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From: Mary-Anne Baxter
Sent: Monday, 23 November 2020 5:26 p.m.
To: Nick Sinclair-Butterick <NSinclair-Butterick@linz.govt.nz>
Cc: tburns <tburns@linz.govt.nz>; April Hussey <ahussey@linz.govt.nz>; Helen James <hjames@doc.govt.nz>; David Griffin <dgriffin@doc.govt.nz>; John Blue <jblue@doc.govt.nz>
Subject: Mt White lease renewal - December 2021.

Hi Nick,

While we are emailing about pastoral lease renewals at the moment, I want to raise the lease renewal of Mt White pastoral lease with your team so it can be escalated as appropriate within LINZ. We need to ensure there is enough time before the Dec 2021 lease renewal to resolve the long-outstanding matter of the reserve for national park purposes still being within the lease title.

If you aren't familiar with the matter, in 1901 areas of land on the Hawdon/Riversdale Flats were gazetted as a reserve for National Park purposes. This land was included as part of Mt White pastoral lease in error. The pastoral lease status report on the LINZ website has most of the history if you need further background (particularly part of Part 3, Part 4 and Part 5 of the Due Diligence Report and Status Report).
<https://www.linz.govt.nz/crown-property/crown-pastoral-land/status-and-location-crown-pastoral-land/mt-white>

In 2014 DOC were discussing practical options for resolving this, however this was overtaken firstly by the then lessee investigating what a tenure review proposal on the property would look like, selling the property to family members, then the subsequent sale to the current lessee (who ended up not being an overseas owner) - so the matter of reserve land which should be added to Arthur's Pass National Park still being included on the lease title has never been resolved. I have attached some relevant emails above. The LINZ portfolio manager for Mt White in 2014 indicated that lease renewal was the key opportunity to resolve this (in emails above).

The Mt White lease is coming up for lease renewal in December 2021. This will present the one opportunity to finally get the reserve land removed from the lease title. Each time this matter has come up previously it usually ends up with the CCL due to the complexity. I will be ensuring this is escalated within DOC. Knowing you will be starting the lease renewal discussions shortly, I wanted to make sure that resolving this issue at this lease renewal will be part of those discussions.

Kind regards,

Mary-Anne Baxter
Statutory Land Management Advisor
Department of Conservation—*Te Papa Atawhai*
[REDACTED]
Christchurch Shared Services Office
Private Bag 4715 Christchurch

David Ecker

From: Mike Sherman <msherman@linz.govt.nz>
Sent: Wednesday, 22 October 2014 2:51 p.m.
To: Mary-Anne Baxter
Subject: RE: Mt White - Reserve 3535

Hi Mary-Anne,

Thanks for the heads up.

Agree, I have just started scratching the surface and there appears to be a lot of relevant information on record and will take some time working through once an agreed outcome in place.

The list is also very useful, thanks.

Mike.

From: Mary-Anne Baxter [mailto:mbaxter@doc.govt.nz]
Sent: Wednesday, 22 October 2014 2:33 p.m.
To: Mike Sherman
Subject: RE: Mt White - Reserve 3535

Hi Mike,

Thanks for forwarding this to me.

If it's not on your current file, the LINZ status check on the website has heaps of previous background to this (particularly the last pdf's which contain lots of prior correspondence) and you can see the parties involved in discussions previously.

There will be a lot of ongoing work once an outcome is agreed to, some of which will include:

- A formal agreement committing all parties to the proposal once discussions result in an outcome (all parties).
- Fencing of new boundary and survey work (responsibility for this to be determined).
- Officially removing the 'reserve' land from the pastoral lease (LINZ/Mt White).
- Exchange process under Reserves Act of freehold/reserve (DOC/Mt White).
- Covenants as required over new freehold (DOC/Mt White).
- Transfer of Hawdon riverbed to DOC to add to National Park (DOC/LINZ - although may need to check it still isn't in lease and remove from that first if it is).
- Addition of new reserve area into the National Park (DOC).
- Closing of unformed legal roads and formalising existing road (LINZ).

Each of this individual steps noted will also have numerous steps within them to complete the step. It will take quite a while (probably at least a couple of years) to achieve the outcome once it is agreed to – but given the amount of time this has been going on for previously a few years is rather insignificant !

Kind Regards,

Mary-Anne Baxter
Statutory Land Management Advisor
Department of Conservation—*Te Papa Atawhai*

Christchurch Shared Services Office

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David Ecker

From: Mike Sherman <msherman@linz.govt.nz>
Sent: Monday, 18 January 2016 10:21 a.m.
To: Mary-Anne Baxter
Cc: Murray Mackenzie
Subject: RE: Mt White - Reserve 3535

Hi Mary-Anne,

Thanks for your email.

We haven't been involved with any further discussions with our LINZ National Office, as the Commissioner and others took over the matter the Riversdale historic land issues.

So I can't answer your queries below regarding any proposed transfer of the lease.

You may wish to contact the Commissioner directly with your query (dgullen@linz.govt.nz) as he or his advisors may or may not be in a position to advise or clarify matters further.

Mike.

Mike Sherman
Portfolio Manager
Crown Property

E msherman@linz.govt.nz | [REDACTED]

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Christchurch 8140, New Zealand
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From: Mary-Anne Baxter [mailto:mbaxter@doc.govt.nz]
Sent: Friday, 15 January 2016 4:27 p.m.
To: Mike Sherman
Cc: Chris Stewart; Poma Palmer; Murray Mackenzie
Subject: Mt White - Reserve 3535

Hi Mike,

A little over a year ago (in October/November 2014) we had started discussions in relation to a practical way around resolving the historic land issues associated with Mt White pastoral lease and the reserve land that should be part of the National Park. The last correspondence we had was on the 18th November 2014 when the meeting we were planning was cancelled due to the Commissioner initiating conversations directly with the lessee and requesting that LINZ Crown Land hold off on any discussions.

Due to Mt White Station now being marketed for sale, we were interested to know if the historic land issues were going to be dealt with when/if the property is sold and the lease transfers, and if thought had been given to this in relation to the desired outcome we had previously been looking into.

Many thanks,

Mary-Anne Baxter

Statutory Land Management Advisor

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Private Bag 4715 Christchurch Mail Centre Christchurch 8140

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David Ecker

From: Mary-Anne Baxter
Sent: Wednesday, 22 October 2014 12:35 p.m.
To: 'Mike Sherman'
Subject: RE: Mt White - Reserve 3535

Many Thanks.

That sounds really positive then - it will be great to make progress with this,

Mary-Anne.

From: Mike Sherman [mailto:msherman@linz.govt.nz]
Sent: Wednesday, 22 October 2014 12:24 p.m.
To: Mary-Anne Baxter
Subject: Re: Mt White - Reserve 3535

Hi Mary-Anne,

Thanks for the analysis and looking into this matter for us.

I confirm that the lessee's are keen to consider any options and solutions into resolving the matter and would welcome discussions between the parties.

I will advise them and pass on this email to Murray also.

Mike.

Mike Sherman
Portfolio Manager
Crown Property

E msherman@linz.govt.nz | [REDACTED]

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From: Mary-Anne Baxter [mailto:mbaxter@doc.govt.nz]
Sent: Wednesday, 22 October 2014 11:42 a.m.
To: Mike Sherman
Cc: Chris Stewart
Subject: RE: Re: Mt White - Reserve 3535

Hi Mike,

I've had the opportunity to discuss the Hawdon/Riversdale Flats situation further already.

The Department are just as keen as LINZ, and presumably the owner's of Mt White pastoral lease, to consider solutions for resolving this long standing matter.

There are a number of objectives we think can be incorporated into a solution that will need the support of the Department, LINZ and the owner's of Mt White station to be achieved.

We see the following points as things that should be explored through discussions between all three parties as a way this area can be rationalised to the advantage of all parties;

- Consideration being given to exchanges of existing Mt White Station freehold land for some of the eastern part of Reserve 3535.
- The inclusion of covenants to protect any existing values on reserve land being given consideration for freeholding.
- The fencing of a defined boundary of the outcome to clearly separate Mt White Station land with land to become National Park.
- Resolving riverbed and unformed legal road matters on the Hawdon/Riversdale Flats.

There will obviously be some discussion needed before agreement is reached on an outcome but the Department sees that a pragmatic approach by all three parties can hopefully lead to a successful resolution that can benefit everyone.

Please let me know if you want to have more specific discussions around this at this preliminary stage, or whether you prefer to explore the willingness of Mt White Station to enter into discussions on options for a practical solution first,

Kind regards,

Mary-Anne Baxter

Statutory Land Management Advisor
Department of Conservation—*Te Papa Atawhai*

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From: Mike Sherman [<mailto:msherman@linz.govt.nz>]

Sent: Tuesday, 14 October 2014 12:23 p.m.

To: Steve Sharman

Subject: Re: Mt White - Reserve 3535

Hi Steve,

I've taken over Mt White pastoral lease and am reviewing the information on file regarding the reserve land.

It appears from information that we have on file here that 'informal' arrangements have been in place for grazing rights (Riversdale Flats) – despite the area being a reserve. The original gazette prevails however over any of this departments predecessors arrangements to have this incorporated into the pastoral lease.

It appears that a reconciliation outcome excluding the land wrongfully included in the pastoral lease could have occurred at lease renewal in 1988. This however was not carried out at that time, as at Lease Renewal or Tenure Review is the best opportunity for the Commissioner to do this (the next renewal is 2021).

I have approached our team in Wellington for advice as the lessee has indicated that the area is very important to the management and viability of the station, and wants to be consulted with on any rationalisation or surrendering of the area. It appears that the lessee has also been paying rent on the 997.5Ha to date.

[REDACTED]

Steve, are there any other points that I may have missed or added comments you have? Are the plans of DoC to still have this incorporated into the Arthur's Pass National Park?

Thanks in advance.

Mike.

Mike Sherman
Portfolio Manager
Crown Property

E msherman@linz.govt.nz | [REDACTED]

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