

Attachment 3

Project Area and Legal Interests

Relevant to Fast-track Referral Application Form Sections 2.2.2 and 3.6.1

Project Location and Legal Interests

Project Location

The Project site is located at 150, 154 and 174 Quarry Road, Loburn, Canterbury. The site is owned by the Applicant, Whiterock Lime Limited. The local area is referred to as White Rock. Currently on site there is a lime quarry and processing operation, which has operated continuously since the 1940's. The Applicant also owns the adjoining property at 176 Quarry Road that has not been subject to any quarrying activities and contains a Significant Natural Area (SNA) as shown in Figure 1.

The site is within the Waimakariri district boundary. The district boundary with the Hurunui District Council (HDC) is at the western extent of the Quarry Road reserve boundary (but does not include Quarry Road) as generally opposite the site. The Hurunui district commences approximately 90 m to the north of the site entrance off Quarry Road and further northwards beyond the Applicant's land parcels.

Legal Interests

Refer Figure 1 below for a map of the whole Project area and the relevant land parcels that identify the Project's site boundaries. The legal descriptions and physical addresses of the Applicant's land parcels are:

- Lot 1 DP 388690: 150 Quarry Road (includes the existing Quarry Pit)
- Lot 2 DP 497185: 154 Quarry Road (top of Quarry Bench)
- Lot 4 DP 755: 174 Quarry Road (Quarry Bench),
- Part Lot 2 DP 755: 176 Quarry Road (SNA).

Properties 150 and 154 Quarry Road are held together under a single title (736958), and 174 and 176 Quarry Road are held under another single title (CB9F/272). Copies of these Certificate of Titles are at the end of this attachment.

The site is accessed off Quarry Road via a legal road (Parcel ID 3569853) up to a hydro parcel (Parcel ID 3594099) containing the Karetu River. The legal road is administered by the Waimakariri District Council.

The hydro parcel includes part of the lower terrace of the lime processing operational area. Land Information New Zealand (LINZ) has confirmed that they hold a Land Status Report in relation to the Applicant's site. This identifies the left half width to the centre line of the surveyed bed of the Karetu River adjacent to Lot 4 DP 755 and Lot 1 DP 388690 as benefiting from the Common Law right of Ad Medium Filum Aqua (AMF), i.e. the lime quarry buildings within the hydro parcel do not occupy any Crown Land.¹ Access currently occurs across the river / hydro parcel via a ford crossing as has been the case since the 1940's.

The Commissioner of Crown Lands owns, and LINZ manages on his behalf, the right half width to the centre line of the physical bed of the Karetu River that abuts the legal road (refer Figure 2). The Applicant is in the process of obtaining an easement at this part of the hydro parcel which will also enable the construction of a vehicle bridge. LINZ have approved the Grant of the Easement (refer attached email from LINZ to Chris Egden – Principal Mortlock McCormack Law).

¹ Email from Bart van Stratum Contractor to LINZ to Shaun Coakley of Protranz dated Monday, 2nd December 2024.

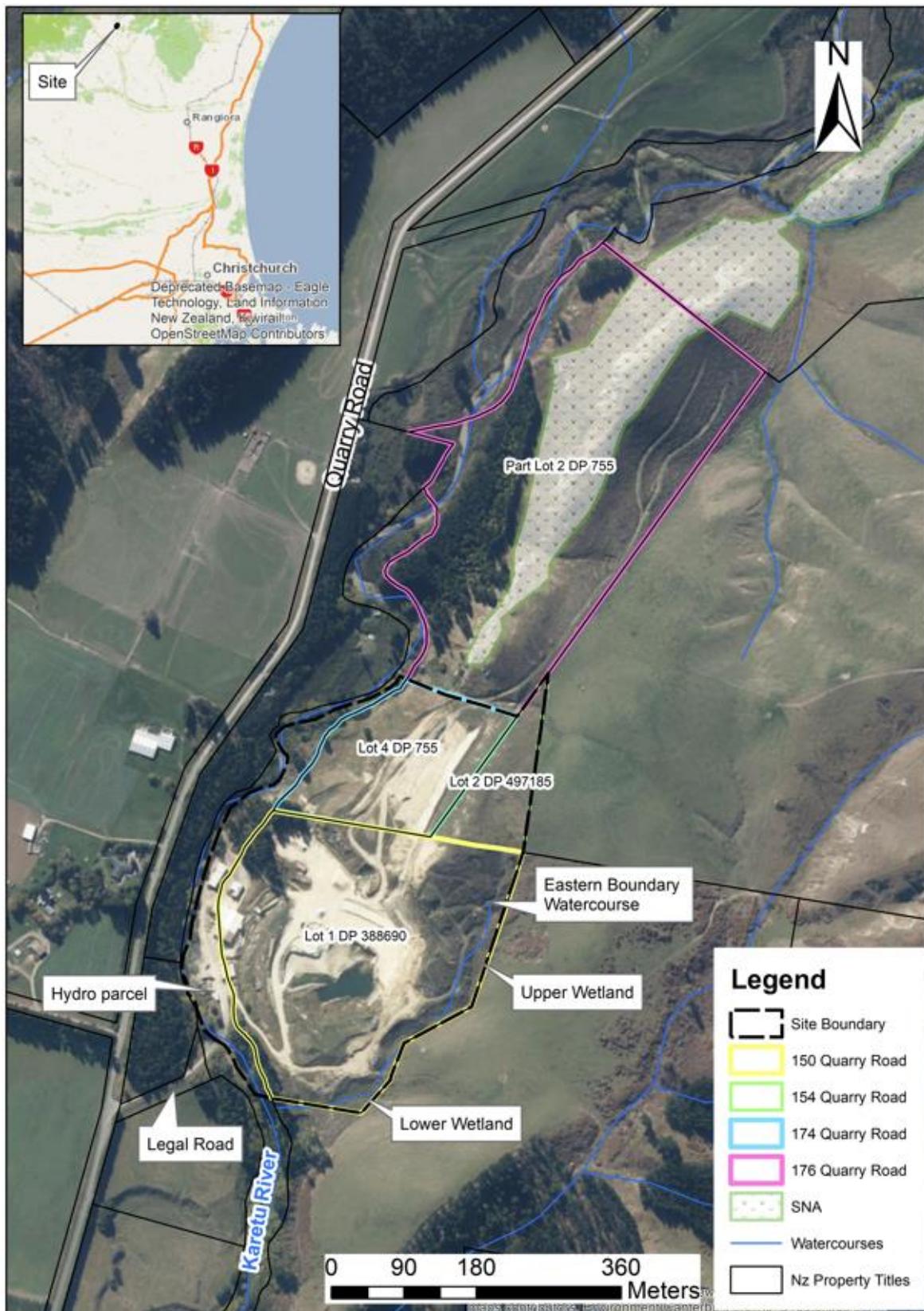


Figure 1. Map of site location northwest of Rangiora, and the Project site property boundaries and features.

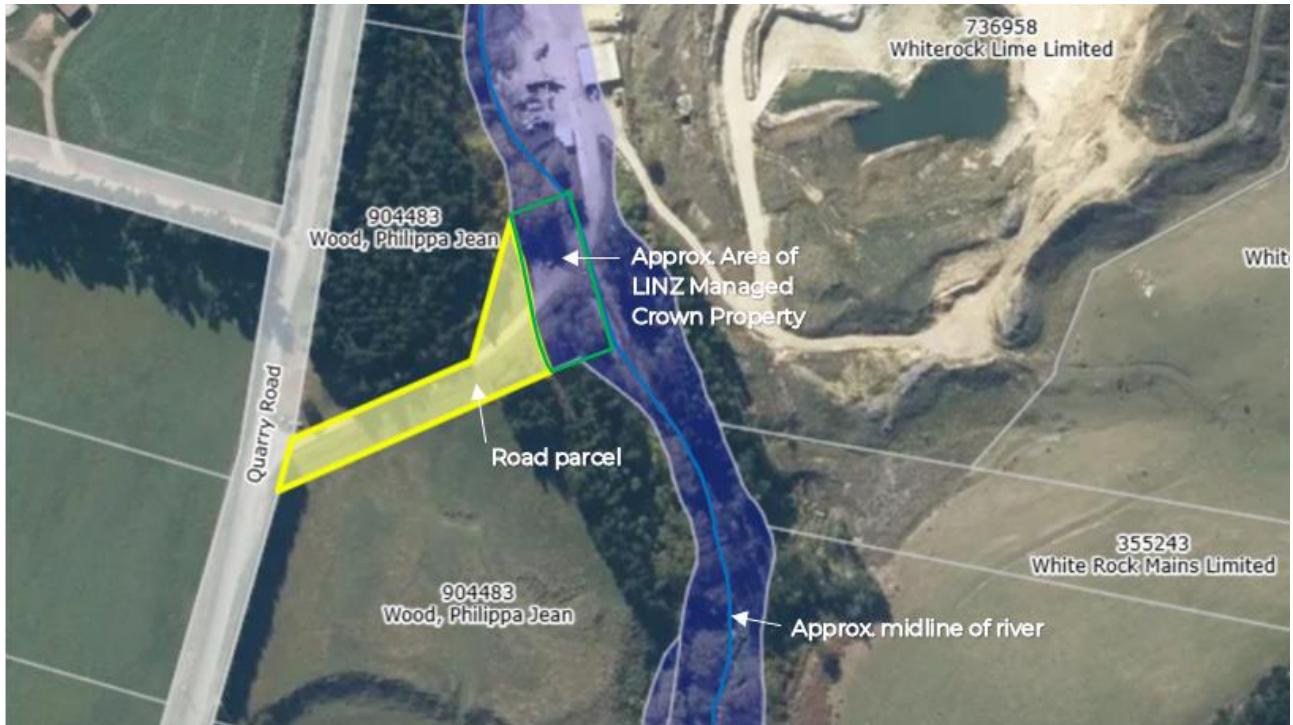


Figure 2. Land parcels with area of hydro parcel being Crown Property.

The Whiterock Lime Co Ltd limestone quarry at Whiterock was gazetted in November 1945, a copy of the New Zealand Gazette Notice N0.76 is at the end of this attachment. This was in respect to the *“quarrying, drying, crushing, and burning and supply of limestone for agricultural or industrial use”*. A Mineral Status Report identifies that the titles enjoy private mineral (non-statute) ownership. None of the titles have had instances where an owner has retained ownership of minerals on transfer, and the mineral ownership lies with the current owner.

The SNA area to the north of the site that is mostly within 176 Quarry Road is outside the managed fill / quarry footprint and will be actively managed to improve the local lizard populations and indigenous vegetation. The SNA will be protected by a Conservation Covenant (a condition of the Wildlife Authority obtained - 107310-FAU) and with stock exclusion fencing assisting in restoration of habitats.

Surrounding Environment

Figure 1 above and Figure 3 below shows the surrounding environment, which comprises a rural environment dominated by grazing agriculture and forestry. The Project site is bordered by the Karetu River to the west, and an unnamed watercourse to the east. Two small sized upper and lower wetland's locations are as shown in Figure 1.



Figure 3. Aerial drone imagery of the site



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R.W. Muir
Registrar-General
of Land

Identifier **736958**
Land Registration District **Canterbury**
Date Issued 22 September 2016

Prior References
355242 604494

Estate Fee Simple
Area 11.0255 hectares more or less
Legal Description Lot 2 Deposited Plan 497185 and Lot 1
Deposited Plan 388690

Registered Owners
Protranz International Limited

Interests

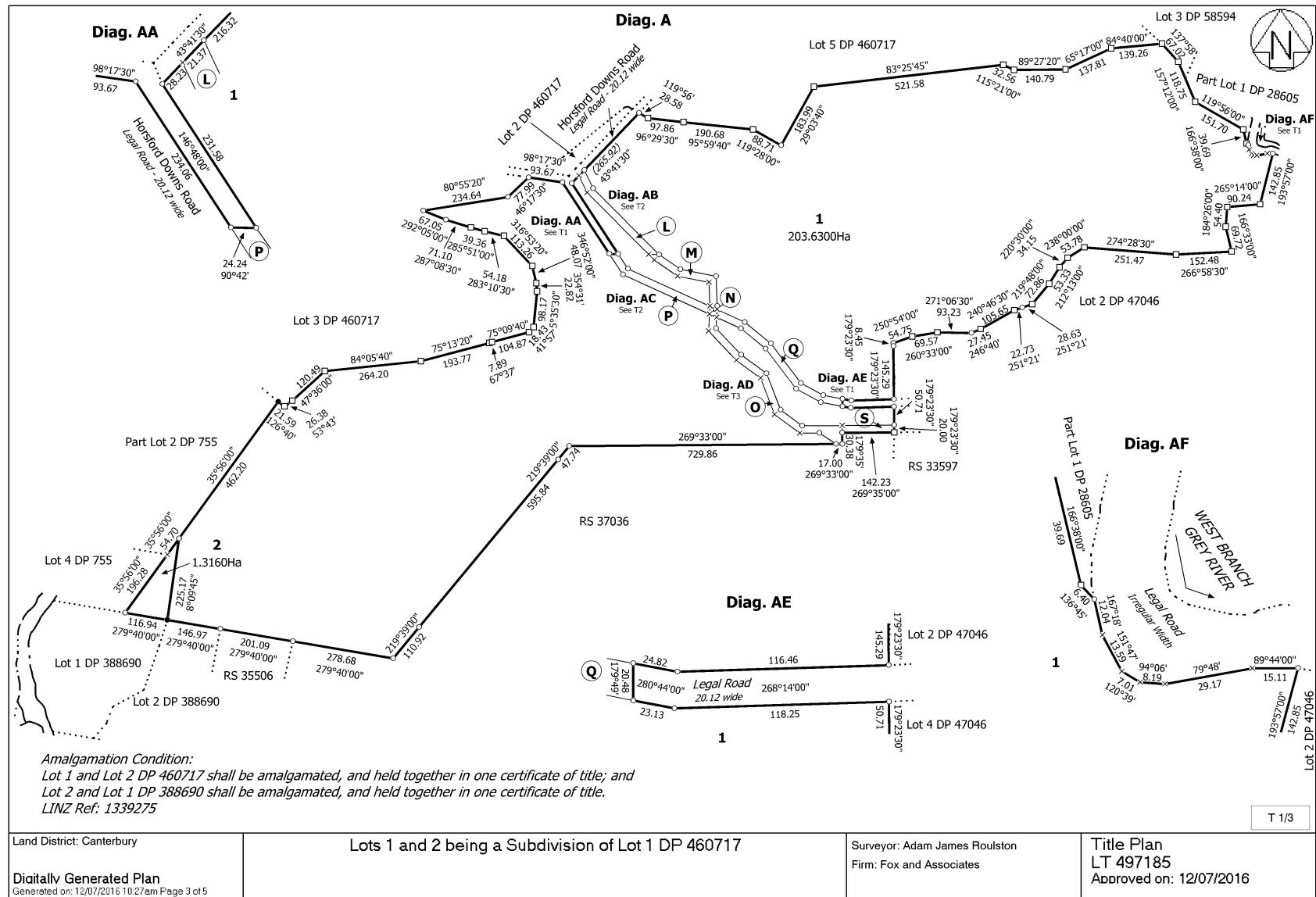
A450744.1 Forestry Right pursuant to the Forestry Rights Registration Act 1983 to Whiterock Lime Company Limited.
Term until 31.12.2032 - 20.3.2000 at 3.20 pm (affects Lot 1 DP 388690)

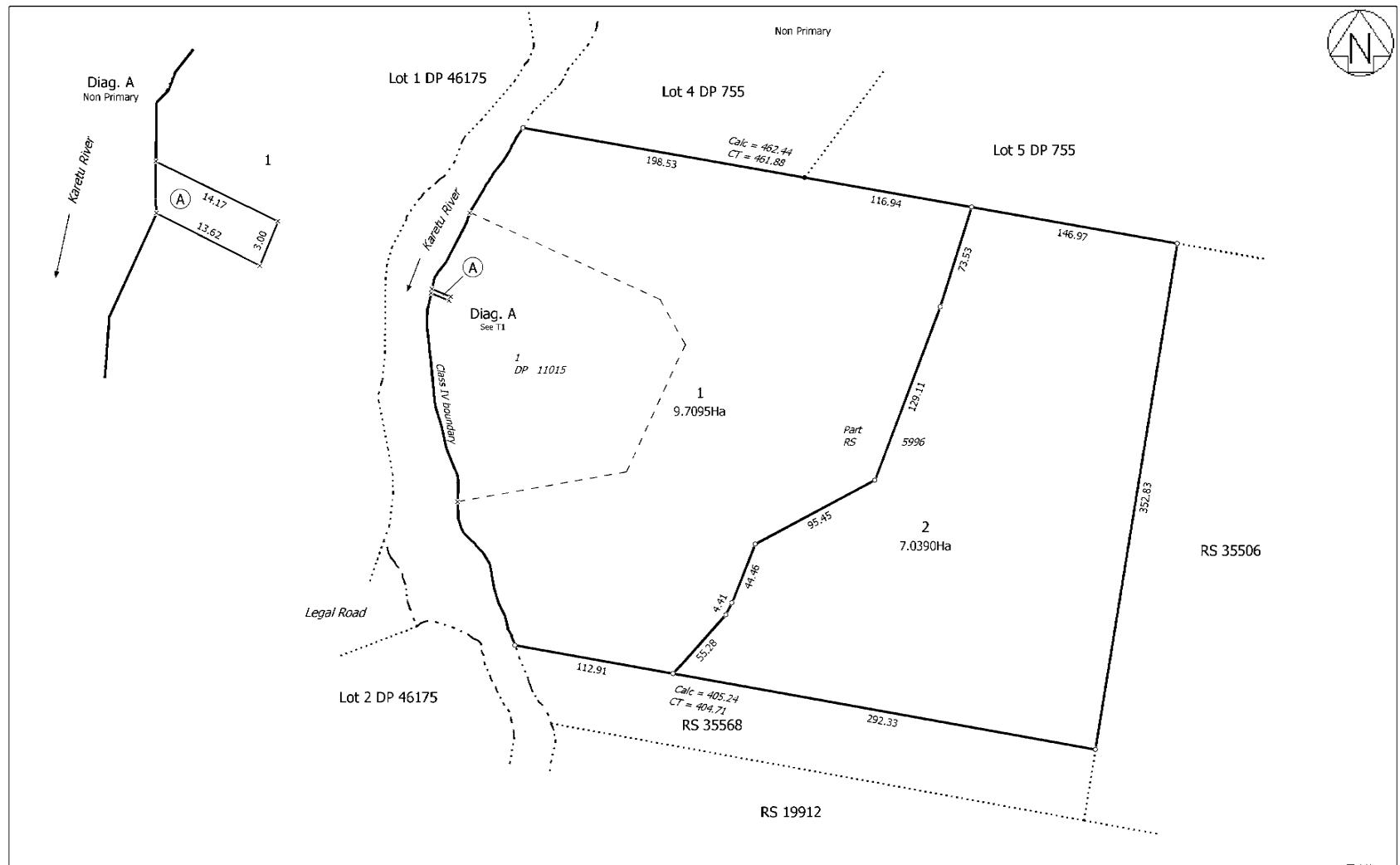
Subject to a right (in gross) to convey electric power over part Lot 1 DP 388690 marked A on DP 388690 in favour of
Mainpower New Zealand Limited created by Easement Instrument 7653206.2 - 12.12.2007 at 9:00 am

The easements created by Easement Instrument 7653206.2 are subject to Section 243 (a) Resource Management Act 1991
Appurtenant to Lot 2 DP 497185 is a right of way, a right to convey water, telecommunications and computer media
created by Easement Instrument 9301755.4 - 18.4.2013 at 9:22 am

The easements created by Easement Instrument 9301755.4 are subject to Section 243 (a) Resource Management Act 1991
Subject to Section 241(2) Resource Management Act 1991 (see DP 497185)

Subject to a right to convey water and electricity over part Lot 1 DP 388690 marked A on DP 413009 created by Easement
Instrument 12475532.2 - 16.6.2022 at 3:41 pm





Land District: Canterbury Digitally Generated Plan Generated on: 20/12/2007 4:04pm Page 3 of 3	Lots 1 and 2 Being Subdivision of Pt RS 5996 and Lot 1 DP 11015	Surveyor: Michael James Martin Firm: Fox and Associates	Digital Title Plan DP 388690 Deposited on: 12/12/2007
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**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R.W. Muir
Registrar-General
of Land

Identifier **CB9F/272**

Land Registration District **Canterbury**

Date Issued 16 February 1970

Prior References

CB4D/1320

Estate Fee Simple

Area 17.9048 hectares more or less

Legal Description Lot 4 and Part Lot 2 Deposited Plan 755

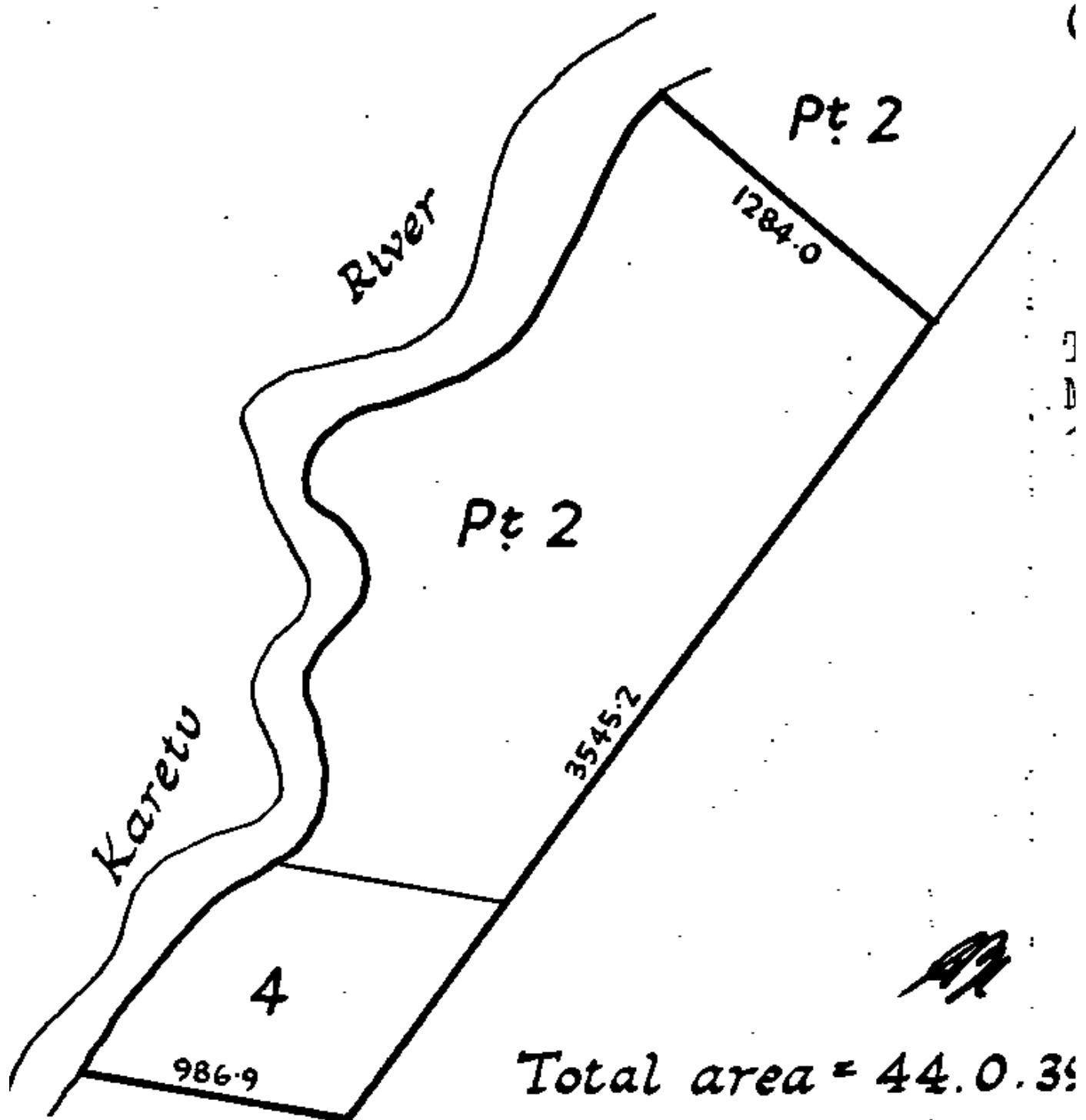
Registered Owners

Protranz International Limited

Interests

Fencing Provision in Transfer 84324 - 9.12.1909 at 10:14 am

Fencing Provision in Transfer 85121 - 16.3.1910 at 2:10 pm



Industrial Man-power Emergency Regulations 1944.—Revocation of Declaration of Essential Undertakings No. 39 and Amendments

IN pursuance of the powers conferred upon him by Regulation 11 of the Industrial Man-power Emergency Regulations 1944, the Minister of Industrial Man-power doth hereby revoke the Declaration of Essential Undertakings No. 39, as published in the *New Zealand Gazette* No. 64 of 25th June, 1942, together with the amendments thereto, as published in the—

New Zealand Gazette No. 70 of 23rd July, 1942.
New Zealand Gazette No. 92 of 12th October, 1942.
New Zealand Gazette No. 96 of 29th October, 1942.
New Zealand Gazette No. 114 of 23rd December, 1942.
New Zealand Gazette No. 1 of 14th January, 1943.
New Zealand Gazette No. 34 of 13th May, 1943.
New Zealand Gazette No. 48 of 24th June, 1943.
New Zealand Gazette No. 60 of 29th July, 1943.
New Zealand Gazette No. 70 of 26th August, 1943.
New Zealand Gazette No. 81 of 16th September, 1943.
New Zealand Gazette No. 109 of 9th December, 1943.
New Zealand Gazette No. 49 of 19th July, 1945.
New Zealand Gazette No. 51 of 2nd August, 1945.
New Zealand Gazette No. 58 of 13th September, 1945.

This revocation affects the undertakings set forth hereunder, in respect only of the quarrying, drying, crushing, and burning and supply of limestone for agricultural or industrial use:—

Agricultural Lime Co., Ltd., at Te Kuiti.
 Amberley Lime Co., Ltd., at Glasnevin.
 Amner's Ltd., at Pakipaki.
 Arapohue Lime Co., at Dargaville.
 Balfour Lime Co., at Kingston Crossing.
 E. E. Bellingham Co., Ltd., at Kaitaia.
 E. E. Bellingham Co., Ltd., at Mangaturoto.
 Beros Bros., at Te Kuiti.
 Brown's Lime Co., Ltd., at Browns.
 Buller County Council, at Westport.
 J. N. Cameron, at Kaiwaka.
 Cheviot Lime Co., at Cheviot.
 Clifden Lime Co., Ltd., at Clifden.
 A. E. Dobbs, at Arapohue.
 Doherty's Lime Co., Ltd., at Centre Bush.
 The Dominion Lime and Phosphate Co., Ltd., at Milburn.
 Fagan's Whangarei Lime Works, at Whangarei.
 Fairlie Lime Co., at Kimbell.
 Farmers' Mauriceville Lime Co., Ltd., at Mauriceville.
 Fernhill Lime Co., at Pukearue.
 Flaxbourne Lime, Ltd., at Ward.
 Gisborne Lime Co., Ltd., at Putatahi.
 Guillard's Putaruru Building Stone Co., Ltd., at Penrose.
 Hangatiki Lime Co., Ltd., at Hangatiki.
 Hatuma Lime Co., Ltd., at Hatuma.
 Kaipara Lime Co., Ltd., at Wellsford.
 Koiterangi Lime Co., Ltd., at Koiterangi.
 Kopu Calcined Shell Lime Co., Ltd., at Kopu.
 W. L. Lawry, at Lee Valley.
 W. L. Lawry, at Port Nelson.
 Manawatu Gorge Lime Co., Ltd., at Woodville.
 J. Matson, at Gladstone.
 Minchin Bros., at Oue.
 Miranda Shell Lime Products, Ltd., at Miranda.
 Motueka Lime Co., Ltd., at Riwaka.
 Mount Somers Lime Co., at Mount Somers.
 Murchison Lime Co., at Murchison.
 Nelson Farmers' Union Lime Co., Ltd., at Kaka.
 New Snowdrift Lime Co., Ltd., at Forest Hills Quarry.
 New Snowdrift Lime Co., Ltd., at Lady Barkly, Southland.
 T. J. Nicholson, at Te Mata.
 J. Nobilo, at Te Hana.
 Onga-Tiko Lime Co., Ltd., at Waipawa.
 A. Pettit, at Kaukapakapa.
 Piopio Lime Co., Ltd., at Piopio.
 Pokororo Lime Co., at Pokororo.
 Rodney Lime Co., Ltd., at Warkworth.
 The Rosebank Road Lime Works, at Avondale.
 Ruatangata Lime Co., Ltd., at Ruatangata.
 J. J. Silich, at Hukatere.
 Superfine Lime Co., Ltd., at Hangatiki.
 Takaka Lime Works, at West Takaka.
 W. J. Taylor Co., at Weston.
 Timaru Lime Co., Ltd., at Cave.
 W. K. Tolly, at Fern Town.
 Waikari Lime Co., Ltd., at Waikari.
 Waikiekie Lime Co., at Waikiekie.
 Waitomo Lime Co., Ltd., at Rangitoto Road and Julian's Road, Te Kuiti.
 Waitotara Lime Co., Ltd., at Waitotara.
 J. G. Ward Co., Ltd., at Lime Hills.
 Wellsford Lime Co., at Wellsford.
 West Coast Farmers' Co-operative Lime Producing Co., at Ross.
 Whiterock Lime Co., Ltd., at Whiterock.
 Winchester Lime Co., Ltd., at Kakahu.
 Winchester Lime Co., Ltd., at Winchester.
 Worth's Lime Co., at Hangatiki.
 Wright, Stephenson Co., Ltd., at Pahiatua.
 Y. and M. Lime Co., at Wellsford.

Dated this 30th day of November, 1945.

A. McLAGAN, Minister of Industrial Man-power.

Industrial Man-power Emergency Regulations 1944.—Revocation of Declaration of Essential Undertakings No. 43

IN pursuance of the powers conferred upon him by Regulation 11 of the Industrial Man-power Emergency Regulations 1944, the Minister of Industrial Man-power doth hereby revoke the Declaration of Essential Undertakings No. 43, as published in the *New Zealand Gazette* No. 14 of 12th February, 1942.

This revocation affects the undertakings set forth hereunder in respect of woolscouring:—

Avison Bros., at Whakatu.
 W. Begg, at Dunedin.
 J. J. Bourke Co., Ltd., at Petone.
 Butcher Bros., at Greenmeadows.
 Commission Wool Scourers, at Petone.
 W. H. Cook, at Fairlie.
 Dean Bros., at Clive.
 Farmers' Wool Scouring Co., at Awatoto.
 F. W. Gifkins, at Mount Somers.
 L. B. Haywood Co., at Aramoho.
 Walter Hills, at Woolston.
 Kaputone Wool Scouring Co., at Belfast.
 Kawa Wool Co., Ltd., at Feilding.
 E. Lichtenstein Co., at Onehunga.
 A. and J. McDonald, at Woolston.
 J. Matheson and Co., at Kennington.
 T. Ness and Sons, at Dunedin.
 New Zealand Wool Marketing Association Scourers, at Onehunga.
 N. Nicholls, at Dunedin.
 W. H. Smith, Ltd., at Gisborne.
 Tattersfield Ltd., at Auckland.
 W. Taylor and Co., at Timaru.
 Temuka Wool Works, at Temuka.
 W. Tucker, Ltd., at Whakatu.
 Waikari Scouring Works, at Winchester.
 Waikuku Wool Works, at Waikuku.
 A. N. Wilkins, at Tokomaru Bay.

Dated this 30th day of November, 1945.

A. McLAGAN, Minister of Industrial Manpower.

Industrial Man-power Emergency Regulations 1944.—Revocation of Declaration of Essential Undertakings No. 44 and Amendments

IN pursuance of the powers conferred upon him by Regulation 11 of the Industrial Man-power Emergency Regulations 1944, the Minister of Industrial Man-power doth hereby revoke the Declaration of Essential Undertakings No. 44, as published in the *New Zealand Gazette* No. 49 of 14th May, 1942, together with the amendments thereto, as published in the—

New Zealand Gazette No. 34 of 13th May, 1943.
New Zealand Gazette No. 40 of 27th May, 1943.
New Zealand Gazette No. 49 of 19th July, 1945.

This revocation affects the undertakings set forth hereunder in respect only of their boiling-down works and the treatment of hides and skins:—

Alpha By-products, Ltd., at Paeroa.
 Auckland Meat Co., Ltd., at Otahuhu.
 N. Austin, Ltd., at Te Papapa.
 Blenheim Borough Council, at Riverlands.
 The Canterbury By-products Co., Ltd., at Stockburn.
 E. B. and E. M. Churches, at West Tamaki.
 Cundalls By-products Co., at West Plains.
 Feilding By-products Co., Ltd., at Feilding.
 Gisborne Abattoir By-product Co., at Gisborne.
 Jenson Bros., at Burnside.
 H. S. Limmer, at Waiuku.
 McLeod Bros., Ltd., at Washdyke.
 R. P. Mair, at Matamata.
 New Plymouth By-products Co., Ltd., at Fitzroy.
 New Zealand Soap Co., Ltd., at Ngahauranga.
 Oamaru By-products, Ltd., at Oamaru.
 Palmerston North City Council, at Awapuni.
 Seabrook By-products Co., Ltd., at Tahunau.
 Smith Bros., Hawera, Ltd., at Okaiaawa.
 Southland Butchers By-products Co., at Waikiwi.
 Stratford By-products Co., Ltd., at Stratford.
 Tanner Bros., at Tauranga.
 Timewell and King, at Whangarei.
 J. D. Wallace, Ltd., at Leamington.
 J. D. Wallace, Ltd., at Waitoa.
 Wanganui Abattoir Co., Ltd., at Castlecliff.

Dated this 30th day of November, 1945.

A. McLAGAN, Minister of Industrial Man-power.

Industrial Man-power Emergency Regulations 1944.—Revocation of Declarations of Essential Undertakings No. 75

IN pursuance of the powers conferred upon him by Regulation 11 of the Industrial Man-power Emergency Regulations 1944, the Minister of Industrial Man-power doth hereby revoke the Declaration of Essential Undertakings No. 75, as published in the *New Zealand Gazette* No. 49 of 14th May, 1942, together with the amendments thereto, as published in the—

New Zealand Gazette No. 88 of 24th September, 1942.
New Zealand Gazette No. 96 of 29th October, 1942.
New Zealand Gazette No. 28 of 21st April, 1943.
New Zealand Gazette No. 46 of 5th July, 1945.

Hamilton, Brent

From: Shashone Cooper s 9(2)(a)
Sent: Friday, 8 August 2025 11:41 am
To: Chris Egden
Subject: RE: Whiterock - Application for Deed of Grant of Easement
Attachments: 3475277.png

UNCLASSIFIED

Tēnā koe Chris,

Thank you for your email. I can confirm that Toitū Te Whenua Land Information New Zealand (LINZ) have approved the Grant of the Easement. Once the Easement has been drafted and sent back to us the document will be reviewed by our Legal department, if Legal approves we will pass this onto the Delegate to review. If the Delegate approves the documentation, I will send back the drafted Easement with a Notice of Decision approving the Deed of Easement. Your client will be asked to sign the Easement document and then returned their signed copy back to me and we will then sign and execute the document.

Can you also advise if your client has opted to register the easement, this will allow me to begin the process of hiring any Legal contractors (if necessary). As LINZ is the office of the Registrar of Land our internal Legal team cannot register or be a party to the registration of Legal Documents. I will also confirm here that if we were to hire Solicitors, your client would be responsible for our Legal Costs.

Lastly, I have attached an image displaying the Crown Land managed by LINZ which is outlined in red. As you see there is a small strip of Land that goes through the property and extends up to Horsford Downs Road. In terms of describing the Land, we believe that if a survey is not conducted the best way to describe the land would be along the lines of "Part bed of the Karetu River, being part of Parcel 3594099" generally we would also make reference to a plan of the Land with the Easement area outlined but understand this may still be a work in progress. As Kirsten stated yesterday, it may be appropriate to add in the survey pegs from adjoining surveys to better describe the area.

If you have any further questions, please do not hesitate to contact me.

Ngā mihi,
Shashone Cooper

Matanga Ture Kiritaki / Customer Regulatory Specialist – Assessment and Acquisition

Property Management – Assessment and Acquisition

Crown Property

s 9(2)(a)



UNCLASSIFIED

