

24 JUN 1982

WIL ~~33/5/66~~
40/7/2



Dept. Internal Affairs

DEPARTMENT OF INTERNAL AFFAIRS

Telephone 738 699

Telegrams and Cables 'Internal'

Private Bag, Wellington, N.Z.

18 June 1982



Minister of Internal Affairs

PROPOSED HABITAT ACQUISITION FOR SPEARGRASS WEEVIL ON THE WELLINGTON SOUTH COAST

The Wildlife Amendment Act 1980 declared certain terrestrial and fresh water invertebrates to be animals and hence protected under the Wildlife Act 1953.

One of the animals so covered was the Speargrass Weevil (Lyperobius huttoni). The attention of the Department was drawn recently to the fact that the only known habitat in the North Island of these animals was on the south coast of Wellington as shown on the attached map one.

It was also brought to our attention that of the six known sites on the Wellington south coast of L. huttoni, two had been destroyed by quarrying activity and two had been badly affected by recent rock slides to such an extent that in recent surveys no animals were found. This leaves two sites which from past and recent Victoria University investigations still appear to hold viable populations.

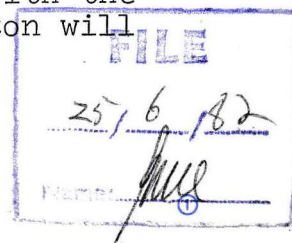
In addition to these two sites being the only habitat of these animals in the North Island, it is the only habitat which is found at sea level. All known sites in the South Island are in alpine or subalpine areas.

The known distribution of Lyperobius huttoni in the South Island is inconclusive and subject to much disagreement between entomologists and requires further study.

The Department has been making preliminary investigations into ways in which the two remaining sites on the south Wellington coast can be protected, and it appears that this would best be achieved by land purchase and subsequent reservation.

Investigations have revealed that the two sites of interest are on two properties, one owned by Mr J T Cliffe and the other by Mr and Mrs J M Fitzgerald (daughter and son-in-law of the Right Hon. Duncan MacIntyre). As yet no approaches have been made to the landowners.

At present very little is known about the habitat requirements of these animals and the Department, in conjunction with the Zoology Department of Victoria University of Wellington will




shortly be embarking on a research project to define the habitat needs of the weevils within the two sites. This project will establish the basis for future management of the weevils and this could result in future costs for habitat protection and management.

It is proposed to request the Ministry of Works and Development to initiate land purchase negotiations. Possible purchase costs are not yet known but these will be small as the land is very steep and of very limited agricultural value. The likely attitude of the landowners cannot be gauged at present but should difficulties arise these will be reported back to you.

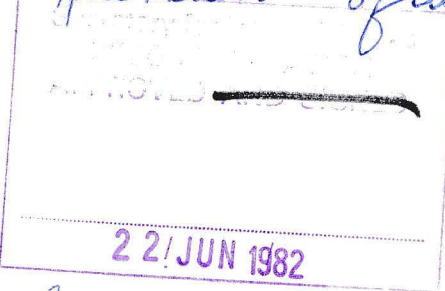
Recommendation

It is recommended that you:

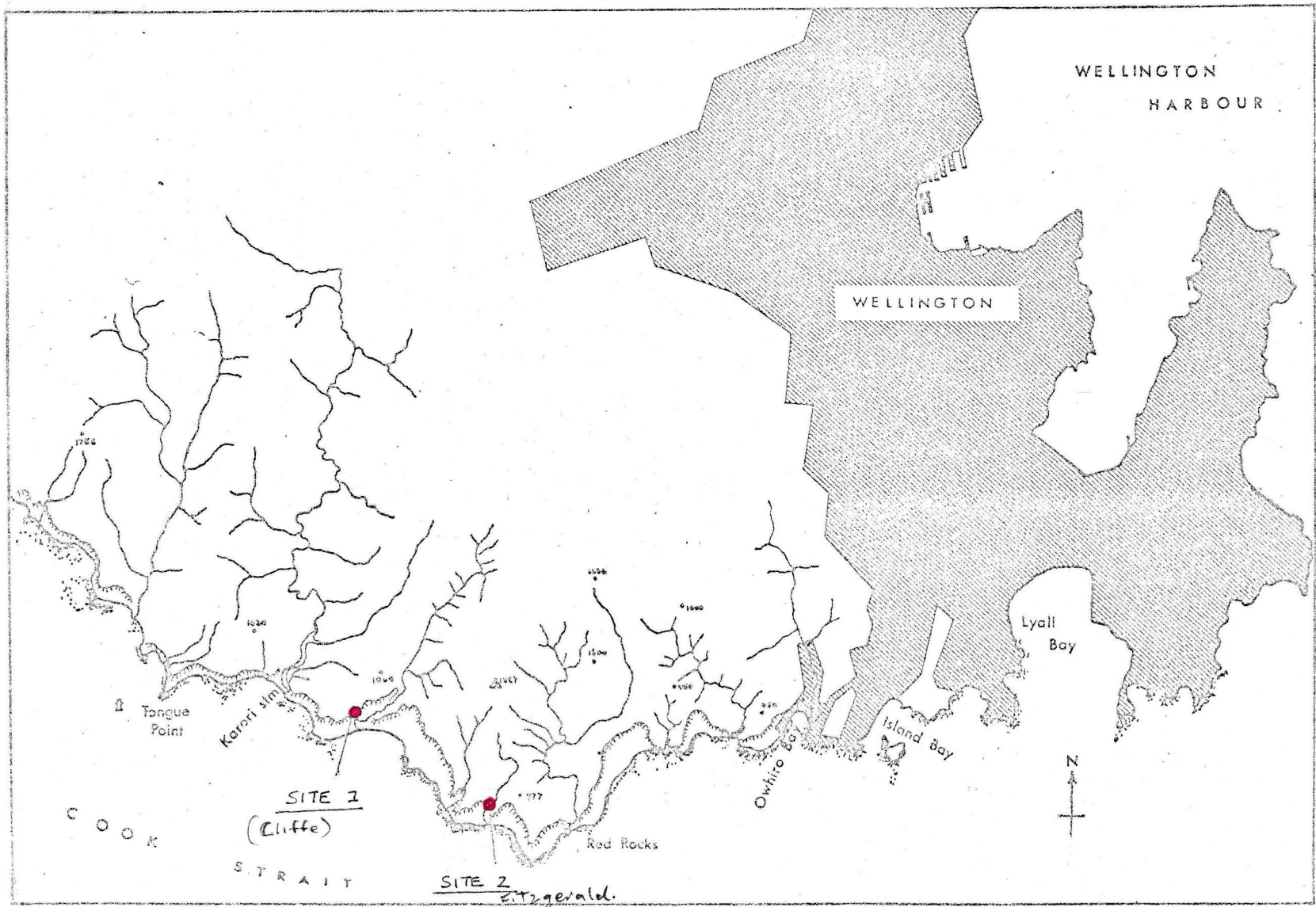
1. approve the acquisition for wildlife purposes of these two speargrass weevil habitats on the Wellington south coast, owned by Mr J T Cliffe and Mr and Mrs Fitzgerald;
2. note that future costs may arise for habitat management at these two sites.


R T Adams)
Director
Wildlife Service

*Please report after opening
expression of interest with
land owners. Before
proceeding to commitment*



By [Signature]





WILDLIFE SERVICE
DEPARTMENT OF INTERNAL AFFAIRS



13
Please Quote

40/7/2

Private Bag, Wellington, N.Z.

Telephone 738-699

Telegrams and Cables 'Internal'

4 October 1982

Parliamentary Under-Secretary
to the Minister of Internal Affairs



PROPOSED HABITAT ACQUISITION FOR SPEARGRASS WEEVIL,
WELLINGTON SOUTH COAST

I refer to your comments on approving the submission of 22 June 1982 (below). The Ministry of Works and Development has approached Mr Fitzgerald and Mr Cliffe, the owners of the land areas involved, and has reported as follows:

Fitzgerald

Mr Fitzgerald clearly stated that he was not interested in selling the land in question. He is willing to come to an alternative arrangement, but was unable to suggest a suitable way of protecting the speargrass weevil colony while still carrying out his farming activities.

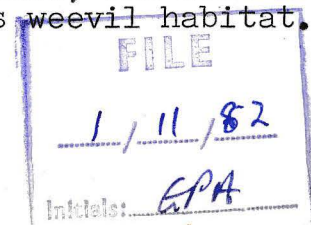
One objection to selling is that this would create stock management difficulties; Mr Fitzgerald plans to fence off the coastal faces of his land to provide a paddock of approx. 65 ha for winter and spring feed. Effective fencing of the weevil colony would result in the proposed paddock being separated into two.

Another of Mr Fitzgerald's objections concerns the creek on one side of the colony, which is constantly moving due to erosion in the catchment and heavy rainfall. Mr Fitzgerald feels that the fences would be damaged by the movement of large amounts of shingle.

From the reported comments it seems there is still room to negotiate and further discussions could lead to resolution of Mr Fitzgerald's farm management needs while allowing the wildlife objective to be achieved through purchase, or some lesser interest in the land.

Cliffe

Mr Cliffe was very co-operative when approached, and left no doubt that he would be willing to sell the land as weevil habitat.



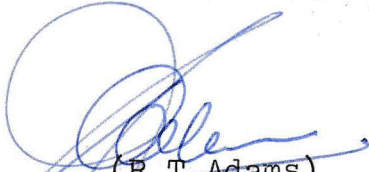
He did however say that he would not like the buffer zone to be made too large, as he felt that this would create a fire hazard which would endanger both the weevil colony and his own property.

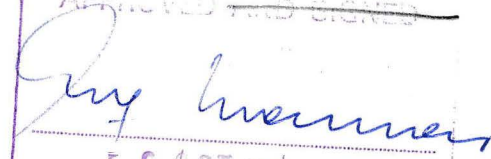
Mr Cliffe's property is at present being totally refenced by a contractor, and if purchase of this area can be negotiated fairly quickly, it will be possible to use the contractor's services when he reaches the weevil colony.

Recommendation:

It is recommended that you:

- (1) Approve the undertaking of negotiations for the purchase of Mr Cliffe's land;
- (2) Approve negotiations with Mr Fitzgerald to achieve the best possible protection of the weevils, including if necessary the purchase of the land.


(R T Adams)
Director Wildlife Service

Secretary for Internal Affairs
RECOMMENDATION
APPROVED AND SIGNED

16 OCT 1982

MINUTE SHEET

Department:

Subject:

Section: 20

Purchase of Card
J.T. Clippe

File No. W/12 110/7/21

Date: 10-3-83

49918A-156 1ads/7/80 MK

To-

~~Finance~~

Would you please arrange for the cheque per Act, below to be drawn, and returned to me for despatch under a covering letter.

M Adams
A/D (Gen)

974

APPLICATION FOR FINANCIAL APPROVAL

(I.A. Circular No. 1978/35 of 20 November 1978 refers)

File Ref.

19

- 1. Budget Control Clerk. *of* →
- 2. *Approving Officer: *
- 3. Stores Officer
- 4. **Budget Control Clerk (Original)
- 5. Mr. *G.P. ADAMS* (Duplicate)
- 6. Records (Duplicate for File)

Seq: 7

A. PROJECT: *Purchase of wildlife habitat - J.T. CLIFFE*

(i) Details (continue overleaf if necessary): *On 6 October 1982 the Minister approved the purchase of land from J.T. CLIFFE for the protection of the habitat of spargans weevil. The negotiations have been completed and we are now required to pay the sum of \$4,125, deposit with any difference payable on survey.*

Cheque is to be made payable to:
Phillips Shaye - George & Co.

(ii) Amount: *\$4,125* (iii) Item and Sub-item No. *0621-3607-701*

(iv) Ty. Inst. B. 5 Ref.: (v) *McAdams Dist. Dir (Env)* *10-3-83*

(vi) Date required: *URGENT* (Requisitioning Officer) (Designation) (Date)

B. (i) Item state:

Appropriation per year: *\$100,000* Committed current year: Uncommitted current year:

Spent current year: *223,165* Funds available current year: *Nul*

(ii) Check authority, charging, and enter approving officer.

(iii) Approval No. *82/1123* *Seq*

Shayle (BUDGET CONTROL CLERK) *10/3/83* (DATE)

C. (i) Recommended for approval: *ACT. [Signature]* (ACCOUNTANT) (DATE)

Comments of Accountant:

(ii) Comments of C.E.O.:

(iii) Expenditure approved: *[Signature]* *Dir w/L* *10*

(NAME) (DESIGNATION) (DATE)

D. Stores Officer's Procurement Action:

P.W. 11 Ty. 125 Ty. 135 Ty. 105

GSB Import Req. No. (Date): (Initials):

E. Payment reference (by Budget Control Clerk):

Voucher Summary	Date	Amount	Balance Outstanding
<i>9741</i>	<i>MAR 1983</i>	<i>\$ 4125.00</i>	PAID I.A. DEPT. BOSTON. 1982/83



(1) Full Name (1) JOSEPH THOMAS CLIFFE of

(2) Address and Occupation (2) WELLINGTON, ACCOUNTANT

(hereinafter called the owner) being the owner/lessee of the land hereinafter mentioned for an estate of freehold/leasehold in possession hereby offers to sell to the Crown for the sum of FOUR THOUSAND ONE HUNDRED AND TWENTY FIVE DOLLARS

(3) Delete if not applicable free of (3) all leases and tenancies and discharged from all encumbrances all the piece(s) of land comprising about 4 hectares 6500 square metres being

Situate in Blocks IX and XII of the Port Nicholson Survey District being Part Sections 5 and 37 of the Terawhiti District and being also Lot 1 on DP 5864. and being all/part of the land in Certificate of Title Volume 424 Folio 277

Wellington Land Registry on and subject to the conditions set out in Notes A and C endorsed on the reverse hereof:

The owner agrees to execute a transfer of the land OR ALTERNATIVELY at the option of the Minister of Works and Development the owner agrees to the taking by Proclamation or Declaration under the Public Works Act, 1981, of such piece(s) of land and if the public work is an essential work to accept the above sum in full settlement of compensation for the said land together with the rights, easements, and appurtenances thereto belonging and all his estate and interest therein as aforesaid and of all claims and demands in respect thereof or in respect of damage to the surrounding land by severance or otherwise howsoever; And the owner hereby authorises the Crown to retain and pay (if demanded) to the persons entitled the whole or a sufficient portion of the compensation to release the land agreed to be taken from all encumbrances affecting the same; And the owner further agrees to adduce a good title to the said land and to comply with the requirements set out in Notes B and C on the reverse hereof.

SIGNED by the said

(Owner)

Date: 19

in the presence of:

Witness:

Address:

Occupation:

Acting on behalf of the Crown pursuant to Section 9 of the Public Works Act 1981 and pursuant to an authority given to me by the Minister of Works and Development I hereby accept the above offer to sell/confirm the above agreement to take by Proclamation or Declaration.

DATED at this day of 19

SIGNED by

RODERICK MASON INGLE

Person authorised by the Minister of Works and Development.

in the presence of:

Witness:

Address:

Occupation:

All correspondence is to be addressed to:
The District Commissioner of Works,
Ministry of Works and Development.

NOTE A
CONDITIONS RELATING TO TRANSFERS

- 1. DATE OF SETTLEMENT
The date of settlement shall be:
(a) ~~One month from acceptance of offer if survey or diagram on the transfer is not required for giving title or,~~
(b) ~~Six weeks from acceptance of offer if diagram on the transfer will suffice for giving title or,~~
(c) ~~Three weeks from depositing of land transfer plan if survey is required for giving title. Crown will do survey.~~
- 2. DATE FOR POSSESSION AND APPORTIONMENTS
~~Vacant possession of the said land shall be given to the Crown and net rates shall be apportioned on date of settlement and for this purpose the latest rate demand received by the owner up-to-date duly receipted shall be forwarded to District Commissioner of Works.~~
- 3. EXECUTION OF TRANSFER
Upon payment of purchase money and any apportionments by the Minister the owner and all other necessary parties will execute in favour of the Minister a valid conveyance transfer or other assurance of the said land for an estate in fee simple free from encumbrances, such assurance to be prepared by and at expense of the Minister and to be tendered to the owner for execution.
- 4. POSSESSION SUBJECT TO TENANCY
delete "vacant and" from (2).
The owner shall advise the full name of each tenant, the rent payable and when, the nature of the tenancies (weekly, monthly, etc.) and the date to which rent is paid; the owner shall collect all such rent up to date of settlement, after which Crown will collect.
- 5. INSURANCE
Insurance premium shall not be apportioned and the said land shall remain at the sole risk of the owner and if any damage is done to the said land prior to settlement other than by the Crown such damage shall be made good by the owner prior to settlement or the cost of making good such damage shall be deducted from the purchase money.
- 6. SURVEY BY OWNER
if applies delete last sentence of 1(c).
~~The survey shall be done by and at expense of owner and if the Minister considers the owner is not taking reasonable steps to have the plan deposited without delay the Minister may give to the owner by registered letter notice that he requires the plan to be deposited within a period of six months from the date of such notice and if at the expiration of such period the plan has not been deposited the Minister may arrange for any necessary survey to be carried out or completed and a plan of the land deposited in the Land Transfer Office and the cost of such work shall be deducted from the purchase money.~~
- 7. ESSENTIAL WORK LAND TAKEN BY TRANSFER
If the said land is to be acquired by the Crown for an essential work the owner acknowledges that the above sum is in full settlement of compensation pursuant to the provisions of the Public Works Act 1981 for the said land together with the rights easements and appurtenances thereto belonging and all his estate and interest therein as aforesaid and of all claims and demands in respect thereof or in respect of damage to the surrounding land by severance or otherwise howsoever.

NOTE B
CONDITIONS RELATING TO LAND TAKEN OR TO BE TAKEN BY
PROCLAMATION OR DECLARATION

- 1. ACQUISITION OF TITLE
The Crown will take title by Proclamation or Declaration but may register a compensation certificate against the title pending issue of the Proclamation or Declaration to facilitate settlement.
- 2. POSSESSION
~~Vacant possession of the said land shall be given to the Crown and net rates shall be apportioned on settlement which shall be not later than month(s) from date of acceptance of offer.~~
- 3. MORTGAGEES' STATEMENTS
As the issue of the Proclamation or Declaration will clear or has cleared the land of any encumbrance the owner shall advise whether the said land is, or was, at the date of taking viz.,/...../....., subject to any registered or unregistered mortgage, lien, or charge. If the land is/was so subject the owner or his solicitor shall forward to the District Commissioner statements signed by each mortgagee and holder of the lien or charge setting out the amount required to be paid to him in discharge or reduction of the mortgage debt or for the release of the lien or charge.
- 4. RATES
Unless the land affected by the agreement is part only of the owner's property in the same holding on the rating roll the owner shall forward to the District Commissioner the latest rate demand received by him up to date duly receipted as to payment.
- 5. POSSESSION SUBJECT TO TENANCY
delete "vacant and" from (2).
The owner shall advise the full names of each tenant, the rent payable and when, the nature of the tenancies (weekly, monthly, etc.) and the date to which rent is paid. Owner shall collect all such rent up to day of settlement after which Crown will collect.
- 6. INSURANCE
Insurance premium shall not be apportioned and the said land shall remain at the sole risk of the owner and if any damage is done to the said land prior to settlement other than by the Crown such damage shall be made good by the owner prior to settlement or the cost of making good such damage shall be deducted from the purchase money.

NOTE C
SEE ATTACHED PAGE FOR ANY CONDITIONS SPECIAL FOR THIS TRANSACTION

NOTE—The owner should initial this side of the page and any alteration in print and additions to print and should be given a copy of this form for his own use.

NOTE C

1. The Purchaser shall, at its own cost, arrange for a survey to be completed in accordance with the attached plan, and will complete all formalities required to sever the land from the land of the Vendor.
2. The Purchaser will pay to the Vendor the cost of fencing any common boundaries. It is acknowledged that the Vendor may arrange for completion of fencing at his convenience. The Purchaser will reimburse the cost of fencing any common boundaries upon completion of such fencing and "upon demand" by the Vendor. The words "upon demand" to have the meaning ascribed to them by the Fifth Schedule of the Chattels Transfer Act 1924.
3. The Purchaser will pay the Vendor's reasonable legal costs in relation to the transaction.
4. It is agreed that the Purchaser will pay to the Vendor the above mentioned sum of \$4,125.00 on settlement as defined herein. In addition should the final surveyed area of the above described land be more than 15% greater than 4.65 hectares, the Purchaser will pay to the Vendor a further sum calculated at the rate of \$500.00 per hectare together with 11% simple interest payable from the date of settlement to the date actual payment of such further sum is made. The Purchaser will make payment of such further amount immediately the final measured area is known and approved by the Vendor. If the final measured area should be less than 4.65 hectares, it is nevertheless agreed that there shall be no reduction in the above mentioned sum of \$4,125.00.
5. This Agreement shall be conditional upon the following:-
 - a) The Vendor obtaining the consent of any Mortgagees of the land; and
 - b) The Vendor approving the surveyed plan as prepared by the Purchaser.

URGENT



**Ministry of Works
and Development**

Property Services

DISTRICT OFFICE:.....

Private Bag
WELLINGTON

Ref: 94/0/1

Date: 11 March 1983 Inquiries to:

The Secretary
Department of Internal Affairs

Private Bag

Wellington

82-361 DEPARTMENT OF INTERNAL AFFAIRS ACQUISITION OF LAND
SOUTH WELLINGTON COAST SPEARGRASS WEEVIL

22 MAR 1983

I concur with the enclosed land purchase officer's recommendation dated

If you wish to proceed please advise me and I will then complete the transaction.

P.W. 11 will be required. (Delete if necessary.)

N F Oldfield
FOR DISTRICT COMMISSIONER OF WORKS
XX:

P.W. 719A (Rev 6/80)

48868H-100 pads/6/80 MK

FILE
12/8/83
Initials: KLO

Hand deliver letter to M.W.D. 13/4/83 please.
Hand deliver letter to M.W.D. 13/4/83 please.
District office, on

Admin
Pl. confirm that we approve of the purchase as set out and request that M.W.D. proceed with the transaction. Note in the letter that our cheque for this has been forwarded to them earlier.

M. J. [Signature]

southerly sea face overlooking Cook Strait. It has sparse vegetation, little grass with some gorse. In addition to this a further surrounding strip nearer the top of the bluff, including some reasonably grassed land is required as a buffer area. At the eastern end of the site is a small fishing bach.

ZONING:

The subject site is zoned rural.

VALUATION:

Government Valuation as at 21 October 1982.

The valuer valued 2.5 hectares of the site at \$3,000 plus a value of \$500.00 per hectare for the buffer strip and any area variation.

PROPOSED SETTLEMENT:

\$4,125.00 plus reasonable legal fees subject to the condition that if on final survey the area is found to be less than 4.65 hectares no refund will be required. However if the area is found to be more than 15% greater than 4.65 hectares extra compensation will be paid at a rate of \$500.00 per hectare plus 11% simple interest.

COMMENTS:

The subject site is one of the two required by the Department of Internal Affairs for the preservation of the animal *Lyperbius huttoni* (Speargrass Weevil) which is fully protected under the Wildlife Act 1953.

The area of 4.65 hectares was calculated by Ministry of Works and Development Survey Branch from an aerial photograph obtained from the Department of Lands and Survey and enlarged to a scale of 1 : 5000. This calculation has an error factor of up to 20% either way.

As stock will not be brought into the area of the farm surrounding the subject site until it is fenced it is not proposed to fence off the subject site until the area of the farm surrounding the subject site is fenced (which is expected to be at least a year away). At this stage it is proposed that a final survey will be undertaken to calculate the exact area of land purchased. If on this final survey the actual area is found to be less than 4.65 hectares no refund will be required. However if the area is found to be more than 15% greater than 4.65 hectares extra compensation will be paid at a rate of \$500 per hectare plus 11% simple interest.

The Government Valuer had difficulty in obtaining comparable sales evidence for land of a similar nature to that of the subject land. He therefore placed emphasis on the purchase price paid for the farm plus other general market trends in carrying out his valuation.

The bach which is located at the eastern end of the subject site is not owned by Mr Cliffe. The owner Mr Emeny has a verbal agreement with Mr Cliffe and pays an annual rental of \$150.00. Further details of this agreement will be given at settlement. Mr Emeny has been associated with the coast for the last 20 years and wishes to stay there. It is proposed at present to let Mr Emeny remain where he is although this may be subject to some changes at a later stage.

The proposed settlement of \$4,125.00 is considered to be fair and reasonable.

RECOMMENDATION:

I recommend that approval be obtained to purchase the above property from Joseph Thomas Cliffe for the sum of \$4,125.00 (four thousand one hundred and twenty five dollars) subject to the following conditions:

- (1) Settlement shall be one month from acceptance of offer.
- (2) The Crown shall, at its own cost, arrange for a survey to be completed in accordance with the attached plan and will complete all formalities required to sever the land from the land of the vendor.
- (3) The Crown will pay to the vendor the cost of fencing any common boundaries. It is acknowledged that the vendor may arrange for completion of fencing at his convenience. The Crown will reimburse the cost of fencing any common boundaries upon completion of such fencing and "upon demand" by the vendor. The words "upon demand" to have the meaning ascribed by them by the fifth schedule of the Chattels Transfer Act 1924.
- (4) The Crown will pay the Vendor's reasonable legal costs in relation to the transaction.
- (5) It is agreed that the Crown will pay to the vendor the above mentioned sum of \$4,125.00 on settlement as detailed herein. In addition should the final surveyed area of the above described land be more than 15% greater than 4.65 hectares the Crown will pay to the vendor a further calculated sum at the rate of \$500.00 per hectare together with 11% simple interest payable from the date of settlement to the date actual payment of such further sum is made. The Crown will make payment of such further amount immediately the final measured area is known and approved by the vendor. If the final measured area should be less than 4.65 hectares, it is nevertheless agreed that there shall be no reduction in the above mentioned sum of \$14,125.00.

- (6) This agreement shall be conditional upon the following:
- (a) The vendor obtaining the consent of any mortgagees of the land; and
 - (b) The vendor approving the surveyed plan as prepared by the Crown. Such approval not to be unreasonably withheld.



M Grounsell
Assistant Land Purchase Officer



B Tiller
Senior Land Purchase Officer

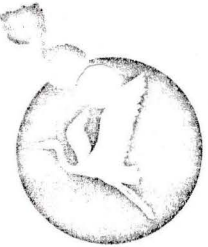
I concur subject to clause 3 being amended to read "the reasonable cost of fencing any common boundaries".



N F Oldfield
District Property Officer

94/d1

Please Quote
WIL 40/7/2



WILDLIFE SERVICE DEPARTMENT OF INTERNAL AFFAIRS

Private Bag, Wellington, N.Z.

Telephone 738-699

Telegrams and Cables 'Internal'

30 June 1982

The District Commissioner of Works
Ministry of Works and Development
Private Bag
WELLINGTON

FILE
12/8/83
Initials: *KLO*

MINISTRY OF WORKS
- 3 JUL 1982
RECORDS
WELLINGTON

PROPOSED PURCHASE OF LAND - SOUTH WELLINGTON COAST

The Wildlife Service has been investigating for sometime now two sites of importance to the animal Lyperobius huttoni. This animal otherwise known as the Speargrass Weevil is fully protected under the Wildlife Act 1953.

The two sites mentioned are the only sites known in the North Island of this animal and the habitat is at present under a certain amount of pressure from farming practices.

It is felt by the Wildlife Service that the most practicable way in which to protect these habitats is to purchase and reserve them.

The two areas are situated on the Wellington South Coast and their approximate location is shown on map one. The aerial photograph enlargements (Plans one and two) show edged in blue line the minimum acceptable boundary, to include a proper buffer zone, while at the same time producing an acceptable fence line.

Plan One

Plan one shows an area which is included in part Lot one D.P. 26908; (T 7A/706 attached). This land is owned by Mr and Mrs J A Fitzgerald.

This site was probably burnt by fire in early 1982 but there appears to be a still viable population of animals present.

Plan Two

Shows land which is included in Lots one and two D.P. 5864; C.T 424/277 which is attached. This land has recently been acquired by a Mr J T Cliffe.

M. Fisher

This site contains probably the best population of these animals.

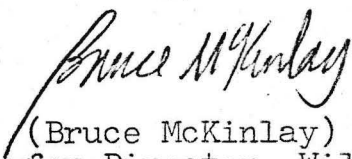
The areas are southward facing steep slopes and would appear to have little agricultural value to their present owners.

There has been no approach by officers of the department to either of the landowners, however people from Victoria University, with whom we are working jointly on this project, did contact the landowners some time ago and informed them of the presence of these animals.

We have received from the Minister of Internal Affairs approval in principle to the acquisition of this land but the Minister has asked that we report back to him on the opening expression of interest with the landowners before we proceed to a stage of commitment. I would ask that you keep this in mind while discussing the package with the owners.

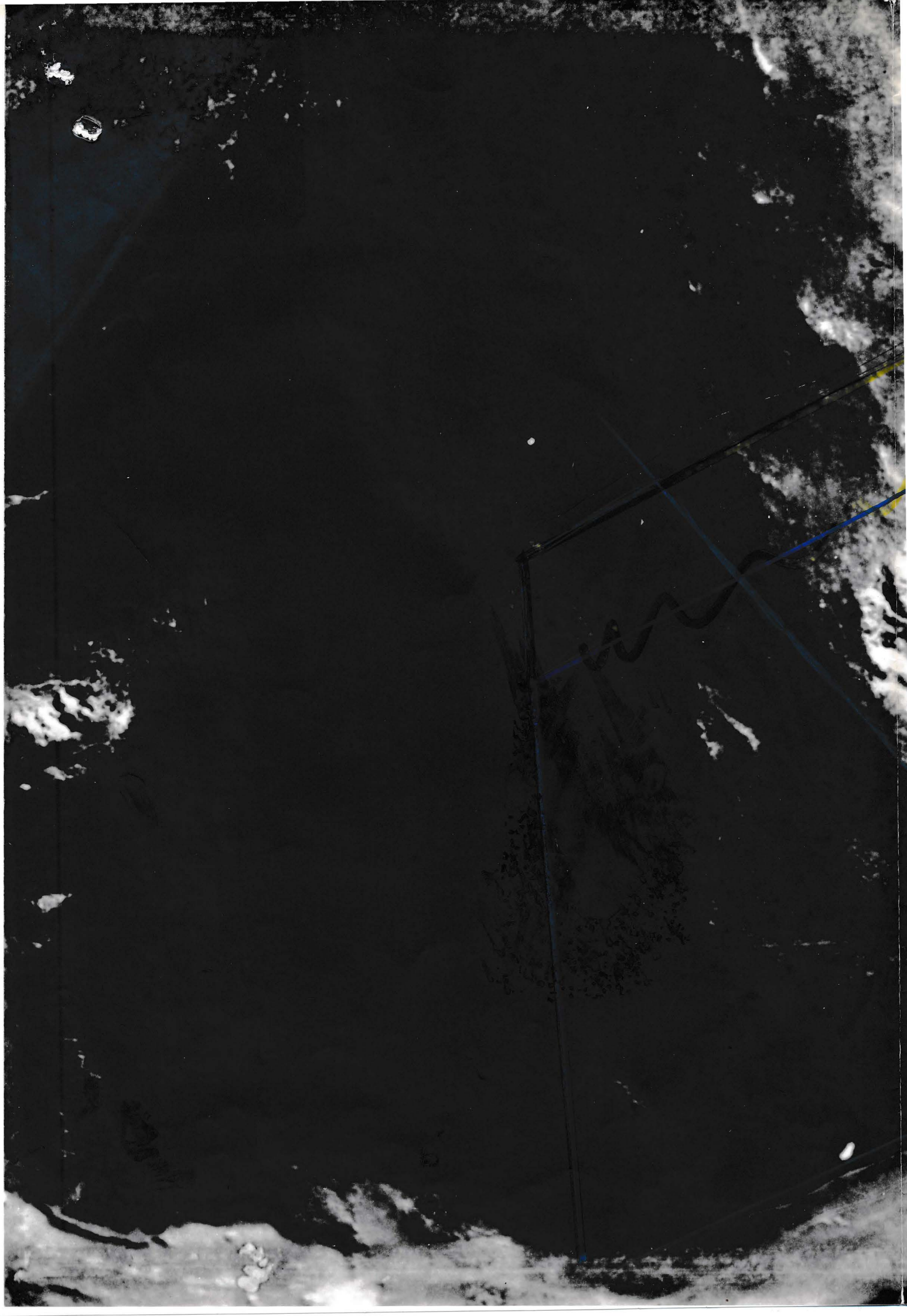
Could you please proceed with investigations to purchase this land up to the stage where initial contact has been made with the landowners so that I may report back to the Minister as required.

If you require it, officers of the department will be available to accompany you on field inspections and to meetings with the landowners. The contact officer is either the writer or Mr K L Owen.



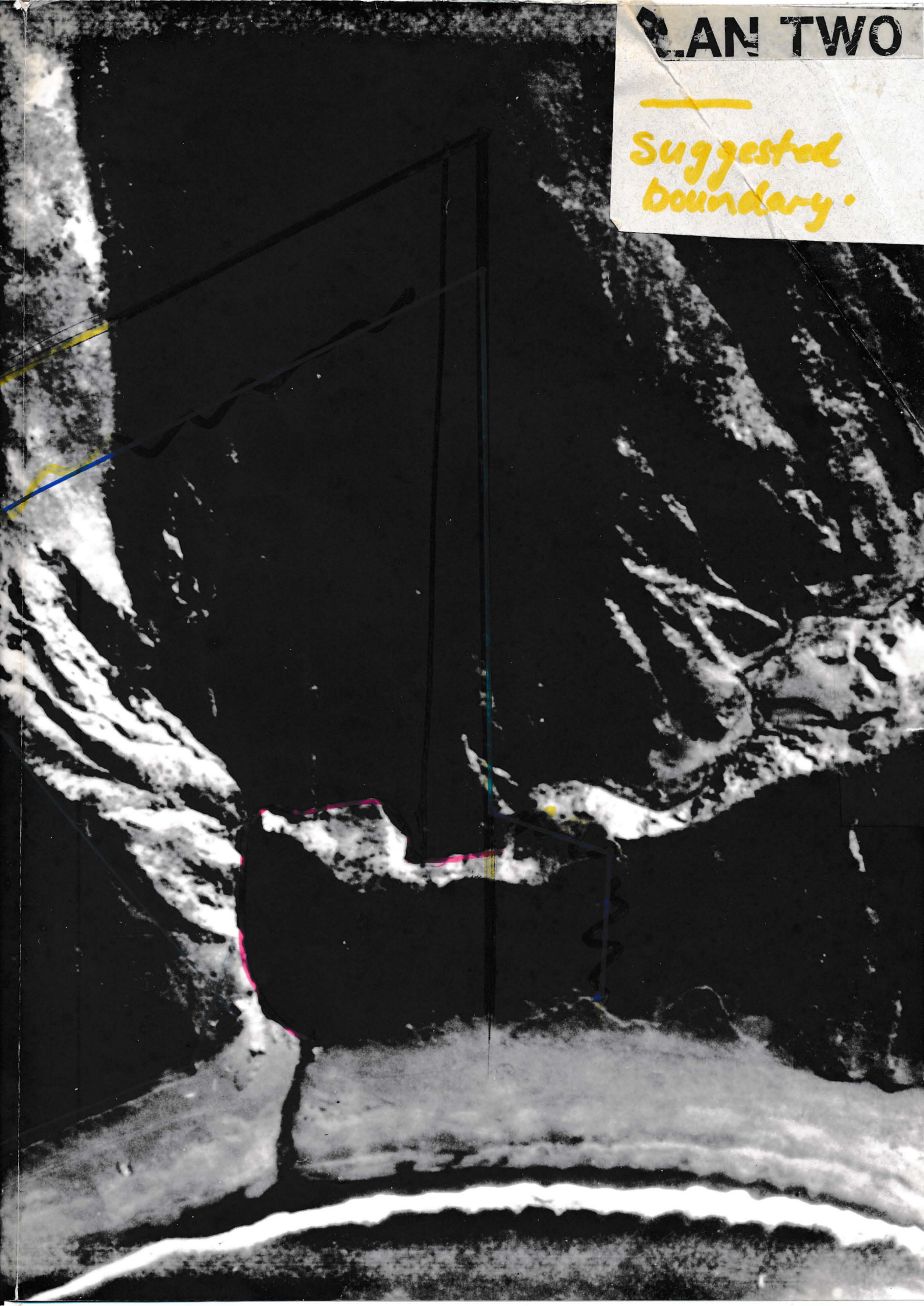
(Bruce McKinlay)
for Director, Wildlife Service

Keith Owen



PLAN TWO

Suggested boundary.



SEARCH COPY

21 October 1982

REGISTER

(Land and Deeds—4)

FORM B.

NEW ZEALAND.



Vol. 164 Folio 242
Vol. 341, Folio 240

Transfer No. 211299 and No. 211300.

Application No.

Order for N/G No.

Register-book

Vol. 424, folio 277

Reference:

CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT.

This Certificate, dated the third day of March one thousand nine hundred and thirty-one under the hand and seal of the District Land Registrar of the Land Registration District of WELLINGTON Witnesseth that JOHN ALLAN KIRKCALDIE of Wellington Sheepfarmer

is seized of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorial under written or endorsed hereon, subject also to any existing right of the Crown to take and lay off roads under the provisions of any Act of the General Assembly of New Zealand) in the land hereinafter described, as the same is delineated by the plan hereon bordered Green, be the several admeasurements a little more or less, that is to say: All ^{these} parcels of land containing together ONE THOUSAND TWO HUNDRED AND FIFTY THREE ACRES AND THIRTY SIX PERCHES more or less situate in blocks IX and XII of the Fort Nicholson survey District being Section 48 and part of Sections 5, 23, 35, 36, 37, 46, 47, 49 and 50 of the Tararua district and being also lots 1 and 2 on Deposited Plan No. 5664.



H. Duke
Assistant District Land Registrar

Mortgage No. 213854. 200 ASR Kirkaldie to his

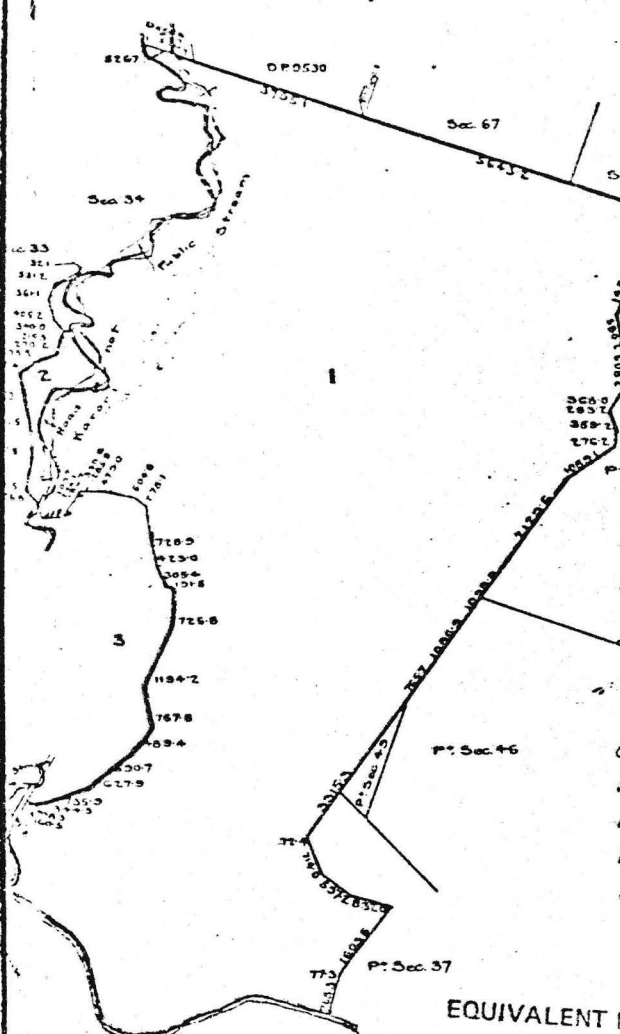
Majesty produced 26th Feb 1955 at 11 a.m.

49 acres 2 1/2 1/2
Discharged
219914 then all air Kirkaldie
to Robert Kirkaldie produced 15th
November 1932 at 11.55 a.m. H. Wood
all

X Caveat 11959 against lot plan 5664 by
The Ministry of Employment produced
15th November 1932 at 11.32 a.m.
P. Sec 47 11/32 W. N. Evans A.L.R.

Variation of mortgage 219914
produced 26th February 1955 at 11.23 a.m.
(Caveator was Caveat 11959 consenting) H. Wood A.L.R.

Variation of Mortgage 23854
15th Nov 1932 at 11.35 a.m.
(Caveator consenting) H. Wood
Transmission 4631 to Edward Kirkaldie
Director George Kirkaldie perch Director and
David Kirkaldie Thyng Officer Legal N.Z.P.F.
all of Wellington for at Wellington intended at 3.41
at 1.46



EQUIVALENT METRIC

AREA IS 507.1622 ha.

Total Area: 1253 - 0 - 36

CONTINUED

424/277

Transmission 44615 of mortgage 219914
to Charles Archibell Lawrence Goodwell and
Oliver Herbert Lawrence Goodwell dated
22.10.47 @ 11.20 H.L.R.

499885.5 Mortgage to Bank of New Zealand
New Zealand at 12.07.82

Summit 305580 the registered proprietor to
Frank Henry Frank Smith of Wellington
Public Accountant paid 22.10.47 @ 11.22
H.L.R.

Transfer 514158.3 to Joseph Thomas Cliffe
of Wellington, Accountant - 3.9.1982 at
1.35 p.m. A.L.R.

DISCHARGED Mortgage 213554 dated 11.11.47
W = 15.4pm

Mortgage 514158.4 to Clifford Ulric Plimmer
- 3.9.1982 at 1.35 p.m. A.L.R.

DISCHARGE of mortgage 213954 produced
20th March 1953 at 2.25pm H.L.R.

Mortgage 514158.5 to Bank of New Zealand
- 3.9.1982 at 1.35 p.m. A.L.R.

499885 REJECTED
DISCHARGED 213554 dated 11.11.47
W = 15.4pm

CAVEAT JAMES STEVEN LIMITED - 20.11.1966 AT
2.49pm H.L.R.

Transfer 762387 Grant of Right of Precedence in
respect of Rock Sand or Shingle over parts
then to commence on 19.2.1968 and to expire
on 18.2.1978 the Registrar Proprietor to
Horizon Quarries Limited produced 26.10.1968
at 2.58pm and entered 15.11.1968 at 9.0am
(Mortgage under Mortgage 213554 cured by)
H.L.R.

THIS REPRODUCTION (ON A REDUCED SCALE)
CERTIFIED TO BE A TRUE COPY OF THE
ORIGINAL REGISTER FOR THE PURPOSES OF
SECTION 124 LAND TRANSFER ACT 1952.
J. B. Shields A.L.R.

Transmission 208968.1 to Clifford
Ulric Plimmer of Wellington,
Company Director as Executor -
15.10.1976 at 12.18p.m. H.L.R.

499885.2
Mortgage 208968.2 to National Banking
& Finance Corporation - 15.10.1976
at 12.18p.m. H.L.R.

REJECTED 499885.3 Transfer to Joseph
Thomas Cliffe, Accountant - 3.9.1982 at 12.07.82
H.L.R.

REJECTED 499885.4 Mortgage to Clifford
Ulric Plimmer at 12.07.82
H.L.R.

13 April 1983

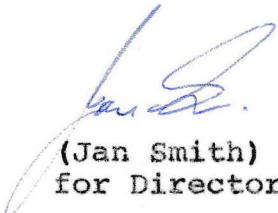
District Commissioner of Works
Ministry of Works and Development
Private Bag
WELLINGTON

Attention: Mr M Grounell

ACQUISITION OF LAND : SPEARGRASS WEEVIL HABITAT

I refer to your memorandum of 11 March 1983, and confirm that I agree with the purchase as detailed in your memo.

Would you please proceed with the transaction; the cheque has been forwarded to you earlier.


(Jan Smith)
for Director, Wildlife Service



Subject: _____

File No. W10 40/7/19 ²⁴Date: 30-5-83Fencing Cliffe Boundary

To—

Mr. Owen

Would you obtain some details of the fencing required i.e. length, cost, timing, who is to do work etc., so that a formal request can be made to A/D (P.F) for funding.

30/5

① \$221-00 Legal Costs relating to purchase.

M.W.D. require a P.W. 22.

② C.O. Riggsford - Tel 766095. Fencing contractor - Cliffe property.

Subject FILE NOTE - Speargrass Weevil Reserve.

Department:

Section:

File No. 40/7/19.

Date:

To-

① I was contacted today by Mr Laurie Enemy owner of the batch on our recently acquired Weevil habitat on the South Wellington coast.

He would like to discuss the batch's future now that we own the land.

I told him that we had not had an opportunity to determine its future but that once we had we would get back to him on the matter.

He can be contacted at 30 Humber Street, Island Bay. Telephone no. 837-598.

② I suggest we open up a reserve file (w/p: 40/7/19) for this reserve.

M Owen

20/4/83.

Cliff - Tel 766-295
Wellington

RECORDS

Please open a new file on the '90' series titled — 40/7/19? N.B. NAME OF RESERVE YET TO BE MADE.

M Owen 20/4/83.

W/L: 40/7/19
40/7/2
33/5/66

KLO:JN

20 April 1983

Zoology Department
Victoria University
Private Bag
WELLINGTON

Attention: Dr G Gibbs
Mr W J Winstanley

ACQUISITION OF LAND: SPEARGRASS WEEVIL HABITAT

This letter is written to inform you both, and any of your staff, of the recently successful purchase of the speargrass weevil habitat on J T Cliffe's property on the south Wellington coast.

Unfortunately negotiations with J A Fitzgerald for the other site failed, however we will be taking up this matter again with Mr Fitzgerald at a later date. It is our intentions that the habitat on the Cliffe property will eventually be fenced and surveyed, hopefully in the near future.

Does the University intend to carry out the Weevil study deferred from the last year?

If so, could you please contact Dr Crawley in this regard so that advanced planning can be initiated.

Yours sincerely

KLO

(K L Owen)
for Director, Wildlife Service

FILE
12/8/83
Initials: *KLO*

BRING-UP
12/8/83
Initials: *KLO*

District Land Registrar of the Land Registration District of WELLINGTON

Under section 17 of the Public Works Amendment Act 1948, this Compensation Certificate is forwarded to you deposited in your Registry and a memorial thereof registered against the title to all land affected thereby:

(a) Description of the land affected by the Certificate:

All that piece of land containing 507.1622 hectares situated in Blocks IX and XII of the Port Nicholson Survey District, Being Section 48 and part of Sections 5, 33, 35, 36, 37, 46, 47, 49 and 50 of the Terawhiti District being also Lots 1 and 2 on D.P. 5864; Certificate of Title Volume 424 folio 277

(b) Brief particulars of the Agreement:

Date: 13/4/83

- 1 Crown to acquire approximately 4.65 Hectares of the above land for Wildlife Preservation purposes.
- 2 Consideration to be \$4,125.00

Doc 571953.1

(c) Names and addresses of parties to Agreement (other than Minister):

Joseph Thomas Cliffe of Wellington
Accountant

(d) (i) Place where Copy of Agreement may be inspected: Office of District Commissioner of Works, Ministry of Works and Development, 133 Molesworth Street, Wellington

(ii) Hours during which a copy of the Agreement may be inspected: 9 a.m. to 11.30 a.m. and 2 p.m. to 4 p.m. on any day when Government Offices are open to the public.

(iii) Reference by which Agreement may be identified: 94/0/1

This Compensation Certificate is signed by me on behalf of the Minister of Works and Development pursuant to an authority given to me by him dated the 12th day of October 1982 .

Dated at Wellington, this 26th day of July 1983.
Signed by Roderick Mason Ingle

Person Authorised by the Minister of Works and Development.

in the presence of
Witness: [Signature]
Address: [Signature]
Occupation: [Signature]

Subject:

Department:

File No.:

Date:

43
WK 40/7/19SPEARGRASS WEEVK RESERVE

4/2/85 Meeting with back owner
Mr Lawrie Emery (wgn 837598). Agreed
that the status quo will remain for
several years pending a satisfactory
understanding / cooperative spirit
being reached towards the reserve.

1. Emery can retain occupancy for
his lifetime, and there will be
no rental charge with some
assistance towards management
of the area such as planting and
keeping an eye on fence
maintenance etc...
2. There will be no outside fires
3. The back will be available for
w/c use with consultation and
notice without infringing on
occupier's privacy.
4. At some later date Emery would
be interested in a w/c warrant
to keep an eye on the place.

[NB. The fire was started by a friend
of Emery's when he heard that the
back was going to go]

PA
(PF)

FILE

WIL 40/7/19

8 February 1985

Mr L. Emeny,
30 Humber Street,
ISLAND BAY

Dear Mr Emeny,

With reference to our discussion on 4 February 1985, I would be obliged if you would reply in writing if you agree to the following:

1. The Wildlife Service is of the opinion that a cooperative and understanding attitude towards the SPEARGRASS WEEVIL RESERVE will be of mutual benefit.
2. We will maintain this status quo for several years and you may occupy the bach for your lifetime without rent provided that:
3. There are no outside fires.
4. That you give some assistance towards planting in the reserve, fence maintenance, and keeping an eye on what happens in the reserve. In the near future it may be of benefit if you apply for a Wildlife Ranger warrant for the area.
5. That the bach be available for Wildlife Service use through consultation and reasonable notice without infringing on your privacy.

We intend to produce a management plan for the reserve which will lay out future work and such needs as fire control contacts.

Yours sincerely,

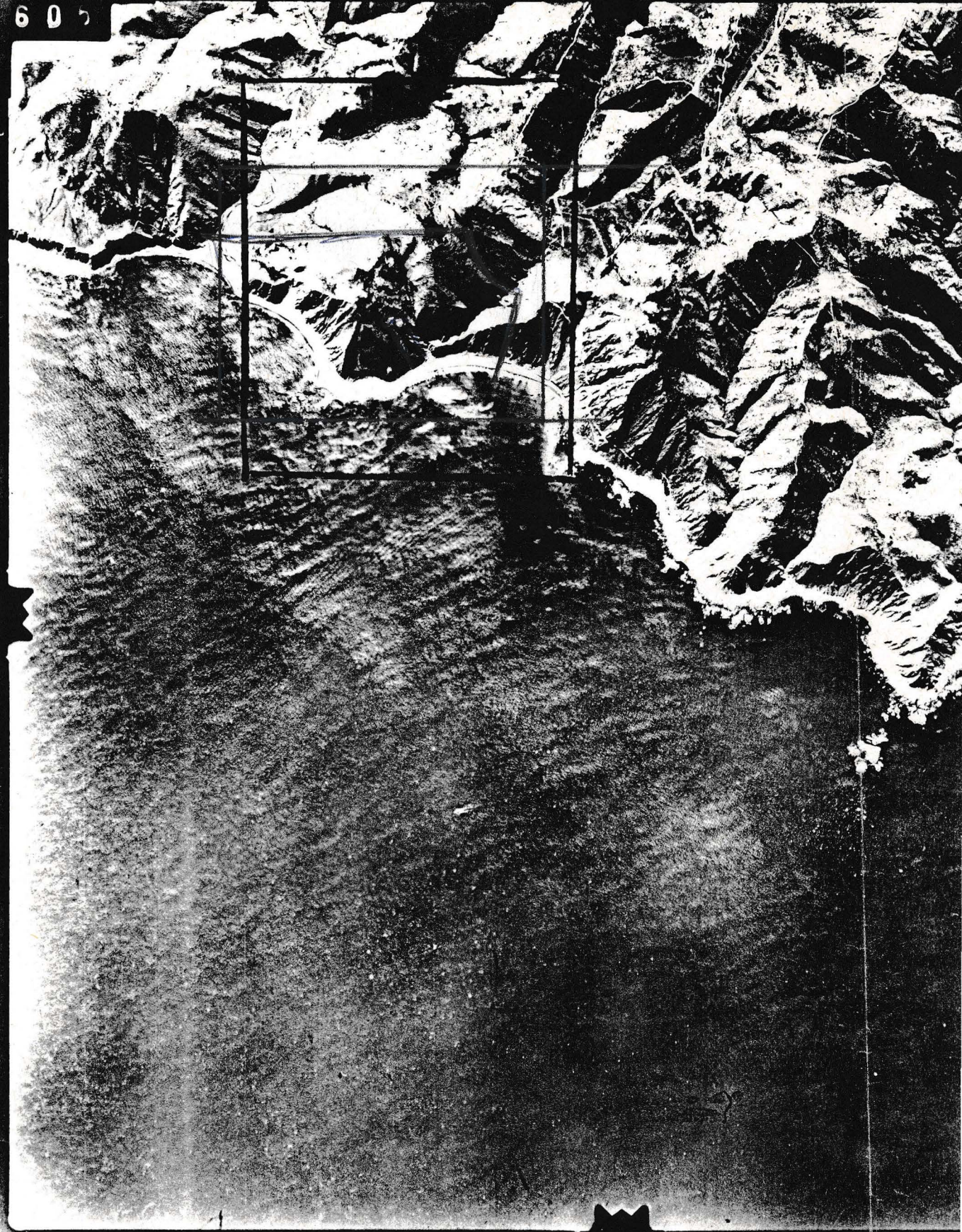
(R.A. Anderson)
for Director,
Wildlife Service



WAKANA
WELLING
TONY CAR
PALLISER
26 500 FT.

SN 5497 B/9

60





WILDLIFE SERVICE
DEPARTMENT OF INTERNAL AFFAIRS

Please Quote

WIL 40/7/19

Address Correspondence to
Secretary for Internal Affairs

Enquiries to.....

Private Bag, Wellington, N.Z.

Telephone 738 699

Telegrams and Cables "Internal"

Telex INTAFB NZ31134

29 April 1985

Mr J T Cliffe
South Karori
WELLINGTON

Dear Mr Cliffe

Thank you for your generous offer to gift the parcel of land near the spear grass weevil reserve for conservation. At this stage the Director of Wildlife, Ralph Adams, wishes me to extend his thanks for your gift which is a very significant step towards ensuring the protection and enhancement of the wildlife values of the Wellington coast.

The procedure for determining the proposed reserve status is as follows:

1. Your signature on the attached letter agreeing to the gift subject to the suggested conditions.
2. Formal acceptance of the gift by the Minister of Internal Affairs, Mr P Tapsell.
3. Final survey after completion of fencing.
4. Transfer procedures to the crown.
5. Proclamation of the land as a Memorial Wildlife Refuge Reserve.

As I have indicated you will be contacted at some stage by the Minister and we would like, with your agreement to give this valuable acquisition the publicity which it deserves.

Yours sincerely

(Richard Anderson)
for Director, Wildlife Service

Tentative, J.T.C. agreed to conditions set out on 1 May 1985.

AGREEMENT FOR PROPOSED RESERVE

I, J T Cliffe of South Karori, Wellington, agree to gift part of my land situated in Blocks IX and XII of the Port Nicholson Survey District being sections 5 and 37 of the Terawhiti District and being also part Lot 1 on D.P.5864 and being part of the land contained in Certificate of Title, Volume 424 Folio 277, for a Wildlife Refuge Reserve under the Wildlife Act 1953 subject to the following conditions.

1. The area is more or less 75.34 ha as shown on the attached plan.
2. The final area will be determined by survey upon completion of an agreed fenced line.
3. The Crown shall at its own cost arrange for the survey and will complete all formalities required to sever the land from the land of the owner.
4. The Crown will meet the cost of the fencing requirement.
5. The land will be declared as a memorial Wildlife Refuge Reserve and the memorial title will be determined by Mr J T Cliffe.
6. A management plan will be prepared for the reserve designed to enhance and protect wildlife by planting native tree and shrub species which are ecologically acceptable to the South Wellington area.

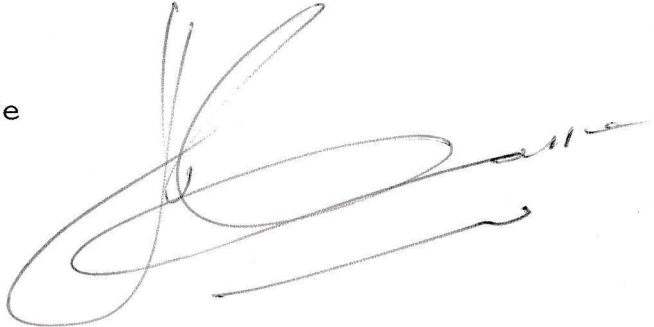


7. A final agreement will be drawn up gifting the land subject to acceptance by the Minister of Internal Affairs on behalf of the Crown and in agreement by Mr J T Cliffe as to the use of the land for a memorial Wildlife Refuge Reserve.

8. Provision of easement to be decided

Signed: Joseph Thomas Cliffe

Date: 1/5/85



PA Advisor
PWO(PA)



RP 380
SO 10647

499.0279

CT 108 306

17

Stream

25.0500

51
SO 30925

SO 12010

696.000

SO 28738

SO 28399

Karori

(36)

DP 5864

4

PORT

SO 1840

(5)

DP 5864

SO 27914

SO 31986

SO 17731



54.85 ha (M.W.D Survey figure)

~~75.34 ha approx~~

PROPOSED EXTENSION



4.65 ha EXISTING RESERVE.

Total

59.50 ha

694.000

WILDLIFE REFUGE RESERVE.

TERAWHITI DISTRICT

Pt 1
941-2794
DP26908

(49)

(46)

NICHOLSON

(45)

DP 26908

B. 188

Te Kopahou
SO 24784
SO 24269
Railway
Purposes
Gaz 1976 p 418
O. 2279

SO 30614

Easement

SO 11132 (3)

(37)

XII

ure)
XTENSION
DE.

Subject

Department:

Section:

File No. WIL 40/7/19.

Date:

To-

NOTE FOR FILE Re Speargrass Weevils.
1 MAY 1985

J Cliffe signed the tentative gift agreement on 1 MAY 1985. He requests an easement from his property through the proposed reserve to the coast. I informed him that this will be included in the final agreement.

At this stage the Sencer, Murray Brown will meet with Cliffe and begin an agreed fence line up the hill from the back's at the mouth of Kawai Stream. We will also provide a couple of gates. The fence will use the materials stockpiled at Long Valley and will ring you to get more when he runs out.

When the area that Cliffe is giving us is fenced out, we will then survey it and proceed with the acceptance letter to the Minister etc when we know what the final size (area) of the reserve will be.

I've also added up some half-tones.

RA(PA)



**Ministry of Works
and Development**

Policy Division

William Clayton Building
133 Molesworth Street
PO Box 12431 WELLINGTON

70

Telephone 748399, Telex NZ30089
Fax. No (04) 748323

Inquiries to T Knowles Date 25 March 1988 Our ref 94/0/1
Your ref

The Manager
Department of Conservation
PO Box 10-420
WELLINGTON

Laukawa Dis.

Attention : L. Sandeman

SPEAR GRASS WEAVIL RESERVE - STH MAKARA

I have taken this job over from Mike Ryan and note that the plan relating to the proposed reserve acquisition is yet to be signed. Comments on file note that a Mr Anderson formerly of Wildlife Division was liaising with Mr Cliffe but considered the issue too sensitive to press for the signature on plan.

Can you please bring me up to date with the current situation as I would like to complete and close off the job.

T Knowles
Property Management Officer

*089 480299
Box 842.*

TREVOR



Department of Survey and Land Information



DOSLI.C2

Your reference:

District Office:

In reply quote: 19/11/2

Postal Address: P O Box 5014
WELLINGTON

Telegrams: DOSLI

For verbal enquiries please ask for:

Telephone: 725-808

15 April 1988

District Conservator
Department of Conservation
P O Box 5086
WELLINGTON

LT 59192 - LAND FOR WILDLIFE RESERVE - SOUTH MAKARA

Survey for the above reserve was requested by Ministry of Works and Development in September 1985 and lodged in October 1985.

The original title plan is apparently with Ministry of Works and Development to obtain the signature of the owner.

It is understood that the owner is difficult to locate. In the meantime the survey plan is being held ready for approval but no action will be taken if an assurance that the title plan will be returned in the near future.

Should you not proceed with this acquisition or if you intend to alter the present definition we will be only to pleased to assist.

Ministry of Works and Development have also been requested to advise progress on this matter.

P.V. Hughes
Acting Chief Surveyor



CONSERVATION

19 April 1988

Save Our Snails Society
C/- Andrew Jeffs
Department of Zoology
UNIVERSITY OF AUCKLAND

Dear Andrew

Thank you for your letter dated 13 April 1988 regarding Weevil Reserve at Karori Stream Mouth, Wellington South Coast.

You will be pleased to know that the proposed Reserve was fenced in 1985 and all is now required is final signature on the survey plan which we hope will be finalised in the next week or so.

Yes, we would be keen to have the surplus fencing material in the future as this would come in handy for the Weevil Reserve and the Lizard Reserve at Pukerua Bay for maintenance purposes. The Raukawa District is fortunate to have several snail refuge's in our area and a lot of work has gone into protecting these rare species of snail.

For further info write to Mike Wilkinson, Raukawa District office.

Mike Wilkinson



CONSERVATION

19 April 1988

Mr R Moody
RD 7 Kimbolton
FEILDING

Dear Mr Moody

Re: Telephone discussion Mr Cliff's property.

As you are aware Mr Cliffe gifted 59.5000ha back in 1985 to the Wildlife Division of the Department of Internal Affairs. This land was required for the continual survival and protection of the Speargrass Weevil, this unique area is one of two left in the North Island.

All that is now required to tie up this agreement is the final signature on the supplied Survey Plan. As Mr Cliffe has moved to Australia you have indicated that you were granted power of Attorney and we now seek your signature on behalf of Mr Cliffe.

A copy of appointment of power of Attorney would be much appreciated.

Thank you for your co-operation in this matter.

Regards

A handwritten signature in black ink, appearing to read 'Mike Wilkinson', written over the word 'Regards'.

Mike Wilkinson
Department of Conservation

Mit Meghan.
from Mike Wilkinson

11-5-89

Re. Weevile Reserve

Bad news old boy

The latest search copy of C.T. 424 277 shows the land changed hands last year. The new land owner is Mr Ian Clayton Bray.

The original 4 hectares purchased by the Wild Life department back in 1983 was never lodged with the land registry office nor the gifted area of 57 hectares by Joe Cliffe.

It now appears we have lost the weevile reserve and looks if though negotiations will have to start all over again. However we could test the legality for the land purchased by wild life back in 1983 for the sum of \$4,125 and the money spent for fencing as receipts are on file.

I personally feel that Mr Bray should be approached by someone with more experience rather than myself as it would probably have to be treated as a sensitive issue.

Mike Wilkinson

Ian Gray Dept of Lands,
732201.

22/5/89
Phil Pearlake. 748 399.
Workes Consultancy will try to locate file for us & see what later "legal" matters have been attended to.

Jamie Sirl

From: Jamie.Sirl@wcc.govt.nz
To: Jamie Sirl
Subject: FW: Proposed District Plan - reference to weevil reserve
Attachments: Proposed-speargrass-weevil-reserve-history-docs-from-DOC-20230419.pdf

From: Shona McCahon <Shona.McCahon@wcc.govt.nz>
Sent: Monday, 2 October 2023 5:16 pm
To: Barry Insull (bipest@xtra.co.nz) <bipest@xtra.co.nz>
Cc: Adam McCutcheon <Adam.McCutcheon@wcc.govt.nz>; Thomas Mayo <Tom.Mayo@wcc.govt.nz>; Sherilyn Hinton <sherilyn.hinton@wcc.govt.nz>
Subject: RE: Proposed District Plan - reference to weevil reserve

Kia ora Barry,

Thank you for your email of 27 August below, following our phone call. My apologies for the delay in replying.

I understand that the Proposed District Plan (PDP) team wrote to you on 18 August 2023, acknowledging that the 'weevil reserve' referenced in the PDP was not gazetted, and informing you that there would be the opportunity to correct the error through the PDP hearings process next year. As I mentioned, we had tracked down the background story on the reserve. Here's a summary of what we found with help from DOC, together with attachments.

We found that a speargrass weevil reserve on the South Coast was proposed by the Wildlife Service in 1982 and land for the purpose purchased from a Mr Cliffe in 1983, subject to fencing and survey. In 1985, Mr Cliffe offered to gift additional land around the original weevil reserve area for a Wildlife Refuge Reserve. Fencing and survey of both land parcels were apparently completed but, unfortunately, the owner's signature was never obtained and neither the original land purchase nor the subsequent land gift were lodged with the land registry office. Consequently, the reserve was never formalised and the land changed to new ownership. This history is documented in more detail in the attached PDF file of papers we obtained from DOC.

Answers to the specific questions raised in your email of 26th January 2023 are as follows.

1. **From an earlier email of 18th July 2022, "could you please provide a suitable plan/map that clearly shows the area you are talking about".**
 - There are several maps in the attached. The map on page 33 is the clearest in showing the location of the land purchased from and gifted by Mr Cliffe. The map on page 3 shows the general location on the Wellington south coast of the proposed reserve and another potential site (which did not proceed as the landowner was unwilling to sell).
2. **In order to test the accuracy or truthfulness of the assertion of their being a gazetted weevil reserve can I please be provided with a copy of either the formal notice or other material that would lead to the notice.**
 - The proposed weevil reserve was never gazetted.
3. **In relation to your statement of the land being "subsumed into the Te Kopahou Reserve" - If you are unable to provide a plan/map of the area you were referring to can I please be provided with appropriate documentation that supports your statement e.g. Sale and Purchase Agreement, lease or relevant Land Information New Zealand (LINZ) paperwork?**
 - The reference to Te Kopahou Reserve was an error. All the land purchased from Mr Cliffe as well as the land that he offered to gift was subsequently covered by the Kinnear Conservation Covenant, which you have mentioned in your submission.

In your submission on the Proposed District Plan you raised a question about the 'Long Beach Weevil'. The attached documents provide some information on this. While there is no reference to 'Long Beach Weevil', the Wildlife Service letter of 18 June 1982 referred to the Speargrass Weevil (*Lyperobius huttoni*) being present: i.e. "the only known habitat in the North Island of these animals was on the south coast of Wellington" and an accompanying map shows two locations identified at that time.

I hope this information is helpful and apologise for my delay in replying to you fully. In the meantime, I look forward to our meeting on Thursday about the historic reserves on the South Coast.

Ngā mihi,

Shona McCahon

Kaiwhakamahere Whenua Tāpui | Reserves Planner
Parks, Sport & Recreation | Wellington City Council

Note: I work part-time, Tuesday, Wednesday & Thursday

M 027 803 0584 **E** shona.mccahon@wcc.govt.nz | **W** Wellington.govt.nz |