

## **Crown Pastoral Land Tenure Review**

**Lease name : STYX RUN**

**Lease number : PO 333**

### **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.

**May**

**06**

## **SCHEDULE B**

### **SOURCES OF INFORMATION**

**SCHEDULE B:***List of information sources:*

- (1) Instrument of Title  
Attachment I - CL 5a/202 (*Otago Registry*)
- (2) Crown files for Pastoral Lease Po333  
*Held by Knight Frank, Alexandra*  
Volumes 1 & 2 (*28 August 1963 to 18 April 2000*)  
*LINZ files (Dunedin and Christchurch)*
- (3) Cadastral maps  
NZMS 261 H42, H43
- (4) Topographical maps  
NZMS 260 H42, H43
- (5) Unpublished DoC report on the Styx lease (*1996*)
- (6) Central Otago District Council Transitional Plan
- (7) Dunedin City - Silverpeaks section of the Proposed District Plan
- (8) Pastoral Lands Assessment, Rock and Pillar Range (*1983*) Department of Lands and Survey

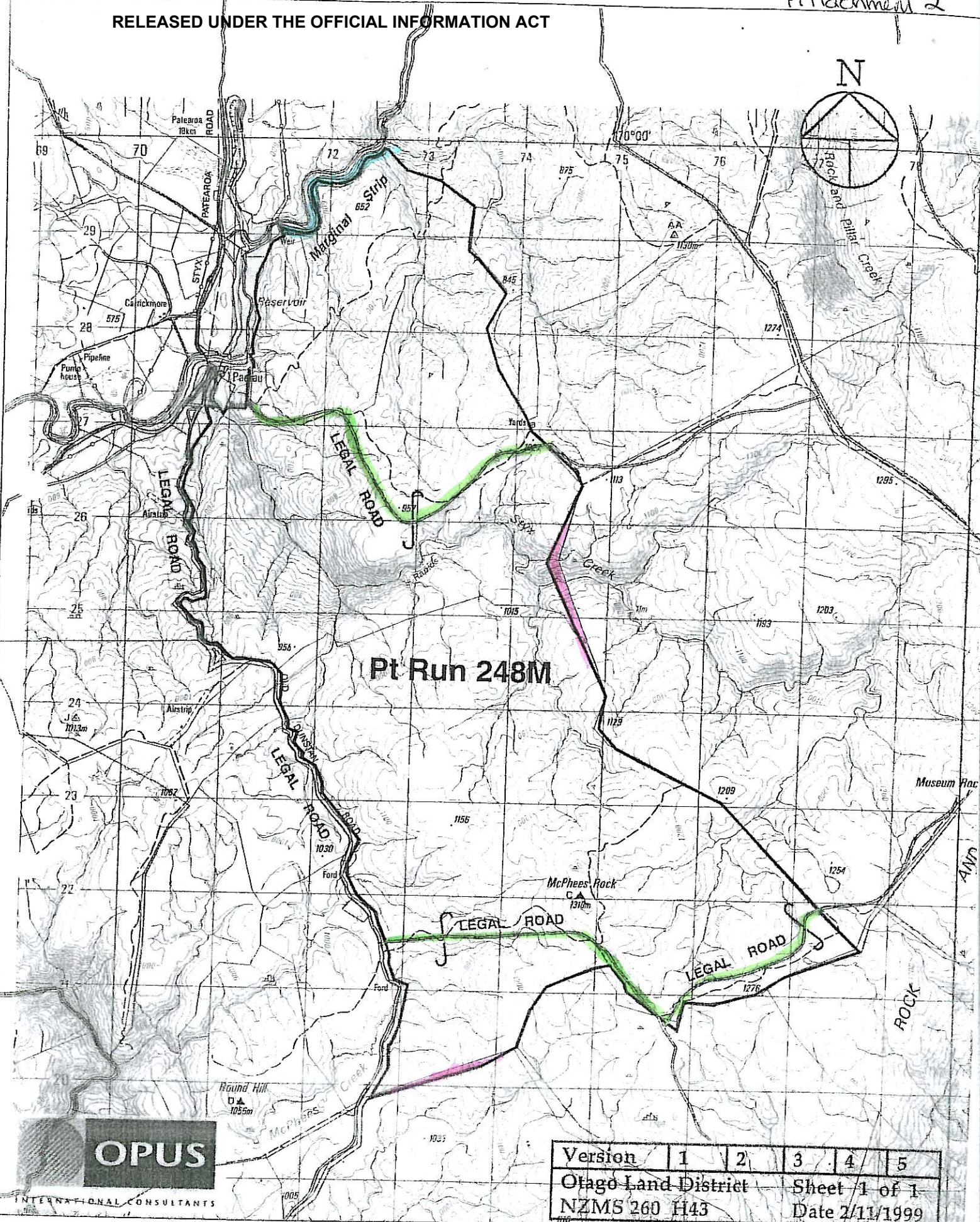
**SCHEDULE C**

**ATTACHMENTS**

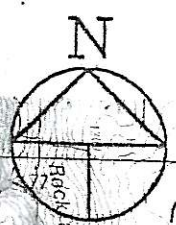
## **SCHEDULE C:**

### *Attachments:*

1. Search copy of lease.
2. Map showing minor boundary variations, marginal strips and unformed legal roads.
3. Memorandum of variation of lease.



Pt Run 248M

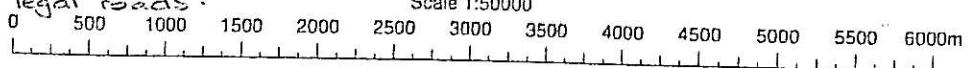


Version	1	2	3	4	5
Otago Land District			Sheet 1 of 1		
NZMS 260 H43			Date 2/11/1999		

- Boundary irregularities
- unformed legal roads
- marginal strips

### Styx Run

Scale 1:50000



TERRALINK NZ LTD(Terraviv)-DCDB Data as at 1.10.1999Tille & Valuation data as at 1.10.1999Geodetic data as at 11.10.97.  
 Cadastral Information from LINZ Digital Cadastral Database (DCDB). CROWN COPYRIGHT RESERVED.

S.D.:

BLOCK:

RUNS

SECTION No.	ORIGINAL PLAN.	FURTHER PLANS.							NAME & REFERRED TO LOCALITY
248 M	1826	21593	21594	21595					"PATEAROA" UPPER TAIERI
249	5345	4185	5348	2362-S	9402	9629	12152	12153	"EARNSCLEUGH" LEANING ROCK
	12172	12480	12886	10460	16785	19509	21028	21440	
	21441	22425							
249 A	NE 80	11762	3536	8906	10136	11842	13106	13701	"EARNSCLEUGH" FRASER
		16606	19306	19976					
249 B		Now in Run 249 A.							
251		Now in Southland L. D.							
253	2017	2021	18481	18809	23326				"HUKARERE" WART HILL
254	910	13520	2896						"ROCKLANDS" SERPENTINE
254 A		13520	2896						"ROCKLANDS" ST ABBES
254 B	1487	1488	910	12313	20956				SERPENTINE
254 C	1487	1488	910						" [483-37





1826

Corrected distances  
On Meridian and perp. of Geo. Sn

	N	S	E	W
G		45003.3		29003.1
H		12459.5		12978.8
I	11039.0		10077.0	
J		65200.0		462
K		25500.2		11403.4
L		08355.5		25458.6
M		30056.0		11655.3
N		26370.2		598.4
O		16786.0		2613.8
P		28589.9		30680.0
Q		60452.6		
R		48248.4		5377.6
S		55004.2		22075.8
T		23914.0		33133.1
U		29727.3		11493.2

1826

ROCK AND PILLAR DIST

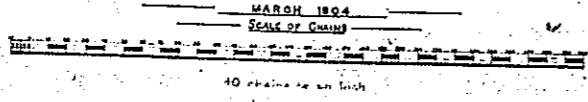
UPPER

TAIERI

DIST

PLAN OF  
Small Grazing Runs 248E, 248F & Runs 248J, 248K, 248L, 248M  
UPPER TAIERI AND LOGANBURN DISTRICTS

BEING PART OF ORIGINAL RUNS 248 & 248A  
W. T. NEILL DISTRICT SURVEYOR.



LOGANBURN

Note A  
SECTION 34(1) OF THE CONSERVATION ACT 1907 (MARGINAL STRIPS) WILL APPLY TO THE POSITIONS OF STREAMS AS SHOWN WHEN THE LEASES OF THE RELEVANT RUNS ARE RENEWED. THE BEDS OF THOSE PORTIONS ARE TO REMAIN IN CROWN OWNERSHIP SUBJECT TO SECTION 34(1) OF THE ACT. FOR DETAILS REFER TO LEASE FILE.

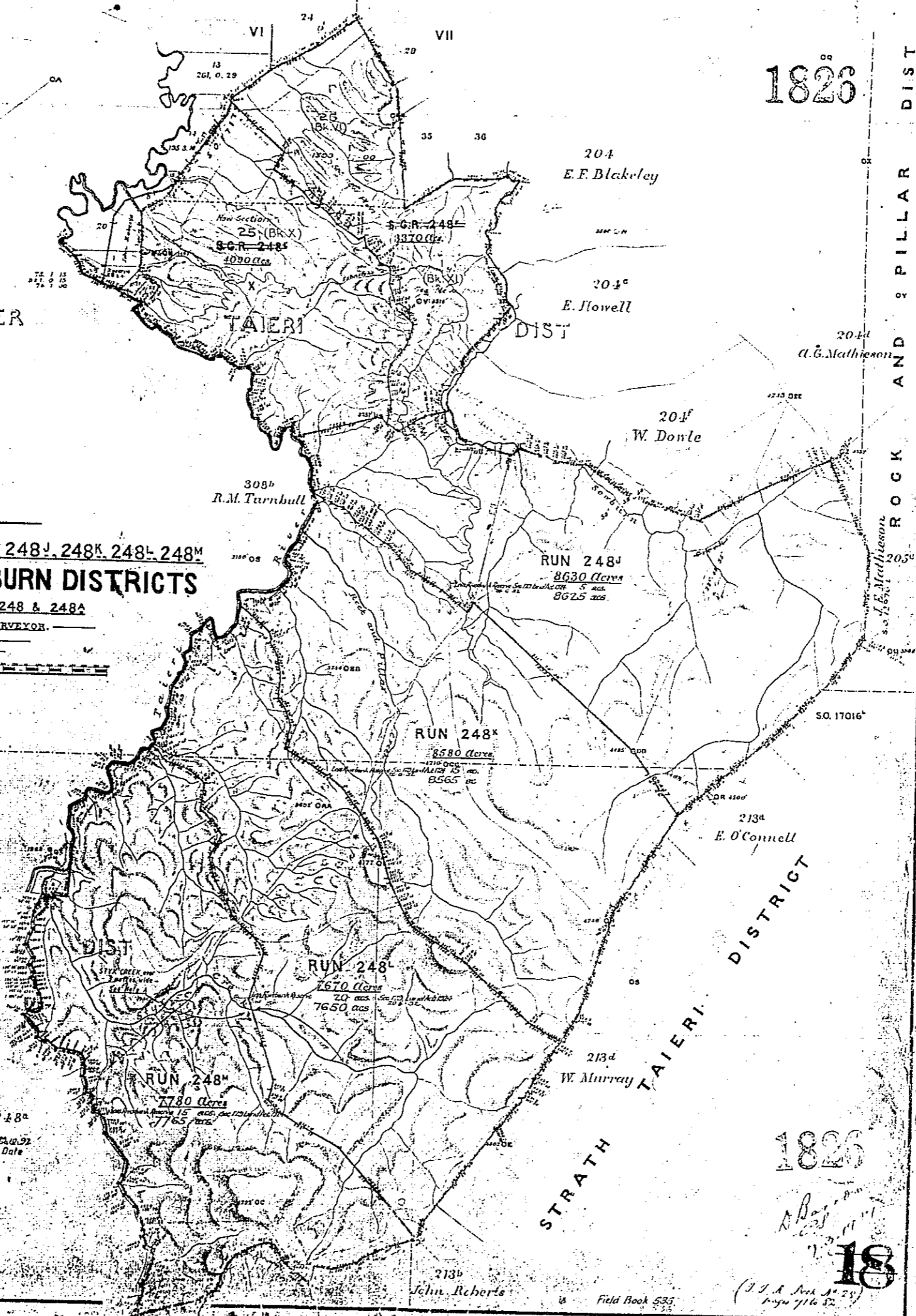
Run	Lease	Stream	Shown	Effective Date
248E	P333	STYX CREEK	a-b	30-1-2005
248F	P306	STYX CREEK	a-c	30-1-1998

W. T. Neill  
Chief Surveyor  
Date

1826

1826

18



STRATH TAIERI DISTRICT

John Roberts  
Field Book 525

(J. J. A. Arch. 1826)  
page 116 B.

5A/202

13 PART TAKEN BY GAZETTE NOTICE



REGISTER

Assistant Land Registrar

REGISTERED IN THE LAND OFFICE BUT NOT UNDER THE TRANSFER ACT.

Pastoral Lease under the Land Act 1940

This Deed, made the 1st day of March 1972 between HER MAJESTY THE QUEEN (hereinafter referred to as "the Lessor") of the one part, and ERNEST COLIN CARR of Patearoa, farmer (3/10 share), ERNEST COLIN CARR of Patearoa, farmer and MARJORIE WINIFRED CARR of Patearoa, his wife (1/5 share) and GEORGE BARCLAY HALL also of Patearoa, farmer (1/4 share) as tenants in common in the shares set \* (hereinafter referred to as "the Lessees"), 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 Lessees to be paid, observed, and performed, the Lessor doth hereby demise and lease unto the lessees all that parcel of land containing by estimation 2.765 acres 0 roods 00 perches more or less, situated in the Land District of Otago, and being Run 248M Loganburn and Upper Taieri Survey Districts

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

\* out after their respective names

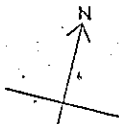
MEMORIALS BEGIN ON BACK

COPY

5A 202

13.10.99

REGISTER



Taiteri

from Sale Sect. 58 L.A. 65

GN 736574

COPY

I

II

Run 248M

77/65. 0. 00

EQUIVALENT METRIC

AREA IS	3112	3840	sq
GN 736574 has	9	8400	ha
	3132	5440	ha

Scale: 40 chains to an inch.

S.O.1826

Loganburn S.D.

DUNSTAN ROAD

IV

V

GBT  
M.W.C.  
1/10/99

5A/202

13.10.99

REGISTER

... easements, and appurtenances thereon... the said premises intended to be hereby demised into the Lessee for the term of 33 years commencing on the 1st day of July 1972, together with the period between the date of this lease and the aforesaid 1st day of July 1972, YIELDING and paying therefor, unto the Department of Lands and Survey at the annual rent of £ \$460.00 payable without demand by equal half-yearly payments on the 1st day of January and the 1st day of July in each and every year during the said term. AND also paying in respect of the improvements specified in the Schedule hereto the sum of £ by a deposit 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 Lessor will not at any time during the said term depasture on the land hereby demised more than \* sheep which number shall not include more than breeding ewes nor more than 30 cattle which number shall not include more than 25 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 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.

\* 1700 wethers all year and 1800 ewes for three months, mid January to mid April

SCHEDULE OF IMPROVEMENTS BELONGING TO THE CROWN

Nil

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: *M. Madenye*

Occupation:  *Clerk*

Address:  *Lands & Survey Dept. Timaru*

*J. Davis*  
Commissioner of Crown Lands.

*G.B. Bell.*  
*E.C. Carr.*  
*M. W. Carr.*

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

Witness: *Alfred Mark*

Occupation:  *Solicitor*

Address:  *Timaru*

Lessee.

707/AC

180698 Mortgage of their interests in the land of Ernest Colin Carr and Marjorie Winifred Carr to Robert Raymond Carr - 8.7.1959 at 1.54 pm and varied once subsequently.  
A.L.R.

52055 Mortgage to The Rural Banking and Finance Corporation of New Zealand - 12.3.1982 at 1.54 pm  
13.10.99  
13 OCT 1990  
A.L.R.

222313 Transfer of Mortgage 180698 to the Bank of New South Wales 22.7.1960 at 10.49 am  
A.L.R.

612028 Variation of Mortgage 52055 - 23.3.1984 at 11.10 am  
A.L.R.

398801A Transfer of Mortgage 180698 to Alexander Hector MacDonnell and Alexander James Lloyd Martin 12.2.1973 at 9.27 am  
A.L.R.

617354 Prospecting Licence under the Mining Act 1971 affecting part of the within land in favour of L and M Mining Limited for a term of 3 years commencing 26.5.1984 8.6.1984 at 1.38 am  
See Volume 9D Folio 84  
A.L.R.

418686 Agreement under Section 30 of the Soil Conservation and Rivers Control Act 1941 - 22.2.1974 at 1.55 pm  
A.L.R.

735873/1 Transfer of their 1/5 share Ernest Colin Carr and Marjorie Winifred Carr to Ewan Robert Carr of Paterson Farmer - 18.8.1989 at 10.03 am  
A.L.R.

one half share George Barclay Hall to 516406 Transfer of a 1/10 share of his Philip Anthony Toakley of Ranfurly Solicitor and Michael James Bayliss of Dunedin Accountant - 22.5.1979 at 2.00 pm  
A.L.R.

735873/2 Transfer of his 3/10 share Ernest Colin Carr to Ewan Robert Carr abovenamed - 18.8.1989 at 10.03 am  
A.L.R.

526108 Mortgage to The Rural Banking and Finance Corporation of New Zealand - 14.11.1979 at 10.12 am  
A.L.R.

740148/1 Mortgage of his 1/2 share Ewan Robert Carr to Wainwright Farmers Finance Limited - 17.10.1989 at 9.18 am  
A.L.R.

5A/202

551295 Compensation Certificate pursuant to Section 17 of the Public Works Amendment Act 1948 - 20.3.1981 at 12.10 pm  
A.L.R.

740148/2 Variation of Mortgage 740148/1 - 17.10.1989 at 10.18 am  
A.L.R.

569976/1 Variation of Mortgage 526108 - 29.1.1982 at 2.56 pm  
A.L.R.

745970/2 Mortgage to Elders Pastoral Limited and Elders Rural Finance N.Z. Limited - 19.1.1990 at 9.50 am  
A.L.R.

569976/2 Variation of Mortgage 526108 - 29.1.1982 at 2.56 pm  
A.L.R.

\* 736574 Gazette Notice declaring  
(i) The areas eighteenth to twentieth described in the first schedule thereto (9.8400 ha) are acquired for irrigation and power generation and vest in the Crown 24.8.1989  
(ii) Crown land (21.7190 ha) contained in the abovementioned land and the second schedule thereto to be set apart for irrigation and generation purposes  
(iii) Portions of road adjoining the areas sixthly, seventhly and eighthly described (4.1090 ha) in the fifth schedule thereto to be stopped and set apart for irrigation and  
continued over.

LAND & DEEDS  
Nature: *D.P.F. Pastoral lease*  
Firm: *b.b.k.*  
Date: *17 MAY 1972*  
P.n.e: *11.15*  
Fee: \$ *5.00*  
Abstract No. *284*

13.10.99

94612 Caveat by Kristal Mariee McDonald and Jeanette Jones McDonald - 2.11.1995 at 9.08am

generation - 29.8.1989 at 10.24am

WILLIAMS  
22.17.1998  
A.L.R.

*[Signature]*  
A.L.R.

759001/2 Transfer of his 1/2 share Ewan Robert Carr to George Barclay Hall of Patearoa, Farmer (as to a 1/4 share) and Rosemary Nancy Hall of Patearoa, Married Woman (as to a 1/4 share) and the said George Barclay Hall, Philip Anthony Tonkin of Ranfurly, Solicitor and Michael James Bayliss of Dunedin, Chartered Accountant (as to a 1/2 share jointly inter se) as tenants in common in the said shares - 18.7.1990 at 10.01am

902108 Charging Order (absolute) in action between Thomas Banks Cowie and Wilma Joyce Cowie and Peter David McDonald entered 26.2.1996 at 9.08am

12 FEB 1998  
Wynne  
A.L.R.

*[Signature]*  
A.L.R.

759001/3 Transfer of the 1/4 share of George Barclay Hall and the joint 1/4 share of Philip Anthony Tonkin and Michael James Bayliss to George Barclay Hall of Patearoa, Farmer (as to a 1/4 share) and Rosemary Nancy Hall of Patearoa, Married Woman (as to a 1/4 share) and the said George Barclay Hall, Philip Anthony Tonkin of Ranfurly, Solicitor and Michael James Bayliss of Dunedin, Chartered Accountant (as to a 1/2 share jointly inter se) as tenants in common in the said shares - 18.7.1990 at 10.01am

938778.1 Change of Name of the mortgagee in Mortgage 855347.4 to Royal & Sun Alliance and Disability (New Zealand) Limited 30.10.1997 at 1.38

OBSELETE

*[Signature]*  
for DLR

OBSELETE

943519.4 Variation

943519.5 Transfer to Run 248M Limited

943519.6 Mortgage to ANZ Banking Group (New Zealand) Limited all 12.2.1998 at 11.12

*[Signature]*  
for DLR

759001/4 Mortgage to Bank of New Zealand - 18.7.1990 at 10.01am

DISCHARGED  
11 MAY 1994  
*[Signature]*  
A.L.R.

A.L.R.

855347/3 Transfer to Peter David McDonald of Tarras Farmer - 11.5.1994 at 9.17am

OBSELETE  
*[Signature]*  
A.L.R.

A.L.R.

855347/4 Mortgage to Sun Alliance Life Limited - 11.2.1994 at 11.12

DISCHARGED  
11 FEB 1998  
*[Signature]*  
A.L.R.

A.L.R.

855347/5 Mortgage to Reid Farmers Limited and Reid Finance (Otago) Limited - 11.5.1994 at 9.17am

DISCHARGED  
12 FEB 1998  
*[Signature]*  
A.L.R.

A.L.R.

13.10.99

94612 Caveat by Kristal Mariee McDonald and Jeanette McDonald + 2.11.1995 at 9.08am

generation - 29.8.1989 at 10.24am

*[Signature]*  
A.L.R.

**WITHDRAWN**  
22.07.1998  
*[Signature]*  
A.L.R.

759001/2 Transfer of his 1/2 share Ewan Robert Carr to George Barclay Hall of Patearoa, Farmer (as to a 1/4 share) and Rosemary Nancy Hall of Patearoa, Married Woman (as to a 1/4 share) and the said George Barclay Hall, Philip Anthony Tonkin of Ranfurly, Solicitor and Michael James Bayliss of Dunedin, Chartered Accountant (as to a 1/2 share jointly inter se) as tenants in common in the said shares - 18.7.1990 at 10.01am

**OBsolete**  
*[Signature]*  
A.L.R.

902108 Charging Order (absolute) in action between Thomas Banks Cowie and Wilma Joyce Cowie and Peter David McDonald entered 26.2.1996 at 9.08am

12 FEB 1998  
*[Signature]*  
A.L.R.

*[Signature]*  
A.L.R.

759001/3 Transfer of the 1/4 share of George Barclay Hall and the joint 1/4 share of Philip Anthony Tonkin and Michael James Bayliss to George Barclay Hall of Patearoa, Farmer (as to a 1/4 share) and Rosemary Nancy Hall of Patearoa, Married Woman (as to a 1/4 share) and the said George Barclay Hall, Philip Anthony Tonkin of Ranfurly, Solicitor and Michael James Bayliss of Dunedin, Chartered Accountant (as to a 1/2 share jointly inter se) as tenants in common in the said shares - 18.7.1990 at 10.01am

**OBsolete**  
*[Signature]*  
A.L.R.

938778.1 Change of Name of the mortgagee in Mortgage 855347.4 to Royal & Sun Alliance and Disability (New Zealand) Limited 30.10.1997 at 2.38

**OBsolete**

*[Signature]*  
for DLR

943519.4 Variation

943519.5 Transfer to Run 248M Limited

943519.6 Mortgage to ANZ Banking Group (New Zealand) Limited all 12.2.1998 at 11.12

*[Signature]*  
for DLR

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11 MAY 1994  
*[Signature]*  
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**OBsolete**  
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A.L.R.

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**DISCHARGED**  
11 FEB 1998  
*[Signature]*  
A.L.R.

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**DISCHARGED**  
12 FEB 1998  
*[Signature]*  
A.L.R.