

Crown Pastoral Land Tenure Review

Lease name : SUNSET FARM

Lease number : PO 318

Due Diligence Report (including Status Report) - Part 1

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

DUE DILIGENCE REPORT
CPL PRE TENURE REVIEW ASSESSMENT STANDARD 6:
SUNSET FARMS PASTORAL LEASE

File Ref: CON/50269/09/12572/A	Report No: DN0108	Report Date: 28/03/2002
Office of Agent: Dunedin	LINZ Case No:	Date sent to LINZ: 04/04/2002

RECOMMENDATIONS

1. That the Commissioner of Crown Lands or his delegate **note** this Due Diligence Report which has been prepared in accordance with the Pre Tenure Review Assessment Standard;
2. That the Commissioner of Crown Lands or his delegate **note** the following;
 - The sub-lease to Eric Alexander Stringer, Pauline Margaret Stringer and Leslie James Stewart has not been registered.
 - A run plan was initiated prior to the issue of the Pastoral Lease in 1967, but was not maintained past the proposal to install conservation fencing in 1974.

Signed by Opus:

M Brown
Property Consultant

D Payton
Contract Manager

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

Name:

Date of decision: / /

1. Details of lease:

Lease Name: Sunny Peaks
Location: Mt Pischah Road, Northern Kakanui Ranges, approximately 10 kilometres from State Highway 85
Lessee: Belle Edith Crutchley as to a 175/1332 share, Susan Edith Waugh as to a 1157/2664 share and Helen Adair Baker as to a 1157/2664 share.
Tenure: Pastoral Lease under the Land Act 1948 subject to Pastoral Lease Po318.
Term: 33 years from 1 July 2000
Annual Rent: \$1,170.00 plus GST
Rental Value: \$78,000.00
Date of Next Review: 30 June 2011
Land Registry Folio Ref: OT3A/149 (Otago Land Registry)
Legal Description: Run 206D situated in Kyebrun and Swinburn Survey Districts
Area: 1594.4614 hectares

2. File Search

Files held by Knight Frank Limited on behalf of LINZ:

File Reference	Volume	From	To
CON/50213/09/12572/A-ZNO	1	01/07/2000	Date
Po/318-SDN-02	2	09/01/1987	30/06/2000

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

File Reference	Volume	From	To
CON/50269/09/12572/A-ZNO	1	19/01/2002	Date

Other relevant files held by LINZ:

File Reference	Volume	From	To
Po/318-SDN-01	1	06/02/1967	08/01/1987

3. Summary of lease document:

Terms of lease

Stock Limitation in Lease

750 wethers for 12 months or 3000 dry ewes for 2.5 months from end of January to Mid April plus 600 wethers for 3 months.

Commencement Date

1 July 2000

Special Provisions

There are no special provisions in the lease.

Area adjustments

There are no area adjustments in the lease.

Registered interest

5008394.1 Variation of the within lease – 6.9.2000

Unregistered interests

File records indicate the lease was sub-let to Eric Alexander Stringer, Pauline Margaret Stringer and Leslie James Stewart. This sub-lease has not been registered against the lease, nor is there an indication that it was intended to be registered. File records acknowledge the presence of the sub-lessee at time of valuation for renewal in 1998.

4. Summarise any Government programmes approved for the lease:

At present there are no Government programmes approved for the lease. However a 1985 routine inspection report indicates that an earlier Run Plan was instigated but does not appear to have been maintained. File records indicate that some activities, in particular conservation fencing, were completed. Further activities such subdivision fencing and development appear not to have been initiated.

5. Summary of Land Status Report:

Opus International Consultants Limited undertook a Land Status Check on 12 March 2002. This check confirms the status of the Land as Crown Land under the Land Act 1948, subject to pastoral lease Po318.

A copy of the Land Status Report is attached as Schedule A to this report.

6. Review of topographical and cadastral data:

A review of topographic and Cadastral information indicates there is an unformed legal road crossing the lower third of the property.

There is no indication of any telecommunication facilities, historic places, or discrepancies between the fenced and legal boundaries.

7. Details of any neighbouring Crown or conservation land

Neighbouring Crown or Conservation Lands are detailed as follows:

	Legal Description	Status	Owner/Lessee
North	Run 736	Pastoral Lease (Shortlands Station)	Her Majesty the Queen/ EA Stringer, PA Tonkin, & DC Crutchley
South	Run 206E	Pastoral Lease (Clover Flats)	Her Majesty the Queen/ Stringer Farms Limited

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

8. Summarise any uncompleted actions or potential liabilities:

The sub-lease to Eric Alexander Stringer, Pauline Margaret Stringer and Leslie James Stewart has not been registered, nor is there an indication that it is to be. Copies of the relevant file notes are attached as Schedule B to this report.

A run plan was initiated prior to the issue of the Pastoral Lease in 1967. It appears as though this plan was not maintained past the proposal to complete conservation fencing in 1974. A copy of the conservation fencing proposal together with a copy of the first page of the 1985 routine inspection report are attached as Schedule C to this report.

Schedule A – Land Status Report

OPUS INTERNATIONAL CONSULTANTS LIMITED
DUNEDIN OFFICE

Project Number 6NLITR.02/ 276YD



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

LAND STATUS REPORT for Sunset Farms				LIPS Ref 12572
Property	1	of	1	

Land District	Otago
Legal Description	Run 206D situated in Kyeburn and Swinburn Survey Districts.
Area	1594.4614 ha.
Status	Crown Land under the Land Act 1948 subject to Pastoral Lease Po318.
Instrument of title/lease	OT3A/149.
Encumbrances	None found.
Mineral Ownership	Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1848 Kemp Purchase.
Statute	Land Act 1948 and Crown Pastoral Land Act 1998.

Data Correct as at	12 March 2002
[Certification Attached]	
Prepared by	Garry Patrick
Crown Accredited Agent	Opus International Consultants Ltd, Dunedin

Peer Reviewed by J Kirk

[Signature] 12 / 3 /2002

LAND STATUS REPORT for Sunset Farms				LIPS Ref 12572
Property	1	of	1	

Certification

Pursuant to Section 11(1)(l) of the Survey Act 1986 and acting under delegated authority of the Surveyor-General pursuant to Section 11(2) of that Act, I hereby certify that the land described above is Crown Land under the Land Act 1948 subject to Pastoral Lease OT3A/149.



Max Haydn Warburton

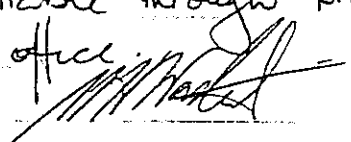
Chief Surveyor

Land Information New Zealand, Dunedin.

19 1 3 2002

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.

Files not available at time of writing this report.

Files are available through LINZ
Christchurch office


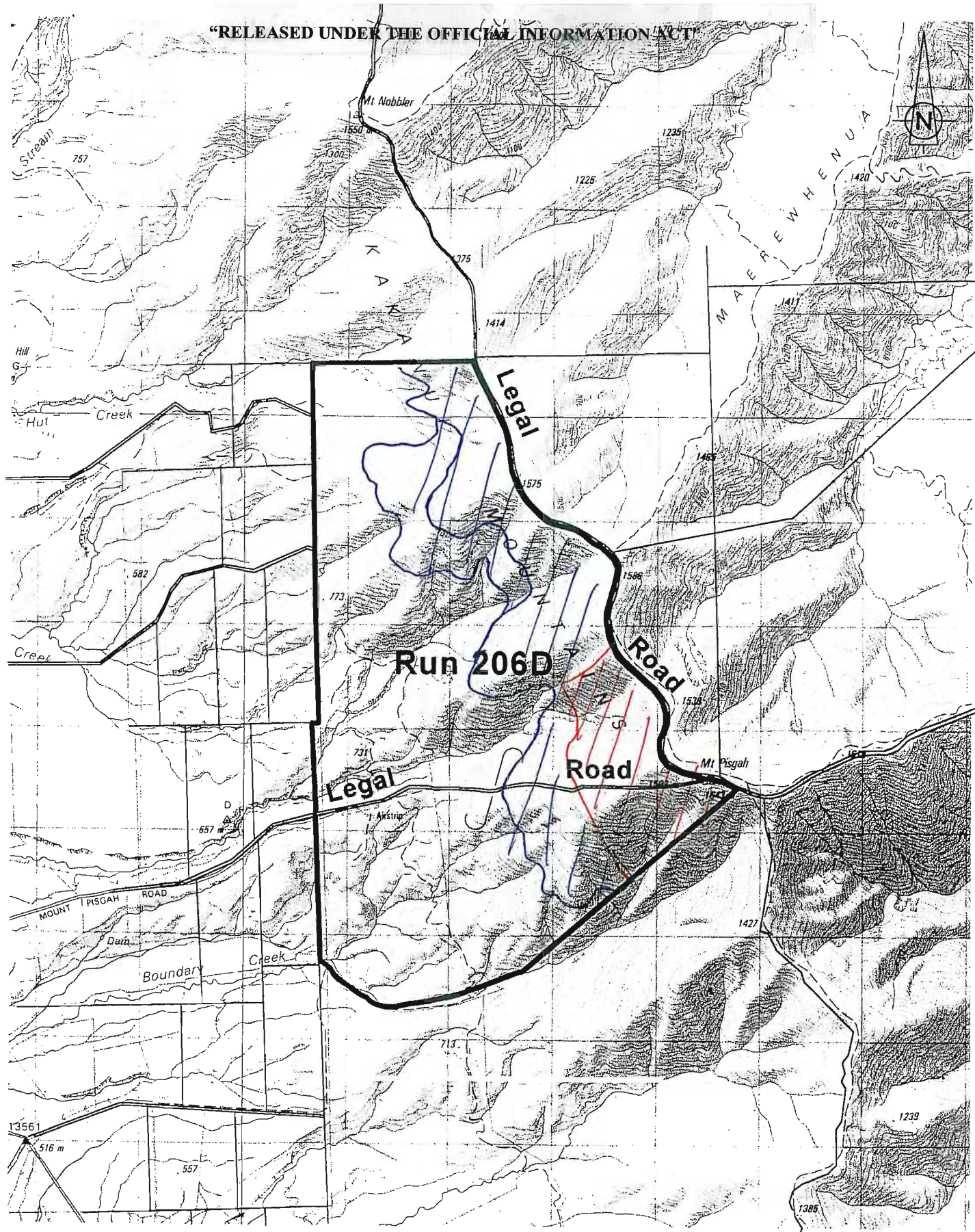
LAND STATUS REPORT for Sunset Farms				LIPS Ref 12572	
Property	1	of	1		

Research Data: *Some Items may be not applicable*

SDI Print Obtained	Yes.
NZMS 261 Ref	I 41.
Local Authority	Central Otago District.
Crown Acquisition Map	Kemp Purchase.
SO Plan	Roll NE 1880 Runs – Sheet G6 sighted but not copied. Area of Run 206D 3940a-or-00p. Sighted but not relevant to status – SO's 698 (Trig), 782 (Blk III Kyeburn SD) 1065 (Runs 134, 300 & 301), 1607 (Topo), 1608 (Triangulation), 1610 (Block II Swinburn SD), 7293 (Cancelled), SO 13608 (Run 736).
Relevant Gazette Notices and / or Computer interest register.	OT3A/149
CT Ref / Lease Ref	OT3A/149 Historical. Variation of Lease 5008394.1 [Renewal of Lease].
Plan Index	Sighted - notes Run 206D original plan NE 80.
Legalisation Cards	No card found for NE 80.
Statutory Actions (Landonline)	No actions noted.
✓ CLR	Sighted. Supports pastoral status. Previously PR 1891.
Allocation Maps (if applicable)	I41 Maps for DoC, SOE and Proposed SOE Claims sighted. Nothing found in respect to subject land.
VNZ Ref - if known	28310/12600
Crown Grant Maps	Not Searched.
If Subject land Marginal Strip: a) Type [Sec 24(9) or Sec 58] b) Date Created c) Plan Reference	a) N/A. b) c)
If Crown land – Check Irrigation Maps.	I41 sighted – nothing found.
Mining Maps	I41 Notes PP 39057 9A/519 to G M Chrisp – expired 29 May 1997.

LAND STATUS REPORT for Sunset Farms				LIPS Ref 12572
Property	1	of	1	

<p>If Road</p> <p>a) Is it created on a Block Plan – Section 43(1)(d) Transit NZ Act 1989</p> <p>b) By Proc</p>	<p>a) SO Plan N/A</p> <p>b) Proc Plan</p> <p>c) Gazette Ref</p>
<p>Other Relevant Information</p> <p>a) Concessions – Advice from DOC or Knight Frank.</p> <p>b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998</p> <p>c) Mineral Ownership</p> <p>d) Other Info</p>	<p>a) No DoC concessions within peripheral boundaries.</p> <p>b) Nothing found.</p> <p>c) Either</p> <p>✓ Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under 1848 Kemp Purchase</p> <p>d)</p>



Version	1	2	3	4	5
Otago Land District NZMS 260 I.41	Sheet 1 of 1 Date 01/02/2002				



Sunset Farms

Scale 1 : 50000

0 1000 2000 3000 4000 5000m

Graphics by :
TL Survey Services Ltd DUNEDIN

Appendix 1: Plans (2) of Substantive Proposal

ALEXANDRA

Our Ref: P318

31 October 1969

Fraser MacDonald Martin & Co
Barristers and Solicitors
PO Box 40
Ranfurly

ATTENTION: A B BROWN

Dear Sir

SUBLEASE - J M CRUTCHLEY & CO

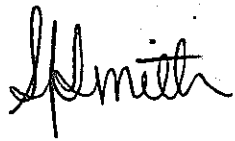
I wish to advise that the above sublease has been approved subject to the following conditions:

1. That Eric Stringer be recognised as the approved manager.
2. That the current stock limitation remain.

Please find enclosed formal consent forms to effect the above sublease.

I trust that registration will take place as soon as possible.

Yours faithfully



S F Smith (Miss)
Land Administration Consultant

LAND CORPORATION LIMITED

Memorandum of Dealing with Lease or Licence

LEASE OR LICENCE NO. P. 318..... Registered in Vol. 3A..... Folio. 149.....

NAME OF PRESENT LESSEE / LICENSEE. Jesse Maisey Crutchley and Company.....

DESCRIPTION OF LAND. Run 206D, Kyeburn and Swinburn Survey Districts.....

Area. 1594.4614..... ha

NATURE OF DEALING AND PARTY. Subleased to Eric Alexander Stringer, Pauline Margaret Stringer, the said Eric Stringer and Leslie James Stewart.....

To the District Land Registrar, Dunedin

I certify that the above dealing was consented to in terms of Section 89 of the Land Act on the 1st..... day of November..... 1989..

SIGNED for and on behalf of)
HER MAJESTY THE QUEEN pursuant to a)
Deed lodged with the District Land)
Registrar as No. 681189/2 by)
LAND CORPORATION LIMITED)
by its Attorney Kenneth Ross Taylor)
in the presence of)

LAND CORPORATION LIMITED
by its Attorney

Kenneth R. Taylor

Witness: *W. Smith*.....

Occupation: Land Administration Consultant

Address: Land Corporation Limited
ALEXANDRA

Advice to Land Corporation Limited, ALEXANDRA

The above transaction was registered on the day of
..... 19.... as No.

New Address:

Local Authority: Maniototo County Council.....

P L Register: / /
Transfer Reg: / /

Ledgers: / /
Records: / /

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

I, Kenneth Ross Taylor of Alexandra Property Officer

HEREBY CERTIFY -

1. THAT by Deed dated the 12th day of June 1987 copies of which are deposited in the Land Registry Offices at -

AUCKLAND (North Auckland Registry) and there numbered B678573
BLENHEIM (Marlborough Registry) and there numbered 136439
CHRISTCHURCH (Canterbury Registry) and there numbered 686366/2
DUNEDIN (Otago Registry) and there numbered 681189/1
GISBORNE (Poverty Bay Registry) and there numbered 167089.2
HAMILTON (South Auckland Registry) and there numbered H734777
HOKITIKA (Westland Registry) and there numbered 076748
INVERCARGILL (Southland Registry) and there numbered 141782
NAPIER (Hawkes Bay Registry) and there numbered 478751.2
NELSON (Nelson Registry) and there numbered 269962.1
NEW PLYMOUTH (Taranaki Registry) and there numbered 341775
WELLINGTON (Wellington Registry) and there numbered 860782.2

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.

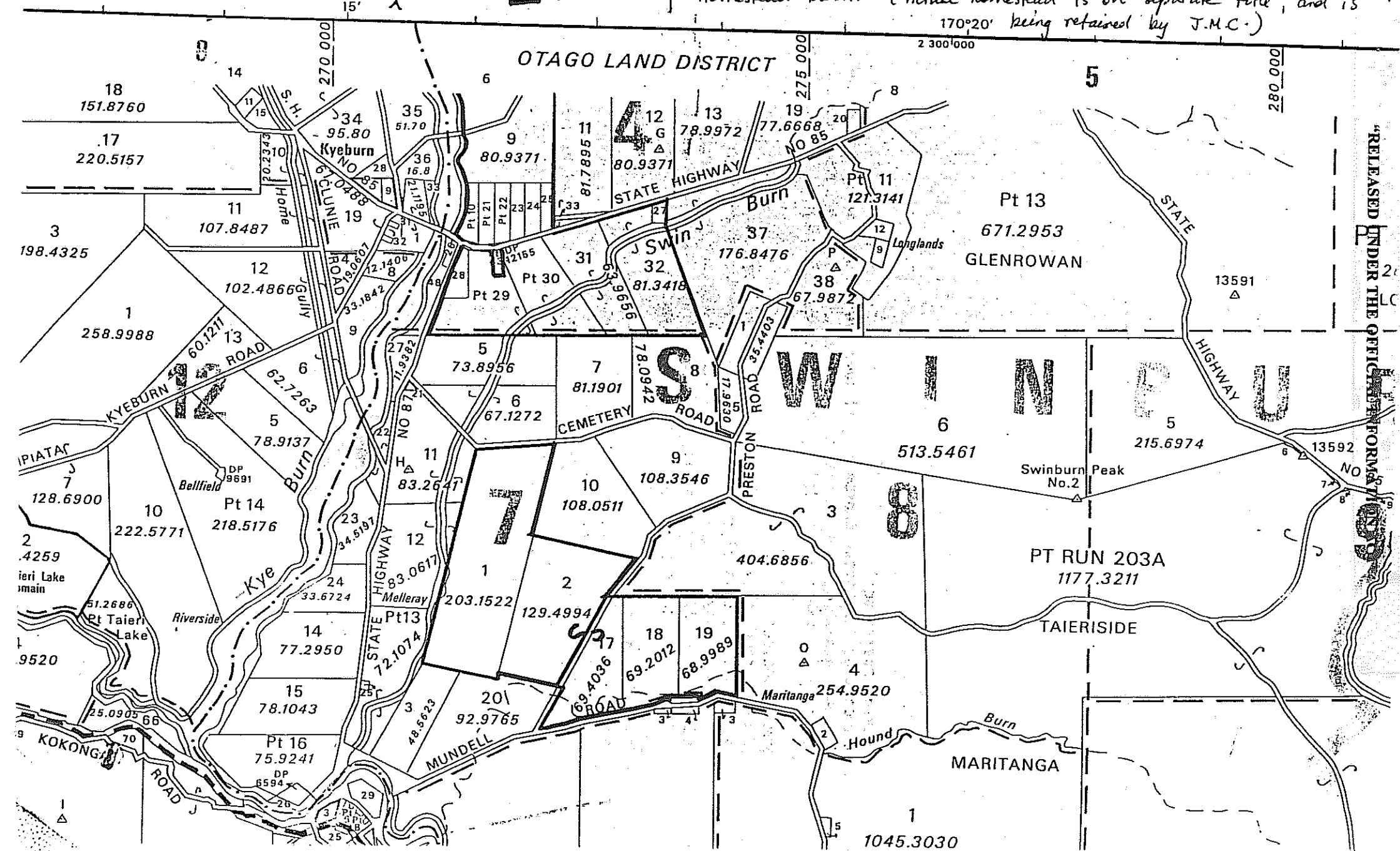
2. THAT at the date hereof I was Property Officer of the said Corporation.
3. THAT at the date hereof I have not received any notice or information of the revocation of that appointment by the winding up or dissolution of the said LAND CORPORATION LIMITED or otherwise.

SIGNED at Alexandra
this 1st day of November
1989

)
)
)

Kenneth R Taylor

☐ J M Crutchley Homestead Block. (Actual homestead is on separate title, and is 170'20' being retained by J.M.C.)



Schedule C – File notes relating to the run plan

"RELEASED UNDER THE OFFICIAL INFORMATION ACT"1. ESTIMATES AND EXPENDITURE:

	<u>Total</u>	<u>Subsidy</u>
Original Estimate	8,591	3,697
Expenditure to date	4,786	1,795
Expenditure last year	-	-

2. FARM NOTES:Stock Numbers at June 1974:

<u>Sheep:</u>	<u>S.U.</u>	<u>Cattle:</u>	<u>S.U.</u>
5,200 Ewes	5,200	105 Cows	630
1,150 Hoggets	805	25 Heifers	100
40 Killers	32	95 M/S Calves	285
80 Rams	64	125 18 mth. Steers	625
		110 3yr. Steers	550
		3 Bulls	18
<u>6,470</u>	<u>6,101</u>	<u>463</u>	<u>2,208</u>

Total S.U. = 8,309

Stock Numbers increase/decrease. Sheep -85 Cattle +13

Stock Performance: Lambing 110% Calving 86%
Wool Weight 10.5 lb

A.O.S. & T.D.: 135 tons super at 1.5 cwt. = 1,800 ac.

Winter Feed: 8,000 bales Lucerne Hay
45 acres Ryecorn
43 acres Swedes
47 acres Turnips and Grass
40 acres Young Grass

3. CONSERVATION WORKS:

All previous Con. works are well maintained and T.D. acreage has been greatly increased.

4. PROPOSED WORK:

65 chains of Conservation Fence line has been dozed and material taken to the site ready for erection when conditions permit. Continuation of the existing firebreak is still under consideration and will be the subject of an addition or part of the revision when a decision is made.

5. ESTIMATE FOR PROPOSED WORK:

<u>Block</u>	<u>Work</u>	<u>Cost</u>	<u>Rate</u>	<u>Subsidy</u>	<u>Farmer</u>
3A.	65 ch. Con. Fence @				
	\$17.00	1,194	1:1	597	597
	Plus 7 $\frac{1}{2}$ % Oncost Fee	90	N.S.	-	90
		<u>\$1,284</u>		<u>\$597</u>	<u>\$687</u>

6. RECOMMENDATION:

That the Board receive this report and endorse the works estimate.

25th July 1974

Robert Alex

B 48

J. Wallace Ramsay
J. WALLACE RAMSAY
CHIEF SOIL CONSERVATOR

DESIGNATIONS REPORT SUNSET FARMS

Land Held Under Reviewable Instrument to be Retained in Full Crown Ownership and Control:

Designation 1

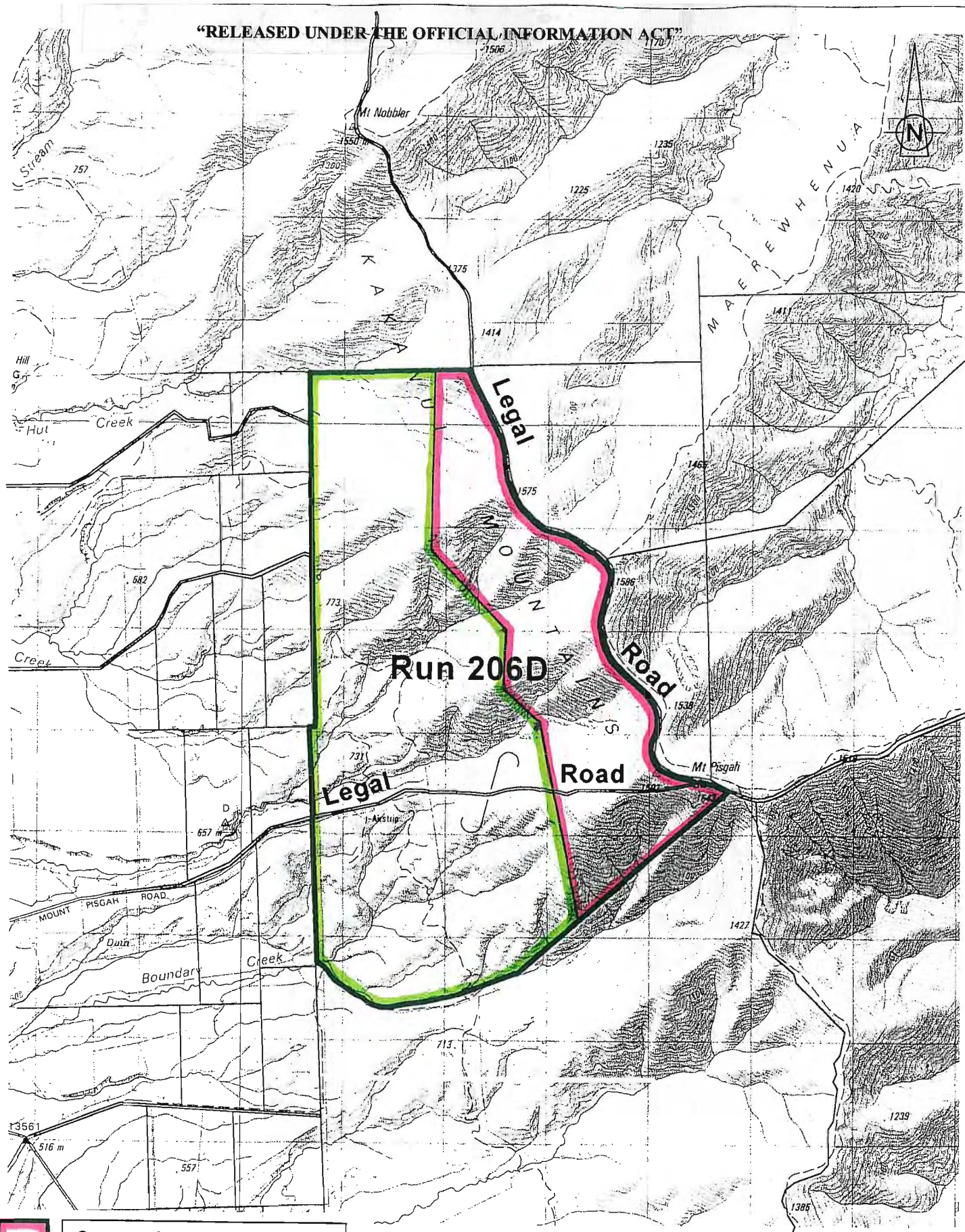
As conservation area (under section 35(2)(a)(i) Crown Pastoral Land Act 1998)

Area: 524 hectares (marked in pink on the plan attached)

To be designated as land to be disposed of by freehold disposal to persons specified (under section 35(3) Crown Pastoral Land Act 1998):

Designation 2

Area: 1070 hectares (marked in green on plan attached)



Conservation Area – Full Crown
Ownership and Control



Land to be Freeholded

Version

1

2

3

4

5

Otago Land
District

NZMS 260 1.41

Sheet 1 of 1

Date 01/02/2002



Sunset Farms

Scale 1 : 50000

Graphics by :
TL Survey Services Ltd DUNEDIN

0 1000 2000 3000 4000 5000m

Communication Record

To	File	Date	27/3/02	Memorandum	<input type="checkbox"/>
Copy to		Time		Telephone Record	<input type="checkbox"/>
Recorded by		File No.		File Note	<input checked="" type="checkbox"/>
Subject	Sunset Farms Conservation Reserves	Proj. No.		Minutes of Meeting	<input type="checkbox"/>
		Page	of	Feedback	<input type="checkbox"/>

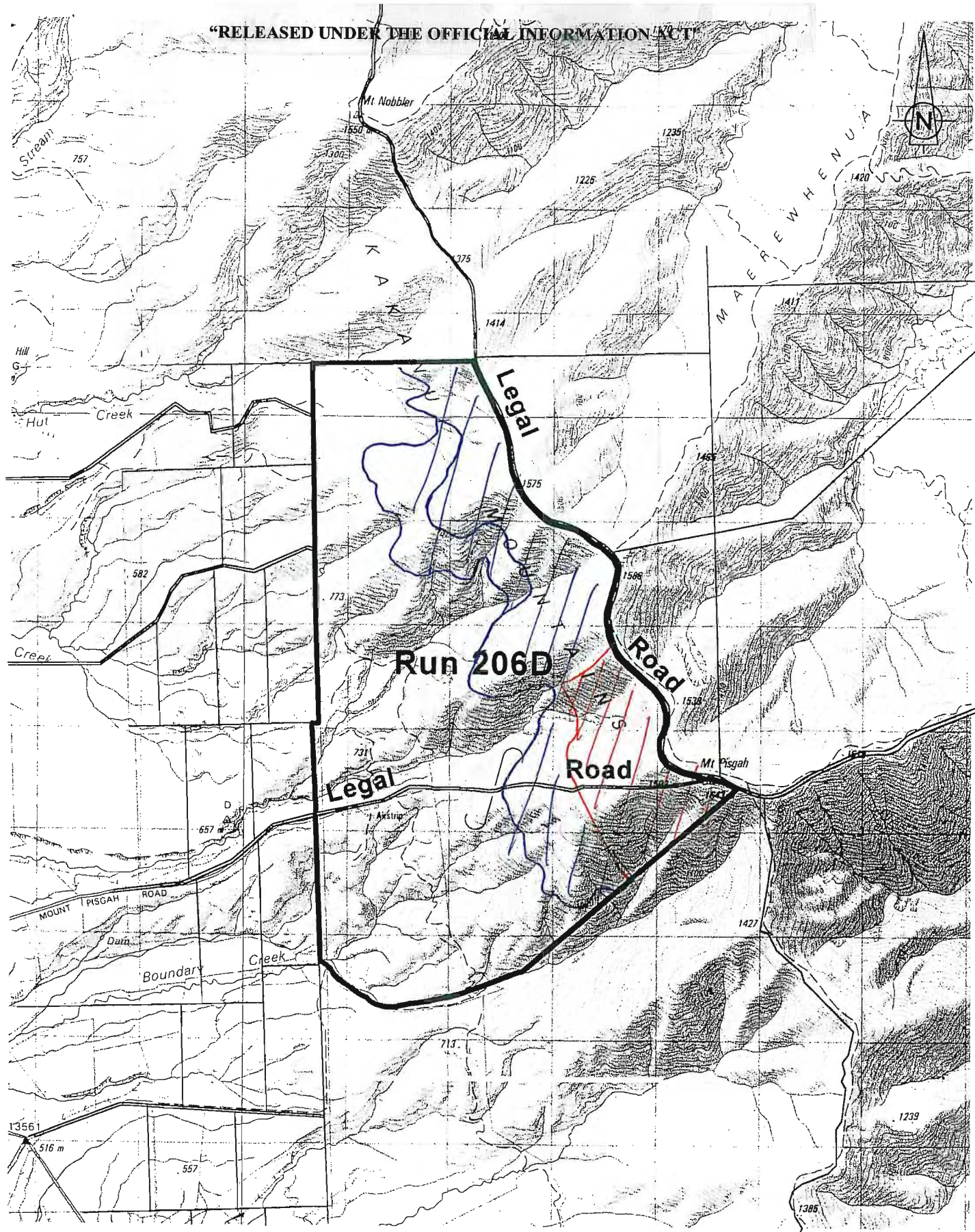
Part Danseys RAP 7 - marked red.

- interest in land over 1000 m (marked blue).

- access over Mt Piggah Road to boundary of conservation area (proposed)

- Soil site 299 @ Grid 141 060 660
 ↳ the RAP.

6000 m of new fences required.



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Sunset Farms

Scale 1 : 50000

0 1000 2000 3000 4000 5000m

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