

Crown Pastoral Land Tenure Review

Lease name : GODLEY PEAKS

Lease number : PT 017

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.

August

06



DUE DILIGENCE REPORT
CPL PRE TENURE REVIEW ASSESSMENT STANDARD 6:

File Ref: Pt 017 Godley Peaks Report No: R2213 Report Date: 31 May 2002
LINZ: CON/50268/09/12679/A-ZNO
Office of Agent: Timaru LINZ Case No: 02/
TROZ/561 Date sent to LINZ: June 2002

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** the following incomplete actions which require action by the Manager Crown Property Contracts;
 - a) There are no incomplete actions requiring further action. See section 8 for matters of interest.

Signed for DTZ New Zealand Limited

R A Ward-Smith Manager - Timaru

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

Name: GRANT KASPER WEBLEY
Date of decision: 5 / 6 / 02

1. Details of lease:

Lease Name: Godley Peaks
Location: Lake Tekapo, South Canterbury
Lessee: LSF Holdings Limited
Tenure: Pastoral Lease under the Land Act 1948
Term: 33 years from 1 July 1984
Annual Rent: \$4,725 plus GST
Rental Value: \$210,000
Date of Next Review: 1 July 2006
Land Registry Folio Ref: CB30B/914 Canterbury Registry
Legal Description: Part Run 80 "Godley Peaks" situated in Cook, Godley, Cass, North Tekapo and Tekapo Survey Districts
Area: 14,493.0582 hectares (subject to survey)

2. File Search

File Reference	Volume	First Folio Number	Date	Last Folio Number	Date
<i>Pt/017-SCH-01</i>	<i>I</i>	<i>78</i>	<i>26 August 1927</i>	<i>199</i>	<i>4 August 1953</i>

File Reference	Volume	First Folio Number	Date	Last Folio Number	Date
<i>Pt/017-SCH-02</i>	<i>II</i>	<i>202</i>	<i>September 1953</i>	<i>330</i>	<i>December 1978</i>

File Reference	Volume	First Folio Number	Date	Last Folio Number	Date
<i>Pt/017-SCH-03</i>	<i>III</i>	<i>331</i>	<i>1 January 1979</i>	<i>479</i>	<i>9 July 1984</i>

File Reference	Volume	First Folio Number	Date	Last Folio Number	Date
<i>Pt/017-SCH-04</i>	<i>IV</i>	<i>480</i>	<i>July 1984</i>	<i>646</i>	<i>July 1987</i>

File Reference	Volume	First Folio Number	Date	Last Folio Number	Date
<i>Pt/017-SCH-05</i>	<i>V</i>	<i>647</i>	<i>19 November 1987</i>	<i>Discontinued</i>	<i>23 November 1995</i>

File Reference	Volume	First Folio Number	Date	Last Folio Number	Date
<i>Pt/017-SCH-06</i>	<i>VI</i>	<i>Not used</i>	<i>23 November 1995</i>		<i>30 June 2000</i>

File Reference	Volume	First Folio Number	Date	Last Folio Number	Date
<i>CON/50213/09/12679/A-ZNO</i>	<i>I</i>	<i>Not used</i>	<i>1 July 2000</i>		<i>15 August 2001</i>

File Reference	Volume	First Folio Number	Date	Last Folio Number	Date
CON/50213/09/ 12679/A-ZNO- 02	II	Not Used	15 August 2001		Current File

File Reference	Volume	First Folio Number	Date	Last Folio Number	Date
Pt 017		Not used	13 March 1985		12 July 1988

File Reference	Volume	First Folio Number	Date	Last Folio Number	Date
Rpt 73		Not used	8 April 1997		Current file

File Reference	Volume	First Folio Number	Date	Last Folio Number	Date
5200/D13/G13- I-DNO		Not used	22 December 1994		28 February 1997

File Reference	Volume	First Folio Number	Date	Last Folio Number	Date
CPA/081641/01 -ZCH		Not used	18 July 1996		Current File

File Reference	Volume	First Folio Number	Date	Last Folio Number	Date
Pt 017		Not used	16 June 1961		17 October 1984

File Reference	Volume	First Folio Number	Date	Last Folio Number	Date
P/17/A-SCH Plans Only		Not used	Not dated		

3. Summary of lease document:

Terms of lease

Pastoral Lease for a term of 33 years from 1 July 1984 pursuant to Section 66 and as registered under Section 83 Land Act 1948.

The lease contains the normal terms and conditions of pastoral lease.

Area adjustments

Incorporations and surrenders have been reconciled with original metric area shown on the certificate of lease. This is the same as shown in the database and file records.

Registered interests

- 1 Document 286746/1 Land Improvement Agreement pursuant to Section 30A of the Soil Conservation and Rivers Control Act 1941 registered 8 August 1980
- 2 Document 701491/2 Partial Surrender of part Rural Section 42000 being 10.2221 ha registered 10 September 1987
- 3 Document A194558/1 Partial Surrender of Section 1 SO Plan 19295 being 9,124.00 ha registered 15 September 1995

Unregistered interests

- 1 Sub-lease to Timaru High School Board of Governors to use the Sutherlands Creek old woolshed and huts for outdoor education. Initial approval appears to have been for 30 years from 1 December 1983, however Case 84/110 on 7 February 1984 gives approval subject to the sublease being amended to 1½ years from 1 January 1983 to expire at the same time as the head lease. A letter dated 9 February 1984 advised the solicitors and is a bit confusing but gives an indication of a further term. Copy appended.
- 2 Sub-lease to Lone Star Farms Limited until 1 July 2007 with one right of renewal for 5 years. Note: The shareholders of the sub-lessee are the same as the holder.
- 3 A recreation permit was held by Godley Peaks Station (1996) Limited. Advice given by the former lessee's solicitor was that the intention upon settlement of the transfer was for the permit to be allowed to lapse, otherwise it is due to expire on 31 May 2006. Settlement has since occurred. The permit was then duly surrendered under Case No. 02/310 on 16 January 2001.

4. Summarise any Government programmes approved for the lease:

Soil and Water Conservation Plan registered as the Land Improvement Agreement. The second five-year programme developed in 1979 proposed the following:

Principally, to de-stock Class VII and VIII land being some 9,264 hectares and off site grazing for 1,000 stock units. This involved irrigation of 43 hectares, drainage and development of 20 hectares, and development of 20 hectares dry land, together with fencing and shelter trees, at a total cost of \$142,537. An area of 9,124 hectares was subsequently surrendered. Copy on file.

5. Summary of Land Status Report:

The Land Status report signed by the Chief Surveyor on 10 May 2002 showed the status of the land as Crown Land subject to the Land Act 1948. It showed the encumbrances as being the Land Improvement Agreement as set out above and in addition noted the land was subject to Part IVA Conservation Act 1987 upon disposition. Minerals remain with the Crown. The area is as recorded on the database but the legal description excludes Part Rural Section 42000 which still is recorded on the database. A correction to the database has been requested.

6. Review of topographical and cadastral data:

Godley Peaks is located on the northwest shore at the head of Lake Tekapo. The nearby pastoral lease properties are Glenmore to the south across the Cass River, and across the Godley River lies Lilybank to the northeast, with Mt Gerald to the east, across Lake Tekapo. The property is bounded by the Cass River to the south-west, the Godley River and Lake Tekapo to the east. The Mistake River runs through the southern end of the property separating the steep mountainous northern area running along the Hall Range from southern downs surrounding the stading in the south.

1. Godley Peaks Road (gravel) gives access to the property and adjoins State Highway 8 20km to the south. The township of Tekapo is located 22 kilometres southeast from the property.

The land varies from developed fans and undulating downs to steep terrain rising to 2,430 metres (Mount Redove) on the Hall Range. Steep mountain country comprises much of the property. There is one valley from north to south within the property, and the lease adjoins the major Godley alpine valley to the east, broken by east-west running streams.

Freehold land is located within the pastoral lease boundary at the southeast end of the run in close proximity to Godley Peaks Road on which the steading is situated, and in the Godley Valley at Angus Flat.

The boundary fence is on or very close to the legal boundaries as shown adjoining the Cass River, and on the western boundary to the summit of the Hall Range at spot height 1786. The remaining boundaries are unfenced.

7. Details of any neighbouring Crown or conservation land

- 7.1 Conservation stewardship land is contained within the pastoral lease boundary. Some 19.2520 ha, part surrendered from the pastoral lease, is located near the southern end of the run and is classified as a Government Purpose Reserve for Wildlife Management known as Micks Lagoon (137/57) being RS 42000. An easement was proposed from this area to the Cass River shown as "A" on SO16404. It has subsequently been recorded in Clause 3 of the Certificate of Lease as follows: *"That free right of access is reserved to the Lessor, its employees, and its agents, along the strip of land as marked A on SO Plan 16404."*
- 7.2 To the north, is Mount Cook National Park. (H36/1)
- 7.3 To the west is the Godley Peaks Crown Land retirement area being Section 1 SO 19295 pending Gazette action as Conservation Land. (I36/9)
- 7.4 The Godley Riverbed Conservation area (I36/5) held pursuant to Section 62 Conservation Act 1987, to the east.

8. Summarise any uncompleted actions or potential liabilities:

Matters to Note:

- 8.1 Electric power conductor lines cross the lease. There is no easement registered with Transpower NZ Limited or other transmission company, therefore protection is afforded pursuant to Section 22 Electricity Act 1992.
- 8.2 No formal easement exists for Telecom NZ Limited for existing lines, therefore protection is afforded through Section 20 Telecommunications Act 1987.
- 8.3 Access to Micks Lagoon (see 7.1 above) is by a clause in the lease rather than formal easement. A note on file dated 23 November 1985 has the DOC Solicitor's verbal concurrence that no further action was required at that time. It is a matter for consideration at tenure review.

APPENDICES

- 1 Copy of Land Status Report**
- 2 Copy of Certificate of Lease**
- 3 Copy of letter to Petrie Mayman Timpany and More 9 February 1984**

Appendix 1

DTZ NEW ZEALAND LIMITED

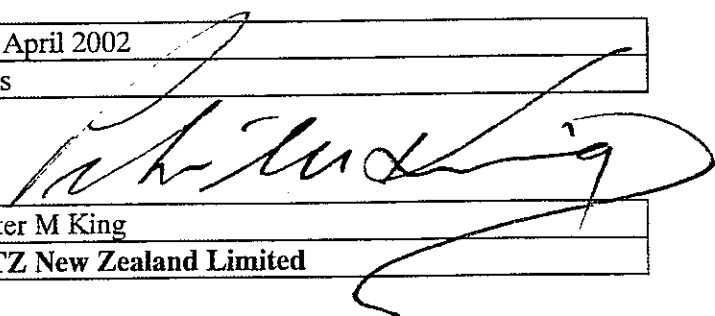
Appendix A

This report has been prepared on the instruction of Land Information New Zealand in terms of the contract number 50268 dated 31 August 2001 and is undertaken for the purposes of the Crown Pastoral Leases Act 1998.

LAND STATUS REPORT for GODLEY PEAKS				[LIPS ref.12679]
Property	1	of	1	

Land District	Canterbury
Legal Description	Part Run 80 situated in Blocks VIII, XII & XVI Cook, Blocks V, IX & XIII Godley, Blocks IV & XIX Cass, Blocks I, II, V, VI, IX, X, XIII & XIV Tekapo North and Blocks I & II Tekapo Survey Districts.
Area	14493.0582 hectares (Subject to survey)
Status	Crown Land subject to the Land Act 1948.
Instrument of lease	Balance CIR CB30B/914 pursuant to section 66 and as registered under section 83 of the Land Act 1948.
Encumbrances	Land Improvement Agreement pursuant to section 30A Soil Conservation and Rivers Control Act 1941 No. 286746.1. Subject to Part IVA Conservation Act 1987.
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	30 April 2002
[Certification Attached]	Yes



Prepared by	Peter M King
Crown Accredited Supplier	DTZ New Zealand Limited

DTZ NEW ZEALAND LIMITED

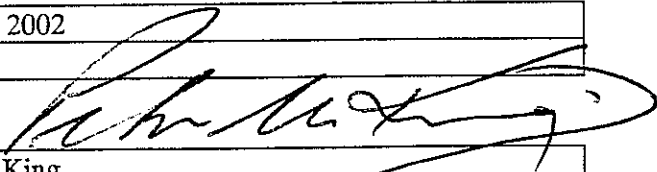
Appendix B

This Land status report has been prepared on the instruction of Land Information New Zealand in terms of the contract number 50268 dated 31 August 2001 and is undertaken for the purposes of the Crown Pastoral Leases Act 1998.

LAND STATUS REPORT for GODLEY PEAKS				[LIPS ref. 12679]
Property	1	of	1	

Land District	Canterbury
Legal Description	Part Run 80 situated in Blocks VIII, XII & XVI Cook, Blocks V, IX & XIII Godley, Blocks IV & XIX Cass, Blocks I, II, V, VI, IX, X, XIII & XIV Tekapo North and Blocks I & II Tekapo Survey Districts.
Area	14493.0582 hectares (Subject to survey)
Status	Crown Land subject to the Land Act 1948.
Instrument of lease	Balance CIR CB30E/914 pursuant to section 66 and as registered under section 83 of the Land Act 1948.
Encumbrances	Land Improvement Agreement pursuant to section 30A Soil Conservation and Rivers Control Act 1941 No. 286746.1. Subject to Part IVA Conservation Act 1987.
Statute	Land Act 1948 & Crown Pastoral Land Act 1998.

Data Correct as at	30 April 2002
[Certification Attached]	Yes



Prepared by	Peter M King
Crown Accredited Supplier	DTZ New Zealand Limited

Certification:

Pursuant to section 11(1)(1) 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 10 / 5 / 2002

R Moulton, Chief Surveyor
Land Information New Zealand
Canterbury Land District



File Reference : CH 1023

CERTIFICATE OF AUTHORISATION

(Crown Land subject to the Land Act 1948)

PROPERTY ADDRESS: **Part Run 80**
 “GODLEY PEAKS” (Pt 17)
 GODLEY PEAKS ROAD
 CANTERBURY LAND DISTRICT

ASSURANCE

DTZ New Zealand Limited gives an assurance that the document attached to this certificate is in order for signature.

The decision when made will comply with the following statutory requirements:

- The New Standards & Guidelines Manuals CCPO; Roding/Legalisation, Volume 4, OSG Standard 1999/05

In giving this assurance DTZ New Zealand Limited undertakes that all relevant policy instructions, legal requirements, court judgements and any other matters have been taken into account and applied where appropriate.

A handwritten signature in black ink, appearing to read 'Peter M King', written over a dotted line.

Peter M King
Crown Accredited Supplier

Date: 03 May 2002

DTZ New Zealand Limited MREINZ, PO Box 142 Level 4, 76 Cashel Street, Christchurch, New Zealand
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GODLEY PEAKS Property 1 of 1

<p>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</p>	<p>SO Plan 16404 identifies a proposed right of way shown marked 'A' in favour of RS 42000 over Pt Run 80. CB30B/914 includes this in the lease conditions; That a free right of access is reserved to the lessor along the strip of land marked 'A' on SO Plan 16404.</p> <p>File Pc17 volume VI carries correspondence relating to a proposed Deed of Grant of Easement Right of Way to "Micks Lagoon" (SO 16404). Although not formerly created, this appears to be over the same strip of land above, in favour of the "lessor" being, Her Majesty the Queen.</p> <p>File Pc17 volume III folio 442 contains a draft document for a sub lease to The Timaru High Schools Board of Governors to a disused woolshed at Sutherlands Hut in the Godley River plus unlimited access within a radius of 15 kilometres. Folio 453 approves this for a period of 30 years from 01 December 1983. However this was later amended to expire at the same time as the parent lease June 1984. No plan or further correspondence on renewal ?</p> <p>There is no single plan of definition for the balance of Pt Run 80. The plans that do exist are of a dubious standard.</p> <p>Although not critical at this point in time as the current lease area reconciles, in the order of document registration. Document No.A194558/1 Partial Surrender indicates under (<i>Land remaining in the Lease</i>) that it is Run 80 and Part Rural Section 42000, area 14,493.0582 hectares. It should in fact read; Part Run 80 area 14,493.0582ha.</p> <p>In 1955 (NZ gazette 1955 page 2015) areas of Part Run 80 were taken for the "development of water power. This taking should not be confused with the publication of NZ gazette 1957 page 614 to which, describes and sets apart the same areas "for road".</p>
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LAND STATUS REPORT GODLEY PEAKS				[LIPS ref 12679]
Property	1	of	1	

Research Data: Some Items may be not applicable

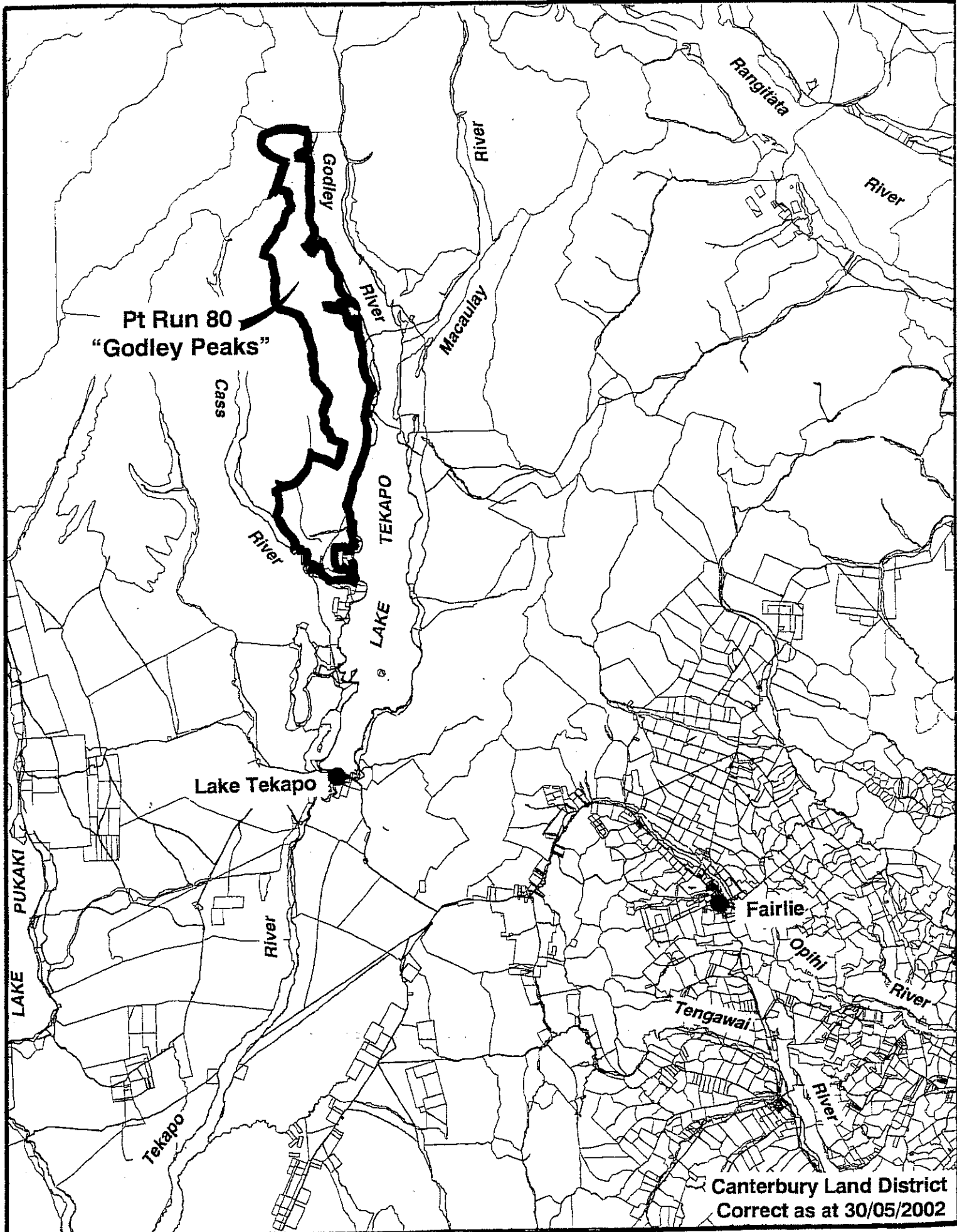
Property	1	of	1	
SDI Print Obtained	Yes			
NZMS 261 Ref	I36 & I37			
Local Authority	Mackenzie District Council			
Crown Acquisition Map	Kemp Purchase 1848			
SO Plan	SO 105 (circa 1911), SO 11505 (1970), SO 11076 (1968) & SO 11998 (1976)			
Relevant Gazette Notices	<p>NZ Gazette 1955 page 2015 (Proc 439473) taken for development of water power</p> <p>NZ Gazette 1957 page 617 (Proc 457827) leasehold estate set apart for development of water power.</p> <p>NZ Gazette 1957 page 615 (No registration) Crown Land set apart for development of water power.</p>			
CT Ref / Lease Ref	Balance CIR CB30B/914 (1987)			
Legalisation Cards	N/A			
CLR	N/A			
Allocation Maps (if applicable)	<p>SOE - SO 17054 (I36) no overlaps SO 17055 (I37)</p> <p>DoC - SO 17105 (I36) no overlaps SO 17106 (I37)</p>			
Rating Ref - if known	All assessment 25300-17400			
Crown Grant Maps	Tekapo (1881)			
If Subject land Marginal Strip:	Subject provision for section 58 of the Land Act 1948 on lease CB30B/914 and SO Plans 11076, 11505 & 11998.			
a) Type [Sec 24(9) or Sec 58]	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.			
b) Date Created	N/A			
c) Plan Reference	N/A			

LAND STATUS REPORT GODLEY PEAKS				[LIPS ref 12679]
Property	1	of	1	

Research – continued

Property	1	of	1	
If Crown land - Check Irrigation Maps.				N/A
Mining Maps				No interest recorded National Mining Index.
If Road				
a) Is it created on a Block Plan - Section 43(1)(d) Transit NZ Act 1989				a) Crown Grant
b) By Proc				b) N/A
c) Plan				c) BM 181 (1860), Topo plans 21T (1888), 56T (1880) & 58T (1888)
Other Relevant Information				
a) Concessions - Advice from DOC or DTZ New Zealand Limited				a) There are no DoC concessions and or current Recreation Permits.
b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998 or Northern South Island Regional Landbank.				b) Subject to Part 9 of the Ngai Tahu Claims Settlement Act 1998. Schedule 57 Statutory acknowledgement for Takapo (Lake Tekapo), Ngai Tahu Claims Settlement Act 1998 (SO 19836)
c) Mineral Ownership				c) Mines and 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 the Kemp Purchase (1848). Contained in [provide evidence]: (i) Run 80 (formerly 'Mistake Station') PR 336 (1912) is the earliest lease available in the Land Titles Office after Canterbury gazette 1867 page 160 & 161, confirmation of runs (Nos.273, 379 & 541) under the Canterbury Land Regulations.
d) Other Info				d). N/A

LOCATION PLAN



Pt Run 80
"Godley Peaks"

Lake Tekapo

Fairlie

Canterbury Land District
Correct as at 30/05/2002

LOCATION PLAN

Scale 1:350000

0 5000 10000 15000 20000 25000 30000 35000 40000 45000m

Appendix 2



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



Search Copy

R. W. Muir
Registrar-General
of Land

Identifier CB30B/914
Land Registration District Canterbury
Date Registered 10 September 1987 11:21 am

Part-Cancelled

Prior References
CB529/4

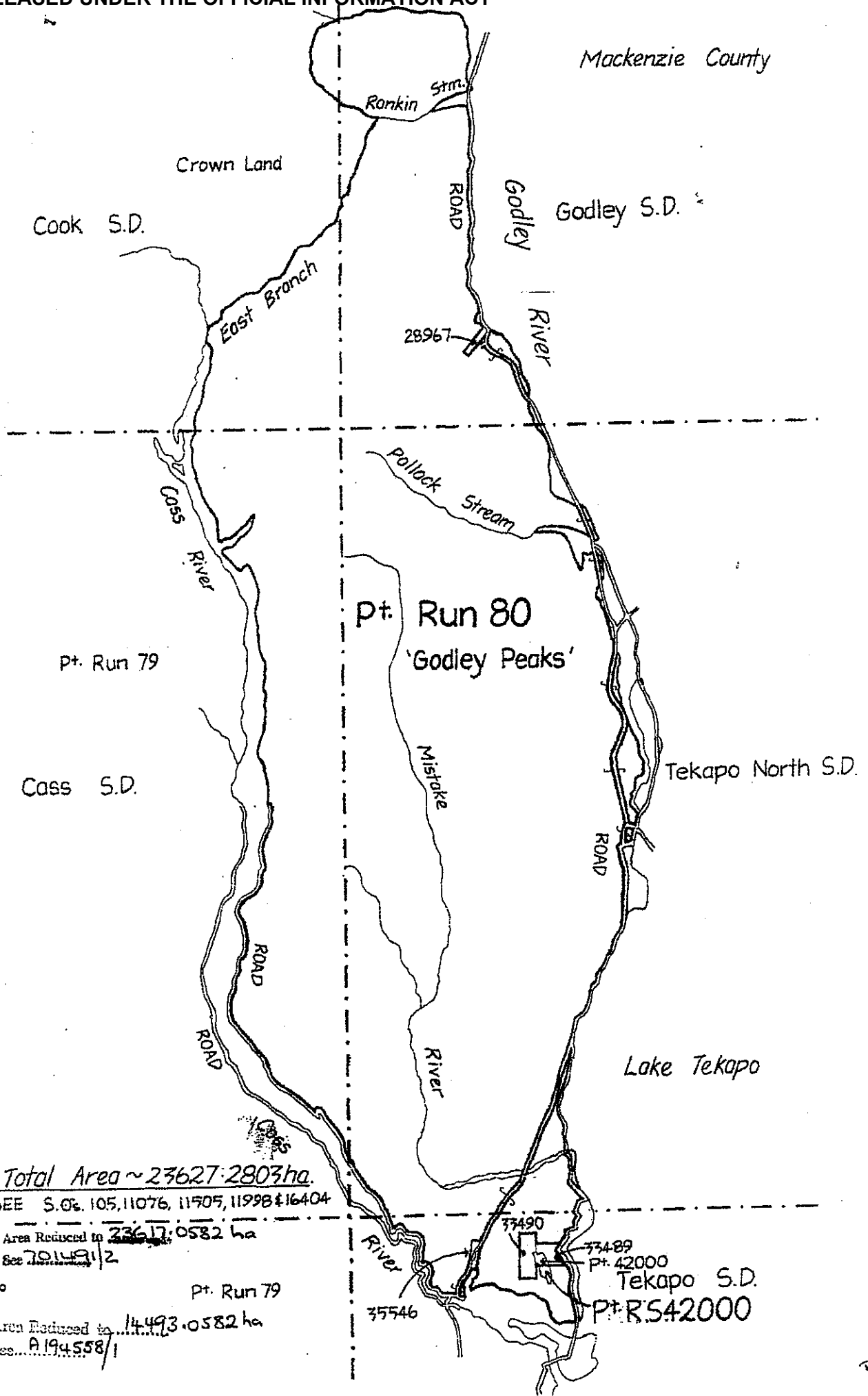
Type	Area	Term
Lease under s83 Land Act 1948	23627.2803 hectares more or less	33 years commencing on the 1st day of July 1984

Legal Description Part Run 80, Part Rural Section 42000 and Section 1 Survey Office Plan 19295

Proprietors
LSF Holdings Limited

Interests

- 286746.1 Land Improvement Agreement pursuant to Section 30A Soil Conservation and Rivers Control Act 1941 - 8.8.1980 at 9.12 am
- 701491.2 Partial Surrender of the within Lease as to part Rural Section 42000 being 10.2221 hectares - 10.9.1987 at 11.21 am
- A194558.1 Partial Surrender of the within lease as to Section 1 SO Plan 19295 being 9124.0000 hectares - 15.9.1995 at 1.51 pm
- A235385.3 Variation of the within lease - 7.5.1996 at 10.45 am



Total Area ~ 23627.2803 ha.

SEE S.Os. 105, 11076, 11505, 11998 & 16404

Area Reduced to 23617.0582 ha
See 70149/2

Area Reduced to 14493.0582 ha
See... A.194558/1

Added
00-3-1996
by AR

Pt. Run 79

Pt. 42000
Tekapo S.D.

Pt. R. S. 42000

Handwritten initials/signature

L. & S.—B. 4

NEW ZEALAND

Fo. r Ref. Vol. 529 fol. 4

10th day of September

L. & S. Ref. No. P17

1987, at 11:21 o'clock.

Asst Land Registrar

No. 30 B 914

Pastoral Lease under the Land Act 1948

This Deed, made the 26 day of August 1987 between HER MAJESTY THE QUEEN (hereinafter referred to as "the Lessor") of the one part, and GODLEY PEAKS STATION LIMITED at Timaru

(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 23627.2803 hectares more or less, situated in the Land District of Canterbury and being part Run 80 and part Rural Section 42000 "Godley Peaks" situated in Cass, Cook, Godley, Tekapo North and Tekapo Survey Districts as the same is more particularly delineated with bold black lines on the plan hereon; together with the rights,

Interests at Date of Issue:

Mortgage 76073/1 to Rural Banking and Finance Corporation of New Zealand - 12.4.1976 at 1.36p.m. (Varied three times subsequently)

Mortgage 931743/2 to The National Bank of New Zealand Limited - 19.4.1991 at 2.07pm

Mortgage 185544/2 to South Canterbury Savings Bank - 17.7.1978 at 10.30a.m.

No. A157468/1 Change of Appellation whereby the description of part of the within land (9124.000 hectares) is changed to Section 1 SO Plan 19295 - 8.2.1995 at 9.10am

No.185544/3 Memorandum of Priority making Mortgages 185544/2 and 76073/1 first and second mortgages respectively - 17.7.1978 at 10.30a.m.

No. A194558/1 Partial Surrender of the within lease as to Section 1 SO Plan 19295 being 9124.0000 hectares - 15.9.1995 at 1.51pm

Land Improvement Agreement 286746/1 under Section 30A of the Soil Conservation and Rivers Control Act 1941 - 8.8.1980 at 9.12a.m.

Transfer A235385/2 to Godley Peaks Station (1996) Limited at Timaru - 7.5.1996 at 10.45am

Mortgage 344959/1 to Rural Banking and Finance Corporation - 15.9.1981 at 10.40am. (Varied once subsequently)

No. A235385/3 Variation of the within lease - 7.5.1996 at 10.45am

Mortgage 470106/1 to Rural Banking and Finance Corporation - 18.1.1984 at 11.21a.m.

Mortgage A235385/4 to Wrightson Farmers Finance Limited - 7.5.1996 at 10.45am

No.701491/2 Partial Surrender of the within Lease as to part Rural Section 42000 being 10.2221 hectares - 10.9.1987 at 11.21a.m.

A.L.R.

for A.L.R.

No. 30 B 914

DISCHARGED 25 AUG 1988 12:11 PM 1988

DISCHARGED 15 SEP 1991

M. J. D. [Signature]

[Signature]

Palmer

Palmer

Palmer

RELEASED UNDER THE OFFICIAL INFORMATION ACT

easements, and appurtenances thereto belonging. TO HOLD the said premises intended to be hereby demised into the Lessee for the term of 33 years, commencing on the 1st day of July 1984, together with the period between the date of this lease and the aforesaid 1st day of July 1984, YIELDING and yielding therefor for the first 11 years of the said term unto the Department of Lands and Survey at Christchurch the annual rent of \$ 4,552.50 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 period of 11 years, and for the next two successive periods of 11 years of the said term a rent determined in respect of each of those periods in the manner provided in Section 66. (4A) of the Land Act 1948. AND also paying in respect of the improvements specified in the Schedule hereto the sum of \$--- by a deposit of \$--- (which has already been paid) and thereafter by half-yearly instalments of \$--- on the 1st day of January and the 1st day of July in each and every year---

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 8525 sheep which number shall not include more than 2250 breeding ewes nor more than cattle which number shall not include more than 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.

3. See below *

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 authorised 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 authorised 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.

3. That free right of access is reserved to the Lessor, its employees or its agents along the strip of land as marked A on S.O. Plan 16404.

SCHEDULE OF IMPROVEMENTS BELONGING TO THE CROWN

Pursuant to Section 58 Land Act 1948 a strip of land 20 metres in width along the banks of all rivers and streams which have an average width of not less than 3 metres is excluded from the within lease.

Land Corporation, Christchurch

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:

Address:

Deputy Commissioner of Crown Lands, Assistant

THE COMMON SEAL OF GODLEY PEAKS STATION LIMITED was hereunto affixed in the presence of:



B. Scott (Director)
J. Thomas (Secretary)

Appendix 3

> SFO (1) Copy for yr information

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P. L. Savage

799.760

LANDS & SURVEY
13 FEB 1984
RECEIVED

Private Bag
CHRISTCHURCH

9 February 1984

W

Messrs Petrie Mayman Timpany & More
Barristers and Solicitors
P.O. Box 240
TIMARU

ATTENTION: Mr Petrie

Dear Sirs

APPLICATION FOR SUBLEASE : TIMARU HIGH SCHOOLS

I acknowledge your letter of 27 January 1984 and point out that Land Settlement Board policy requires that a sublease must not extend beyond the term of the head lease, in this case C.L. 529/4. As a consequence, the sublease has been approved subject to the term of the sublease being amended to 1½ years from 1 January 1983 to expire at the same time as the head lease on 30 June 1984. to be renewed for a further term of 33 years from 1 July 1984. In addition any such further renewals of the sublease must be subject to the head lease also being renewed for further terms.

Yours faithfully

P. L. Savage
P.L. Savage
for Commissioner of Crown Lands