

Crown Pastoral Land Tenure Review

Lease name : BOG ROY

Lease number : PO 310

Due diligence report (including status report) - Pt 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.

January 05

"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

BLOCK NAME	AREA	RAINFALL	SOILS	TOPO- GRAPHY	VEGETATION DOMINANTS	% HIERACIUM	OTHER PROBLEM WEEDS	% BARE GROUND	LAND USE CAPABILITY DESCRIPTION	FERTILISER HISTORY	PRESENT CARRYING CAPACITY SUHA
IRRIGATED PADDOCKS	63	350-400	DAIGETY - Dy	FLAT	RYEGRASS		CULTIV GRASS	5%	IV, VI	S/SUPER ANNUALLY	
			OI								
LUCERNE PADDOCKS	25	350-400	DAIGETY	UNDULAT	LUCERNE	IN CORNERS	BARLEY	10%-20%	IV, VI	S/SUPER EVERY 3YRS	4 SU
			BECKS, OI	ING			GRASS	IN WINTER			
SHEARING Paddock	135	350-400	OI, OI, OI, OI	STRONG	SILVER TUSS	5%-10%	BRIAR DENSE & SCATTERED	30% ON SUNNY 5% ON REST	VI SMALL VII	NONE	
			AI	ROLLING	NATIVE GRASS						
RIDGE & TOP KNOB	94	350-400	OI & OIH	HILLA	ANNUALS	<5% SUNNY 80% DARK		10% SUNNY <5% DARK	VI	SOME ON FLAT	
				ROLLING	HIERACIUM						
TRANSLATOR	38	350-400	OI, OI, AI	HILLY	SILVER TUSS	<5%	MODDING IHISTLE	10% VI, SOME VII		NONE	
					ANNUAL GRASS						
ROUGH GULLY LUCERNE	27	350-400	OI	FAN & STEEL	LUCERNE	<5%	BARLEY GRASS	5%-10%	VI	190KG/SHA EVERY 3YRS	
LUCERNE	24										
BACK BLOCK	630	350-400	50% OI	VERY STEEL	SVR TUSS, V BUG ANNUAL GRASS	<5%	SCATTERED BRIAR	40% 60%	50% VI 50% VII	NONE	SHOULD BE 28
					SCAB WEED						
FRONT HILL	520	350-400	AI, OI, SOME OI	ROLLING IV STEEL	SVR TUSS, SCAB ANNUAL GRASS	<5% SUNNY 30% SHADY	SMATTERING OF BRIAR	5%-10% LOW 15%-20% UPPER 40% IN PLACES	70% VI 30% VII	COCKSFOOT SEEDS	
					SCAB WEED						
					Dgt in gullies						

"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

BLOCK NO./NAME	PEST (PHONENESS SCALE)	PRESENT RABBIT INFESTATION (McLEAN SCALE)	POISONING HISTORY	PRIMANT UNIT
		as at June 1992		
IRRIGATED	HIGH	2		1000 OATS 1990
PADDOCKS		2 1989 GO		1080 OATS 1990
LUCERNE	HIGH			1000 OATS 1990
PADDOCKS		2 1989 OATS & JENNY OATS & SOME PATCH		1080 OATS 1990
SHEARING PDK	HIGH	3 1986, 87, 88 OATS INC. PATCH WORK		1080 OATS 1990
RIDGE & TOP KNOB	EXTREME	2 1986, 87, 88 OATS INC. PATCH WORK		1080 OATS 1990
TRANSLATOR	EXTREME	2 1986, 87, 88 OATS INC. PATCH WORK		1080 OATS 1990
ROUGH GULLY	HIGH	2 1986, 87, 88 OATS INC. PATCH WORK		1080 CAPR 1990
LUCERNE		2 OATS 1984, 85, 87 INC. PATCH WORK		PATCH JUL 92
BACK BLOCK	EXTREME			PINDONE POWERED 80/81
FRONT HILL	EXTREME	3 OATS 1986 1987, 89 INC. PATCH WORK		

"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

APPENDIX 8 COSTING AND SPECIFICATIONS**1. Management Fence - Otematata Hill**

Post @ 20 m approx, waratah @ 5 m, dropper in between, 6 wire plus top barb, strainers, stays as required:

Cost/km excl GST

Item	No	Unit Cost	Total
Strainers	3	18.00	54.00
Stays	5	11.00	55.00
Posts (6")	50	7.50	375.00
Waratahs	150	6.70	1005.00
Ties	50	6.70	335
Droppers	200	1.00	200.00
Wire (2.5 mm)	10	55.00	550.00
No 9	½	60.00	30.00
Barb	4	75.00	300.00
Wire strns	14	2.60	36.40
Staples (kg)	10	4.00	40.00
Gates etc	1	120.00	120.00
Cartage etc			<u>100.00</u>
			3200.40 or
			3.20/m

2. Management Fence - Ridge

Post @ 20m, waratah at 3m, 6 wire plus top barb etc

Item	No	Unit Cost	Total
Strainers	3	18.00	54.00
Stays	5	11.00	55.00
Posts (6")	50	7.50	375.00
Waratahs	250	6.70	1675.00
Ties	25	6.70	167.50
Wire (2.5 mm)	10	55.00	550.00
No 9	½	60.00	30.00
Barb	4	75.00	300.00
Wire strns	14	2.60	36.40
Staples (kg)	10	4.00	40.00
Gates etc	1	120.00	120.00
Cartage etc			<u>100.00</u>
			3502.90
			say 3500.00

"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

PENDIX 9 LAND USE CAPABILITY AND DEPLETION

This information is taken from the Waitaki Catchment Commission SWCP for this property.
Figures exclude Reserve Block

Land Use Capability

Class	I	II	III	IV	V	VI	VII	VIII	Total
Area (ha)			55	248	29	1927	601		2860
%			2	9	1	67	21		100%

Depletion

		Area (ha)	%
Nil - Slight	1	1375	48
Moderate	2	730	26
Severe	3	736	26
Very Severe	4	19	
Extreme	5		
Total		<u>2860</u>	<u>100</u>

Erosion**General types and extent:**

Severe sheet erosion and depletion on sunny steeplands and hills related to former high populations of rabbits and lack of grazing control. some gully erosion of steeplands. River and streambank erosion of Corbies and Otamatapaio Stream channels. Wind erosion hazard high on all cultivated soils.

Note: Block worksheets Appendix 2 indicate land within the Back Block has bare ground (depletion) ratings of 40-60%. This is level 4 - very severe on the WCC scale. This would indicate either this block has become more depleted over the last 10-15 years or one of the descriptions is incorrect.

Monitoring through line transect may help classify this land.

"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

3. Netting Fence

Material	No/Km	Unit Cost	Cost Per Km (Excl Gst)	Cost Per M
Waratahs (inc ties)	75	5.00	375.00	
Wire -				
4mm coil	1/4	50.00	12.50	
Netting coils	20	85.00	1,700.00	
Gate sill	1	20.00	20.00	
Clip Fasteners			60.00	
Cartage and transport			<u>70.00</u>	
			2,237.50	2.24
Labour			<u>800.00</u>	<u>.80</u>
			<u>\$3,037.50</u>	<u>\$3.04</u>

4. Cultivation

	\$/kg	\$/ha	
5 kg Wairau Lucerne	10.00	50.00	
4 kg Wheatgrass	10.00	40.00	
150 kg MoS (bagged)	40.50	40.50	(\$270/t)
Cartage	4.50	4.50	(\$30/t)
Cultivation (farmer)		<u>150.00</u>	
		\$285.00	say \$300/ha

5. Fertiliser Application Trial

Fertiliser (bagged at 1/2 t bags)

	\$/ha	
75 kg h/a	\$22.80	(\$304/t inc transport)
Helicopter	<u>11.25</u>	(\$600/hr at 4 t/hr @ 0.07 t/hr)
	\$33.85	say \$34/ha

plus exclosure fence say \$500

38 ha @ \$34 = \$1,292
 Plus fence 500

\$1,792 say \$1800

Note: Strip on area to be left without fertiliser as control.

6. Soil Testing

Soil Test @ \$75/test (Basic test + organic S + S)

Ridge Block 1 test

Translator 1 test sunny, 1 test shady
 Repeat at 1 year

Total tests 5 @ \$75 = \$375

Note: also maintenance of Ridge Block by soil test.

APPENDIX 7 FUTURE COST OF RABBIT CONTROL

Based on past poison history and proposed follow up (Secondary Control) objectives:

Costs**Primary Rabbit Control**

Current cycle 2-4 years, best estimate for future pest control, poison at lower population levels.

Bäck Block 5 year cycle - Aerial Carrot 630 ha @ \$18/ha = \$11,340 or	\$2,268/yr
Remainder north SH 83 8 year cycle - Aerial Carrot 1210 ha @ \$15/ha = \$18,150	\$2,269/yr
South SH83 8 year cycle - Aerial Carrot 1100 @ \$12/ha = \$13,2000	<u>\$1,650/yr</u>
	\$6,187

Secondary Rabbit Control

Requirement of secondary control roughly similar to current levels

50 man days per year at \$150/day	\$7,500
50 ha patch poison at \$20/ha	<u>\$1,000</u>
	\$8,500

Maintenance of rabbit netting fences 1/2 share

11,500 m at say 1 man day per month 12 day/yr at \$150	<u>\$1,800</u>
--	----------------

Total	\$16,487
-------	----------

This is \$5.61/ha
 \$4.16/su

2025 RELEASE UNDER THE OFFICIAL INFORMATION ACT

STOCKING CHART										CURRENT 1991/92		APPENDIX 6	
										BOG ROY			
										CULL 500 EWES			
										WEAN AND SELL CAL VES			
										SHEARING EWES AND HOGGETS			
										TOTAL STOCK UNITS		SUBV PER ANNUM	
										JAN		FEB	
										MAR		APR	
										MAY		JUN	
										JULY		AUG	
										SEP		OCT	
										NOV		DEC	
										TOTAL STOCK UNITS		SUBV PER ANNUM	
										POTENT		LUC SU	
AREAS CLASS OF SUB INO IN													
ITEMATATA FLAT										679		0.00	0.63
ITEMATATA HILL										410		0.00	
MTPADDOCK										27		0.00	0.33
MIDDLE BLOCK										32		0.00	
AFTS CORNER										75		0.00	5
RESERVE										80		0.00	3
HOG										56		0.00	1.4
WALDS & IRRG										56		0.00	0.25
REBATED PDKS										50		0.00	1.7
LUCERNE PDKS										63		0.00	3.8
LUCERNE PDKS										25		0.00	11.6
HEADING PDK										25		0.00	
RIDGE & TOP KNOD										135		0.00	3.8
TRANSLATOR										93		0.00	1.2
ROUGH GULLY										38		0.00	1.9
LUCERNE										38		0.00	0.25
LUCERNE										27		0.00	4
LUCERNE										24		0.00	
BACK BLOCK										24		0.00	4
FRONT HILL										630	HOGGET	0.21	0.28
TOTAL										2940	I/A	0.00	0.28
MR ANDERSON HAS AGREED TO KEEP BACKLOCK GRAZING RECORDS IN ORDER TO GAIN A BETTER UNDERSTANDING OF THE STOCKING RATES ON THE INDIVIDUAL BLOCKS ON THE PROPERTY.										3964			

"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

LAND MANAGEMENT DECISIONS						Appendix 5
BLOCK/NO NAME	LAND USE OPTIONS WITHIN BLOCK	POSSIBLE OPTIONS FOR LAND BLOCK	PREFERRED OPTION FOR LAND USE	LAND USE CHOICE WITHIN BLOCK	ENVIRONMENTAL IMPACT OF LAND USE	PROGRAMME TO ACHIEVE AGREED LAND USE OPTION
OTEMATATA FLAT		1,2,7,8,9,10,11,12,14,15	1,2,7,10,12,14,15	1,2,10,14	SUGHT CHANGE IN GRAZING FROM FENCE LINE	- MANAGEMENT FENCE - FLAT/HILL - NET BOY FENCE - ROSTR. & OTEMATAPAIC
OTEMATATA HILL	1. Grazing 2. Short term spelling 3. Long term spelling 4. Sell interest in block 5. Afforestation 6. Refire permanently 7. Direct drill cover/grass 8. Aerial oversow & topdress 9. Fodder bank of dryland shrubs 10. Strategic rabbit fencing 11. Injexion 12. Scrub clearance 13. Trachling 14. Sub-divisional fencing 15. Cultivation to new pasture 16. Topdress 17. Other	1,2,7,8,9,10,12,14	1,2,7,10,12,14	1,2,10,14		
PADDOCK		1,10,15	1,10,15	1	NIL	CONTINUE PRESENT USE
MIDDLE BLOCK		1,2,7,8,9,10,12	1,2,7,10,12	1,10	NIL	NET BOY FENCE ROSTR. & OTEMATAPAIC
TAFS CORNER		1,2,7,8,9,10,12,14,15	1,2,10,12,14,15	1,10	NIL	NET BOY FENCE ROSTR. & OTEMATAPAIC
RESERVE 80Ha		1,2,7,9	1,2,7	1	NA	CONTINUE PRESENT USE
DOG		1,2,7,9	1,2,7	1	NA	CONTINUE PRESENT USE
DAVIDS & IRRIGATED		1,2,15	1,2,15	1	NA	CONTINUE PRESENT USE

"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

APPENDIX 10 ASSESSED GRAZING CAPACITY BACK BLOCK

This assessment has been updated using LUC data from the WCC maps for Bog Roy.
Grazing assessment for each LUC class is based on current land conditions.

Back Block - 630 ha

LUC Unit	Area	Assessed Carrying Capacity	Stock Units
VIe16	2	0.6	1
VIe19	18.6	0.25	5
VIe21	219.4	0.4	88
VIe22	<u>9.8</u>	0.35	3
	249.8		
	40%		
VIIe3	5.3	0.4	2
VIIe6	104.4	0.2	21
VIIc2	<u>270.5</u>	0.2	<u>54</u>
	380.2		174 su
	60%		
	<u>630 ha</u>		0.28 su/ha

100-443881-10

9.35 23.NOV93 843125

PARTICULARS ENTERED IN REGISTER
LAND REGISTRY OTAGO

ASST. LAND REGISTRAR... Wm. J. Barrett

2014-50



MWP_0015040

Schedule E – DP 27135

Our Ref: Po310
(A9256)

8 September 1999

LAND RESOURCES DIVISION

K J, S R & D K Anderson
C/- Mr K J Anderson
Bog Roy Station
Private Bag
OMARAMA

Knight Frank House
41 - 43 Tarbert Street, Alexandra
Telephone: (03) 448 6935
Facsimile: (03) 448 9099

Dear Mr Anderson

**RE: MERIDIAN ENERGY - APPLICATION TO COMMISSIONER OF CROWN
LANDS FOR GRANT OF EASEMENT**

We advise that we act as agent for the Commissioner of Crown Lands with respect to the above matter.

Meridian Energy New Zealand Limited has applied to the Commissioner for the grant of an easement pursuant to Section 60 (1) of the Land Act 1948 and the Commissioner is considering whether to grant the easement.

The Commissioner's action in deciding whether to grant an easement is a discretionary action by the Commissioner pursuant to Section 18 (3) of the Crown Pastoral Land Act 1998. Before taking a discretionary action the Commissioner may consult you.

Furthermore, in taking the action the Commissioner must comply with Section 18 (2) of the Crown Pastoral Land Act and take into account:

- (a) The desirability of protecting the inherent values of the land concerned (*other than attributes and characteristics of a recreational value only*), and in particular the inherent values of indigenous plants and animals, and natural ecosystems and landscapes; and
- (b) The desirability of making it easier to use the land concerned for farming purposes.

We are delegated by the Commissioner to initiate certain elements of the consultation process.

We now advise that we wish to consult with you regarding the action of the Commissioner in determining whether to grant an easement pursuant to Section 60 (1) of the Land Act 1948. To assist you in the consultation process, we enclose a copy of the application.

Corporate Offices

Auckland
Wellington
Christchurch

13 Offices Nationwide

International

Australia
Belgium
Botswana
China
France
Germany

Hong Kong
India
Italy
Japan
Malawi
Monaco

Nigeria
Portugal
Singapore
South Africa
Spain
Sweden

Tanzania
The Netherlands
United Kingdom
United States
of America
Zimbabwe

Postal Address:

P O Box 27, Alexandra

Knight Frank (NZ) Limited
(An LPL Group Company)

INTERNATIONAL PROPERTY CONSULTANTS

We wish to meet with you or receive from you your views and thoughts relating to the Commissioner's action. The Commissioner is interested in your views regarding the impact of the proposals on the matters the Commissioner must take into account:

- The desirability of protecting the inherent values of the land.
- The desirability of making it easier to use the land concerned for farming purposes.

You may wish to comment on any other matters you think appropriate.

Would you please provide your views and advice to Ken Taylor in the Alexandra Office of Knight Frank within 20 working days of 8 September 1999 ie by 6 October 1999. The Commissioner is also obliged to consult with the Director-General of Conservation in considering the application for easement. The timeframe of 20 working days is the standard consultation period agreed to between the Commissioner and the Department of Conservation. If you consider this does not provide you with sufficient time please advise and we will ask the Commissioner whether in your case the consultation period should be extended. You will need to ask for an extension before 22 September 1999.

Any payment proposed to be made by the applicant to you as part of any agreement with you regarding a possible grant of easement by the Commissioner will be taken into account by the Commissioner in any subsequent assessment of compensation under Section 177 of the Land Act 1948.

If you have not responded to this letter by 6 October 1999 or by any extended period agreed to by the Commissioner, we are instructed to proceed to prepare and present a submission to the Commissioner regarding the application for an easement, and that submission will note that no response was received from you within the stated timeframe.

Upon receipt of your advice we will convey such advice to the Commissioner for consideration in accordance with the Crown Pastoral Land Act.

We thank you for your assistance.

Yours faithfully
KNIGHT FRANK (NZ) LIMITED

AP 

K R Taylor
Manager, Alexandra

Checketts McKay

Lawyers Central Otago

"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

A 9256

Wanaka Office:

2

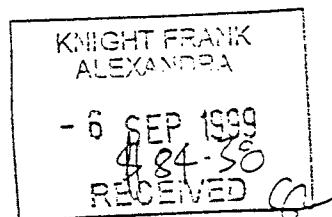
Address Pemroke House, Dunmore Street, Wanaka
Post P.O. Box 263, Wanaka, New Zealand
Phone (03) 443 3716
Fax (03) 443 3621
Trust Account BNZ 020916 0007575 00
G.S.T. Number 30-317-365

Please ask for:

3 September 1999

Grant Fyfe

Knight Frank
PO Box 27
ALEXANDRA



FOR: K R Taylor

Dear Sir

Paul Kane.

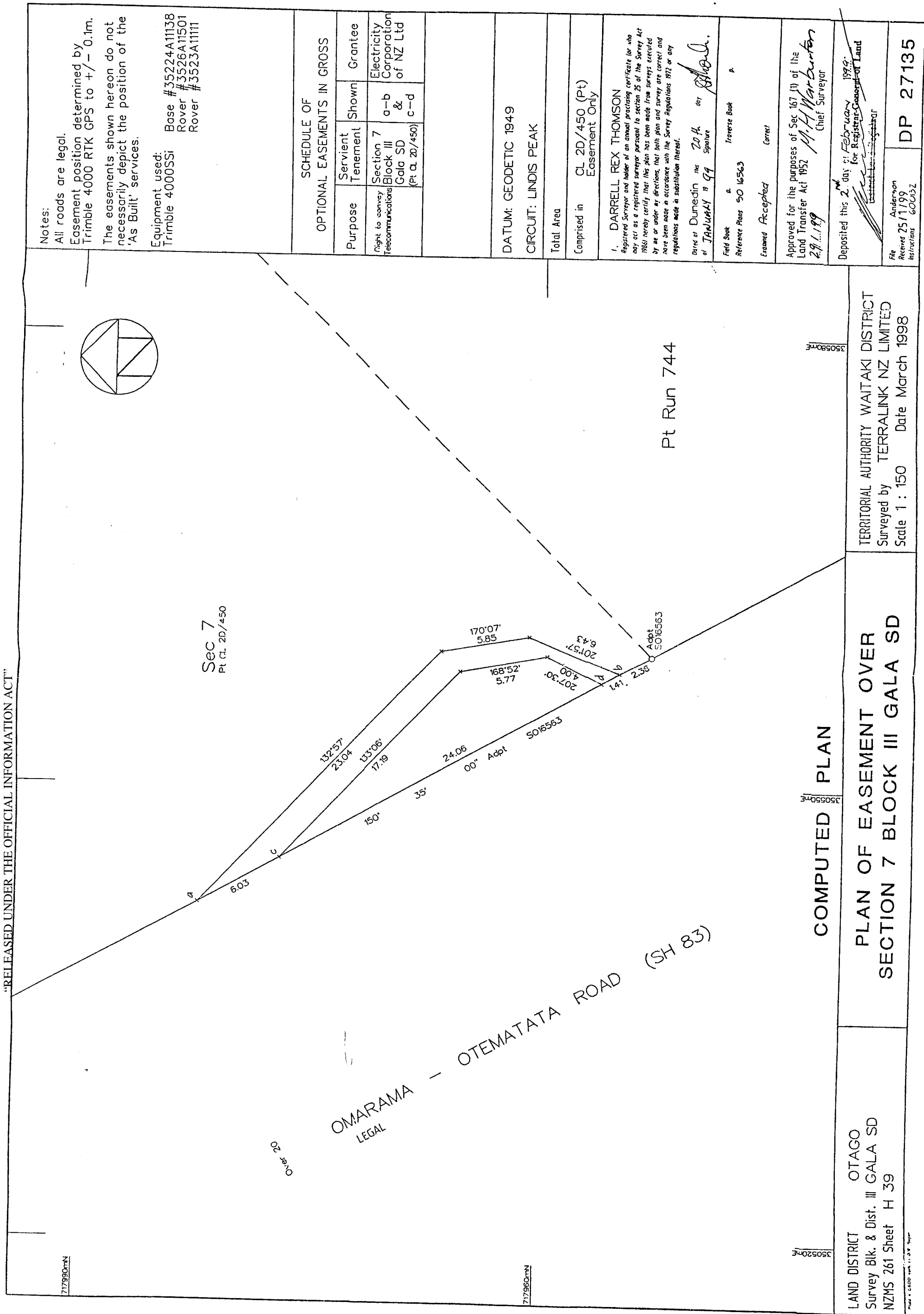
RE: ECNZ - FIBRE OPTIC CABLE - BOGROY STATION

Please find enclosed:

- 1 Copy CT 2D/450
- 2 Copy computed plan
- 3 Terms of easement required by Commissioner of Crown Lands
- 4 Appendix B - application form for easement pursuant to section 60(1) of the Land Act 1948
- 5 Our trust cheque for \$84.38

Yours faithfully,
CHECKETTS McKAY

I G Fyfe BA / LLB
Partner
SAS-03/09-2



Notes:

All roads are legal.

Easement position determined by Trimble 4000 RTK GPS to $\pm 0.1m$.

The easements shown hereon do not necessarily depict the position of the 'As Built' services.

Equipment used:
Trimble 4000SSI

Base #35224A11138
Rover #3526A11501
Rover #3523A11111

SCHEDULE OF
OPTIONAL EASEMENTS IN GROSS

Purpose	Servient Tenement	Shown	Grantee
Right to convey Telecommunications	Section 7 Block III Gala SD (Pt CL 2D/450)	a-b & c-d	Electricity Corporation of NZ Ltd

DATUM: GEODETIC 1949

CIRCUIT: LINDIS PEAK

Total Area

Comprised in CL 2D/450 (Pt) Easement Only

I. DARRELL REX THOMSON
Registered Surveyor and holder of an annual practicing certificate for who may act as a registered surveyor pursuant to section 25 of the Survey Act 1980 hereby certify that this plan has been made from surveys executed by me or under my directions, that both plan and survey are correct and have been made in accordance with the Survey Regulations 1972 or any regulations made in substitution thereof.

Dated at Dunedin this 20th day of JANUARY 1999 Signature *[Signature]*

Field Book a Traverse Book A

Reference Plans SO 16563

Examined Accepted Correct

Approved for the purposes of Sec 167 (1) of the Land Transfer Act 1952 *[Signature]*
29.1.199 Chief Surveyor

Deposited this 2nd day of February 1999 for Registrar-General of Land *[Signature]*

File Anderson Received 25/1/99 Instructions 600632

DP 27135

Approved Lt 747

The Grantor hereby grants to the Grantee the right to lay and operate a telecommunications fibre optic cable hereinafter called (TFOC) in the position into the levels approved by the Grantor and approximately as marked on the attached plans a-b and c-d and the right to operate such TFOC for the term of 25 years commencing on the first day of August 1999 until determined under any provisions herein contained.

4 Consideration

10 Cents.

5 Payment of compensation to lessee

The Grantee has entered into an agreement with the Lessee recording receipt by the Lessee of a payment from the Grantee, which amount acknowledges by the Lessee to be paid in lieu of the payment of any compensation by the Grantor pursuant to section 60(1) of the Land Act 1948, and the agreement records the Lessee's waiver of their right to any compensation from the Grantor in respect of the grant of easements in this Deed.

6 Obligations of the Grantee

(i) The Grantee shall:

- (a) cause as little damage, disturbance, inconvenience and interruption to the property and to use the property as is reasonable necessary
- (b) forthwith make good any damage done to the property and to the occupier of the property
- (c) shall ensure the TFOC shall be placed as described on the attached plan and at a dept to ensure a cover of not less than 1000 mm (millimetres) and in such a manner that the disturbance of the property is a minimal to the satisfaction of the Grantor and the Grantee and that upon 24 hours notice given at any time to the Grantee by the Grantor the TFOC at the expense of the Grantee in all things be lowered to and covered to a depth to be specified in such notice with minimum disturbance to the Property
- (d) the Grantee will effectually indemnify the Grantor from and against all costs actions demands suits damages and proceedings of any kind for and in respect of any loss or damage that might result to or be suffered by any property of any person or any agency of the Crown directly or indirectly by reason of the grant or exercise of the rights hereby conferred
- (e) the Grantee will during the continuance of the rights hereby conferred keep in proper order the condition of the TFOC with as little interference as possible to the property above the TFOC will make good to the satisfaction of the Grantor at the Grantee's own cost any damage done to the property within the boundaries of the legal property during the carrying out of the work which is authorised under the provisions of this grant

- (f) the Grantee will be liable to the Grantor for the cost of or repairing any damage which may occur to the property from the installation of the TFOC
- (g) the Grantee shall ensure that vehicles prohibited by the Grantor are not used
- (h) the Grantor will ensure the gates are kept locked
- (i) the Grantee shall take reasonable precautions to guard against danger on the Grantor's land
- (j) the Grantee shall have an obligation to compensate if damage is caused to stock on the Grantor's land
- (k) the Grantee shall not obstruct the Grantor or his agents employees and contractors
- (l) the Grantee is prohibited from carrying out any activity other than those permitted by this deed
- (m) the Grantee shall comply with all statutes and regulations

7 Ownership of structures

If the Grantee does not remove the TFOC installed for the purpose of this easement at the end of the term of this easement the Grantor may remove the TFOC and restore land to pre-easement conditions and recover costs incurred from the Grantee.

8 Costs

The Grantee bears all costs for preparation and registration of deed and installation of structures required for purposes of rights created by easement.

9 Indemnity

An indemnity incorporating the following terms:

The Grantee hereby indemnifies the Grantor against any loss, claim, damage, costs, expense, liability or proceeding suffered or incurred at any time by the Grantor in connection with this Deed or as a direct result of the exercise by the Grantee of its rights under this Deed, or any breach by the Grantee of its obligations, undertakings or warranties contained or implied by this Deed.

10 Exclusion of Grantor's Liability

No liability for the Grantor in contract, tort, or otherwise in relation to any aspect of this Deed, (extending to consequential loss, anything arising directly or indirectly from the Deed, any activity of the Grantor on the Grantor's land).

11 Termination

- (a) The Grantor may bring the Deed to any end on notice (period of notice to be fixed by Grantor). On termination, Grantee to remove structures and restore Grantor's land to pre-easement conditions).

- (b) Failure to restore by Grantee, Grantor may restore land, remove structures and recover costs from Grantee.

12 Registration

The Deed, or a Memorandum of Transfer incorporating the terms of the Deed may be registered and both parties will do all things necessary to enable registration.

13 Grantor's rights of delegation

All rights, benefits and obligations of the Grantor arising under this Deed may be exercised by any person duly appointed by the Grantor PROVIDED THAT the exercise of any such rights, benefits or obligations by that person shall not limit the liability of the Grantor in the performance or observance of the provisions of this Deed.

14 Disputes

A suitable disputes resolution clause incorporating reference to the over riding application of section 17, Land Act 1948.

15 Notices

A suitable notices provision.

16 Severability

A clause to the effect that, where any part of the Deed of Easement is held to be illegal, void, or unenforceable, such determination shall not impair the enforceability of the remaining parts of this Deed which shall remain in full force.

17 Any other clauses

Any other clauses required by the Commissioner if appropriate with regard to the land and the activity to be undertaken

SIGNED by the COMMISSIONER)
OF CROWN LANDS)
in the presence of:)

SIGNED by MERIDIAN ENERGY)
NEW ZEALAND LIMITED)
in the presence of:)

APPENDIX B
APPLICATION FORM FOR EASEMENT PURSUANT
TO SECTION 60(1) OF THE LAND ACT 1948

Name & description of Lease/Licence:

Being P.306 pastoral lease and P.309 pastoral lease of pastoral land under the Land Act 1948 in the Otago Land Registry

Applicant:

Meridian Energy New Zealand Limited

Details for Applicant:

C/- Checketts McKay

PO Box 263

WANAKA

Phone: 03 443 8716 **Fax:** 03 443 8621

Comprehensive statement of easement right proposed including activity proposed, structures and equipment required to carry out activity:

The Grantee requires an easement for it's new fibre optic cable buried no less than one metre underground as indicated on plans attached hereto.

This fibre optic cable is in replacement of the current overhead line that is currently being removed.

The fibre optic cable is for controlling the dam structures operated by the Grantee in the Waitaki Valley.

Term (in years) of easement proposed:

25 years

Location of easement:

See attached plan

Have you entered into any discussions with the lesee/licensee regarding the proposed easement:

Yes see attached Deed of Grant for laying a telecommunications fibre optic cable

Describe the impact of the rights:

Not applicable

Describe any possible adverse effects:

Not known

If a decision is made by the Commissioner to grant an easement, will you seek to register it:

Yes

Is there any other information that you wish to provide in support of the application:

The fibre optic cable replaces an existing overhead line. The new underground fibre optic cable which is aesthetically and environmentally more desirable as the new cable is buried to at least a metre deep there is considered no adverse effect or likely repercussions resulting from the creation of this easement.



Our Ref: Po310
(A9256)

LAND RESOURCES DIVISION

8 September 1999

Knight Frank House
41-43 Tarbert Street, Alexandra
Telephone: (03) 448 6935
Facsimile: (03) 448 9099

Meridian Energy New Zealand Limited
c/- Checketts McKay
P O Box 263
WANAKA

ATTENTION: I G FYFE

Dear Sir

RE: REQUEST FOR EASEMENT - BOG ROY STATION, OTEMATATA.

Thank you for your request dated 3 September 1999, which is a request for the consent of the Commissioner of Crown Lands to an easement over Bog Roy Pastoral Lease.

Your request will be considered by the Commissioner in terms of Section 60(1) of the Land Act 1948 and Section 18 of the Crown Pastoral Land Act 1998.

If we require additional information or wish to inspect the area concerned, I will contact you in the near future.

Please contact me if you wish to discuss any aspect of the proposal.

Yours faithfully
KNIGHT FRANK (NZ) LIMITED

PP S2

K R Taylor
Manager, Alexandra

Corporate Offices

Auckland
Wellington
Christchurch

13 Offices Nationwide

International

Australia
Belgium
Botswana
China
France
Germany

Hong Kong
India
Italy
Japan
Malawi
Monaco

Nigeria
Portugal
Singapore
South Africa
Spain
Sweden

Tanzania
The Netherlands
United Kingdom
United States
of America
Zimbabwe

Postal Address:
P O Box 27, Alexandra

Knight Frank (NZ) Limited
(An LPL Group Company)

INTERNATIONAL PROPERTY CONSULTANTS

Schedule F – SO 22802

Cadastral information up-to-date 200m
either side of the transmission lines

Signature *S. M. Williams*

Name S. M. Williams

Designation Chief Surveyor

Date 2 Feb 1988


**ELECTRICITY CORPORATION
OF NEW ZEALAND LIMITED**
TRANSMISSION LINES EXISTING OR UNDER
CONSTRUCTION AT 31 DECEMBER 1987

CROWN COPYRIGHT RESERVED REPRODUCTION PROHIBITED without permission of the Chief Surveyor.

Signature P. D. Anderson
Name P. D. Anderson
Designation Technical Officer
Date May 1988

TRANSMISSION LINES ARE CORRECTLY SHOWN

ELECTRICITY CORPORATION
OF NEW ZEALAND LIMITED

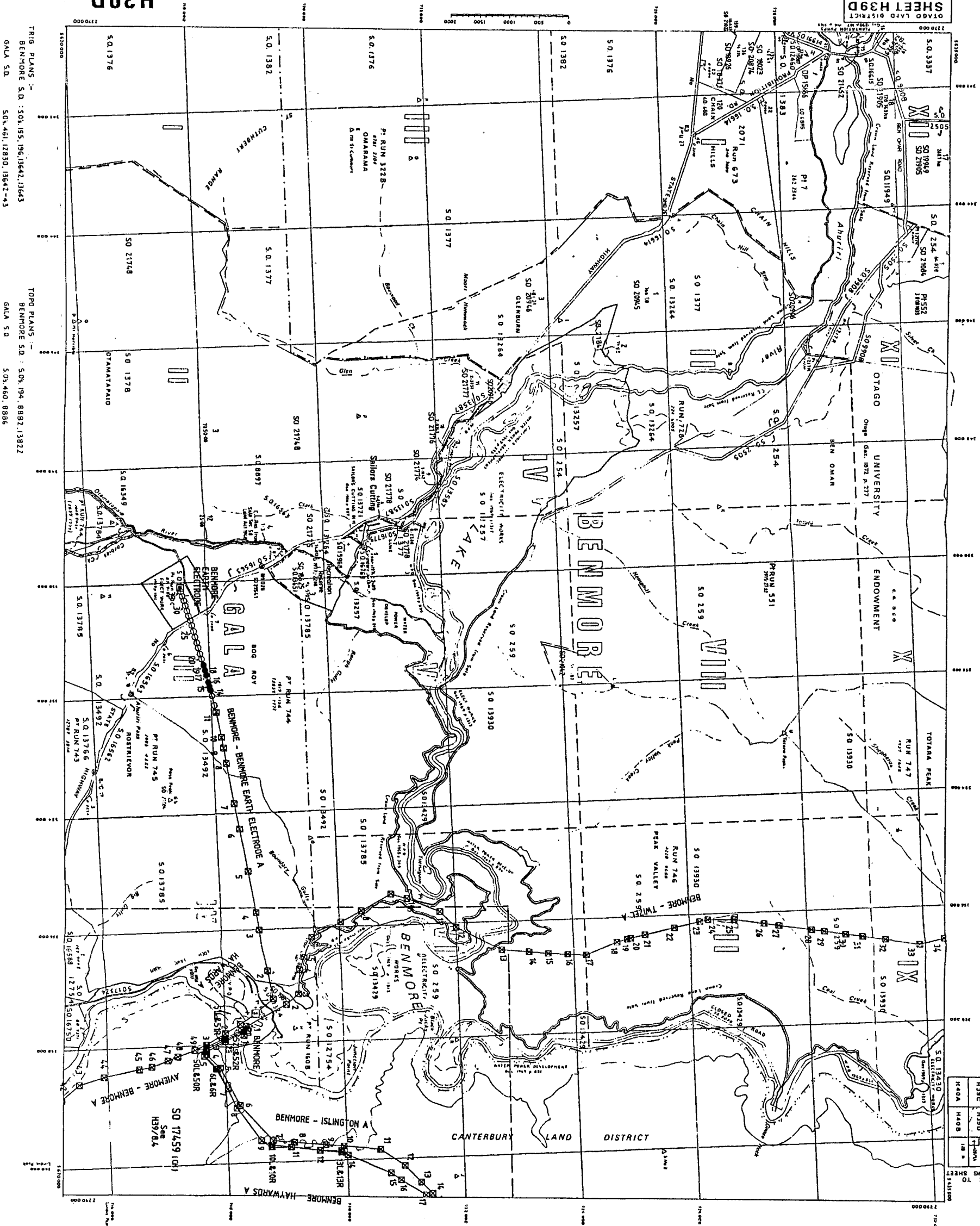
Survey Office No. S.O. 22802
Client Folder Ref. No. 27/49/1b) 6
ELECTRICITY CORPORATION OF NEW ZEALAND LIMITED
electricorp


☐ POLE position { co-ordinates available.
☒ TOWER position { co-ordinates available.
 ■ TOWERS repositioned (co-ordinates available)
 ● POLES added or repositioned (no co-ordinates available) } approximate only.
 [S] Represents Termination Structure.

Co-ordinates of structures; Refer to Traverse Book 249
 Follo _____ 1005LI ONLY

Approved as to the addition of 50 plan numbers for all enlargement sheets within 200 metres either side of the transmission lines.

David Williams
Chief Surveyor 1014190



“RELEASED UNDER THE OFFICIAL INFORMATION ACT”