



Crown Pastoral Land Tenure Review

Lease name : Glenariffe

Lease number : Pc 129

Due diligence report (including status report)

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.

Copied May 2003

DUE DILIGENCE REPORT
CPL PRE TENURE REVIEW ASSESSMENT STANDARD 6:

File Ref: Pc 129

Report No: C0033

Report Date: 28 June 2000

Office of Agent: Christchurch

LINZ Case No:

Date sent to LINZ:

RECOMMENDATIONS

1. That the Commissioner of Crown Lands or his delegate note this Due Diligence Report which has been prepared in accordance with the Pre Tenure Review Assessment Standard;
2. That the Commissioner of Crown Lands or his delegate note that no incomplete actions which require action by the Manager Crown Property Contracts have been identified.
3. That the Commissioner of Crown Lands or his delegate note the following potential liabilities that have been identified as a result of the file search;
 - (a) the existence of the Glenariffe Salmon Research Station (but note that action on this matter has been undertaken and the parties advised of the Commissioner's views).
 - (b) the existence of a salmon farming operation undertaken by Alistair Ensor/Glenariffe Station Limited that has no formal authorisation.
4. That the Commissioner of Crown Lands or his delegate note the following matters;
 - (a) that the formed road (Double Hill Run Road) does not appear to follow the legal alignment.
 - (b) that by NZ Gazette 1954 page 1452, authorisation was given to the lessee to take water from an unnamed stream for electricity generation, but that the licence expired on 31 March 1975 and there is no information on file as to whether this licence was renewed or further licence(s) granted.

Signed for Knight Frank (NZ) Limited

P. J. Savage
Consultant

29 / 6 / 2000

[Signature]
Manager 29 / 6 / 00

Approved/Declined (pursuant to a delegation from the Commissioner of Crown Lands) by:

Name:

Date of decision: / /

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1. **Details of lease:**

Lease Name: Glenariffe
Location: On Rakaia Road, 54.7km from Methven
Lessee: Glenariffe Station Limited
Tenure: Pastoral Lease
Term: 33 years from 1 July 1970
Annual Rent: \$551
Rental Value: \$ n/a-: old rental formula based on stock capacity
Date of Next Review: 1 July 2003
Land Registry Folio Ref: 11B/921 Search copy dated 26 May 2000 appended as Appendix 1
Legal Description: Run 337 Blocks II,V,VI,VIII,IX and X Glenrock and Blocks II,III,VI,VII and XI Somers Survey Districts.
Area: 4799.5717 hectares.

2. **File Search**

Files held by Agent on behalf of LINZ:

File Reference	Volume	First Folio Number	Date	Last Folio Number	Date
Pc129	1	191	24.11.32	208	9.3.67
Pc129	2	209	6.4.67	394	13.3.91
Pc129	3	418	25.9.84	-	23.12.98
Pc129	4	-	17.11.98	-	25.2.00
Pc129/1	1	1	23.11.93	-	10.7.98
Pc129/1	2	-	11.9.98	-	22.12.99
Pc 129/2	1	-	20.8.65	-	25.2.00

Other relevant files held by LINZ:

File Reference	Volume	First Folio Number	Date	Last Folio Number	Date
CPL/04/10/12780-ZCH-01	1		1997	-	1998
CPL/04/10/12780-ZCH-02		Empty nothing on file			
REC/02/10/09/00-ZNO		Empty nothing on file			
5200-D13-G06-DCH		Empty nothing on file			

3. **Summary of lease document: [CL11B/921]**

3.1 **Terms of lease**

Stock limit in lease:

4000 sheep (inc. not more than 2100 breeding ewes)
75 cattle (inc. not more than 60 breeding cows)
900 wethers except for the months May to August inclusive.

Commencement date:

1 July 1970

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3.2 Area adjustments:

Since issue of the current lease there have been no alterations or reduction in the area of 4799.5717 hectares recorded/registered against the lease document.

3.3 Registered Interests:

Mortgages:

No. 784377 : C.E. Grigg, C.L. Sugden and G.C. Knight as executors (by transmission no 967171/1

No. 947215/3 : The Rural Bank Limited

Land Improvement Agreement:

No. 324721/1: Land Improvement Agreement under Section 30 of the Soil Conservation and Rivers Control Act

3.4 Unregistered interests:

Glenariffe Salmon Research Station (ex NIWA)

The Glenariffe Salmon Research Station is located on part of the pastoral lease (the balance of the area occupied is part legal road and part Crown land) (refer section 8.1 for further details).

Salmon farm – Glenariffe Station Limited

A salmon farming operation has been conducted by Glenariffe Station Limited for a number of years under an informal arrangement pending formal authorisation (refer section 8.2 for further details).

Power generation scheme

NZ gazette 1954 page 1452 (copy in Appendix 2) formalises a licence to establish a Power Generation Scheme on an "Unnamed Stream" Block IX Glenroy SD expiring March 1975. There is no plan to support its location and there is no comment on the files as to its establishment or continuation.

Recreation permits

There are no recreation permits over this pastoral lease.

4. Summarise any Government programmes approved for the lease:

A Land Improvement Agreement was registered against the lease in 1981. The agreement provided for the erection of a further 1,800 m of 'off-site fencing' in block F4 to facilitate better utilisation of the block and of the off-site developments initiated when the first run plan was approved in 1966.

The Land Improvement Agreement may contain obligations on successors in title that require consideration as part of tenure review.

A copy of the Land Improvement Agreement is attached as Appendix 3.

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5. *Summary of Land Status Report:*

The Land Status Report confirms the status is Crown land under the Land Act 1948 subject to pastoral lease.

The Land Status Report contains the following notes regarding matters possibly requiring further investigation at the due diligence stage;

- (i) Glenariffe is one of four contributors to "Double Hill" rating district (Soil Conservation and Rivers Control Act 1941) providing benefit of access and river protection.
- (ii) Rakaia Salmon (formerly NIWAR) hatchery located at the confluence of the Rakaia River and Glenariffe Stream. Location has been assessed by occupation. Not defined by survey, not legalised and straddles legal road.
- (iii) Salmon hatchery (non commercial) established by Glenariffe on Double Hill? Stream (NE of homestead). Original formal consent expired (April 1989) however file correspondence places no objection to its presence.
- (iv) NZ gazette 1954 page 1452 formalises a licence to establish a Power Generation Scheme on an "Unnamed Stream" Block IX Glenroy SD expiring March 1975. There is no plan to support its location and there is no comment on the files to its establishment/continuation however, it may fall within the area of proposed marginal strip protection if in existence?
- (v) Reconciliation of boundary fencing can only be identified upon survey.
- (vi) Current compiled definition of Run 337 SO 11426 is only adequate in respect of the current pastoral lease definition.

A copy of the Land Status Report appended as Appendix 4 (minus enclosures).

6. *Review of topographical and cadastral data:*

Both maps show there are no communication sites, long distance transmission or local power lines on this property.

6.1 *Marginal Strips:*

The Land Status Report notes that the property is "subject to the provisions of Section 58 Land Act 1948 on lease 11B/921 and SO 11426. Rakaia River, Double Hill/Glenariffe/Gerard Stream, Donald Stream and North Branch Ashburton River form part of the boundaries while other lesser streams are clearly depicted on S O 11426 [1970] as a pecked line, without a one chain strip having been laid off. In view of LINZ letter dated 13 November 1997 regarding "Lilybank" and Ministerial Co-ordinating Committee/State Owned Enterprises paper 271 dated 31 March 1987 (Dept of Justice) it would appear this memorial to have no substance unless a one chain strip was laid off by definition on a plan in the Chief Surveyors records".

6.2 *Fenced boundaries v legal boundaries:*

There may be discrepancies between fenced and legal boundaries.

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6.3 Legal roads – formed and paper:

An unformed legal road traverses the length of the property and the adjoining pastoral lease Pc 127 (Double Hill).

The Double Hill Run Road may not follow the legal alignment, particularly in the vicinity of the Glenariffe Salmon Research Station and at the base of Donald Hill.

6.4 Ad medium flum aquae rights:

The Land Status Check notes that AMF rights opposite Sect 18, SO 17637 and Section 19 SO 17642 were investigated ref- LINZ CH file 23/10/1 folio 16, riverbed lands to the Crown.

7. Details of any neighbouring Crown or conservation land

No neighbouring areas of Crown or conservation land have been identified for inclusion in tenure review of this pastoral lease.

8. Summary of uncompleted actions or potential liabilities

8.1 Glenariffe Salmon Research Station

As noted under section 3.4 above, the Glenariffe Salmon Research Station occupies part of the pastoral lease. The facility used to be operated by the National Institute of Water and Atmospheric Research (NIWA) but appears to have been recently sold to Rakaia Salmon. The facility has been in operation for a number of years, but the occupation of the site has never been formally authorised under the Land Act. The parties (NIWA and Glenariffe Station Limited) have been advised by the Commissioner of Crown Lands that he does not acknowledge any existing rights by NIWA to occupy the land in question (refer faxes dated 28 January 1999 and 27 February 1999, Appendix 5). The most recent payment of rental for the site (1.1.99 – 30.6.99) was refunded on 23 April 1999.

The implications of the existence of this site for tenure review have already been addressed by the Commissioner in his letter of 28 January 1999 to NIWA.

The Land Status Check report notes the possibility of an overlap between the DoC Allocation map and the CRI allocation site. This matter has not been investigated.

8.2 Salmon farm – Glenariffe Station Limited

By letter dated 19 October 1983 (folio 394) Glenariffe Station Limited advised that they proposed to conduct a salmon farming operation on a site adjacent to the Glenariffe homestead, and sought an indication that the Crown has no objection to such an operation being undertaken on the property. Glenariffe Station Limited were advised (folio 400) that a 'temporary permit' had been granted for an initial period of three years. A further request for permission to continue the fish farming operation was made by Alistair Ensor in November 1987 (folio 427) and the matter was referred to the Department of Lands with a proposal that Mr Ensor be notified that the operation could continue but without formal legalisation (folio 435). A reply was received (folio 437) and Mr Ensor was notified by letter dated 23 December 1983 (folio 439) that the existence of the fish complex was acknowledged but the matter of a better tenure was to be held over until the review of the Land Act was completed. An annual fee of \$120 (inclusive of GST) was charged as rent. Copies of folios are attached as Appendix 5.

This arrangement has continued and Glenariffe Station Limited currently pay an annual fee of \$120 (including GST) for this activity.

8.3 Power generation scheme

There is no plan to support the location of the power generation scheme established on an unnamed stream Block IX Glenroy Survey District and no evidence of the scheme being extended beyond the licence's expiry in March 1975.

APPENDICES

1. Search copy of lease document dated 26 May 2000
2. Copy of NZ Gazette Notice
3. Copy of Land Improvement Agreement
4. Copy of Land Status Report
5. Copy of relevant folios from file.

Appendix 1 : Search copy of lease document

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NOT REGISTERED UNDER THE LAND ACT 1948

SEARCH COPY - 26 MAY 2000

REGISTERED UNDER THE LAND ACT 1948 Entered in the Register-book, the

REGISTERED UNDER THE LAND ACT 1948 Former Ref. Vol Pt PR fol. 569

NEW ZEALAND

16th day of February

L.S. Ref. No. P 129

1970 at 10.50 o'clock



A. Prasad
Assistant Land Registrar

No. 11B/921

Pastoral Lease under the Land Act 1948

This Deed, made the 1st day of March 1970 between HER MAJESTY THE QUEEN (hereinafter referred to as "the Lessor") of the one part, and Glenariffe Station Limited a duly incorporated company having its registered office at Christchurch.

(hereinafter referred to as "the Lessee"), of the other part: WITNESSETH that, in consideration of the rent hereinafter reserved, and of the covenants, conditions, and agreements herein contained and implied, and on the part of the Lessee to be paid, observed, and performed, the Lessor doth hereby demise and lease unto the lessee, all that parcel of land containing by estimation 11,860 acres more or less, situated in the Land District of Canterbury, and being Run 337 "Glenariffe" situated in Glenrock and Somers Survey Districts.

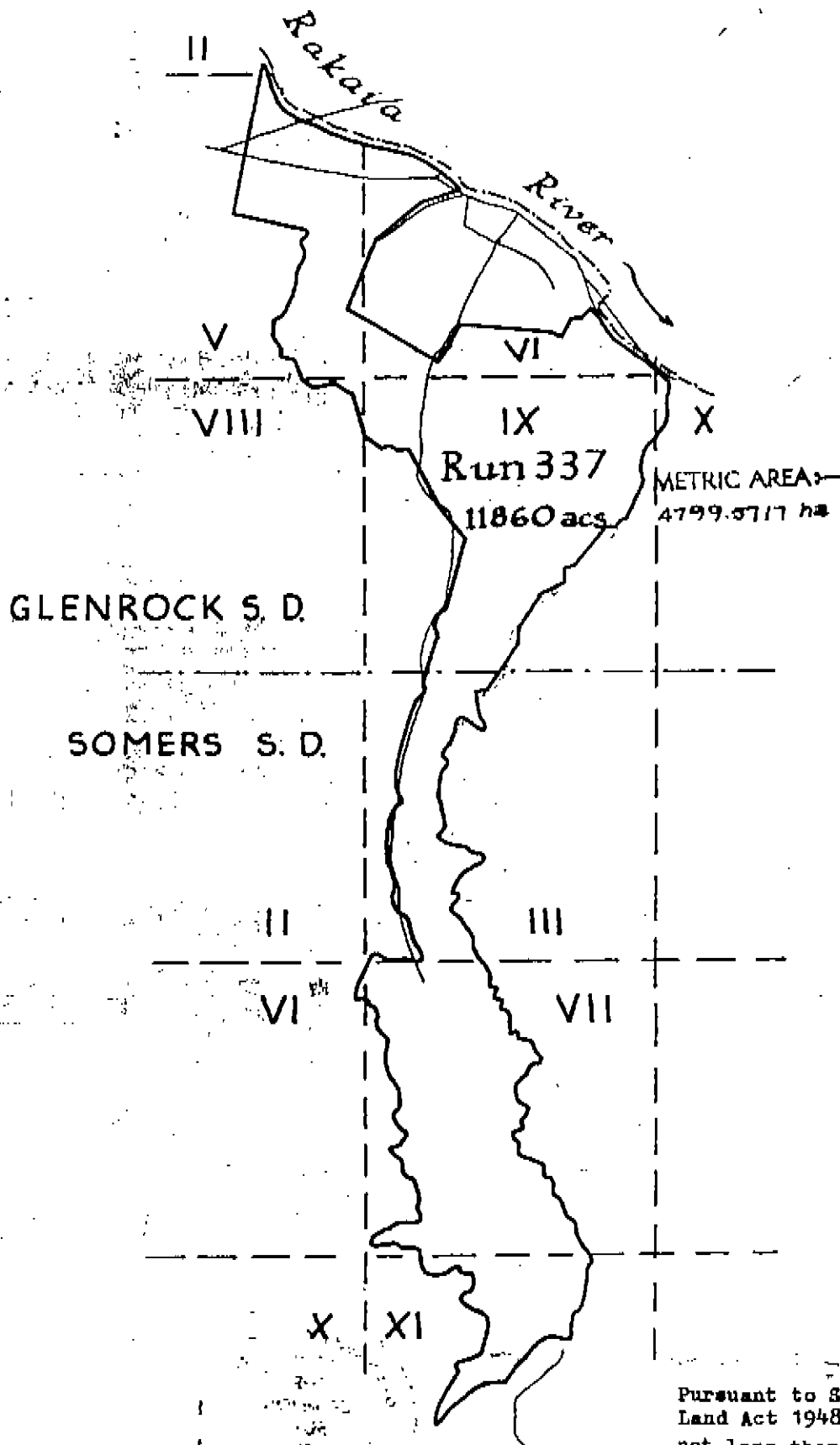
as the same is more particularly delineated with bold black lines on the plan heron; together with the rights,

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No. 11B/921

Pa.

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OFFICIAL INFORMATION ACT



Roads shown thus
 Scale: 1 inch = 1/2 miles
 L.A. 10899
 S.O. 11426

Pursuant to Section 58 of the
 Land Act 1948 a strip of land
 not less than one chain in width
 along the banks of all rivers and
 streams which have an average width
 of not less than 10 feet is exclu-
 ded from the within lease.

Appendix 2 : Copy of NZ Gazette Notice

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file

**PLEASED UNDER THE
INFORMATION ACT**

*Authorizing Roderick Hugh Emsor, of Bakara Gorge,
Ashburton, Sheep Farmer, to Use Water for the Purpose
of Generating Electricity*

C. W. M. NORRIE, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington this 15th day of
September 1954

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Public Works Act 1928, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby grants to Roderick Hugh Emsor, of Bakara Gorge, Ashburton, Sheep Farmer (hereinafter referred to as the Licensee), a licence, subject to the conditions hereinafter set forth, to take and use from an unnamed stream (hereinafter referred to as the said stream) situated in Block IX, Glenrock Survey District, in the County of Ashburton, for the purpose hereinafter set forth, a stream of water not exceeding 1 cubic foot per second at any one time.

CONDITIONS

IMPLIED CONDITIONS

1. The conditions directed to be implied in all Licences by the Water Power Regulations 1934 and the Electrical Supply Regulations 1935 shall be incorporated in and shall form part of this Licence, except in so far as the same may be inconsistent with the provisions hereof.

LICENCE SUBJECT TO REGULATIONS

2. This Licence is issued under the Water Power Regulations 1934, and is subject thereto and to the Electrical Supply Regulations 1935, the Electrical Wiring Regulations 1935, the Radio Interference Regulations 1934, and to all regulations hereafter made in amendment thereof or in substitution thereof respectively.

UTILIZATION OF WATER AND LOCATION OF HEADWORKS

3. Water shall be used under this Licence solely for the purpose of generating electricity and shall be taken from the said stream at the point in Block IX, Glenrock Survey District, indicated on the plan marked S.H.D. 298 deposited in the office of the State Hydro-electric Department at Wellington.

GENERAL DESCRIPTION OF WORKS

4. The Licensee is hereby authorized, subject to the conditions hereof, to construct, maintain, and use the following works for the purpose of this Licence, the positions of the said works being indicated on the said plan S.H.D. 298:

- (a) Headworks consisting of an intake, water-race, and pipe-line leading to the power-house hereinafter referred to, giving a static head of approximately 220 ft.
- (b) Pelton wheel and power-house with all necessary equipment for generating electricity, situated in Block IX, Glenrock Survey District.
- (c) Tail-race leading from the said power-house to an unnamed tributary of the Glenrock Stream.

SYSTEM OF SUPPLY

5. The system of supply shall be an alternating-current system as described in paragraph (d) of regulation 81-01 of the Electrical Supply Regulations 1935.

DURATION OF LICENCE

6. Unless sooner lawfully determined, this licence shall continue in force until the 31st day of March 1975.

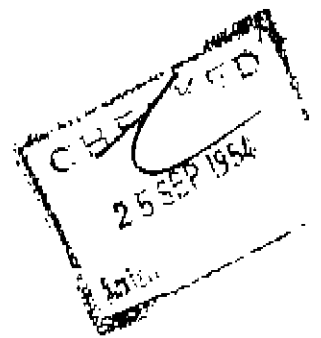
RENTAL

7. For the purpose of assessing the rental or annual sum payable in respect of this licence, the Licensee may install a suitable maximum-demand indicator to the satisfaction of the Inspecting Engineer of the State Hydro-electric Department, and failing such installation the rental shall be assessed on the maximum generating-capacity of the plant installed. The present plant is rated at 10 kilowatts.

NO RIGHT TO WATER COMPENSATION

8. Nothing in this Licence shall of itself confer upon the Licensee any right to water.

T. J. SHEPHERD, Clerk of the Executive Council



Appendix 3 : Copy of Land Improvement Agreement

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THIS AGREEMENT made the eighth day of April 1981
BETWEEN the SOUTH CANTERBURY CATCHMENT BOARD duly constituted
under the Soil Conservation and Rivers Control Act 1941 (herein-
after called "the Board") of the one part and
GLENARIFFE STATION LIMITED of CHRISTCHURCH
(hereinafter with his executors, administrators and assigns
called "the Owner") of the other part.

WHEREAS the Owner is the owner/lessee of that parcel of land
described in the First Schedule hereto (hereinafter referred to
as "the said land").

AND WHEREAS it has been agreed by and between the Owner and the
Board that certain works described in the Conservation Plan set
out in the Second Schedule hereto (hereinafter called "the works")
be carried out for the control of erosion and the conservation of
the soil on the said land AND WHEREAS the Board has agreed pursuant to
Section 30 of the Soil Conservation and Rivers Control Act 1941 to
make certain grants by way of subsidy to the Owner in respect of
the works

AND WHEREAS the parties hereto desire to enter into a Land
Improvement Agreement under subsection (3) of Section 30 and
under Section 30A of the Soil Conservation and Rivers Control
Act 1941

AND WHEREAS the terms of this agreement as hereinafter set out
have been approved by the Soil Conservation and Rivers Control
Council.

NOW THEREFORE the parties hereto do hereby covenant and agree
one with the other as follows:

1. IN consideration of the promises and of the covenants
hereinafter contained and on the part of the Board to be
observed and performed the owner will during the next four
years carry out the works in accordance with the Conservation
Plan and the Specifications described therein.

2. IN consideration of the premises and of the covenants
hereinafter contained and on the part of the Owner to be observed
and performed the Board will at its own expense subsidize the
work carried out by the Owner in accordance with the Conservation
Plan set out in the Second Schedule hereto and according to the
Specifications therein in the proportions described in the
aforementioned Conservation Plan.

3. UPON completion of any item of work referred to in the
Second Schedule to the satisfaction of the Board the Board shall
pay to the Owner the subsidy shown therein as payable in respect
of that item.

7/5
1/1/81

4. THE Owner shall keep and maintain in good condition to the satisfaction of the Board the works and the areas affected by the Conservation Plan, for the term of this agreement which shall be for a period of ~~ninety-nine~~ ^{ninety-nine} years after completion of the works.

5. THE Owner shall when required supply all necessary information and data to the Board to enable it to compile grazing and production records of the said land as a means of evaluating the benefit derived from the Conservation Plan.

6. IT is agreed by the parties hereto that the Conservation Plan may be modified from time to time by agreement in writing between the parties.

7. THE Owner shall and will grant full power and authority to the Board, its Soil Conservators, Surveyors, Engineers, Employees, Workmen, Agents, Servants and Invitees with or without horses, carts, motor cars, trucks and other vehicles from time to time and at ^{reasonable} all times during the period of this Agreement to enter and remain upon such portions of the said land as may be necessary for the purpose of inspecting the progress and observing the results of the works and measures specified in the Conservation Plan or of carrying out any tests, surveys, bores or other works in connection with the Conservation Plan.

8. IF the Owner shall make default in the observance or performance of any covenant on his part hereinbefore contained and such default shall continue for a period of fourteen days after written notice thereof has been served on the Owner by the Board setting out the nature of such default and requiring the Owner to remedy the same then the Owner shall within seven days of demand being made on him by the Board pay to the Board the amount expended by the Board on the works up to the date of such default and such amount shall be recoverable by the Board in accordance with the provisions of Section 30A of the Soil Conservation and Rivers Control Act 1941.

9. IT is hereby agreed by and between the parties that this Agreement is a Land Improvement Agreement under subsection (3) of Section 30 of the Soil Conservation and Rivers Control Act 1941 and that all the provisions of Section 30A of that Act shall apply to this Agreement.

27.5. J. G. G.

THE FIRST SCHEDULE

Run 337 "Glenariffe" 4799.5717 ha
Glenrock and Comers S.D.
Registered in Volume II B Folio 921
Canterbury Land District

THE SECOND SCHEDULE

PART I

	<u>Est. Cost</u>	<u>Subsidy Rate</u>
4080 metres of offsite and erosion control fence	8,568	1:1
8440 metres of internal cattleproofing	4,721	1:1
9320 metres of boundary cattleproofing	2,563	1:1
1920 metres of windbreak	3,840	3:1
Supervision Fee	4,130	Various
	<u>\$23,822</u>	

PART II

Conservation practices to follow "the Works" include modification in management as outlined in the farm conservation plan.

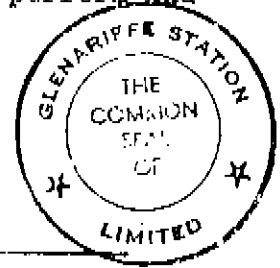
Major modifications are outlined briefly as follows:

- (a) Blocks H and G containing 7,777 hectares more or less are retired from sheep grazing. Cattle may be grazed on the river and Turtons Stream with numbers and period of grazing to be agreed upon from time to time between "the Owner", Lands and Survey Department and "the Board".
- (b) In the case of an emergency such as severe drought grazing of Blocks H and G with sheep may be permitted, with numbers and period of grazing to be agreed upon between "the Owner", Lands and Survey Department and "the Board".
- (c) Blocks G4 and F5 containing 1,242 hectares more or less to be grazed with a maximum of 2,400 ewes or equivalent for ten weeks during the period between the first of February and thirtieth of April in each year. *Cattle may be grazed.*
- (d) "The Owners" shall not exceed the limitation of stock numbers as agreed upon with the Lands and Survey Department without first consulting "the Board".
- (e) Management of the land protected by subsidised windbreaks to be as outlined in the conditions, of which a copy (two pages) are attached hereto.

24.5.11

IN WITNESS whereof these presents have been executed on the day
and year first before written.

I, Glenariffe Station Limited, the Owner herein
do hereby bind myself and my successors in title to perform and
observe the terms and conditions of this Agreement.



THE COMMON SEAL of
~~XXXXXXXXXXXXXXXXXXXX~~

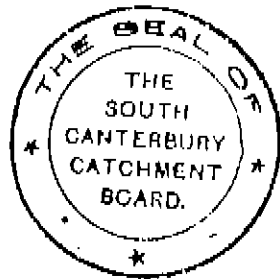
GLENARIFFE STATION LIMITED)
was hereto affixed by)
as Owner ~~XXXXXXXXXXXXXXXXXXXX~~)
authority of and in the presence)
of:

~~XXXXXXXXXXXXXXXXXXXX~~

A. H. Eason

SEAL OF
GLENARIFFE STATION LIMITED
Governing Director

THE COMMON SEAL OF THE SOUTH)
CANTERBURY CATCHMENT BOARD)
was hereunto affixed in)
pursuance of a resolution of)
the Board in the presence of:)



R. Y. Scott } Members
of the
Board

J. J. Shawa
Secretary

I, John Gordon Mount of Timaru, Secretary to the South
Canterbury Catchment Board DO HEREBY CERTIFY that the within
written Agreement is one that is capable of registration and
I do hereby apply for the registration of the said Agreement
against the land above described in accordance with the
provisions of Section 30A of the Soil Conservation and Rivers
Control Act 1941.

Handwritten initials

J. G. Mount J. J. Shawa

324721
118/921

TRC
1100

MAY 17 9 01 AM '81

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Appendix 4 : Copy of Land Status Report

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KNIGHT FRANK (NZ) LIMITED

Appendix A

This report has been prepared on the instruction of Land Information New Zealand in terms of the contract number 50178 dated September 1999 and is undertaken for the purposes of the Crown Pastoral Leases Act 1998.

LAND STATUS REPORT for GLENARIFFE				[LIPS ref.12780]
Property	1	of	1	

Land District	Canterbury
Legal Description	Run 337 situated in Blocks II, V, VI, VIII, IX & X Glenrock & Blocks II, III, VI, VII, & XI Somers Survey Districts.
Area	4799.5717 hectares
Status	Crown Land subject to the Land Act 1948.
Instrument of lease	All Pastoral Lease 11B/921 pursuant to section 66 as registered under section 83 Land Act 1948.
Encumbrances	Land Improvement Agreement No. 324721/1 under the provisions of Soil Conservation and Rivers Control Act 1941. Subject to Part IVA Conservation Act 1987 upon disposition.
Mineral Ownership	Minerals remain with the Crown as the land has never been alienated since its acquisition for settlement purposes, from the former Maori owners under the Kemp purchase 1848.
Statute	Land Act 1948 & Crown Pastoral Land Act 1998.

Data Correct as at	08 October 1999
[Certification Attached]	Yes

Prepared by	Peter M King
Crown Accredited Agent	Knight Frank (NZ) Limited

KNIGHT FRANK (NZ) LIMITED

Appendix B

This Land status report has been prepared on the instruction of Land Information New Zealand in terms of the contract number 50178 dated September 1999 and is undertaken for the purposes of the Crown Pastoral Leases Act 1998.

LAND STATUS REPORT for GLENARIFFE				[LIPS ref.12780]
Property	1	of	1	

Land District	Canterbury
Legal Description	Run 337 situated in Blocks II, V, VI, VIII, IX & X Glenrock & Blocks II, III, VI, VII, & XI Somers Survey Districts.
Area	4799.5717 hectares
Status	Crown Land subject to the Land Act 1948.
Instrument of Lease	All Pastoral Lease 11B/921 pursuant to section 66 as registered under section 83 Land Act 1948.
Encumbrances	Land Improvement Agreement No. 324721/1 under the provisions of Soil Conservation and Rivers Control Act 1941. Subject to Part IVA Conservation Act 1987 upon disposition.
Statute	Land Act 1948 & Crown Pastoral Land Act 1998.

Date Corrected at	08 October 1999
[Certification Attached]	Yes
Prepared by	Peter M King
Crown Accredited Agent	Knight Frank (NZ) Limited

Certification:

Pursuant to section 11(1)(l) of the Survey Act 1986 and acting under delegated authority of the Surveyor-General pursuant to section 11 (2) of that act, I hereby certify that the land described above is; Crown Land subject to the Land Act 1948.

R. Moulton

Date 15 / 10 / 1999

R Moulton, Chief Surveyor
Land Information New Zealand, Christchurch

GLENARIFFE RESEARCH - Property 1 of 1

Notes : This information does not affect the status of the land but was identified as possibly requiring further investigation at the due diligence stage : See Crown Pastoral Standard 6 paragraph 6

- (i) Glenariffe is one of four contributors to, "Double Hill" rating district (Soil Conservation and Rivers Control Act 1941) providing benefit of access and river protection.
- (ii) Rakala Salmon (formerly NIWAR), hatchery located at the confluence of the Rakala River and Glenariffe Stream. Location has been assessed by occupation. Not defined by survey, not legalised and straddles legal road.
- (iii) Salmon hatchery (non commercial) established by Glenariffe on Double Hill? Stream (NE of homestead). Original formal consent expired (April 1989) however file correspondence places no objection, to its presence.
- (iv) NZ gazette 1954 page 1452 formalises a licence to establish a Power Generation Scheme on an "Unnamed Stream" Block IX Glenroy SD, expiring March 1975. There is no plan to support its location and there is no comment on the files to its establishment/continuation however, it may fall in the area of proposed marginal strip protection if in existence?
- (v) Reconciliation of boundary fencing can only be identified upon survey.
- (vi) Current compiled definition of, Run 337 SO 11426 is only adequate in respect to the current pastoral lease definition.

LAND STATUS REPORT for GLENARIFFE

[LIPS ref.12780]

Property 1 of 1

Research Data: Some Items may be not applicable

Property	1	of	1	
SDI Print Obtained	Yes			
NZMS 261 Ref	K35			
Local Authority	Ashburton District Council			
Crown Acquisition Map	Kemp Purchase			
SO Plan	SO 11426			
Relevant Gazette Notices	N/A			
CT Ref / Lease Ref	All Pastoral Lease 11B/921.			
Legislation Cards	N/A			
CLR	N/A			
Allocation Maps (if applicable)	Allocation CRI Site 1435 (SO 17070), casual occupancy agreement. Allocation DoC (SO 17121) D*K35*5*C0 would appear in part to overlap ie Crown Land, the CRI allocation site?			
VNZ Ref - if known	All assessment 24390-01000 (4795.9295ha) All assessment 24390-01000C (2479.5089ha) Canterbury Regional Council "Cleardale" river control rating area. All assessment 24390-00900 (3.6422ha) applies to the commercial salmon hatchery (Rakaia Salmon, formerly NIWAR)			
Crown Grant Maps	Glenrock (No date), SO 5976 (1911)			
If Subject land Marginal Strip:	Note: Subject to the provisions of section 58 of the Land Act 1948 on lease 11B/921 & SO 11426. Rakaia River, Double Hill/Glenariffe/Gerard Stream, Donald Stream & North Branch Ashburton River form part of the boundaries while other lesser streams are clearly depicted on SO 11426 (1970) as a pecked line, without a one chain strip having been laid off. In view of LINZ letter dated 13 November 1997 regarding "Lilybank" and Ministerial Co-ordinating Committee/State Owned Enterprises paper 271 dated 31 March 1987 (Dept of Justice) it would appear this memorial to have no substance unless a one chain strip was laid off by definition on a plan in the Chief Surveyors records.			
a) Type [Sec 24(9) or Sec 58]				
b) Date Created				
c) Plan Reference				

LAND STATUS REPORT for GLENARIFFE

[LIPS ref. 12780]

Property 1 of 1

Research - continued

Property	1	of	1
If Crown land - Check Irrigation Maps.		N/A	
Mining Maps		No interest identified.	
<p>If Road</p> <p>a) Is it created on a Block Plan - Section 43(1)(d) Transit NZ Act 1989</p> <p>b) By Proc</p>		<p>a) SO Plan: SO 3004, Topo 5G & 6G (Crown Grant).</p> <p>b) Proc Plan: SO 9286</p> <p>c) Gazette Ref: 1958 page 1343 & 1344</p>	
<p>Other Relevant Information</p> <p>a) Concessions - Advice from DOC or Knight Frank.</p> <p>b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998.</p> <p>c) Mineral Ownership</p> <p>d) Other Information</p>		<p>a) N/A</p> <p>b) Subject to Part 9 Ngai Tahu Claims Settlement Act 1998.</p> <p>c) Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under Kemp Purchase 1848.</p> <p>Contained in [provide evidence]: Part PR 314 (1912) Run 119B is the earliest lease available after Canterbury gazette 1867 pages 159/160/161 (No.201, 264 & 329), confirmation of runs under the Canterbury Land Regulations.</p> <p>d) Ad Medium Filum Aquae Rights investigated opposite Section 18 SO 17637 & Section 19 SO 17642, LINZ CH file 23/10/1 folio 16, riverbed lands to the Crown.</p>	

Appendix 5 : Copy of relevant folios from file

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OFFICIAL INFORMATION ACT

Fax dated 28 January 1991 to NIWA

Fax dated 27 February 1999 to Knight Frank enclosing copy of fax to Glenariffe Station Limited

Folio 394 letter dated 19 October 1983 from lessee's solicitor advising of proposal to conduct salmon farming operation

Folio 400 letter dated 14 December 1983 to lessee's solicitor advising that temporary permit granted

Folio 427 letter dated 16 November 1987 from Alistair Ensor requesting permission to continue salmon farming operation

Folio 435 letter dated 28 September 1988 to Department of Lands referring to request from Alistair Ensor and proposing to write and acknowledge existence of operation.

Folio 437 letter dated 7 December 1988 from Department of Lands regarding response to Alistair Ensor

Folio 439 letter dated 23 December 1988 to Alistair Ensor acknowledging existence of fish farming operation.

PC 29/2

RELEASED UNDER THE OFFICIAL INFORMATION ACT

FAX COVER SHEET

PENELOPE STEVENSON
Barrister and Solicitor
17 Dover Street Island Bay Wellington
Phone 04 3834014 Fax 04 3836 866

Noted	CGH
Action by	CGH
Recorded	J
E/Update	
File Ref	129/2

TO: Geoff Holgate, Knight Frank

FROM: Penelope Stevenson

FAX NO: 03 379 8440

DATE: 28 January 1999

NO OF PAGES: 3

① Roger FYI

② FILE

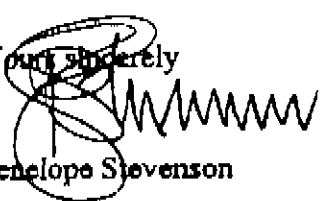
28/1

Glenariffe Station Limited - NIWA

Please find enclosed a copy of the letter I have sent to the solicitors for NIWA on the instructions of the Commissioner of Crown Land for your information.

Yours sincerely

Penelope Stevenson



RELEASED UNDER THE
OFFICIAL INFORMATION ACT

PENELOPE STEVENSON
BARRISTER AND SOLICITOR
17 Dover Street Island Bay Wellington
Phone 04 3834 014 Fax 04 3836 866

28 January 1999

Bell Gully
Barristers and Solicitors
PO Box 4199
Auckland

Fax 09 309 3312

Attention T I M Storey

Glenariffe Salmon Hatchery

I refer to your facsimile messages to David Gullen for the Commissioner of Crown Lands of 18 and 26 January 1999. I have been instructed to respond on behalf of the Commissioner.

You seek on behalf of your client NIWA confirmation that the Commissioner of Crown Land acknowledges that NIWA has existing rights to occupy the Hatchery Land (as referred to in the lease document accompanying your facsimile of 18 January) and further confirmation that he will not take any steps to prejudice or adversely affect the lease without first giving to the parties not less than 24 months written notice of such action.

In your earlier letter of 15 January you have also advised that your client seeks an acknowledgement from the Commissioner that he consents to Glenariffe Station Limited entering into the lease in respect of all the land described in the lease and grants to Glenariffe Station Limited a sufficient interest in the land to permit Glenariffe to enter into the lease.

Having considered the application of the Land Act 1948 to the proposals contained in your correspondence, I am now instructed to advise, on behalf of the Commissioner:

1. The Land Act does not permit the grant by Glenariffe Station Limited of any sub-lease or other interest in the land for any purpose other than pastoral use. The Commissioner cannot and does not therefore consent to the leasing arrangement proposed.
2. It is therefore not necessary to make any specific comment on the terms of the lease provided.
- 3.1 The pastoral lease held by Glenariffe Station Limited is in the tenure review process under the Crown Pastoral Land Act 1998.
- 3.2 One possible outcome of this tenure review is that the land in question could be freeholded, and Glenariffe Station Limited would then become the fee simple owner.

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

2

If that were to happen, Glenariffe Station Limited would be in a position to grant an interest in the land to your client.

3.3 Other outcomes of the tenure review are also possible however, and the Commissioner cannot predict with any certainty how the land in question will ultimately be dealt with in the tenure review.

3.4 Furthermore, it is possible that the tenure review, which can be a lengthy process, is not concluded within a medium-term timeframe. Should tenure review not be concluded for any reason, the Commissioner may take steps to remove your client from the land. This would be done on the basis that your client's occupation of the land has no basis under the Land Act.

In conclusion, the Commissioner of Crown Land:

- does not acknowledge that NIWA has existing rights to occupy the land in question under the Land Act;
- advises that he will not take any steps regarding any occupation without first giving to the parties not less than 24 months written notice of such action.

Yours sincerely



Penelope Stevenson

cc Commissioner of Crown Lands
Knight Frank, attention Geoff Holgate

RELEASED UNDER THE OFFICIAL INFORMATION ACT

Facsimile

Toitu te Land whenua Information New Zealand



To: Geoff Holgate
National Manager, Land Resources

Company: Knight Frank (NZ) Ltd
CHRISTCHURCH

Fax No: 03 379 8440

From: David Gullen
Principal Adviser &
CHRISTCHURCH

Date: 27 February 1999

Page 1 of: 2

Our Ref:

Your Ref:

National Office
Lambton House
180 Lambton Quay
PO Box 8801
Wellington
New Zealand
Tel 64-4-480 0110
Fax 64-4-480 0111
Internet
<http://www.linz.govt.nz>

Confidential

This facsimile message contains information which is confidential and may be subject to legal privilege. If you are not the intended recipient, you must not peruse, use, disseminate, distribute or copy this message. If you have received this message in error, please notify us immediately by facsimile or telephone and destroy the original message. Thank you.

Subject: NIWA - Glenarriffe Salmon Hatchery

Facsimile message to Glenarriffe Station Limited attached for your information.

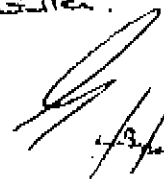
Please cancel the rental account for NIWA.

I do not require any further action from Knight Frank in respect of the salmon hatchery site. Thank you for your assistance to date.


David Gullen

①. Joanne
please take the necessary action to cancel
the rental account for the NIWA site
at Glenarriffe.

②. Roger
for your information, if there are
any enquiries, please refer them to
David Gullen.


13/59

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

FAXED

Facsimile

Toitu te
Land whenua
Information
New Zealand



To: Directors

Company: Glenariffe Station Limited

Fax No: 03 318 5825

From: David Gullen
Principal Adviser & Commissioner of Crown
Lands

Date: 24 17 February 1999

Page 1 of: 1

National Office
Lambton House
160 Lambton Quay
PO Box 5501
Wellington
New Zealand
Tel 64-4-480 0110
Fax 64-4-472 2244
Internet
<http://www.linz.govt.nz>

Confidential

This facsimile message contains information which is confidential and may be subject to legal privilege. If you are not the intended recipient, you must not peruse, use, disseminate, distribute or copy this message. If you have received this message in error, please notify us immediately by facsimile or telephone and destroy the original message. Thank you.

Subject: NIWA - Glenariffe Salmon Hatchery

I understand that you have seen the letter of 28 January to NIWA's solicitors regarding the salmon hatchery operated by NIWA from the land within the Glenariffe leasehold area.

- I do not acknowledge that NIWA has any existing rights to occupy the land in question under the Land Act;
- I will not take any steps regarding any occupation without first giving to NIWA not less than 24 months written notice of such action;
- If it was established that the presence of NIWA on the land within the Glenariffe leasehold area represented a breach of your lease from the Crown, I would pursue any remedy with proper regard to the history of this matter and the basis upon which NIWA acquired assets from the Crown on its establishment as a Crown entity.

NIWA is purporting to enter into an agreement with you relating to its presence on the land within the Glenariffe leasehold area. I do not recognise the validity of such an agreement, which is not permitted within the terms of the lease and the provisions of the Land Act.

Yours faithfully

David Gullen

Principal Adviser and Commissioner of Crown Lands

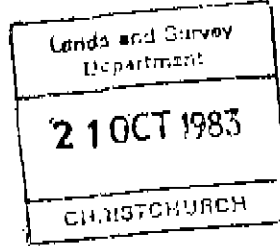
P.O. BOX 484
PHONE 65-086

HELMORE MACDONALD & STANLEY
BARRISTERS & SOLICITORS

BRUCE LESLIE STANLEY, LL.M. NOTARY PUBLIC
GARY COLIN KNIGHT LL.B.(HONS)
KERRY RICHARD AYERS, LL.B.(HONS)

137-139 HEREFORD STREET
CHRISTCHURCH 1
NEW ZEALAND

19th October 1983



PLEASE ASK FOR Mr Ayers

The Commissioner of Crown Lands,
CHRISTCHURCH

P129
copy - 037

> [Handwritten initials]
> [Handwritten initials]

We act for Glenariffe Station Limited which is the ^{lessee} lessor under pastoral occupation licence 11B/920 and pastoral lease 11B/921. The balance of the farm is comprised of freehold property owned by the Company.

It is proposed to conduct a salmon farming operation on a site adjacent to the Glenariff homestead. For your information we enclose a map showing the location and general nature of the proposed salmon farm.

Consents are at present being sought from the relevant Catchment and Acclimatisation Authorities and a licence is being sought from the Ministry of Agriculture.

At this stage we seek an indication from you that as lessor the Crown has no objection to such an operation being carried out on the land leased to our client Company.

Yours faithfully,
HELMORE MACDONALD & STANLEY

Per:

(K.R. Ayers)

KRA:JEMM
Enclo.

*Refer to file 395- A(3) No. 14/12.
to be still going
to the relevant consent
under the Act.*

Scan
P129
M. J. Kelly to see
8/10 L/A for A/Sheet ✓

799 760

Private Bag
CHRISTCHURCH

14 December 1983

Messrs Malcolm Macdonald & Stanley
Barristers and Solicitors
P.O. Box 484
CHRISTCHURCH

83/1210

ATTENTION Mr Ayers

66
DD North
14 12 83

Dear Sirs

APPLICATION TO ESTABLISH SALMON FARM : GLENARIFFE

I refer to Field Officer T. Hood's recent discussion with Mr A. Enzor and am pleased to advise that your client/company has been granted a temporary permit for an initial establishment period of 3 years for salmon farming purposes subject to the following conditions/provisions:-

- (1) The permit will be for an initial period of 3 years to give sufficient time for the venture to be set up and evaluated.
- (2) The rental for the initial 3 years will be \$10.00 per annum to be reviewed at the end of the period.
- (3) All other approvals/consents necessary to be obtained. In this respect I note that a provisional licence has been granted by the Ministry of Agriculture and Fisheries, the South Island Acclimatisation Society Council's approval has been given, a water right application has been lodged and that the Fisheries Council's final approval will ultimately be required.
- (4) The construction of the discharge race and levelling for the pond site which I understand involves only removal of a few tussocks from the open raceway, some reconstruction of the raceway, levelling of the pond site and construction of a small discharge race may proceed along the lines as discussed with the Field Officer utilising the disused farm hydro scheme with the farming operation to be located behind the homestead.
- (5) This approval in no way constitutes a commitment to issue any further right, lease or permit.

- (6) On expiry of the initial term the situation will be reviewed and if your client/company wishes to continue the venture an application for a further permit on a more formal basis will be considered.

Please confirm in due course that a water right has been granted and let me have a copy of the Fisheries Council's final approval.

Yours faithfully

PA 14/12
P.L. Savage
for Commissioner of Crown Lands

Director-General of Lands
HEAD OFFICE

Yr Ref: 0/8/29

Copy for your information. As salmon farming is not strictly a pastoral activity, nor is it covered by present policy, it was decided to issue a temporary permit on a trial basis as above. If the venture proves viable an appropriate form of tenure will have to be looked at and more applications of this type can be expected for use of water resources involving Crown land.

PA 14/12
P.L. Savage
for Commissioner of Crown Lands

DFO
OFFICE

*CCL agreed DFO could
approve this case as
little disturbance to soil
is involved. PA L/A 14/12/83.*

Copy for your information. F/O Hood's report of 24 November 1983 refers.

PA 14/12
P.L. Savage
for Commissioner of Crown Lands

CPLO
OFFICE

Copy for your information also.

PA 14/12
P.L. Savage
for Commissioner of Crown Lands

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OFFICIAL INFORMATION ACT

RECEIVED
20 NOV 1987
CHRISTCHURCH

p129

The Manager,
Landcorp,
Christchurch.

Glenariffe,
Methven,
16th Nov 1987.

Dear Sir,

I'm writing to you on behalf of Glenariffe Station Ltd to request permission to continue the fish farming operation on the station's pastoral lease area. As this is capital intensive operation the need for a long term arrangement is essential for us to have any chance of success in this venture and we ask that this aspect be given due consideration.

We look forward to your earliest possible response to this request.

Yours sincerely,


Alistair Ensor.

Our Ref: 129

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

28 September 1988

District Manager
Department of Lands
P O Box 13588
CHRISTCHURCH

Dear Sir

SALMON FARMING : PASTORAL LEASE GLENARIFFE

There are two fish farming installations on this pastoral lease at the present time viz:

- 1) MAF Fish: This organisation has run the fish recovery and hatchery at Glenariffe for many years (20+?) with the full knowledge of Lands and Survey and the lessees. Maf Fish have recently been instructed that they are to operate under the commercial aspects of fish farm regulations and are in the process of applying for a salmon farm licence. They wish to place the matter of their tenure on a more secure footing and have applied to Landcorp with this request.
- 2) A H Ensor: Lessee of Glenariffe pastoral lease applied in 1983 to set up a salmon farming venture and my file records show that he was given approval for this for a period of three years under the illdefined provisions of Section 66 L A 1948. This trial period is well and truly expired and lessee has been pressing for more permanent rights, possibly with a view to expanding the business and raising loan capital.

Both parties are anxious to comply with all formal requirements. Water rights have been obtained and in the latter case a full Salmon Farming Licence was issued by the Fisheries Council for 10 years from November 1985.

A knowledge conference was held in Landcorp and as a result it was concluded that the Land Act 1948 does not provide a basis to sanction activity. Our attitude is that this form of diversification should be supported; all of the right things having been done and the appropriate agencies consulted. Yet a recreation permit is not suitable

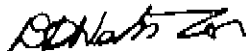
RELEASED UNDER THE
OFFICIAL INFORMATION ACT

because in the view of the Corporate Solicitor, there is nothing recreational about the application. Section 170A L A 1948 offers the opportunity to vary the terms of the pastoral lease but we are not convinced that this is the correct avenue to follow.

In the short term it is proposed to notify Mr Ensor and Maf Fish that their operations may continue but that Landcorp is unable to comply with their request for better tenure. If you have a contrary view I would be pleased if you would inform me as quickly as possible.

Longer term it is to be hoped that the Land Bill will offer the chance to include provision to deal effectively with eventualities of this type. Our Corporate Solicitor has views on the subject and there might be merit in a discussion with him if you were agreeable.

Yours faithfully



D D Webster
Property Manager



DEPARTMENT OF LANDS

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

Level 10, Unisys House, 44-52 The Terrace, Wellington, New Zealand.
PO Box 12 162, Thorndon, Wellington. Telephone (04) 710 828. Fax (04) 725 816.

OUR REFERENCE: LANDS 11/4/7
YOUR REFERENCE: LANDS 3/2
INQUIRIES PLEASE ASK FOR:

*P189
of 10/02/88*

7 December 1988

~~District Manager
Department of Lands
CHRISTCHURCH~~

LAND CORPORATION
LTD.
- 9 DEC 1988
CHRISTCHURCH

*FROM
D. Bamford.*

SALMON FARMING : GLENARIFFE

I refer to your memorandum of 24 November 1988.

In the circumstances you have outlined, I believe that the suggestion of a letter is appropriate, particularly so far as MAF is concerned. As you are aware, it is not possible for the Crown to grant a lease to itself. The Land Bill is progressing and is expected to be introduced early next year. When the bill is enacted, the operations will be considered in terms of proposed new legislative provision to cover this situation.

I am sending a copy of this advice to Landcorp.

D J Gullen
for Acting Director-General

Property Manager
Land Corporation Limited
Private Bag
CHRISTCHURCH

Copy for your information.

D J Gullen
D J Gullen
for Acting Director-General



Landcorp

LAND CORPORATION LIMITED

Our Ref: P 129

23 December 1988

**RELEASED UNDER THE
OFFICIAL INFORMATION ACT**

Mr A H Ensor
Glenariffe
METHVEN

Dear Mr Ensor

GLENNARIFFE PASTORAL LEASE NON PASTORAL ACTIVITY

I refer to your letter dated 16 November 1987 to apologise for not providing you with greater satisfaction to your enquiry.

Landcorp has been aware of the existence of your installation at Glenariffe for considerable time and has wrestled with the difficulty of accommodating it within a pastoral lease.

There are three problems which are acknowledged. viz.

1. Your fishery does not in our view, constitute an activity which can reasonably be covered by a commercial recreation permit under Section 66A Land Act 1948.
2. A sub-lease is not an alternative because the activity carried out differs substantially from pastoralism as provided under the head lease.
3. A surrender and preferential allocation would require reclassification and currently the old LSB policy on reclassification is suspended.

Having regard to these elements, Landcorp recommended to Lands Department that the existence of your fish complex should be acknowledged but that the matter of a better tenure be held over until the review of the Land Act is completed. Lands Department has accepted our recommendation.

Christchurch Branch
Equicorp House
76 Cashel Street
Private Bag
Christchurch
New Zealand
Telephone (03) 799-187
Fax (03) 798-440

There are obvious disadvantages in this move, from your point of view but it does afford an element of legitimacy and if you accept our suggested rent of \$120.00 per year, this will further strengthen recognition of your existence.

I would be pleased if you would confirm acceptance of this proposition by signature of the enclosed extra copy of this letter and return to me with your cheque for \$120.00 first years rent from 01/01/89.

Yours faithfully

D D Webster
Property Manager

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OFFICIAL INFORMATION ACT

Proposition accepted.

.....
A H Ensor

Dated / /



**COMPUTER INTEREST REGISTER
UNDER LAND TRANSFER ACT 1952**



R. W. Muir
Registrar-General
of Land

Historical Search Copy

Identifier CB11B/921
Land Registration District Canterbury
Date Registered 16 February 1972 01:50 pm

**RELEASED UNDER THE
OFFICIAL INFORMATION ACT**

Prior References
CBPR569

Type	Lease under s83 Land Act 1948	Term	33 years commencing on the 1st day of July 1970
Area	4799.5717 hectares more or less		

Legal Description Run 337


Original Proprietors
Her Majesty The Queen

Interests

- 784377 Mortgage to Christopher Edward Grigg, Clyde Leslie Sugden and Gary Colin Knight as Executors - 18.2.1969 at 1.30 pm
- 324721.1 Land Improvement Agreement pursuant to Section 30A Soil Conservation and Rivers Control Act 1941 - 13.5.1981 at 9.01 am
- 947215.3 Mortgage to The Rural Bank Limited - 30.7.1991 at 11.50 am
- 5059110.1 Departmental Dealing correcting the registered proprietor by deleting Her Majesty the Queen and adding Glenariffe Station Limited - 13.7.2001 at 4:00 pm
- 5290344.1 Variation of the within Lease and extension of the term to 1.7.2036 - 19.7.2002 at 11.02 am

Identifier

CB11B/921

(NOT REGISTERED UNDER THE LAND TRANSFER ACT 1952) REGISTER
 1. b. 2. d. 4
 Registered under the Land Act 1948 NEW ZEALAND
 Former Ref. VolPg FR fol. 569
 L. B. S. Ref. No. P 129
 16th day of February 1970
 10 o'clock

 Assistant Land Registrar
 Pastoral Lease under the Land Act 1948

This Deed, made the 1st day of March 1970 between HER MAJESTY THE QUEEN (hereinafter referred to as "the Lessor") of the one part, and Glenariffe Station Limited a duly incorporated company having its registered office at Christchurch.

(hereinafter referred to as "the Lessee"), of the other part: WITNESSETH that, in consideration of the rent hereinafter reserved, and of the covenants, conditions and agreements herein contained and implied, and on the part of the Lessee to be paid, observed, and performed, the Lessor doth hereby grant and lease unto the Lessee, all that parcel of land containing by estimation 11,860 acres more or less, situated in the Land District of Canterbury, and being Run 337 "Poloneriffe" situated in Glenrook and Somers Survey Districts.

as the same is more particularly delineated with bold black lines on the plan hereon; together with the rights,

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

DMS

11B/921

Identifier

CB11B/921

118/921

ements, and appurtenances thereto belonging. TO HOLD the said premises intended to be hereby demised unto the Lessee for the term of 33 years, commencing on the 1st day of July 1970, together with the period between the date of this lease and the aforesaid 1st day of July 1970, YIELDING and paying therefor unto the Department of Lands and Survey in Christchurch the annual rent of \$551.00 payable without demand by equal half-yearly payments in advance on the 1st day of January and the 1st day of July in each and every year during the said term. ~~And the Lessee shall also pay to the Department of Lands and Survey in Christchurch the annual rent of \$551.00 payable without demand by equal half-yearly payments in advance on the 1st day of January and the 1st day of July in each and every year during the said term.~~

AND the Lessee doth hereby covenant with the Lessor as follows:

1. THAT without derogating from or restricting the covenants contained and implied in this lease and on the part of the Lessee to be performed or complied with the Lessee will not at any time during the said term depasture on the land hereby demised more than 4000 sheep which number shall not include more than 2400 breeding ewes nor more than 75 cattle which number shall not include more than 60 breeding cows PROVIDED HOWEVER that the Lessee may with the prior written consent of the Land Settlement Board carry such additional stock on such terms and conditions as may therein be specified subject nevertheless to the right of the Land Settlement Board to revoke or vary such consent at any time.

2. That the Lessee will at all times farm the land hereby demised in a manner to promote soil conservation and prevent erosion and will comply with the provisions of the Soil Conservation and Rivers Control Act 1941.

AND it is hereby agreed and declared by and between the Lessor and Lessee:

THAT pursuant to the provisions of the Noxious Animals Act 1956 officers and employees of the New Zealand Forest Service and other authorized persons shall at all times have a right of ingress, egress and regress over the land comprised in this lease for the purpose of determining whether such land or any adjoining land is infested with deer, wild goats, wild pigs, opossums or other animals which the said Service is charged with the duty of exterminating or controlling, or for the purpose of destroying any such animals; Provided that such officers, employees and other authorized persons in the performance of the said duties shall at all times avoid undue disturbance of the Lessee's stock.

AND it is hereby declared and agreed that these presents are intended to take effect as a Pastoral Lease of pastoral land under section 66 of the Land Act 1948, and the provisions of the said Act and of the regulations made thereunder applicable to such leases shall be binding in all respects upon the parties hereto in the same manner as if such provisions had been fully set out herein.

* And 900 wethers except for the months of May to August inclusive.

SEAL OF THE DEPARTMENT OF LANDS AND SURVEY

In witness whereof the Commissioner of Crown Lands for the said Land District, on behalf of the Lessor, has hereunto set his hand, and these presents have also been signed by the said Lessee.

Signed by the said Commissioner on behalf of the Lessor, in the presence of:
Witness:
Occupation: Clerk, Lands & Survey Dept.
Address: Christchurch

[Signature]
Commissioner of Crown Lands

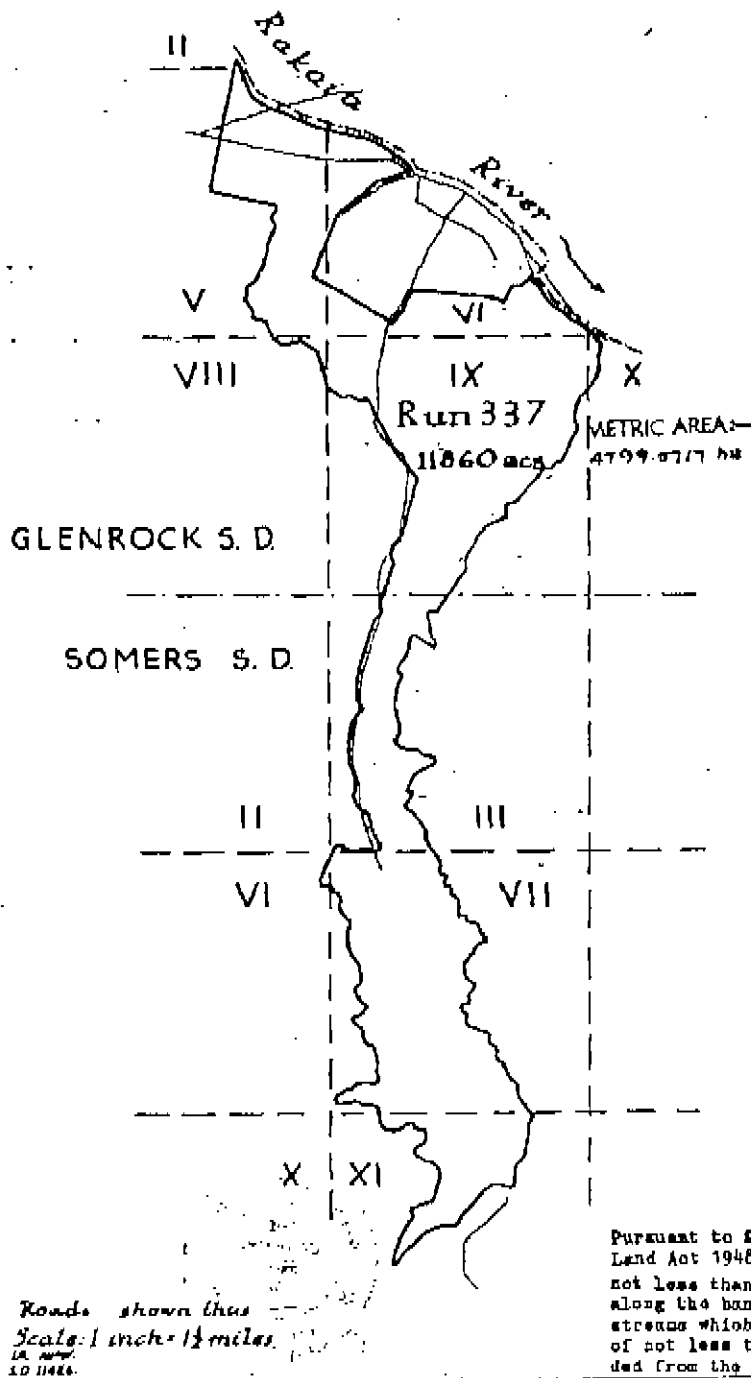
THE COMMON SEAL of GLENARIFFE STATION LIMITED
Lessee was hereto affixed by authority of and
Signed by the said Lessee in the presence of:-



Witness:
Occupation:
Address:

[Signature]
Governing Director

11/8/921



Pursuant to Section 58 of the Land Act 1948 a strip of land not less than one chain in width along the banks of all rivers and streams which have an average width of not less than 10 feet is excluded from the within lease.

Identifier

CB11B/921

PLEASED UNDER THE OFFICIAL INFORMATION ACT

O.T. 11B/921

Mortgage 784377 to Roderick Hugh Enzor - 18/2/1969 at 1.30 p.m. (as varied twice subsequently)

[Signature]
A.L.R.

Mortgage 125083/1 to Rural Banking and Finance Corporation of New Zealand - 20.4.1977 at 11.55 a.m.

[Signature]
A.L.R.

Mortgage 806195 to The Standard Advances Corporation - 20/8/1970 at 10.55 a.m.

[Signature]
A.L.R.

No. 125883/2 Memorandum of Priority making Mortgage 125083/1 second mortgage and Mortgage 784377 third mortgage - 20.4.1977 at 11.55 a.m.

[Signature]
A.L.R.

No. 806197 Memorandum of Priority making Mortgage No. 806195 first Mortgage and Mortgage No. 784377 second Mortgage - 20/9/1970 at 10.55 a.m.

[Signature]
A.L.R.

Mortgage 248698/1 to Rural Banking and Finance Corporation - 13.5.1981 at 10.22 a.m.

[Signature]
A.L.R.

Variation of Mortgage 806195 - 25/5/1972 at 9.43 a.m. (Mortgages under Mortgage 784377 consenting).

[Signature]
A.L.R.

Variation of Mortgage 126883/1 - 1911.1980 at 11.17 a.m.

[Signature]
A.L.R.

No 324721/1 Land Improvement Agreement under Section 30(a) Soil Conservation and Rivers Control Act 1941 - 13.5.1981 at 9.01 am.

[Signature]
A.L.R.

Variation of Mortgage 248698/1 - 2.9.1982 at 9.36 a.m.

[Signature]
A.L.R.

Particulars entered in Registrar-book

Vol folio

16 FEB 1972

1.50 pm

Land Registrar
CANTERBURY

Certificate No. 147256 issued in relation to Mortgage No. 596708/6 is voided in the Rural Banking and Finance Corporation of New Zealand D 12 11984 at 11.39.

A.L.R.

Mortgage 596708/4 to The Rural Banking and Finance Corporation of New Zealand - 11.4.1986 at 9.42am

[Signature]
A.L.R.

Variation of Mortgage 806195 - 12.10.1973 at 2.58 p.m. (The Mortgages under Mortgage 784377 consenting)

[Signature]
A.L.R.

No. 596708/6 Memorandum of Priority making Mortgages 596708/4, 784377 and 248698/1 first second and third mortgages respectively - 11.4.1986 at 9.42 am.

[Signature]
A.L.R.

No. 917710/1 Change of Name of the mortgagee in Mortgage 248698/1 and 596708/4 to The Rural Bank Limited - produced 28.1.1991 at 11.29am and entered 30.7.1991 at 11.50am

A.L.R.

Mortgage 947215/3 to The Rural Bank Limited - 30.7.1991 at 11.50am

[Signature]
A.L.R.

Transmission 967171/1 of Mortgage 784377 to Christopher Edward Briggs, CLYDE LITTLE SUGDEN and Bery Colin Knight as Executors - 27.11.1991 at 11.02am

[Signature]
A.L.R.

LAND
Name: <i>Rest/Lease</i>
Plan: <i>C.C.L</i>
Date: <i>16 FEB 1972</i>
Time: <i>1.50 p.m.</i>
Page: <i>45</i>
Abstract No. <i>892</i>

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