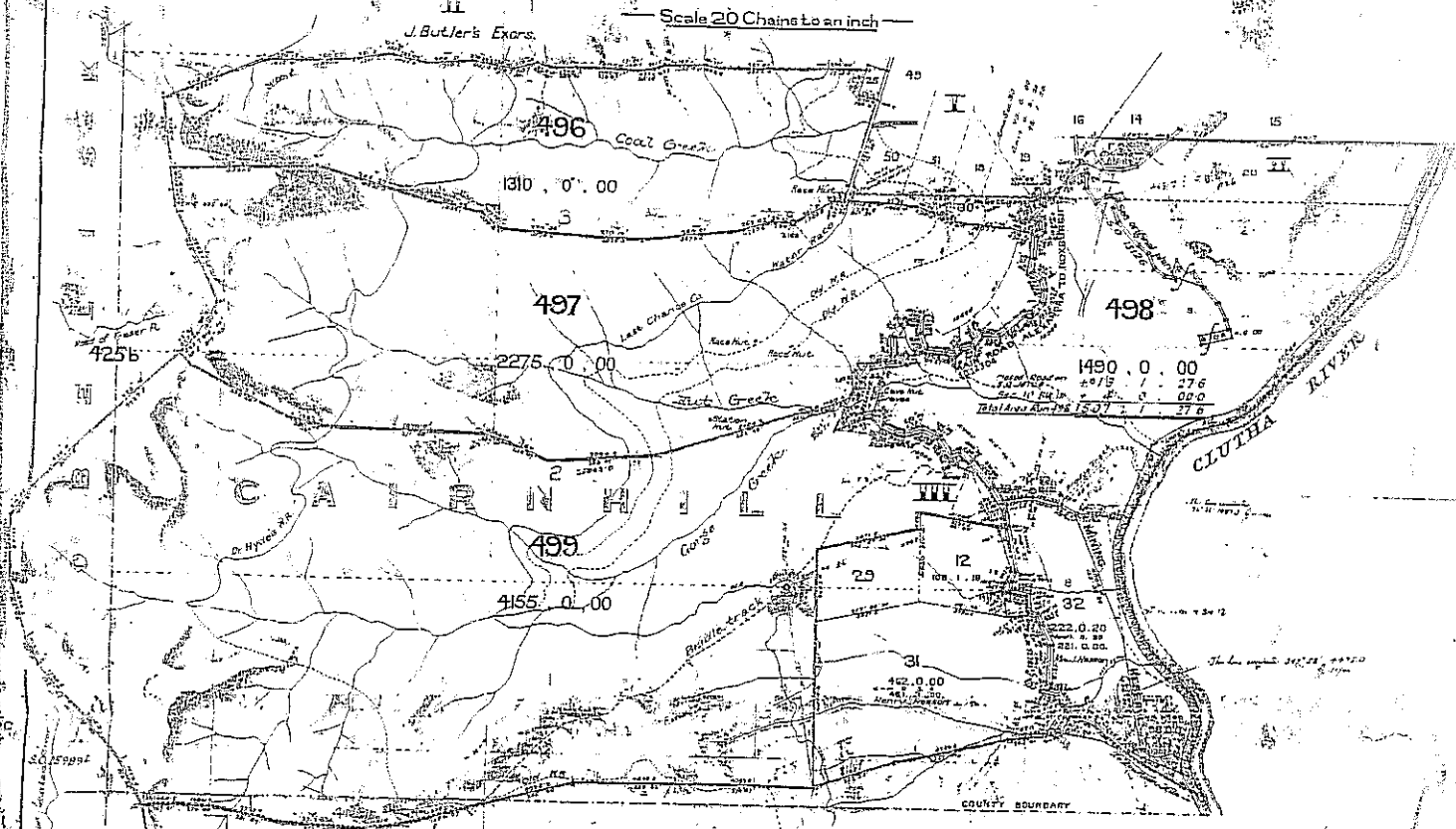
Surveyed by D.M. Calder, D.S.

March 1891

Scale 20 Chains to an inch

S.O. 13174

J. Butler's Exors.



T E V I O T

500'

APPROVED
 Michael P.D.
 p. Calder D.S.
 3/11/91

1164

1164

PLAN OF
THE 'FRUITLANDS' ESTATE
Being a Subdivision of Lots of Blocks 1 and 2
- CAIRNHILL DISTRICT -

2859



- Detail -

- Scale - 10 Chains to an Inch -

Initial Bearing - Trig B on Trig A 34.17.20
Survey in terms of Imperial Standard Bond No. 11

Johnston Wood
Collector for the Owners
20/1/12

APPROVED
Maitland & Co.
Surveyors

I, William Pringle Black of Dunedin, Clerk of the Court, do hereby certify that the above plan has been made from surveys conducted by me and fully complies with the regulations of the Surveyors' Act passed the 30th day of August 1908.
I make this declaration voluntarily and without any consideration being offered to me.
In witness whereof I have signed my name as Clerk of the Court at Dunedin this 12th day of September 1912.
Wm Pringle Black
Clerk of the Court

Dedication No. 64234 of widening of Allot 3-6
11th Nov 1912
Exception from widening - D.C.C. 1912/10