

Crown Pastoral Land Tenure Review

Lease name : THE WOLDS

Lease number : PT 008

Due diligence report (including status report)

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 04

DUE DILIGENCE REPORT

CPL PRE TENURE REVIEW ASSESSMENT STANDARD 6:

File Ref:	P8/1	Report No:	AT1005	Report Date:	22 February 2001
LINZ Ref:	CON/50240/09/12674/A-ZNO				
Office of Agent:	Alexandra	LINZ Case No:	TR01/82	Date sent to LINZ:	23/2/01

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 incomplete actions which require action by the Manager of Crown Property Contracts.

2.1 The lease document contains four undischarged Compensation Certificates:

Compensation Certificate 700123 pursuant to Section 17 of the Public Works Amendment Act 1945 12 December 1966. *(Related to the removal of 8 acres 3 roods and 20 perches being parts of CT 529/16 and CT 529/79 for Hydro Development.*

Compensation Certificate 815511 pursuant to Section 17 of the Public Works Amendment Act 1945- 26 November 1970. *(Related to 1544 acres of land to be taken for Hydro development (Tekapo Canal) and 300 acres temporary fenced off during construction period.*

Compensation Certificate 867303 pursuant to Section 17 of the Public Works Amendment Act 1945 17 May 1972. Mount Mary Post Office transmission site (0.2554 ha) with access and electricity supply rights from the Wolds.

Compensation Certificate No 468794/1 pursuant to Section 19 of the Public Works Act 1981- 12 December 1983. *(Expansion to Mount Mary transmission site by 2.1730 ha with renewed access rights for Wold's track).*

2.2 Two unregistered agreements affecting the lease are known to exist:

- In 1957, at the split up of the three units, the domestic water supply for the then Wolds house on their southern freehold land from Maryhill *(now incorporated into P8)* was covered by a unregistered agreement to be formalised if required at a future date at the expense of the Wolds.

- The Irrigation supply from the Maryburn River for Simons Hill, Simons Pass and Maryburn Irrigation Scheme crosses the Wolds leasehold and was secured by a similar unregistered agreement at the same time.

The Crown agreed in principle but would only give approval when a formal easement proposal was presented. No presentation for approval of these easements has occurred.

2.3 The following actions to be undertaken after lease renewal in 1984 have not yet been completed:

(Summarised -- see attachment 6 for full LSB approval conditions. Some are related to the above Compensation Certificates).

- (1) The Mary Range Boundary adjustments be completed. *(Not completed - no action appears to be in progress).*
- (2) Surveyed areas taken for water power development be removed. *(Not completed - final settlement still being negotiated over a very small dollar amount).*
- (3) The exchange of Forestry Plantation Reserve 2926 with Mackenzie Council be completed. *(Not completed. In 1987 the status of the Reserve land was removed by GN 17 December 1987 Page 6113. Delay in processing has been caused by need for survey of reserve area, lease renewal, order in council authorising the exchange, and raising for a title of the reserve).*
- (4) The severance area north of the Canal be surrendered and incorporated in Irishmans Creek as per original canal boundary agreement. *(Not yet removed from lease document. The land is still secured by Compensation Certificate and actual allocation to Irishmans Creek yet to be determined).*
- (5) The Irrigation Block be surrendered to Mount John. *(Not yet withdrawn from the lease document. This was taken for defence purposes as a vehicle for transfer. Survey has been completed, but it has no legal access. The right of way across the lease has not been noted on the Gazette taking (C879718/1) of the lessee's and lessor's interest.*
- (6) Right of way to Mount Mary transmitter site be obtained. *(Not yet completed. This is currently under action, being advertised as a received designation from Broadcasting Communications Ltd under the Resource Management by Mackenzie District Council in the Timaru Herald on 21b November 2000 for the canal access road and power line that cross the Wolds).*

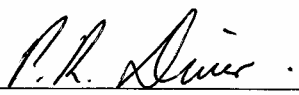
2.4 A potential uncompleted action exists in that in the 1995 11 year rent review, valuation of the LEI was elected to be set by the LVT. No files searched provided any evidence that this request was ever withdrawn or agreed solution reached.


2.5 In 1940 an old cart track off State Highway 8 across Run 85 was to be proclaimed by the Mackenzie County Council as road to give legal access to a freehold Section No 34231 to the south. (See folio 77 - 26 June 1940 - Pt008-SCH-02). It appeared to be well through the process.

No evidence of its establishment is contained on the lease documents, Cadastral maps, or in the Status Check Report. It could however be an issue that was overlooked and not carried through. Because of the potential legal liability to the Commissioner if it does in fact exist, further investigation of the Proclamations made by the Mackenzie County Council in 1940 appears warranted.


2.6 The status of the airstrip shown straddling the boundary of the lease with Irishmans Creek on the topographical map west of Mount Mary, and any agreements associated with it, are unknown.

Signed by Knight Frank (NZ) Limited:


P Diver:


Manager:

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


Name: MICHAEL JOHN TODD
Date of decision: 26/3/2001

(1) Details of lease.

Lease Name: The Wolds

Location: The property is located 19 km south of Tekapo on State Highway 8 in South Canterbury. It runs from the Tekapo River across extensive flats, terraces and rolling moraines, over the Mary Range to Lake Pukaki. The homestead and buildings are located adjacent to State Highway 8 on the eastern side.

Lessee: Wolds Run Company (1972) Limited.

Tenure: Pastoral lease under the Land Act 1948 and Crown Pastoral Land Act 1998. Pastoral Lease No 8.

Term: 33 years from 1 July 1984 to 30 June 2017.

Annual Rent: \$4,275 (excluding GST) (subject to LVT?).

Rental Value: \$190,000

Date of Next Review: 1 July 2006

Land Registry Folio Ref: CL 529/16 (Canterbury Registry).

Legal Description: Part Runs 85A and 85B situated in Blocks III, IV, VII, VIII, IX, X, & XI Pukaki Survey District and Blocks I and V Burke Survey District being all the land contained in Instrument of Title CL 529/16 (Canterbury Registry).

Area: 8610.3932 hectares

(2) File Search:

<i>File Reference</i>	<i>Volume</i>	<i>First Folio</i>	<i>Date</i>	<i>Last Folio</i>	<i>Date</i>
Po8	4		6/10/1995		30/7/1976*
Po8	5		13/6/1975		21/8/1985*

* (Un-numbered folio system).

Files held by LINZ Christchurch:

<i>File Reference</i>	<i>Volume</i>	<i>First Folio</i>	<i>Date</i>	<i>Last Folio</i>	<i>Date</i>
P8	1	1	22/12/1911	169	14/2/1957
P8	2	170	20/2/1957	378	11/1/1974
P8	3	379	14/1/1974	507	13/3/1979
P8	4	508	26/3/1979	642	2/8/1983
P8	5	643	6/6/1984	730	4/9/1985
P8	6	731	16/10/1985	778	13/6/1986

Files held by Knight Frank Timaru:

P8	7	779	16/6/1986	891	6/4/1992
P8	8	892	2/9/1992	950	1/7/2000
P8	9	1	24/11/2000	1	24/11/2000

Additional Files Searched:

<i>File Reference</i>	<i>Volume</i>	<i>First Folio</i>	<i>Date</i>	<i>Last Folio</i>	<i>Date</i>
P8 40/14/4/1/2-WCH-0	No numbers		24/6/1961		14/12/1967
P8 40/14/4/1/2-WCH-0			21/12/1967		7/7/1971
P8 40/14/4/1/2-WCH-0			30/7/1971		22/3/1979
P8 40/14/4/1/2-WCH-0			9/1/1979		32/2/1984
P8 40/14/4/1/2-WCH-0			14/3/1985		25/10/1996
P8 LG/271-SC			3/3/1978		16/9/1985
P8 5200/D13/T08-1-DN			10/4/1990		12/2/1997
P8 LDS/3/14-1-WC			10/7/1989		11/9/1991

With the exception of a very few missing folios the records are complete. Confidence is held that all important data has been searched.

Mrs William Grant purchased Pastoral Licence 343 (*Run 85B -16300 acres*) in 1911 together with a annual tenancy occupation of Plantation Reserve 2926 (*425 acres*) which was in the centre of the lease. The licence was run in conjunction with 2415 acres of freehold land (*three blocks - two within the boundary of the lease and another block some 12 km south of the Run*). The term of the lease was for 21 years from 1 March 1912.

In 1913 The Mackenzie County Council fenced out a existing reserve at Irishmans Creek.

Files over the next few years contain only routine rent payment issues.

An extension to the license for 14 years was granted in 1924 under Section 14 of the Land Laws Amendment Act 1921/22 from expiry of the lease in 1933.

In 1922 administration of the Plantation Reserve 2946 was transferred to the Mackenzie County Council.

During the early to the mid 1930's the only file data relates to applications for and remissions of rents.

In 1937 the licence was surrendered and a new licence (*PR 504*) issued for 10 years at a revised rental under Section 9 of the Land Laws Amendment Act 1935. The term of the new Pastoral Run Licence was for 10 years from the 1 January 1937. No alteration to area or conditions occurred.

In 1940 an old cart track off State Highway 8 across Run 85 was to be proclaimed by the McKenzie County Council as road to give legal access to a freehold Section No 34231 to the south. (*See folio 77-26 June 1940 - Pt008 - SCH-02*). No evidence of its establishment is contained on the lease documents, Cadastral maps, or in the Status Check report.

Mrs Grant died in 1943 and the property was administered by trustees of the estate.

In 1944 the term of the licence was extended 2 years to 28 February 1949 under the Section 25 of the Reserves and other Lands Disposal Act 1943.

In 1948 the term of the licence was again extended 2 years to 28 February 1951 under the Section 25 of the Reserves and other Lands Disposal Act 1947.

In 1951 the estate was sold to the grandchildren of Mrs Grant, being William Grant and his three spinster sisters.

The licence was replaced in 1951 by Pastoral Lease No 8 for 33 years from 1 July 1951 over the same 16300 acre area with a stock limitation of 3800 sheep. An Occupation licence over Reserve 185 (*200 acres*) was also approved.

At this time both the Wolds and adjacent Maryburn leases were run as a combined unit by William Grant and others.

The issue of the lease was delayed awaiting the survey of reserves to be taken for Rabbit Board buildings, but because of delays it was issued without their removal.

In 1952 the area of the lease was reduced by a 6 acre 1 rood 10 perch section that was taken for water power development on the Lake Pukaki side.

During 1955 concern was expressed about the condition of the Wolds and Maryburn Runs, resulting in inspections and eventual rent reduction on the Maryburn for five years, subject to reduction of 500 sheep on the Maryburn Flats.

In 1957 the combined Wolds and Maryburn runs plus freehold was put up for auction as three separate units being the Wolds, Maryburn and the Wolds Farm (*the separate freehold block to the south*).

Some questions of access for Maryburn via Simon's Pass arose. Domestic water supply for the Wolds house on their southern freehold land from Maryhill was covered by unregistered agreement to be formalised if required at a future date at the expense of the Wolds.

Irrigation supply from the Maryburn River for Simons Hill, Simons Pass and Maryburn Irrigation Scheme crosses the Wolds leasehold and southern freehold and was secured by a similar unregistered agreement. The Crown agreed in principle with the arrangement but would only give approval when a formal easement proposal was presented.

The Wolds property was purchased by Michael Murray (*this was effectively dissolving the partnership - with Michael Murray keeping the Wolds*).

At this time 11 acres 0 roods 28.7 perches was removed from the property for road purposes and 46 acres 3 roods 32 perches for a Rabbit Board purposes.

In 1957 a Electricity Agreement was entered on the lease document (*Memorial 464203*) but this was released in 1974.

In 1966 4 acres 1 rood 36.9 perches was surrendered from the lease alongside the State Highway for a Civil Aviation beacon site. (*Registered in 1968*).

A compensation claim for damage caused by Hydro works (*disturbed ground, dust in wool, travelling inconvenience, restoration of land, future weed control*) was brought in 1966/67 and a settlement reached. A further payment was made in 1969 for construction of a trial canal. Much file data relates to calculations and valuations related to the compensation amounts for the MOW. Final settlement for land taken by the project was paid in 1970 for 1280 acres severance area north of the canal, 100 acres on Patterson's terrace, and advance payment for the 164 acres adjacent to Lake Pukaki and 300 acres temporary occupied adjacent to the canal. (*40/14/4/1/2-WCH-02 folio dated 25 November 1970*). The proposal was approved by the Land Settlement Board with a reduction in rental and no change in stock limitation (*Folio 296 LINZ property files Christchurch*). Mr Murray continued to dispute the values paid. through to 1974.

In 1967 a subdivision adjustment between the Wolds, Maryburn, Maryhill and Irishmans Creek was approved by Land Settlement Board. (*Folio 245 LINZ property files Christchurch*).

The Wolds surrendered 3082 acres (*Part Run 85B*) to Irishmans Creek and incorporated 8865ha from Maryhill (*Part Run 85A*). They generally agreed that the proposed canal would form the future boundaries and entered into an agreement on resolution of the boundary problem when the canal was completed. (*Folio 265 LINZ property files Christchurch*). Transfer was completed in 1969.

In 1968 the Otematata Televiewers Society applied for a transmitter site near Mount Mary.

A cattle proofing proposal with the Waitaki Catchment Commission was approved in 1970.

In 1971 the area of the run was redefined in terms of SO Plan 11314 to 21530 acres

A stock increase to his personal exemption was granted in 1972.

In 1972 the Head Office Committee consented to an application from the NZ Post Office establishing a VHF station on a 2 rood 21 perch site on Mount Mary and access to it subject to the area remaining Crown Land. (*Case No 72/627*).

The lease was transferred from Michael Murray to Wolds Run Company (1972) Limited in 1972.

The Ministry of Transport applied to establish a Air Navigation Aid (VOR) on Mount Mary in 1973. This was followed by a number of other parties that wished to utilise the site (NZED, NZBC, Civil Aviation, MOW, DSIR, South Canterbury Power Board and extended Post Office facilities). The Chief surveyor also had a interest in protecting the integrity of a existing trig on the site. On site meetings (*Folio 396 LINZ property files Christchurch*) and joint meetings were held (*Folio 400, 403, 405 LINZ property files Christchurch*). A good summary of actions is contained in Folio 421 LINZ property files Christchurch.

The MOW was to take the site under the Public Works Act on behalf of all parties and secure access by cancelling the existing Post office access (*under Compensation Certificate 867303*) and replacing it with another to cover the whole site (*see Folio 446 LINZ property files Christchurch*). The new site would include the old 2 roods 21 perch site of the Post Office.

Approval by CCL in 1975 was given to occupation of the land by MOW (*not taken under Public Works Act*) with access covered by a compensation certificate to be registered (*Folio 457 LINZ property files Christchurch*).

In the final agreement the Wolds consented to the area being taken and access rights subject to a locked gate with welded hinges being installed within one month. (*40/14/4/1/2-WCH-02 volume 4 dated 20 December 1983*) The project engineer refused to implement this clause and installed a normal gate which appears to have been accepted by the lessee. No withdrawal of the locked gate condition was ever approved by the Land settlement Board.

A application for reclassification was made in 1974 but processing was turned down.

The lease renewal valuations at 1 July 1974 were objected to.

A personal stock exemption was applied for and granted in 1976 (*Folio 472 LINZ property files Christchurch*).

An application was received and processed by the LSB (*Folio 482 LINZ Property Files Christchurch*) in 1976 to:

- (a) Surrender 100ha of flats for irrigation *development (Map Folio 502 LINZ property files Christchurch)* to Mount John Station
- (b) Develop 300ha of land for irrigation on the Wolds.
- (c) Approval for future freeholding of 300ha of irrigation area.

The board approved the surrender and transfer of the 100 ha and issuing a special lease to Mount John subject to Mount John arranging suitable legal access. Use of the canal road was proposed but the NZED would not grant permanent legal access but offered a simple exchange of letters that would have a right of cancellation by the Crown. (*Folio 500 LINZ property files Christchurch*). This was deemed inadequate (*Folio 503 LINZ property files Christchurch*). The Wolds agreed to give a legal easement to satisfy the condition in 1979. (*Folio 512 LINZ property files Christchurch*) and this was accepted as satisfactory subject to survey and approval of draft easement (*Folio 514 LINZ property files Christchurch*). The Crown agreed to cover the cost of survey definition of the 100 ha and do the easement survey at the same time the cost of which would be Mount John's (*Folio 522 LINZ property files Christchurch*). The survey was deferred in 1980 until the development area was finalised and the MOW survey of the canal was complete. All other LSB conditions (*approval of Catchment Commission and LSB approval of compensation amounts*) were met and final approval to the transfer given in 1983 Folio 625. SO Plan 15958 defines the 104.3ha area and easement to state highway. (*Folio 636 LINZ property files Christchurch*).

Due to the dispute at lease renewal the 104.3ha could not be taken from the lease so it was removed by the Public Works Act for defence purposes in 1990. (*Folio 577 LINZ property files Christchurch*).

A rental adjustment to the Wolds lease was approved to cater for the area reduction.

Approval in principle was given to the proposed 300 ha irrigation development on the Wolds subject to obtaining necessary water rights and the issue of a special lease over the area but no freeholding rights granted. The special lease requirement and consequent need for survey was dropped in 1980 (*Folio 528 LINZ property files Christchurch*).

A personal stock exemption was applied for and granted in 1981 (*Folio 542 LINZ property files Christchurch*) together with approval to cultivate and border-dyke an additional 48 ha of land.

A second application for reclassification was made in 1981 but processing was turned down.

During 1981 a large amount of file data relates to the future disposition of the 455 ha of land north of the canal occupied by the power project. The Defence Ministry expressed interest in it and also the Wolds wanted assurances that it would be first offered to it. The project maintained it was still required for its operations and was not available for reallocation.

A personal stock limitation increase was applied for and granted in 1982 associated with a Livestock Incentive Scheme (*Folio 577 LINZ property files Christchurch*).

In 1982 discussions began between the Wolds and the Mackenzie County Council to exchange Plantation Reserve 2926 adjacent to the freehold land for a more suitable block of forestry land within the pastoral lease in the north eastern corner. Exchange of reserve requested freehold and no legal access to new forestry area. The consent of Governor General was required to title to reserve which could be vested in the Crown for disposal to the Wolds as pastoral lease. The pastoral lease area would be surrendered from the lease then vested in the County Council as fee simple in trust for forestry. In 1987 the status of the Reserve land was removed by GN 17 December 1987, Page 6113. (*Folio 868 LINZ property files Christchurch*). Delay in processing has been caused by need for survey of reserve area, lease renewal, order in council authorising the exchange, and raising for a title of the reserve.

Lease renewal valuations in 1983 identified major land area issues outstanding. (*Folios 607, 610, 624 LINZ property files Christchurch*). The lease was approved for renewal on 6 June 1984 subject to the undertaking of the following actions (*Summarised - Folio 652 LINZ property files Christchurch for full details*).

- (1) Mary Range boundary adjustments be completed.
- (2) Surveyed areas taken for water power development be removed
- (3) The exchange of Forestry Reserve with Mackenzie County Council be completed.
- (4) The severance area north of the Canal be surrendered and incorporated in Irishmans Creek as per original canal boundary agreement.
- (5) 104 ha land exchanged with Mount John be surrendered.
- (6) Right of way to Mount Mary transmitter site be obtained.
- (7) Support given to creation of proposed scientific reserve and ROW.
- (8) Support negotiations by CCL to obtain release of wildlife area.

A general Section 58 strip exclusion was to be included.

During discussions on creation of a scientific reserve on the Wolds Swamp in 1984 the lessee carried out drainage canal works on the Maryburn without authorisation or correct water rights. This resulted in an outcry from environmental groups, scientific studies of the swamp area, reserve negotiations, and a large volume of correspondence on the matter. Negotiations to obtain a area for scientific reserve were undertaken but no outcome resulted from them. Use of the Land Act to prohibit the drainage was investigated but not pursued. The Waitaki Catchment Commission set up a special tribunal to hear the applications for retrospective water rights for the works.

It approved two water right applications subject to the creation of a fenced wildlife and botanical reserve and that the exercise of the rights not to impact on the proposed reserve. It declined one channel clearing water right and required that the channel be back-filled to re-water the proposed reserve area. (*Folio 734*). This had to be ratified by NWASCO.

A full botanical survey and report on the Wolds Wetlands was completed by Botany Division Of DSIR (*Molloy*). The South Canterbury Land settlement Committee investigated and reported to the Land Settlement Board which recommended (*Folio 779 LINZ property files Christchurch - Case10166*) that the whole of the northern section and part of the central section of the swamp be protected, and fenced out at the Crowns expense. That existing drainage is modified to return water flows to their natural state. These were communicated to NWASCO who approved the water rights but without any land management constraints which it considered the business of the Land Settlement Board.

Mr Murray was informed of the decisions (*Folio 787 LINZ property files Christchurch*). A hostile reaction was received from Mr Murray's solicitor (*Folio792 LINZ property files Christchurch*) who maintained that the decisions went against all agreements made on the area. Mr Murray offered to allow a 46 ha block to be reserved with compensation but stated he would drain the rest of the swamp as catered for in the water rights.

(*Folio 816 LINZ property files Christchurch*). This was rejected (*Folio 817 LINZ property files Christchurch*) by the CCL requiring a comprehensive reserve. No further progress on negotiations appears to have been made.

The lessee elected to have the LEI at lease renewal set by the Land Valuation Tribunal in 1985. This was not settled quickly during which time Mr Murray continued to pay the old lease rent refusing to pay any increase. The LEI was finally settled in 1992 with some alteration through negotiation of the base stock limit (*4500 sheep including 2750 ewes*).

Some attempt was made in 1991 to have the 445 ha severance area north of the canal returned to the Wolds but Mr Murray decided he was not interested.

The NZBC enquired in 1989 into the finalising the formal easement to the transmitter site but was held up by the lease renewal valuation dispute.

In 1995 the 11 year rent review valuation of the LEI was elected to be set by the LVT (*Folio 922a Christchurch files*). No files searched provided evidence that this request was withdrawn. This must be considered a possible uncompleted action.

In 1996 a 1.8114 ha parcel of land (*formally taken for aerodrome purposes*) was gazetted (*SO plan 10889*) as Crown Land and reincorporated into the lease (*Memorial A286564/1*).

In 1998 application was made for and consent granted for soil disturbance to further develop an additional 170 ha if irrigated pasture.

In 1999 application was made for and consent granted for planting of shelter belts subject to wilding seed control on the property. This was objected to and modified by rehearing to control of wilding trees within 300 metres of the shelter belts.

From 1992 to 1996 negotiations for final compensation payment for land exchange for the Upper Waitaki Power Development Scheme were undertaken with no apparent settlement obtained on any files searched. (*40/14/4/1/2-WCH-05, Volume 5 dated 11 March 1996*). The outstanding dollar values appear minor.

The Mackenzie County Council on 22 November 2000 advertised under the Resource Management Act for submissions on a proposal to designate the power transmission lines and the access from the Tekapo Berm Canal to the Mount Mary site for Broadcasting Communications Limited.

(1) Summary of lease document:

Terms of lease:

The commencement date of the pastoral lease on Crown files is in agreement with the lease document (529/16 Canterbury Registry).

The lease was issued on 1 March 1951 under the Land Act 1948 for a term of 33 years from 1 July 1951 and covered the previous period from 1 March and 1 July 1951.

Two non-standard conditions are recorded

- (1) A note that under Section 58 of the Land Act that a one chain strip along the banks of all streams and rivers is excluded from the lease.
- (2) A additional condition that reserves the coal on the property and the right to grant mining rights to it to the Crown.

Original Lease Stock Limit:

3800 Sheep

Altered to:

4500 Sheep (including 2750 breeding ewes by Memorial A74546/1)

Personal Stock Exemption:

9500 Sheep (including not more than 6500 breeding ewes)
170 Cattle

Renewals and variations:

- 896355A Memorial of Variation registered on – 14 December 1998. (*Provisions, requiring approval for all share transfers, approval of managers to reside on lease and company liability for employee actions*).
- 845358 Certificate of alteration registered 19 May 1972. (*Reduction of annual rent to \$744 because of withdrawal of land for Hydro development*).
- A074546/1 Memorial of Renewal and variation registered on 15 October 1993. (*Renewing the term for a further period of 33 years commencing on 1 July 1984 and fixing for the first 11 years the annual rent at \$5,610 calculated on a rental value to \$374,000. Also a change of base stock limitation to 4500 sheep (including 2750 breeding ewes)*).

	<i>Acres</i>	<i>Roods</i>	<i>Perches</i>	
Original lease area	16300	0	0	
Taken for Hydro development less	6	6	10.0	PN358333
Taken for road less	11	0	28.7	PN457222
Road removal at Irishmans Creek less	2	2	21.2	PN469145
Taken for airport purposes less	4	1	36.2	GN30662
Taken for Rabbit Board purposes less	46	3	32.0	PN781254
Surrender Part Run 85B less	3100	0	0	No78254
Incorporation of Part Run 85A plus	8650	0	0	782033
Sub-Total	21768	1	39.9	
Redefined as	21530	0	0	CA867551

Metric 8712.8818 ha

Taken defence purposes
(104.3000 ha) *reduced to* 8608.5818 ha 879718/1
(Mount John irrigation area)

Back from airport purposes
(1.8114ha) *increased to* 8610.3932 ha A286564/1

See Folio 696 - Pt008-Sch-08- for map showing all severance areas.

The lease document and changes of area are in agreement with the area currently used in agents files.

Registered interests:

Mortgages:

A 125434/12 John Bruce Murray
A125434/7 The Rural Bank Limited 26.7.1994
239273/2 The Rural Bank and Finance Corporation 15.8.1979

Other Interests:

Compensation Certificate 700123 pursuant to Section 17 of the Public Works Amendment Act 1945 12 December 1966. *(Related to the removal of 8 acres 3 roods and 20 perches being parts of CT 529/16 and CT 529/79 for Hydro Development).*

Compensation Certificate 815511 pursuant to Section 17 of the Public Works Amendment Act 1945 – 26 November 1970. *(Related to 1544 acres of land to be taken for Hydro development (Tekapo Canal) and 300 acres temporary fenced off during construction period - Crown responsible for fencing and survey costs).*

Compensation Certificate 867303 pursuant to Section 17 of the Public Works Amendment Act 1945 17 May 1972. (*Mount Mary Post Office transmission site (0.2554 ha) with access and electricity supply rights from the Wolds. The Crown to be responsible for survey and fencing costs).*

Compensation Certificate No 468794/1 pursuant to Section 19 of the Public Works Act 1981 – 12 December 1983. (*Expansion to Mount Mary transmission site by 2.1730 ha with renewed access rights for Wold's track).*

Land Improvement Agreement NoA28846/1 under section 30 (a) of the Soil Conservation and Rivers Control Act 1941 – 15 December 1992.

(*Rabbit and Land Management Programme*)

Unregistered interests:

Two are known to exist.

- (1) In 1957, at the split up of the three units, the domestic water supply for the Wolds house on their southern freehold land from Maryhill was covered by a unregistered agreement to be formalised if required at a future date at the expense of the Wolds.
- (2) A Irrigation supply race from the Maryburn River for Simons Hill, Simons Pass and Maryburn Irrigation Scheme that crosses the Wolds leasehold was secured by a similar unregistered agreement at the same time.

The Crown agreed in principle with the arrangement but would only give approval when a formal easement proposal was presented. No presentation for approval of these easements has occurred. Neither of the above two agreements has been viewed.

No other unregistered easements are known to exist.

No recreation permits exist on the property (*advice- Knight Frank Timaru*).

No mining privileges are registered.

Unregistered mortgages may exist between family members but none are known of.

(4) Summarise any Government programmes for the lease:

A large Rabbit and Land Management Plan was executed on the property between 1990 and 1995 and a registered Land Improvement Agreement under Section 30 (a) of the Soil Conservation and Rivers Control Act 1941, with the Canterbury Regional Council, remains on the lease document (*Memorial NoA28846/1*). Works carried out include rabbit netting fences, primary and secondary rabbit control works and land improvement works (*mainly aerial oversowing*). The agreement has a 20 year term from 1 April 1990 and has a commitment from the lessee to maintain capital works (*netting fences , successful oversown areas and rabbit control*). No liability has been identified to the Commissioner from this agreement.

No conservation farm plan has been carried on the property.

A series of single subsidy works involving conservation fencing, cattle-proofing and windbreak planting was carried out between 1964 and 1970. No agreements are registered in relation to these.

A windbreak planting programme was begun in 1980 and under a 2 stage programme (*second stage approved 1995*) approximately 10 km of trees were established. No agreement were registered in relation to these on the lease document.

(5) Summary of Land Status Report:

Copy attached as Schedule A.

5.1 The Pastoral Lease:

The Land Status Report confirms the Crown Land Status under the Land Act 1948 subject to PL registered as CL 529/16.

It records seven encumbrances on the lease being four Compensation Certificates a Land Improvement Agreement and two Acts which the lease is subject to being Section 8 of the Coal Mines Act 1950 and Section 24 of the Conservation Act 1987 upon disposition. This agrees with recognised encumbrances contained in the lease details section of this report.

The area is confirmed as 8610.3923 ha.

Minerals ownership is retained by the Crown and CL 529/16 is subject to Section 53 of the Land Act 1948 and Section 8 of the Coal Mines Amendment Act 1950 and Part I Coal Mines Act 1925.

No marginal strips are recognised but the lease is subject to Section 53 of the Land Act 1948. The status check notes that this may not have legal effect unless the one chain strips were laid off by definition on a plan in the Chief Surveyors records.

Some four Proclamation Notices related to taking of land for waterpower development, one Proclamation related to taking of land for road, two gazette notices for taking of land for aerodrome purposes, and two gazette notices for taking of land for defence purposes are recorded on the lease document. These have been addressed in this Due Diligence Report

No Electricity Agreement appears to be registered on the lease.

The status check identified the Mount Mary communications site is not memorialised on the lease but is held by letter of agreement (*12 February 1976 Compensation Certificate 468794/1*).

It notes that the right of way to RS 41708 from the State Highway 73 across the lease has not been noted on the Gazette taking of the lessee's and lessor's interest.(SO 16500). This is recognised in this report.

The report does not recognise the existence of two unregistered agreements re domestic and irrigation water supply that affect the property.

It confirms that the Department of Conservation have no interests within or adjoining the lease.

5.2 Rural Section 41708 (104.3ha -taken for defence purposes as a vehicle for transfer to Mount John for irrigation development).

The status check confirms the status as Crown land set aside for defence purposes (*Gazette 1990, Page 1871*).

The area as 104.300 ha.

The area is subject to a right of way over areas A, B and C on SO 15958.

The report notes that the section has no legal access. The right of way to RS 41708 from the state highway across the lease has not been noted on the Gazette taking of the lessee's and lessor's interest. (SO 16500). This is recognised in this report.

There are no encumbrances and the Crown retains the minerals.

5.3 Reserve 2926 (old Plantation Reserve area):

The report verifies the area is held freehold in fee simple under CT 47C/63 with no encumbrances.

The area was declared not to be Reserve by New Zealand Gazette, Page 6113 (*GN A355851*) and Certificate of Title 47C/63 issued in 30/11/1999 and transferred to the current owner on 25 January 2000.

The report notes that the Crown does not hold ownership of the minerals as they were not retained on transfer by the Crown and therefore are with the fee simple.

The topo road adjoining the northern boundary is noted and if unformed the report suggests that it should be transferred to the Crown for incorporation into the new lease.

5.4 Rural Section 33800 (Wolds freehold):

The Status as Freehold held in fee simple is confirmed.

The area is confirmed as 101.1815 ha.

Mineral ownership is private.

An Electricity Agreement No 441527 is registered as an encumbrance. A Land Improvement Agreement (Doc A028846/1) is registered (*Rabbit and Land Management Programme*) -20 years from 1 April 1990.

(6) Review of topographical and Cadastral data:

The topographical map shows two national grid power transmission lines crossing the property overlooking Lake Pukaki. Another is shown south of the Tekapo Canal crossing the property between State Highway 8 and the Tekapo River. A local transmission line crosses the lease south to north alongside State Highway 8 near the Wolds homestead.

A power line is shown crossing the lease to the Mount Mary transmission site from the main State Highway 8.

An airstrip is shown straddling the boundary with Irishman's Creek west of Mount Mary. No documentation related to it was encountered. A second airstrip is shown at the Irishman Creek crossing on State Highway 8 known to be outside the property on the block removed for Pest Control purposes.

The Mount Mary transmitter site is shown with TV and Repeater sites and a narrow formed gravel road running along the crest of the Mary Range to the north and exits to link with the Tekapo Canal road.

The Tekapo Canal is shown with a gravel road on the northern side and a main tar-sealed road on the southern side.

A gravel road follows the eastern boundary of the run against the Tekapo River.

Two stock bridges are shown over the Mary Burn Stream.

No water races could be identified on the topographical maps.

The fenced boundaries have only very minor variations from their legal line. The topographical maps does not show the boundaries of the run to be fenced in three sections.

- (1) The Top of the Mount Mary Range with Irishmans Creek.
- (2) A short section to the west of State Highway 8 with Mary burn.
- (3) A section to the south adjacent to the Tekapo River.

It is assumed that the second two are map omissions and that the areas are actually fenced. The legal and fenced boundary are known to differ on the top of Mount Mary.

The Cadastral map shows no marginal strips on any of the watercourses within the lease. A marginal strip is shown along the Tekapo River which forms the eastern boundary of he lease.

Two legal roads are shown on the lease.

State Highway 8 cuts through the lease from north to south near the homestead is tar-sealed, double fenced and appears to be on its correct legal line.

A inundated legal road is shown against Lake Pukaki, and is shown replaced by a formed but not legalised road nearby.

The Cadastral map does not show the two legal roads (*Topo51 T*) that cross the lease.

- One from the Reserve 2928 to the Tekapo canal.
- One from State Highway 8 joining to Irishmans Creek.

Both of these are recognised on the status check map and are marked as unformed

The Cadastral map shows the removal of Part Run 85B along the top of the Mary Range.

The Rural Section 41708 of 104.3ha removed from the lease for transfer to Mount John (*taken under defence purposes*) is not yet registered on the map. The Tekapo Canal, roads, gazetted land to the north of the canal, and the Mount Mary Transmission Site are also not identified.

The old cart track off State Highway 8 across the Run, possibly proclaimed as road in 1940 to give legal access to the freehold Section No 34231, is not shown as existing.

No water races or other significant features could be identified on the topographical or Cadastral maps.

The Proposed and Transitional Mackenzie District Scheme Plans have no sites marked or issues that would affect the TR process.

(7) Details of neighbouring Crown or Conservation land:

No conservation land exists within the property boundary or in the general area of the property. The Department of Conservation (*Twizel*) advised that the nearest DoC administered land is a scientific reserve above Tekapo township.

Rural Section 41708 of 104.300ha was removed from the lease in 1990 by Gazette Notice (*Memorial 879718*) for defence purposes under the Public Works Act 1981. This however as only a vehicle to allow transfer of the land to Mount John Station for irrigation development. A easement across the lease alongside the canal giving access to the state highway has been surveyed (*SO 15958 - see attachment10*) but the status check notes that this land has no legal access as the lessees and lessors were not taken by the Gazette Notice. This land stretches southward from the Tekapo Canal on the flats adjacent to the Tekapo River.

A small section of land (*Part Run 85A*) held for Defence purposes exists on the western side adjacent to the state highway and bounds on the lease. Its purpose is unknown.

Pukaki PNA Survey identifies PNA 13 northeast face Mount Mary (*Hillside shrubland - Folio 762*) and PNA 8 Wolds Wetland. These have no legal effect.

(8) Summary of uncompleted actions or potential liabilities:

- 8.1** *The lease document contains four un-discharged Compensation Certificates*
Compensation Certificate 700123 pursuant to Section 17 of the Public Works
Amendment Act 1945 12 December 1966. *(Related to the removal of 8 acres 3*
roods and 20 perches being parts of CT 529/16 and CT 529/79 for Hydro
Development - see attachment 2).

Compensation Certificate 815511 pursuant to Section 17 of the Public Works
Amendment Act 1945 – 26 November 1970. *(Related to 1544 acres of land to be*
taken for Hydro development (Tekapo Canal) and 300 acres temporary fenced off
during construction period- see attachment 3)

Compensation Certificate 867303 pursuant to Section 17 of the Public Works
Amendment Act 1945 17 May 1972. *(Mount Mary Post Office transmission site*
(0.2554 ha) with access and electricity supply rights from the Wolds -see attachment
4).

Compensation Certificate No 468794/1 pursuant to Section 19 of the Public Works
Act 1981- 12 December 1983. *(Expansion to Mount Mary transmission site by*
2.1730 ha with renewed access rights for Wold's track - see attachment 5).

8.2 *Two unregistered agreements affecting the lease are known to exist:*

- In 1957, at the split up of the three units, the domestic water supply for the
then Wolds house on their southern freehold land from Maryhill *(now*
incorporated into P8) was covered by a unregistered agreement to be
formalised if required at a future date at the expense of the Wolds.
- The irrigation supply from the Maryburn river for Simons Hill, Simons Pass
and Maryburn Irrigation Scheme crosses the Wolds leasehold and was
secured by a similar unregistered agreement at the same time.

The Crown agreed in principle but would only give approval when a formal
easement proposal was presented *(- see attachment 7)*. No presentation for approval
of these easements has occurred. Neither of the above two agreements has been
viewed.

8.3 *The following actions to be undertaken after lease renewal in 1984 have not yet
been completed (summarised – see attachment 6 for full LSB approval conditions.
Some are related to the above Compensation Certificates):*

- (1) The Mary Range Boundary adjustments be completed. *(Not completed -no
action appears to be in progress).*
- (2) Surveyed areas taken for water power development be removed. *(Not
completed-final settlement still being negotiated over a very small dollar
amount).*

- (3) The exchange of Forestry Plantation Reserve 2926 with Mackenzie Council be completed. *(Not completed. In 1987 the status of the Reserve land was removed by GN 17 December 1987, Page 6113. Delay in processing has been caused by need for survey of reserve area, lease renewal, order in council authorising the exchange, and raising for a title of the reserve).*
- (4) The severance area north of the Canal be surrendered and incorporated in Irishmans Creek as per original canal boundary agreement. *(Not yet removed from lease document. The land is still secured by Compensation Certificate and actual allocation to Irishmans Creek yet to be determined).*
- (5) The irrigation block be surrendered to Mount John. *(Not yet withdrawn from the lease document. This was taken for defence purposes as a vehicle for transfer. Survey has been completed, but it has no legal access. The right of way across the lease has not been noted on the Gazette taking (C879718/1) of the lessee's and lessor's interest - see attachment10).*
- (6) Right of way to Mount Mary transmitter site be obtained. *(Not yet completed. This is currently under action, being advertised as a received designation from Broadcasting Communications Ltd under the Resource Management by Mackenzie District Council in the Timaru Herald on 21b November 2000 for the canal access road and power line that cross the Wolds).*

8.4 A potential uncompleted action exists in that in 1995 the 11 year rent review, valuation of the LEI was elected to be set by the LVT (*see attachment 8*). No files searched provided any evidence that this request was ever withdrawn or agreement reached.

8.5 In 1940 an old cart track off State Highway 8 across Run 85 was to be proclaimed by the Mackenzie County Council as road to give legal access to a freehold Section No 34231 to the south. (*Folio 77-26/6/40 - Pt008-SCH-02*). It appeared to be well through the process.

No evidence of its establishment is contained on the lease documents, Cadastral maps, or in the Status Check report. It could however be an issue that was overlooked and not carried through to the legal maps. Because of the potential legal liability to the Commissioner if it does in fact exist, further investigation of the Proclamations made by the Mackenzie County Council in 1940 appears warranted.

8.6 The status of the airstrip shown straddling the boundary of the lease with Irishmans Creek on the topographical map west of Mount Mary, and any agreements associated with it, are unknown.

The following issues are brought to your attention to note only:

- The Mount Mary Communication site (*fully surveyed*) is secured lease by Compensation Agreements and with tenure review would have to be removed from the lease and transferred to its occupiers or dominant user in either leasehold or freehold tenure. The actual removal from the lease should cause no problems or liability to the Commissioner as far as the pastoral lease is concerned. Legal access is currently being processed by the Waitaki District Council. The negotiations on the tenure and occupation conditions for the large number of users of the transmission site have the potential to delay the final issuing of any freehold title.
- Both the original lease issued in 1951 and the lease renewal in 1984 contained a Section 58 marginal strip removal clauses. The marginal strips have never been identified or removed from the lease. This is a matter for the Minister of Conservation to address.
- The agreement for the Mount Mary transmission site between the lessee and the Ministry of Works, approved by the LSB, contained a locked gate clause that has never been installed by the MOW and appears to have been reluctantly accepted by the lessee. No formal alteration to this clause has been found. The lessee appears to still hold the right to insist on a locked gate. (*See Attachment 9*).
- Negotiations to remove part of the Wold's Swamp as a scientific reserve and an additional area for wildlife refuge from the lease, appear to have made little progress. Their removal was not a LSB condition but negotiated removal was supported.

ATTACHMENTS:

Schedule A Due Diligence Report

- Attachment 1 Recent Copy of Lease Document 529/16.
- Attachment 2 Compensation Certificate 700123.
- Attachment 3 Compensation Certificate 815511.
- Attachment 4 Compensation Certificate 867303.
- Attachment 5 Compensation Certificate No 468794/1.
- Attachment 6 Land Settlement Board Conditions of lease renewal.
- Attachment 7 Letter outlining unregistered Agreements water and irrigation.
- Attachment 8 LVT request 1995.
- Attachment 9 Agreement for taking of Mount Mary Site containing locked gate clause.
- Attachment 10 Gazette Notice for 104ha taken as defence land and SO 15958.

Schedule A

**Knight
Frank** 

Our Ref : Contract 50240
Your Ref:

16th February 2001

Knight Frank (NZ) Limited
Land Resources Division
P O Box 142
CHRISTCHURCH

4th Floor, Knight Frank House
76 Cashel Street, Christchurch
Telephone: (03) 379 9787
Facsimile: (03) 379 8440

Attention : Mr G Holgate

Dear Sir

STATUS INVESTIGATIONS – PASTORAL TENURE REVIEW, CONTRACT 50240

As required in terms of Crown Pastoral Standard 6, is one of the pastoral runs on contract 50240 being :

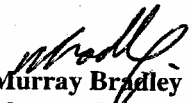
THE WOLDS

Attached for the lease :

- Status Check Report
- One colour photocopy of the plan
- Original colour plan and cadastral overlay

Please acknowledge receipt, of the status checks and plans, to my attention at this office. Thank you.

Yours faithfully
Knight Frank (NZ) Limited


Murray Bradley
Manager Public Sector/Crown Accredited Agent

Corporate Offices

Auckland
Wellington
Christchurch

13 Offices Nationwide

International

Australia
Belgium
Botswana
China
France
Germany

Hong Kong
India
Italy
Japan
Malawi
Monaco

Nigeria
Portugal
Singapore
South Africa
Spain
Sweden

Tanzania
The Netherlands
United Kingdom
United States
of America
Zimbabwe

Postal Address:

PO Box 142, Christchurch
New Zealand
Knight Frank (NZ) Limited MREINZ
(An LPL Group Company)

INTERNATIONAL PROPERTY CONSULTANTS

KNIGHT FRANK (NZ) LIMITED

This report has been prepared on the instruction of Land Information New Zealand in terms of the contract number 50240 dated 1 November 2000 and is undertaken for the purposes of the Crown Pastoral Leases Act 1998.

LAND STATUS REPORT for THE WOLDS				[LIPS ref 12674]
Property	1	of	4	

Land District	Canterbury
Legal Description	Parts Runs 85A and 85B situated in Blocks III, IV, VI, VII, VIII, IX, X & XI, Pukaki Survey District and Blocks I and V Burke Survey District.
Area	8610.3932ha (subject to survey)
Status	Crown Land subject to the Land Act 1948
Instrument of title / lease	All CL 529/16 pursuant to section 66 as registered under section 83 Land Act 1948.)
Encumbrances	Subject to survey Compensation certificate 700123 pursuant to section 17 Public Works Act 1948 (12 December 1966). Compensation certificate 815511 pursuant to section 17 Public Works Act 1948 (22 November 1970). Compensation certificate 867303 pursuant to section 17 Public Works Act 1948 (1 April 1972). Compensation certificate 468794/1 pursuant to section 19 Public Works Act 1981 (25 December 1983). Land Improvement Agreement A28846/1 under section 30(a) Soil Conservation and Rivers Control Act 1941 (15 December 1992). Subject to section 8 of the Coal Mines Amendment Act 1950. Subject to section 24 Conservation Act 1987 upon disposition.
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 Kemp Purchase 1848 and or its acquisition as Crown Land subject to the Land Act 1948.
Statute	Land Act 1948 and Pastoral Lands Act 1998

Data Correct as at	15 th December 2000
[Certification Attached]	Yes

Prepared by	Murray Bradley
Crown Accredited Agent	Knight Frank (NZ) Limited

Murray Bradley 17/12/07

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	CL 529/16 is subject to section 53 of the Land Act 1948, section 8 Coal Mines Amendment Act 1950 and Part 1 Coal Mines Act 1925.
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LAND STATUS REPORT for THE WOLDS				[LIPS ref 12674]
Property	1	of	4	

Research Data: *Some Items may be not applicable*

Property	1	of	4	
SDI Print Obtained				Yes
NZMS 261 Ref				H38, I37 & I38
Local Authority				Mckenzie District Council
Crown Acquisition Map				Kemp Purchase 1848
SO Plan				SO 102 (1910) SO 8112 (1951) SO 8951 (1957) SO 9171 (1957) SO 10888 (1967) SO 10889 (1967) SO 11214 (1969) SO 14615 (1978) SO 14616 (1978) SO 15316 (1981) SO 15864 (1983) SO 15958 (1983) SO 16503 (1988) Topo 51T
Relevant Gazette Notices				Proc 358332 – Land set apart for water power development (Gaz 1952, p 690) Proc 358333 – Land set apart for water power development (Gaz 1952, p 692) Proc 457222 – Interest in land taken for water power development (Gaz 1952, p 693) Proc 469145 – Land for road (Gaz 1957, p 1930) Proc 525870/1 Leasehold estate taken for the generation of electricity (Gaz 1984, p 5465). GN 730662 – Leasehold taken for aerodrome purposes (Gaz 1968, p 136) GN 730663 – Land set apart for aerodrome purposes (Gaz 1968, p 136) GN C879718/1 – Leasehold estate set apart for Defence purposes. (Gaz 1990, p 1871) GN A275203/1 – Land set apart for Defence purposes (Gaz 1996, p 4759) GN A435851.1 Declaration that land is not a reserve.
CT Ref / Lease Ref				All CL 529/16
Legalisation Cards				SO 8112 – no card SO 8951 – action not completed SO 9171 – no card SO 10888 – action complete SO 10889 – no card

	SO 11214 - no card SO 14615 - no card SO 14616- no card SO 15316- action not completed SO 15864- action not completed SO 15958 - action complete SO 16503 - action not completed
CLR	N/A
Allocation Maps (if applicable)	N/A
VNZ Ref - if known	Part assessment 25300/19100
Crown Grant Maps	Pukaki Sheet 1 (c 1880)
If Subject land Marginal Strip: a) Type [Sec 24(9) or Sec 58] b) Date Created c) Plan Reference	Note: Subject to the provisions of section 58 of the Land Act 1948 on lease 29K/787 and SO 10995. In view of LINZ letter dated 13 November 1997 regarding "Lilybank" and Ministerial Co-ordinating Committee/State Owned Enterprises paper 271 dated 31 March 1987 (Dept of Justice) it would appear this memorial to have no substance unless a one chain strip was laid off by definition on a plan in the Chief Surveyors records.

LAND STATUS REPORT for THE WOLDS				<i>[LIPS ref 12674]</i>
Property	1	of	4	

Research – *continued*

Property	1	of	4	
If Crown land - Check Irrigation Maps.				N/A
Mining Maps				N/A
If Road				a) SO Plan - N/A
a) Is it created on a Block Plan - Section 43(1)(d) Transit NZ Act 1989				b) Proc Plan - N/A
a) By Proc				c) Gazette Ref - N/A
				d)
Other Relevant Information				a) Communications installations on Mt Mary – not memorialised on the Crown lease but occupation is by letter agreement, 12 th February 1976. (Compensation Certificate 468794/1)
a) Concessions - Advice from DOC or Knight Frank.				Right of way (marked “A” and “B” on SO 15958) between West Coast Road (SH 73) and RS 41708, SO 16500 has not been noted in the gazetting taking the lessee’s and lessor’s interest in the land
				A028846/1 land Improvement Agreement – 20 year term from 1 April 1990.
				Water Right Consent – National Water and Soil Conservation Authority expires 31 December 2000.
				Department of Conservation advise that it has no interest in any land within the or adjoining the pastoral lease boundary and will not issue any concessions.
				Electricity Agreement 464203 cannot be located in the Land Information New Zealand records
				CL 529/16 is subject to section 53 of the Land Act 1948, section 8 Coal Mines Amendment Act 1950 and Part 1 Coal Mines Act 1925.
b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998.				b) Subject to Part 9 of the Ngai Tahu Claims Settlement Act 1998
c) Mineral Ownership				c) Mines and Minerals are owned by the Crown because the land has never been alienated from

	<p>the Crown since its acquisition for settlement purposes from the former Maori owners under the Kemp Deed of Purchase 1848.</p> <p>Contained in :</p> <p>These facts have been noted from non official records -</p> <p>July 1856 Watson and Browne applied for an area of 20 000 acres.</p> <p>licence issued 1859 to T W Hall</p> <p>1 March 1868 Smith and Saunders took possession .</p> <p>1869- transfer to A B Smith and W Saunders</p> <p>1872 - Smith transferred his share to Saunders</p> <p>1875 - Saunders in full possession</p> <p>1902 - transfer to W Grant</p> <p><i>Source "High Endeavour" by William Vance.</i></p> <p>The only records that are able to be substantiated are dating from the issue of a lease, to the widow W Grant in 1912, and are as follows.</p> <p>Canterbury Provincial Gazette 1864 has Run 85 listed with Runs 40 and 95, 17,800 acres in total.</p> <p>The original licence of Run 85 is dated May 1853 with the licensee being J C Wilson.</p> <p>Run 85A (PL342) was leased for a term of 21 years, issued 1 March 1912.</p> <p>Section 14 Land Laws Amendment Act 1921-2 Extended the term by 7 years from 1 March 1933.</p> <p>And the same Act a further 7 years from 1 March 1933 (making 14 years from that date).</p> <p>Section 3 (2) ROLD Act 1943 extended the term 2 years from 1 March 1947.</p> <p>Section 15 (2) ROLD Act 1949 extended the term 2 years from 1 March 1949.</p> <p>Pastoral lease 529/200, issued 4 May 1954 and was incorporated into PL 529/16 (C/A 782033).</p> <p>Run 85B - The earliest retained record regarding Run 85B (PR 343) issued to H Grant for a term of 21 years from 1 March 1912.</p> <p>Term extended 14 years from 1 March 1933.</p> <p>Surrendered on 28 February 1937.</p> <p>PR 504 was issued 1 March 1937, term 10 years.</p> <p>Probate of will, 16 February 1943, lessee D Grant.</p> <p>Pursuant to sec 3(1) ROLD Act 1943, term extended for 2 years from 1 March 1947.</p> <p>Pursuant to sec 15 (2) ROLD Act 1947 the term was extended 2 years from 1 March 1949.</p> <p>Transfers 335894 and 335895 were for change of lessees.</p> <p>CL 529/16 was issued 1 March 1951 for a 33 year term commencing 1 July 1951.</p>
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d) Other Info	C/A 782033 incorporated Part Run 85A (25 Nov 1969). T 891890 to Wolds Run Company (1972) Limited, 12 Dec 1972. d) N/A
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KNIGHT FRANK (NZ) LIMITED

This report has been prepared on the instruction of Land Information New Zealand in terms of the contract number 50240 dated 1 November 2000 and is undertaken for the purposes of the Crown Pastoral Leases Act 1998.

LAND STATUS REPORT THE WOLDS				[LIPS ref N/A]
Property	3	of	4	

Land District	Canterbury
Legal Description	Reserve 2926, situated in Blocks VII and VIII, Pukaki Survey District.
Area	176.0382 ha
Status	Freehold in fee simple
Instrument of title / lease	All CT 47C/63
Encumbrances	Nil
Mineral Ownership	Private
Statute	Land Transfer Act 1952

Data Correct as at	15 th December 2000
[Certification Attached]	Yes

Prepared by	Murray Bradley <i>rmaddy</i> 19/12/00
Crown Accredited Agent	Knight Frank (NZ) Limited

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	N/A
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LAND STATUS REPORT THE WOLDS				[LIPS ref N/A]
Property	3	of	4	

Research Data: *Some Items may be not applicable*

Property	3	of	4	
SDI Print Obtained	Yes			
NZMS 261 Ref	I38			
Local Authority	Mackenzie District Council			
Crown Acquisition Map	Kemp Purchase			
SO Plan	SO 4756 (1898)			
Relevant Gazette Notices	N/A			
CT Ref / Lease Ref	All CT 47C/63			
Legalisation Cards	SO 4756 - action completed (but not noted)			
CLR	N/A			
Allocation Maps (if applicable)	N/A			
VNZ Ref - if known	All assessment 25300 / 19500			
Crown Grant Maps	Pukaki Sheet 1 (c 1890)			
If Subject land Marginal Strip:				
a) Type [Sec 24 (9) or Sec 58]				a) N/A
b) Date Created				b) N/A
c) Plan Reference				c) N/A

LAND STATUS REPORT THE WOLDS				[LIPS ref N/A]
Property	3	of	4	

Research – continued

Property	3	of	4	
If Crown land - Check Irrigation Maps.				N/A
Mining Maps				N/A
If Road				
a) Is it created on a Block Plan - Section 43(1)(d) Transit NZ Act 1989				a) SO Plan – Topo 51T
b) By Proc				b) Proc Plan - N/A
				c) Gazette Ref - N/A
Other Relevant Information				
a) Concessions - Advice from DOC or Knight Frank.				a) A topo road adjoins the northern boundary of R2926. If unformed it should be transferred to the Crown and incorporated into the new lease.
b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998.				b) N/A
c) Mineral Ownership				c) The land remained in Crown ownership from the time of the Kemp Purchase 1848, until the issue of Certificate of Title 47C/63, 30 November 1999. The mineral rights have not been retained, on transfer, by the Crown and therefore are with the fee simple title 47C/63.
				Contained in : The land was held as a Reserve (temporarily) pursuant to the Land Act 1885 by NZ Gazette 1891, page 788 and permanently reserved pursuant to the same Act in NZ Gazette 1891, page 1049. The area was declared not to be a reserve by NZ Gazette 1987, page 6113 (GN A4355851.1). Certificate of Title 47C/63 issued 30 November 1999 and transferred to the current owner 25 January 2000.
d) Other Info				d)

KNIGHT FRANK (NZ) LIMITED

This report has been prepared on the instruction of Land Information New Zealand in terms of the contract number 50240 dated 1 November 2000 and is undertaken for the purposes of the Crown Pastoral Leases Act 1998.

LAND STATUS REPORT THE WOLDS				[LIPS ref.N/A]
Property	2	of	4	

Land District	Canterbury
Legal Description	Rural Section 41708, situated in Blocks IV and VIII, Pukaki Survey District. NB: Subject to a Right of Way over areas A,B and C on SO 15958 being Part Run 85B and Run 343.
Area	104.3000 ha
Status	Crown Land set apart for Defence Purposes pursuant to the Public Works Act 1981.
Instrument of title / lease	Part GN A275203/1
Encumbrances	Nil
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 Kemp Purchase 1848 and or its acquisition as Crown Land subject to the Land Act 1948.
Statute	Public Works Act 1981

Data Correct as at	15 th December 2000
[Certification Attached]	Yes

Prepared by	Murray Bradley
Crown Accredited Agent	Knight Frank (NZ) Limited

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	
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LAND STATUS REPORT THE WOLDS				[LIPS ref.N/A]
Property	2	of	4	

Research Data: Some Items may be not applicable

Property	2	of	4	
SDI Print Obtained	Yes			
NZMS 261 Ref	I38			
Local Authority	Mackenzie District Council			
Crown Acquisition Map	Kemp Purchase			
SO Plan	SO 15958 (1983) SO 11214 (1969)			
Relevant Gazette Notices	Part GN A275203/1			
CT Ref / Lease Ref	Part GN A275203/1			
Legalisation Cards	SO 15958 – actions completed (all not recorded)			
CLR	N/A			
Allocation Maps (if applicable)	N/A			
VNZ Ref - if known	Part assessments 25300/15900 and 25300/15900B			
Crown Grant Maps	Pukaki Sheet 1 (c 1880)			
If Subject land Marginal Strip:				
a) Type [Sec 24(9) or Sec 58]				a) N/A
b) Date Created				b) N/A
c) Plan Reference				c) N/A

LAND STATUS REPORT THE WOLDS				[LIPS ref.N/A]
Property	2	of	4	

Research – continued

Property	2	of	4	
If Crown land - Check Irrigation Maps.				N/A
Mining Maps				N/A
If Road				
a) Is it created on a Block Plan - Section 43(1)(d) Transit NZ Act 1989				a) SO Plan - N/A
b) By Proc				b) Proc Plan - N/A
				c) Gazette Ref - N/A
Other Relevant Information				
a) Concessions - Advice from DOC or Knight Frank.				a) RS 41708 has no legal access but is subject to a Right of Way (shown A, B and C) on SO 15958 – not yet registered. Gaz 1990, p 1871 set apart the leasehold estate for Defence purposes (C879718/1)
b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998.				b) Subject to Part 9 of the Ngai Tahu Claims Settlement Act 1998
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 Kemp Deed of Purchase 1848. Contained in : The earliest retained record regarding Run 85B (PR 343) issued to H Grant for a term of 21 years from 1 March 1912. Term extended 14 years from 1 March 1933. Surrendered on 28 February 1937. PR 504 was issued 1 March 1937, term 10 years. Pursuant to sec 3(1) ROLD Act 1943, term extended for 2 years from 1 March 1947. Pursuant to sec 15 (2) ROLD Act 1947 the term was extended 2 years from 1 March 1949. Part CL 529/16 issued 1 March 1951 for a 33 year term commencing 1 July 1951. Document C 879718/1 setting apart the leasehold estate for Defence Purposes and GN A 275203/1, setting the land apart for Defence Purposes
d) Other Info				d) N/A

KNIGHT FRANK (NZ) LIMITED

This report has been prepared on the instruction of Land Information New Zealand in terms of the contract number 50240 dated 1 November 2000 and is undertaken for the purposes of the Crown Pastoral Leases Act 1998.

LAND STATUS REPORT THE WOLDS				[LIPS ref. N/A]
Property	4	of	4	

Land District	Canterbury
Legal Description	Rural Section 33800, situated in Blocks VII and VIII, Pukaki Survey District.
Area	101.1815 ha
Status	Freehold held in fee simple
Instrument of title / lease	All CT 20B/360
Encumbrances	Electricity Agreement No 441527
Mineral Ownership	Private
Statute	Land Transfer Act 1952

Data Correct as at	15 th December 2000
[Certification Attached]	Yes

Prepared by	Murray Bradley
Crown Accredited Agent	Knight Frank (NZ) Limited

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	Electricity Agreement No 441527 Land Improvement Agreement (Doc A028846/1) term 20 years from 1 April 1990.
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LAND STATUS REPORT THE WOLDS				[LIPS ref. N/A]
Property	4	of	4	

Research Data: *Some Items may be not applicable*

Property	4	of	4	
SDI Print Obtained	Yes			
NZMS 261 Ref	I38			
Local Authority	Mackenzie District Council			
Crown Acquisition Map	Kemp Purchase			
SO Plan	SO 4088 (1882)			
Relevant Gazette Notices	N/A			
CT Ref / Lease Ref	All CT 20B/360			
Legalisation Cards	N/A			
CLR	N/A			
Allocation Maps (if applicable)	N/A			
VNZ Ref - if known	All assessment 25300 / 19101			
Crown Grant Maps	Pukaki Sheet 1 (c 1880-5)			
If Subject land Marginal Strip:				
a) Type [Sec 24(9) or Sec 58]				a) N/A
b) Date Created				b) N/A
c) Plan Reference				c) N/A

LAND STATUS REPORT THE WOLDS				[LIPS ref. N/A]
Property	4	of	4	

Research – continued

Property	4	of	4	
If Crown land - Check Irrigation Maps.				N/A
Mining Maps				N/A
If Road				
a) Is it created on a Block Plan - Section 43(1)(d) Transit NZ Act 1989				a) SO Plan - N/A
b) By Proc				b) Proc Plan - N/A
				c) Gazette Ref - N/A
Other Relevant Information				
a) Concessions - Advice from DOC or Knight Frank.				a) Electricity Agreement No. 441527
b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998.				b) N/A
c) Mineral Ownership				c) From the Warrant issued 7 October 1877 a Certificate of Title was issued 23 September 1877. These transaction pre dated the Land Act 1892. Subsequent transfers did not specify minerals, the minerals therefore remain with the land owner.
d) Other Info				d) N/A