

## **Crown Pastoral Land Review of Other Crown Land**

**Lease name :  
MT IDA SYNDICATE**

### **Due diligence report (including status report) - Attachment 3**

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.

**June 04**

**ATTACHMENT 3:**

Investigations into lease boundary.



**Our Ref: Oo090 (LIPS 12424)**

14 June 2002

DTZ New Zealand Limited  
P O Box 142  
**CHRISTCHURCH**

**ATTENTION: Murray Bradley**

Dear Sir

**RE: STATUS INVESTIGATION – MT IDA SYNDICATE**

I refer to the Status Report for Mt Ida Syndicate sent to Geoff Holgate on 29 January 2002. In the Notes section of Appendix B you have noted that the legal description recorded in CIR 8486 is incorrect as it should read “Run 362C” not “Part Run 362C”. You found no evidence that any part of Run 362C was ever surrendered from the licence.

Having completed due diligence on the licence we agree with this view. However we also note that the plan which accompanied the report is incorrect in that it does not show all of Run 362C. SO790 shows a small area of this run east of Guffies Creek. This was also shown on NZ177 Sheet 126. I attach plans showing this.

Having confirmed that no part of Run 362C has been surrendered from the licence and that this area is part of that run it raises a number of issues:

1. The diagram on CIR 8486 is incorrect, as was that on the immediately preceding licence. In earlier versions the lines are too broad to be a guide.
2. The digital database is incorrect.
3. The map with the status report is incorrect.
4. The diagram on lease document for the adjoining Kyeburn Station is incorrect. This one is nearly correct in that it shows Part Run 362C, but wrongly draws the boundary of the lease to include it. The legal description on the lease does not include it. *This issue is not for us to deal with neither are other down stream issues.*

DTZ New Zealand Limited, 43 Tarbert Street, Alexandra, PO Box 27, Alexandra, New Zealand  
Telephone +64 3 448 6935 Fax +64 3 448 9099 Email alexandra@dtz.co.nz Website www.dtz.co.nz

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I attach various documents in support of this conclusion. If you agree with it please arrange for a revised map to be prepared, possible with a diagram covering this area.

Please contact me if you wish to discuss.

Yours faithfully  
**DTZ NEW ZEALAND LIMITED**

A handwritten signature in cursive script, appearing to read "Kenneth R Taylor".

K R Taylor  
**Manager, Alexandra**

-----Original Message-----

**From:** Bob Lysaght [SMTP:blysaght@linz.govt.nz]  
**Sent:** Thursday, March 28, 2002 9:20 AM  
**To:** Ken Taylor  
**Subject:** Mount Ida Syndicate,

Hi Ken,

I have processed the due diligence report (Report A2035) as far as I can but am unable to approve or decline it as there is one matter on which the investigations are as yet incomplete, that being the matter of Tailings Creek Hut and yards.

I note the comment about the cadastral map excluding the the yards (but not the hut, my recollection of our visit there at last years High Country Field Day is that the hut is on the west bank of Guffies Creek and this is backed up by the topo map). The question that needs answering is "has the land on which the yards are situated ever been formally excluded from any of the former leases or licences". to answer this you will need to go back beyond the 1955 licence mentioned by Peter Diver. If there has been no formal action taken to exclude this area from the former Mt Ida Syndicate leases or licences then the area must still be part of that Syndicate licence. If as a result of your investigations you find that the area is still part of the licence you should arrange to have have the required amendments made to the various supporting maps. In this regard you should take this email as CC:L delegate authority to amend the maps. If maps are amended please supply 3 copies to me.

You should note that SO 790 shows the yards area as being included in Run 362C (my interpretation of the very faint wording at this position on that SO plan is "wire yards" and the plan certainly shows the boundary between Run 362C and Run 574 by a green border, as being to the east of the yards).

I look forward to your response.

I consider this is work that was not completed as part of the due diligence check and as such there should be no additional fees for this work.

Regards

Bob

Bob Lysaght  
Crown Property Management

NEW ZEALAND

Reference Vol. 337 folio 106



PLAN OF RUN No. 362 B & 362 C No. 1909 National Endowment & Crown

Registered in the Land Registry Office by Act No. 100 of 1934 under the TRANSFER ACT.

National Endowment Lands for Pastoral Purposes

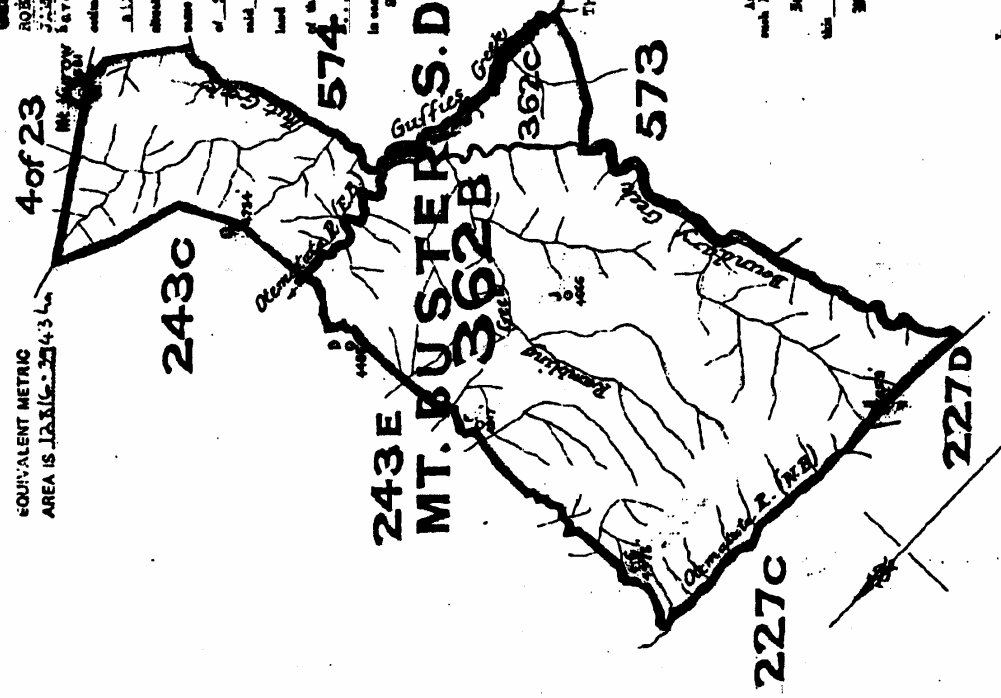
Area 3167.0 acres

EQUIVALENT METRIC AREA IS 12316.2343 ha

4 of 23

Whereas CHARLES JAMES IVERS, of BANFORTH; ROBERT SCOTT of KILBURN; FRANCIS EDWARD MORE of KILBURN; ROBERT ANTHONY PATRICKSON of WAIRAKA; RICHARD GUSSE GRAYMAN of BANFORTH; ANTHONY ARTHUR MORE of KILBURN, and JAMES VALDY SCOTT of KILBURN, Partners, (as tenants in common in equal shares) have applied under the provisions of the Land Act, 1924, for a license to occupy for pastoral purposes the land containing by estimation thirty-one thousand six hundred and seventy (31670) acres... and being numbered as three hundred and sixty-two B (362B) and three hundred and sixty-two C (362C) in the County of Waikato, in the Land District of Otago, as shown in the margin hereof, and to require the same to be delineated on the plan in the District Lands and Survey Office.

of Sixteen hundred ten shillings. (6 17 10) being the first half-year's rent in advance for each year. The said CHARLES JAMES IVERS, ROBERT SCOTT, FRANCIS EDWARD MORE, ROBERT ANTHONY PATRICKSON, RICHARD GUSSE GRAYMAN and ANTHONY ARTHUR MORE, and JAMES VALDY SCOTT, as tenants in common in equal shares, hereby consent to the said land for pastoral purposes for the term of thirty-five (35) years to be computed from the first day of March, 1934, subject to all the provisions and conditions of the Land Act, 1924, so far as applicable hereto, and subject also to the payment of an annual rent of THIRTY-FIVE POUNDS in each and every year, payable for the first half-year's rent having already been made, and the rest of each half-yearly payments to be made on the first day of September in each and every year, to the conditions following, viz: (1) That if the licensees or any person claiming an interest through or under them shall make or cause to be made any agreement or contract, or shall give or cause to be given or cause to be given any negotiable security for the purpose of obtaining or creating the provision of, or shall in any way whatsoever directly or indirectly commit or be party to a lease under the Land Act, 1924, this license shall be void and of no effect. (2) That the licensees shall prevent the destruction or burning of timber or bush on the land comprised in this license, except as provided by section 100 of the Land Act, 1924. (3) That the licensees shall prevent the growth or spread of gorse, broom, lupines, blackberry, and weeds on the land comprised in this license, and shall with all reasonable speed cause or cause to be removed all gorse, broom, lupines, blackberry, or other noxious weeds or plants, as may be directed by the Land Board of the Otago Land District; and (4) That the licensees shall not lease any tenement on the land comprised in this license, or permit any tenement thereon to be leased save with the prior consent in writing of the Land Board of the Otago Land District; and (5) That the licensees shall hereby allow all rabbits on the land comprised in this license, and shall prevent their increase or spread, to the satisfaction of the Commissioner of Crown Lands. This license is granted under the provisions of Section 277 of the Land Act, 1924, in lieu of Pastoral License 1572.



And it is hereby declared that these provisions are intended to take effect as a mortgage license only under the Land Act, 1924, and the provisions of that Act applicable to such license shall apply hereto as they will otherwise apply if the same had been an ordinary mortgage license. In witness whereof the Commissioner of Crown Lands, on behalf of the Land Board of the Otago Land District, hath hereunto set his hand and the seal of the Otago Land District, this 15th day of March, 1934.

Witness to the signature of the Commissioner of Crown Lands:

Witness: M. McCann, Clerk, Land District Office, Dunedin

H. G. Mansfield, Commissioner of Crown Lands

Scale: 1/20 chains = 1 inch.

Witness to the signature of the Licensee: SEE BACK HEREOF.

Witness to the signature of CHARLES JAMES INDER: Charles James Inder, Robert Scott, Francis Edward Hore, Robert Anthony Paterson, Richard Green Chapman, Arthur Bernard Hore, and James Valley Scott, the within-named licensees, hereby accept this license on the terms and conditions specified therein.

Witness to the signature of CHARLES JAMES INDER: James Hall, Farmer, Paterson, Paterson

Witness to the signature of ROBERT SCOTT: James Hall, Farmer, Paterson

Witness to the signature of FRANCIS EDWARD HORE: James Hall, Farmer, Paterson

Witness to the signature of ROBERT ANTHONY PATERSON: Robert Scott, Paterson

Witness to the signature of RICHARD GREEN CHAPMAN: James Hall, Farmer, Paterson

Witness to the signature of ARTHUR BERNARD HORE: James Hall, Farmer, Paterson

Witness to the signature of JAMES VALLEY SCOTT: James Hall, Farmer, Paterson

Date: 1st March 1934.

THE COMMISSIONER OF CROWN LANDS DUNEDIN

Charles James Inder, Robert Scott, Francis Edward Hore, Robert Anthony Paterson, Richard Green Chapman, Arthur Bernard Hore and James Valley Scott.

PASTURAGE LICENSE

Witness to the signature of CHARLES JAMES INDER: James Hall, Farmer, Paterson

Witness to the signature of ROBERT SCOTT: James Hall, Farmer, Paterson

Witness to the signature of FRANCIS EDWARD HORE: James Hall, Farmer, Paterson

The Land Board of the Otago Land District has consented to the transfer of the one sixth share in the within written license from Charles James Inder to Robert Scott, Arthur Bernard Hore, Robert Anthony Paterson, Richard Green Chapman, Arthur Bernard Hore and James Valley Scott, the within-named licensees, on the terms and conditions specified therein.

The Land Board of the Otago Land District has consented to the transfer of the one sixth share in the within written license from Charles James Inder to Robert Scott, Arthur Bernard Hore, Robert Anthony Paterson, Richard Green Chapman, Arthur Bernard Hore and James Valley Scott, the within-named licensees, on the terms and conditions specified therein.

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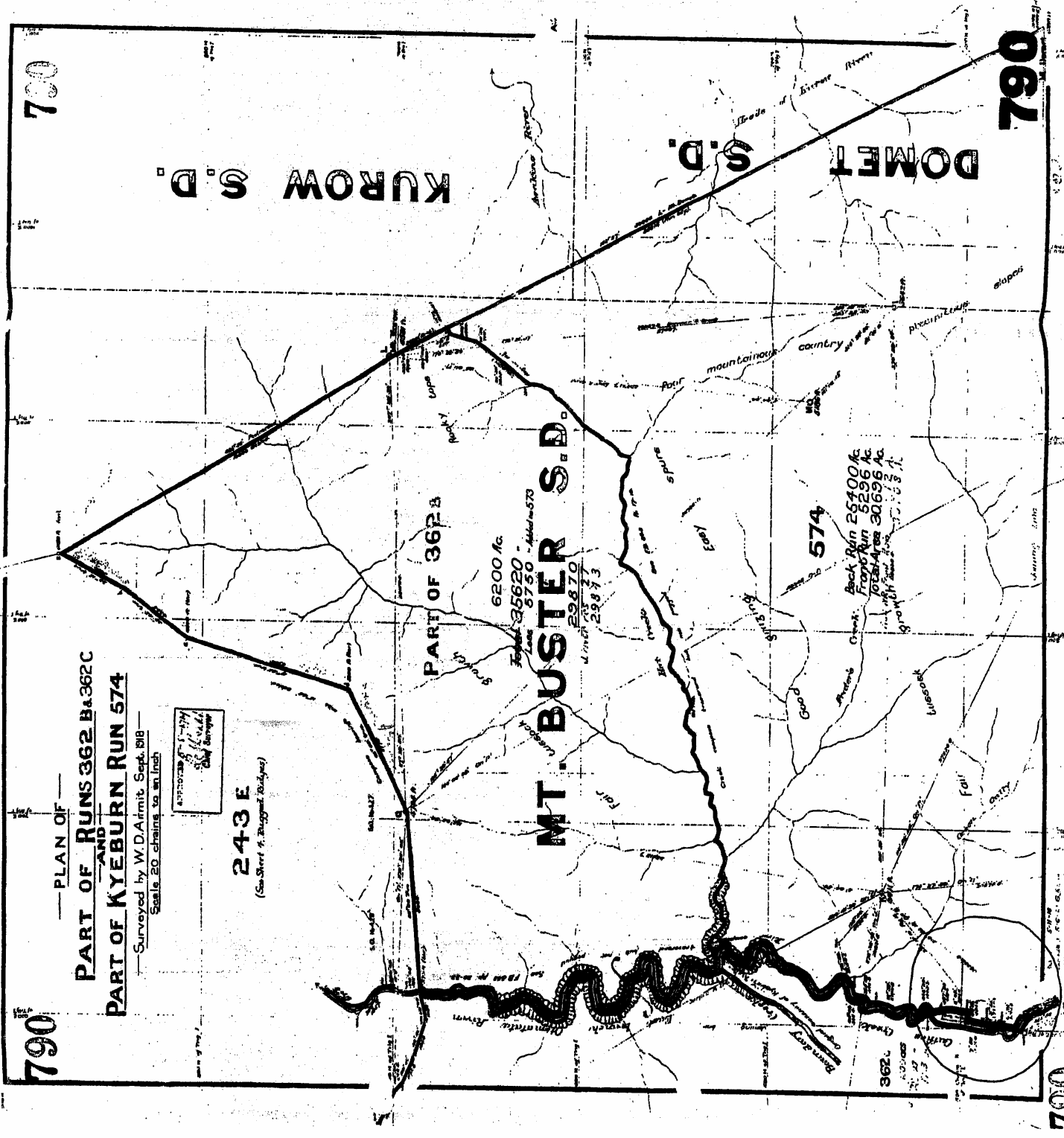
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790

790

KUROW S.D.

DOMET S.D.

791

PART OF 362 B

MT. BUSTER S.D.

574

PLAN OF  
 PART OF RUNS 362 B & 362 C  
 AND  
 PART OF KYEBURN RUN 574

Surveyed by W.D. Armit, Sept. 1918  
 Scale 20 chains to an inch

APPROVED BY  
 W.D. Armit  
 Surveyor

243 E  
 (See Sheet A, Buggard, Buggard)

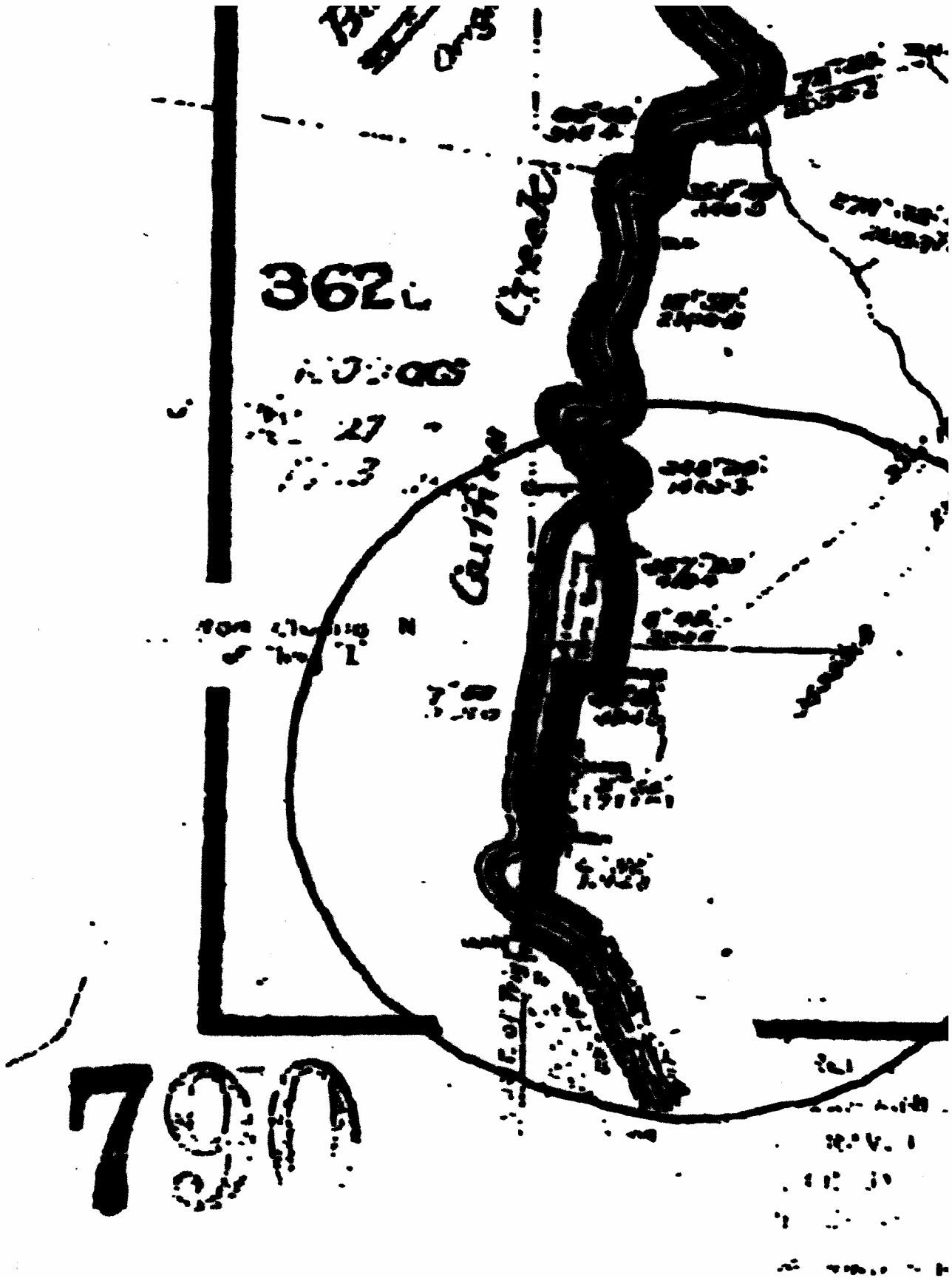
6200 ac  
 Part of 362 B  
 Area 6750  
 29870  
 29873

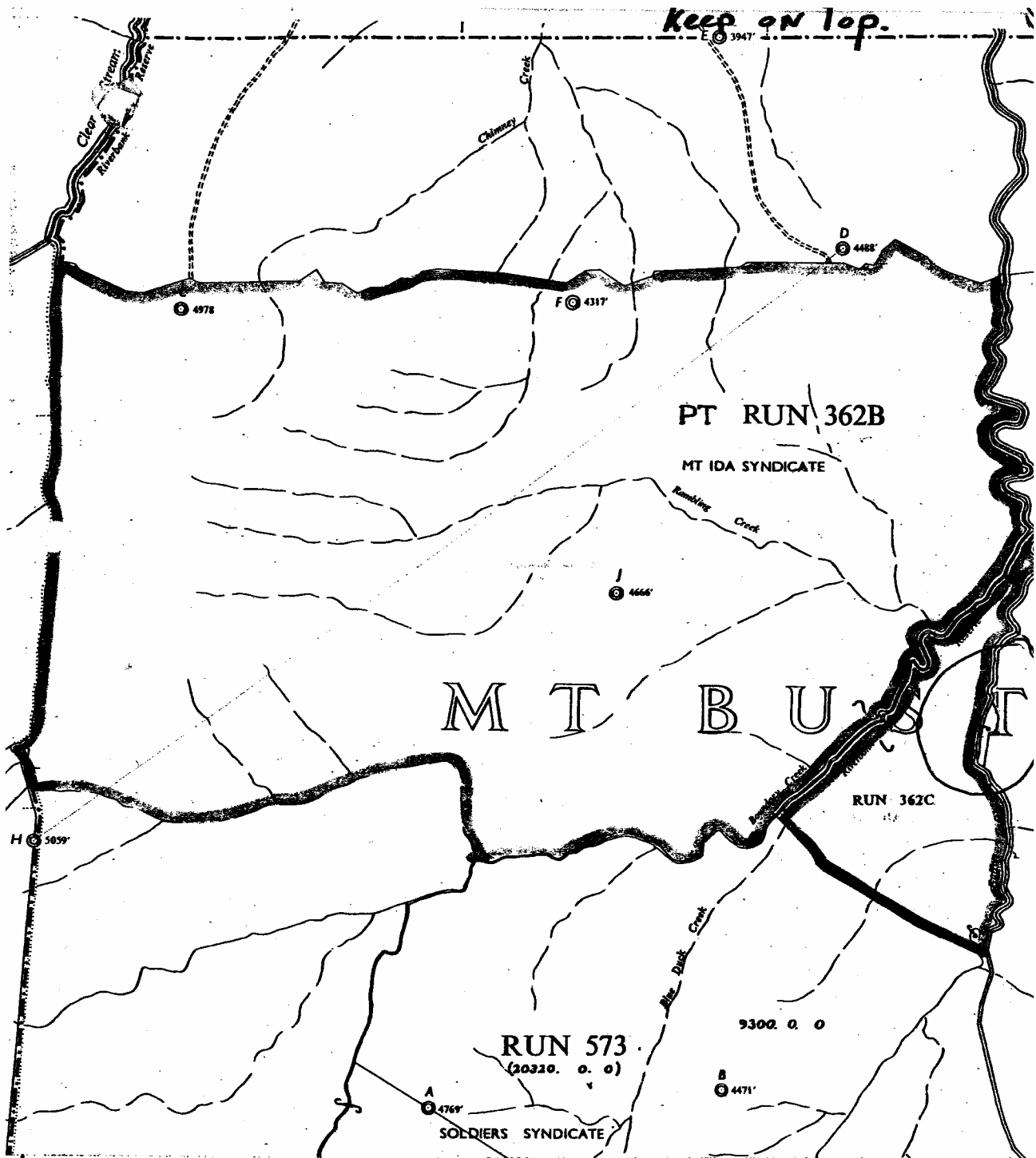
Back Run 25400 Ac  
 Frank Run 5296 Ac  
 Totals 30699 Ac

Part of Run 362 B & Part of Kyeburn Run 574

792







Pt Run 362B and Run 362C, Mt Buster S.D.  
 Total Area : 8401.2739 ha

**FILE COPY  
 DO NOT REMOVE**

BLOCK		SURVEY DISTRICT		SCALE 1:63360		
LOCAL AUTHORITY WAITAKI COUNTY				OTAGO LAND DISTRICT		
PREPARED BY K.C.	CHECKED BY H	DATE July '77	FILE O 60	REF. PLANS	N.Z.M.S. 177 SHEET 126	

Identifier

OT386/89

*Maniatoto, Kyeburn, Mt. Buster  
Kurow and Domet S.Ds.*

**EQUIVALENT METRIC**

AREA IS	11354.6697	ha
708197 (Diag 2)	833.6524	ha
	12188.3221	ha
788699	5602.0000	ha
	6586.3221	ha

Water Paces include  
in Area

