

## **Crown Pastoral Land Tenure Review**

**Lease name : CURRAGHMORE**

**Lease number : PT 005**

### **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.

January

06



**DUE DILIGENCE REPORT  
CPL PRE TENURE REVIEW ASSESSMENT STANDARD 6:**

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File Ref: Pt 005 Curraghmore      Report No: R1556      Report Date: 18 December 2001

LINZ: CON/50268/09/12672/A-ZNO

Office of Agent: Timaru

LINZ Case No: <sup>TR</sup>02/232      Date sent to LINZ: <sup>20</sup> December 2001

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**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** there are no incomplete actions which require action by the Manager Crown Property Contracts.

Signed for Knight Frank (NZ) Limited

R A Ward-Smith Manager - Timaru

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

Name: GRANT KASPER WEBLEY

Date of decision: 17 / 1 / 02

1. **Details of lease:**

**Lease Name:** Curraghmore  
**Location:** Mackenzie Basin, South Canterbury  
**Lessee:** P F and P R Higgins  
**Tenure:** Pastoral Lease  
**Term:** 33 years from 1 July 1984  
**Annual Rent:** \$1,687.50  
**Rental Value:** \$75,000  
**Date of Next Review:** 1 July 2006  
**Land Registry Folio Ref:** CB29K/413  
**Legal Description:** Run 72 "Curraghmore" in Gladstone and Mackenzie Survey Districts  
**Area:** 5,990 hectares

2. **File Search**

Files held by Agent on behalf of LINZ:

| File Reference      | Vol      | First Folio Number | Date                | Last Folio Number | Date                |
|---------------------|----------|--------------------|---------------------|-------------------|---------------------|
| <i>Pt005/SCH-01</i> | <i>I</i> | <i>1</i>           | <i>1 March 1911</i> | <i>108</i>        | <i>30 July 1948</i> |

| File Reference | Vol       | First Folio Number | Date                 | Last Folio Number | Date                 |
|----------------|-----------|--------------------|----------------------|-------------------|----------------------|
| <i>Pt 005</i>  | <i>II</i> | <i>109</i>         | <i>31 March 1949</i> | <i>279</i>        | <i>1 August 1969</i> |

| File Reference | Vol        | First Folio Number | Date                  | Last Folio Number | Date                    |
|----------------|------------|--------------------|-----------------------|-------------------|-------------------------|
| <i>Pt 005</i>  | <i>III</i> | <i>280</i>         | <i>25 August 1969</i> | <i>385</i>        | <i>11 December 1992</i> |

| File Reference | Vol       | First Folio Number | Date                  | Last Folio Number | Date                |
|----------------|-----------|--------------------|-----------------------|-------------------|---------------------|
| <i>Pt 005</i>  | <i>IV</i> | <i>386</i>         | <i>1 October 1991</i> | <i>416</i>        | <i>30 June 2000</i> |

Note: The first item on this file is dated 29 March 1994.

| File Reference                       | Vol | First Folio Number | Date               | Last Folio Number | Date           |
|--------------------------------------|-----|--------------------|--------------------|-------------------|----------------|
| <i>CON/50213/09/1267<br/>2/A-ZN0</i> |     |                    | <i>1 July 2000</i> |                   | <i>Current</i> |

**Other relevant files held by LINZ:**

| File Reference     | Vol | First Folio Number | Date              | Last Folio Number | Date             |
|--------------------|-----|--------------------|-------------------|-------------------|------------------|
| 5200/D13/C08-1-DNO |     |                    | 30 September 1995 |                   | 28 February 1997 |

**3. Summary of lease document:****Terms of lease**

Pastoral Lease pursuant to Section 66 and registered under Section 83 Land Act 1948 from 1 March 1952 for a period of 33 years from 1 July 1952 (plus broken period), renewed from 1 July 1985 for 33 years.

Subject to a stock limitation of not more than 3,970 sheep including not more than 1,200 breeding ewes plus 10%.

Noted as being subject to Section 58 Land Act 1948 however no streams are identified on the title plan.

**Area adjustments**

Incorporations and surrenders have been reconciled with original metric area shown on the title. The area is the same as shown in the database and file records.

There are no area adjustments noted on the lease, or on the file since the lease was renewed from 1 July 1984 and a new lease document issued on 9 March 1987. This area has remained constant since Certificate of Alteration registered as document 145687/1 on 31 August 1977. The alteration was as the result of redefinition by latest topographical mapping.

**Registered interests**

Document 806961.2. Mortgage to the Rural Banking and Finance Corporation of New Zealand, 29 May 1989.

Document A97829.1. Land Improvement Agreement pursuant to Section 30A Soil Conservation and Rivers Control Act 1941.

**Unregistered interests**

An existing DC main power line (Benmore-Haywards) shown on SO17363 runs across the northern end of the Run. No formal easement exists with Transpower New Zealand Limited, therefore protection is afforded pursuant to Section 22 Electricity Act 1992. (From Status Report 20 September 2001).

Approximately 20 hectares fronting the Haldon Road is occupied by the adjoining property "The Grampians". The area lies between two sections of freehold held by the Grampians. A similar area on the north-eastern end of the Grampians freehold is occupied by the holder of Curraghmore. See File Report at Folio 325, 13 April 1983. The arrangement does not appear to have been formalised.

The same report notes that there is minor give and take fence line adjoining Streamlands and Kirkliston leases.

#### **4. Summarise any Government programmes approved for the lease:**

Land Improvement Agreement dated 15 February 1994 and registered against the title, as Document A97829/1 on 21 February 1994 was part of the Rabbit and Land Management Programme. The Agreement is for a period of 20 years from the 1<sup>st</sup> day of April 1990, and involved substantial rabbit poisoning, erection of 5,000 metres of rabbit netting, 4,100 metres of subdivision fencing, 830 hectares of oversowing and topdressing, stock ponds and 15.2 kilometres of access tracking. Works in the plan include 4,225 hectares of rabbit poisoning, 4,225 hectares of secondary operations using alternative poison and manpower. 11,000 metres of rabbit netting of existing fences, 4,100 metres of subdivision fencing, (unassisted by grant), and 3,600 metres of access tracking. The total programme was estimated to cost \$257,000, of which \$66,000 was to be contributed by the runholder.

A previous Soil and Water Conservation plan, not registered against the lease, involved 6,000 metres of erosion control fencing, 6,000 metres of cattle proofing, and 6,400 metres of fire break access tracking. This latter information has been obtained from the Regional Council Report on the Rabbit and Land Management proposal.

#### **5. Summary of Land Status Report:**

The land was acquired by the Crown under the Kemp purchase 1848, and is shown on SO14022 (1976) and contained in Certificate of Lease CB29K/413. The Certificate of Lease states that it is subject to the provisions of Section 58 of the Land Act 1948, however no marginal strips are shown on the SO plan. The area is stated as 5,990 hectares, being Run 72 Gladstone and Mackenzie Survey Districts, and its status is shown as Crown Land subject to the Land Act signed by the Chief Surveyor on 8 October 2001. A full copy is appended.

#### **6. Review of topographical and cadastral data:**

A block of true pastoral country adjoining the Haldon Road on the south-eastern fringe of the Mackenzie basin. Altitude rises from 560 metres, to 1,921 metres at Black Rocks in the Grampian Mountains on the south eastern boundary of the property. There is very little flat to rolling land, fronting the Haldon Road, suitable for cultivation, the best having been "grid-ironed" and now held on freehold tenure by adjoining Grampians Station.

Consent has been granted for the cultivation of 150 hectares, of which only 50 hectares had been cultivated until October 1999. While consent has been granted to the oversowing and topdressing of some 3,460 hectares, the arid climate and altitude quickly act to make responses variable.

The limited arable and easy downs are situated close to the homestead along the Haldon Road, rising through moderate hill to a series of ridges and valleys running across the somewhat elongated property which hinder access, but with reasonably good tracking are more nuisance than a major obstacle. The higher altitude and more rugged poorer grazing land is to the rear (south-east) of the property.

The stock limit in the lease at 3,970 sheep plus 10% which has not been exceeded for some 20 years, except for development and stocking a small area with deer. In spite of limited oversowing and topdressing plus cultivation to provide winter feed, indicates the relative marginal economic capacity of the property.

Perusal of the topographical and cadastral mapping shows the land occupied to generally be that contained in the lease. Exceptions being the occupation of some 20 hectares of Grampians freehold in exchange for Grampians occupying a like amount of lease located between the two blocks of freehold. This is clearly shown along the Haldon Road.

Along the south-western boundary in grid square 0650 on Info Map Sheet 260-I38, the boundary fence appears to follow a ridgeline towards spot height 1,140 and then follows a gully back to the boundary which would possibly leave occupancy of some 40-50 hectares to adjoining Streamlands.

The topographical map does not show the whole boundary as being fenced, however except for part way adjoining the Grampians, it is thought that all boundaries are fenced, and it is quite possible that the boundary along the Grampian Mountains is also fenced but that it may be in a poor state.

Legal road (Haldon Road) gives access to the property. The Land Status Report has a note that at Folio 341 under the lease renewal proposal that there are comments relating to ratification of the Haldon Road boundary frontage. This appears to be incorrect, and it is thought the reference is to the exchange of land (freehold for leasehold) with Grampians. The land fronts the Haldon Road, which is formed and gives access to several properties as far as Black Forest. Another legal unformed road is shown across the middle of the property, generally along the Moffat Stream Valley. On folio 327 there is a reference to this legal road by drafting staff, saying that it is generally along the line of Moffat stream. While this may be so, it does not appear to follow any logical land form along the whole of its length from Stony Road and is unformed. It does not give practical access and runholders have formed a vehicle track from Stony Road beside Moffat Stream as far as the boundary with Curraghmore. There is no formation beyond the boundary along Moffat Stream which cuts the property in half with a large transverse valley.

## **7. Details of any neighbouring Crown or conservation land**

The property is bounded in the north-east by adjoining Grampians pastoral lease, and to the south-west by Streamlands pastoral lease. To the north-west across the Haldon Road is Grampians freehold, and at one point Grays Hills freehold.

There is no known Conservation or unoccupied Crown Land adjoining.

## **8. Summarise any uncompleted actions or potential liabilities:**

There are no known uncompleted actions or potential liabilities.

Note: The Haywards DC power line crosses the north-western tip of the property, with no formal easement, therefore protection is afforded pursuant to Section 22 Electricity Act 1992. (From Status Report).

A... exchange of land was suggested between the Grampians and the Crown at the time of lease renewal but no further action has been taken. There was no commitment given to any party, and there is no reference to Grampians ever being approached about the matter.

APPENDICES

SCHEDULE A-STATUS REPORT



**Schedule A**  
**Land Status Report**

**KNIGHT FRANK (NZ) LIMITED**

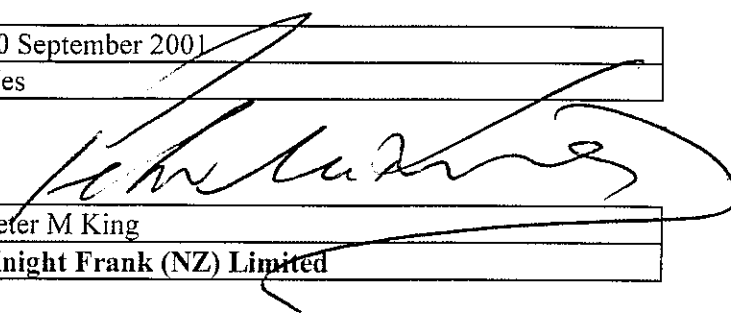
**Appendix A**

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

|   |          |           |          |                  |
|---|----------|-----------|----------|------------------|
| <b>LAND STATUS REPORT for CURRAGHMORE</b> |          |           |          | [LIPS ref.12672] |
| <b>Property</b>                           | <b>1</b> | <b>of</b> | <b>1</b> |                  |

|                            |  |
|----------------------------|--|
| <b>Land District</b>       | Canterbury   |
| <b>Legal Description</b>   | Run 72 Blocks VIII & XII Gladstone and Blocks I, V, VI, IX, X & XIV Mackenzie Survey Districts.  |
| <b>Area</b>                | 5990.0000 hectares   |
| <b>Status</b>              | Crown Land subject to the Land Act 1948.   |
| <b>Instrument of lease</b> | All Pastoral Lease CB29K/413 pursuant to section 66 and as registered under section 83 of the Land Act 1948.   |
| <b>Encumbrances</b>        | Land Improvement Agreement pursuant to section 30A Soil Conservation and Rivers Control Act 1941 No. A97829/1<br><br>Subject to Part IVA Conservation Act 1987 upon disposition. |
| <b>Mineral Ownership</b>   | 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.    |
| <b>Statute</b>             | Land Act 1948 & Crown Pastoral Land Act 1998.  |

|                                 |                   |
|---------------------------------|-------------------|
| <b>Data Correct as at</b>       | 20 September 2001 |
| <b>[Certification Attached]</b> | Yes               |



|                                  |                           |
|----------------------------------|---------------------------|
| <b>Prepared by</b>               | Peter M King              |
| <b>Crown Accredited Supplier</b> | Knight Frank (NZ) Limited |

**KNIGHT FRANK (NZ) LIMITED**

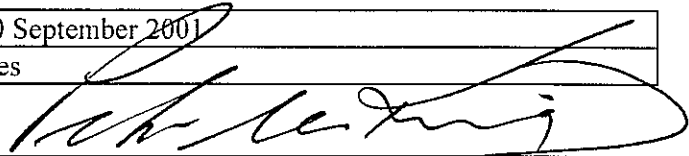
**Appendix B**

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

|   |          |           |          |                  |
|---|----------|-----------|----------|------------------|
| <b>LAND STATUS REPORT for CURRAGHMORE</b> |          |           |          | [LIPS ref.12672] |
| <b>Property</b>                           | <b>1</b> | <b>of</b> | <b>1</b> |                  |

|                            |  |
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| <b>Encumbrances</b>        | Land Improvement Agreement pursuant to section 30A Soil Conservation and Rivers Control Act 1941 No. A97829/1<br><br>Subject to Part IVA Conservation Act 1987 upon disposition. |
| <b>Statute</b>             | Land Act 1948 & Crown Pastoral Land Act 1998.  |

|                                 |                   |
|---------------------------------|-------------------|
| <b>Data Correct as at</b>       | 20 September 2001 |
| <b>[Certification Attached]</b> | Yes               |



|                                  |                                  |
|----------------------------------|----------------------------------|
| <b>Prepared by</b>               | Peter M King                     |
| <b>Crown Accredited Supplier</b> | <b>Knight Frank (NZ) Limited</b> |

**Certification:**

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

*R. Moulton*

Date *8/10* /2001

.....  
R Moulton, Chief Surveyor  
Land Information New Zealand, Christchurch



File Reference : Contract 50268

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+64 (0) 3 379 8440 fax

christchurch@knightfrank.co.nz  
www.knightfrank.co.nz

## CERTIFICATE OF AUTHORISATION

**PROPERTY ADDRESS:      RUN 72 "CURRAGHMORE"  
   HALDON ROAD  
   CANTERBURY LAND DISTRICT**

### ASSURANCE

**Knight Frank (NZ) Limited** gives an assurance that the document attached to this certificate is in order for signature.

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

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

In giving this assurance **Knight Frank (NZ) Limited** undertakes that all relevant policy instructions, legal requirements, court judgements and any other matters have been taken into account and applied where appropriate.

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

Peter M King  
Crown Accredited Supplier

Date:24 September 2001

*CURRAGHMORE Property I of 1*

|   |   |
|---|---|
| <p><b>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</b></p> | <p>File P005 folio 341 renewal proposal dated 1985, notes certain comments relating to ratification of the Haldon Road boundary frontage and "PNA" protected natural areas. No further promotion of these situations has occurred.</p> <p>An existing DC main line of power pylons (Benmore-Haywards A Line ) ECNZ SO 17363 (1987) run, across the northern end of the Curraghmore run.</p> <p>No formal easement exists with Transpower New Zealand Ltd, therefore protection is afforded pursuant to section 22 Electricity Act 1992.</p> |
|---|---|

|                                       |          |           |          |                  |
|---------------------------------------|----------|-----------|----------|------------------|
| <b>LAND STATUS REPORT CURRAGHMORE</b> |          |           |          | [LIPS ref 12672] |
| <b>Property</b>                       | <b>1</b> | <b>of</b> | <b>1</b> |                  |

**Research Data:** *Some Items may be not applicable*

|                                      |  |           |          |  |
|--------------------------------------|--|-----------|----------|--|
| <b>Property</b>                      | <b>1</b>   | <b>of</b> | <b>1</b> |  |
| SDI Print Obtained                   | Yes  |           |          |  |
| NZMS 261 Ref                         | I38 & I39  |           |          |  |
| Local Authority                      | Mackenzie/Waimate District Council   |           |          |  |
| Crown Acquisition Map                | Kemp Purchase 1848   |           |          |  |
| SO Plan                              | SO 14022 (1976)  |           |          |  |
| Relevant Gazette Notices             | N/A  |           |          |  |
| CT Ref / Lease Ref                   | All CIR CB29K/413 (1987)   |           |          |  |
| Legalisation Cards                   | N/A  |           |          |  |
| CLR                                  | N/A  |           |          |  |
| Allocation Maps (if applicable)      | SOE - SO 17056 (I38) no overlaps<br>SO 17057 (I39)<br>DoC - SO 17107 (I38) no overlaps<br>SO 17108 (I39)   |           |          |  |
| Rating Ref - if known                | All assessment 25300/07800 Mackenzie<br>All assessment 25170/11700 Waimate   |           |          |  |
| Crown Grant Maps                     | Mackenzie (1881)<br>Gladstone (1881)   |           |          |  |
| If Subject land Marginal Strip:      | Note: Subject to the provisions of section 58 of the Land Act 1948 on lease CB29K/413 and SO 14022.<br>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. |           |          |  |
| <b>a)</b> Type [Sec 24(9) or Sec 58] |  |           |          |  |
| <b>b)</b> Date Created               | N/A  |           |          |  |
| <b>c)</b> Plan Reference             | SO 14022   |           |          |  |

|                                       |          |           |          |                         |
|---------------------------------------|----------|-----------|----------|-------------------------|
| <b>LAND STATUS REPORT CURRAGHMORE</b> |          |           |          | <i>[LIPS ref 12672]</i> |
| <b>Property</b>                       | <b>1</b> | <b>of</b> | <b>1</b> |                         |

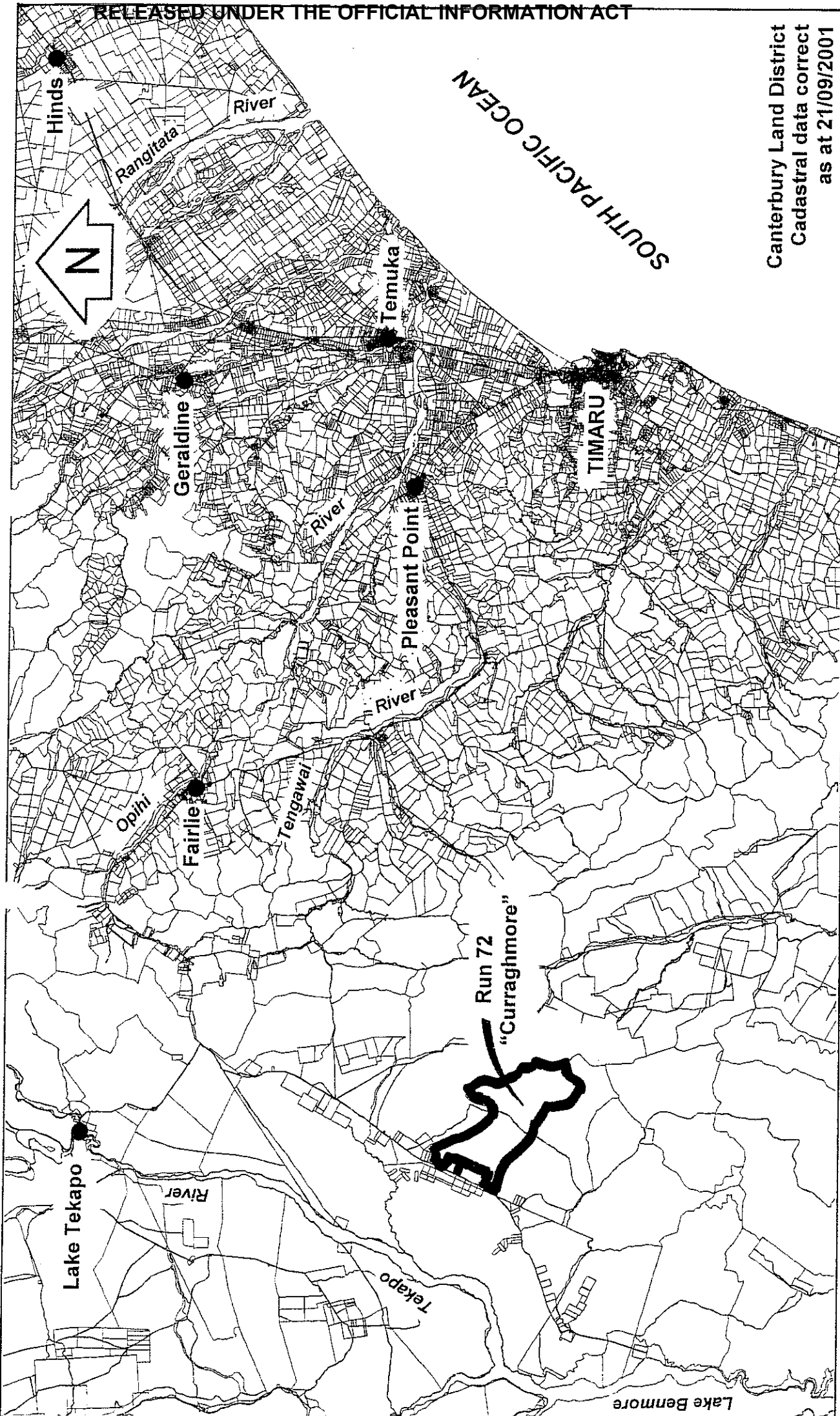
**Research – continued**

|  |          |           |          |  |
|--|----------|-----------|----------|--|
| <b>Property</b>  | <b>1</b> | <b>of</b> | <b>1</b> |  |
| If Crown land - Check Irrigation Maps.   |          |           |          | N/A  |
| Mining Maps  |          |           |          | No interest recorded National Mining Index.  |
| If Road  |          |           |          |  |
| a) Is it created on a Block Plan - Section 43(1)(d) Transit NZ Act 1989  |          |           |          | a) Crown Grant and Section 110A Public Works Act 1928.   |
| b) By Proc   |          |           |          | b) N/A   |
| c) Plan  |          |           |          | c) Topo Plan 31T (1880), SO 99 (1910)  |
| Other Relevant Information   |          |           |          |  |
| a) Concessions - Advice from DOC or Knight Frank.  |          |           |          | a) There are no DoC concessions and or no current Recreation Permits.  |
| b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998 or Northern South Island Regional Landbank. |          |           |          | b) Subject to Part 9 of the Ngai Tahu Claims Settlement Act 1998.  |
| 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 Purchase (1848).<br><br>Contained in [provide evidence]:<br>Formerly Run 296 (Grampian Hills), PR 27 (no record circa 1880).<br>Run 296 split into three parts in 1911, one of which being;<br>Run 72, PR 323 (1912) is the earliest lease available in the Land Titles Office after Canterbury gazette 1867 page 157, confirmation of runs under the Canterbury Land Regulations. |
| d) Other Info  |          |           |          | d) N/A   |

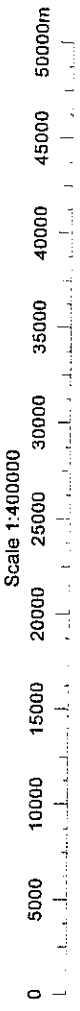
**LOCATION PLAN**



Canterbury Land District  
Cadastral data correct  
as at 21/09/2001



**LOCATION PLAN**



Lake Benmore