

## **Crown Pastoral Land Tenure Review**

**Lease name : LOCH LINNHE**

**Lease number : PO 230**

### **Due Diligence Report (including Status Report) - Part 1**

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

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PASTORAL LEASE  
LAND TENURE  
REVIEW

DUE DILIGENCE

LOCH LINNHE

**DUE DILIGENCE REPORT - LOCH LINNHE  
CROWN PASTORAL LAND PRE TENURE REVIEW ASSESSMENT STANDARD 6**

File Ref:	CON / 50272 / 09 / 12515 / A-ZNO	Report No:	Q V V 353	Report Date:	3 May 2002
Accredited Supplier	ABERCROMBIE & ASSOCIATES LTD	LINZ Case No:		Date sent to LINZ	7/5/2002

## 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 Management *[or other party]*;

Details of incomplete actions requiring completion by the CCPO or other party:

Part Run 354A is wrongly described as Part Run 354B for the land acquired for better utilisation in Gazette 1968 page 253.

Land for marginal strip along Staircase Creek [major and minor branches], Wye Creek [south branch], Sproules Creek and Whittens Creek as shown marked A - B on SO 812, A - B, C - D and E - F on SO 813, A - D, B - G and I - J on SO 23882, pursuant to Sections 24(2) & (9) Conservation Act 1987 was removed from the lease on renewal by 866577 with no derived reduction of the "title area" except for surrender of Sections 5, 6 & 7, SO 23209. Notwithstanding the lessee agreeing to the conditional lease renewal, there is no known record of compensation having been paid to the lessee for the dispossession.

Until recently, a Land Improvement Agreement 358302 existed pursuant to Section 30A, Soil Conservation and Rivers Control Act 1941. It was between the lessee and [now] the Otago Regional Council and was for a period of fifteen years from 20 March 1970 [ie it has since time expired]. However, clause 11.6 provided for the conversion of "green belt areas" comprising 9759 acres to pastoral occupation licence with a clause prohibiting grazing by sheep and which may still require actioning.



**Lease name:** Loch Linnhe

**Location:** Lake Wakatipu, Central Otago

**Lessee:** M W Scott, K J Scott and Polson Higgs Nominees Limited

**Tenure:** Pastoral lease of pastoral land pursuant to the Land Act 1948.

**Term:** 33 years from 1 July 1959. The lease was renewed for a further 33 years as at 1 July 1992.

**Annual rent:** \$10500.00

**Rental value:** \$700 000.00

**Date of next review:** 1 July 2003

**Land registry Folio Ref:** OT386/138 [See copy at appendix 1]

**Legal description:** Section 3 and Part Sections 1 & 4, SO 23882 and Part Run 354A, South Wakatipu, Lorn and Nevis Survey Districts, Otago Land District.

**Area:** 11057.8503 hectares

**2 File Search**

**Files held by accredited supplier on behalf of LINZ:**

File reference	Volume	First folio number	Date	Last folio number	Date
P 230	I	234	27 January 1959	357	21 December 1966
[Formerly known as PR 1715 and then PR 1924]					
P 230	II	358	2 February 1967	464	23 July 1973
P 230	III	465	31 January 1974	598	15 May 1984
P 230	IV	599	30 July 1984	324	16 June 1992
[Note: folios re-numbered]					
P 230	V	325	18 March 1991	416	16 February 2000
CON/50213/09/12515/A-ZNO		1	0 April 2001	6	13 July 2001

***Folios relating to uncompleted actions are:***

File reference	Volume	Folio number	Date
P 230	V	320	15 May 1992
P 230	V	324	15 July 1992
P 230	V	327	15 July 1992
P 230	V	328	6 October 1992
P 230	V	335	25 November 1992
P 230	V	346	16 February 1994
P 230	V	358	19 July 1994
P 230	V	362	23 June 1992

*For further details see Section 8 of this due diligence report.*

**3 Summary of lease document**

**Terms of lease**

Lease number:	P 230
Commencement date:	1 July 1959
Renewal instrument number:	866577 [See copy at appendix 2]
Lease stock limits:	2860 sheep
Memorandum of Variation	Not applicable
Any non-standard conditions	Yes - See special clause 14 regarding right of resumption of land for National Park.

**Area adjustments**

By certificate of alteration 223900 an area of 5000 acres being Part Run 331 was incorporated [Area total of 23300 acres] into the lease.

By new appellation 313738 part of the leased land [Parts Run 331] became Run 765 [Area of 19900 acres].

By certificate of alteration 316487 the area in certificate of alteration 223900 was amended to 4700 acres - see also SO 16016 [Area total of 23000 acres].

By certificate of incorporation 314671 an area of 15200 acres being Part Run 331 was incorporated into the lease [Area total of 38200 acres].

By gazette notices 324706 and 324905 an area of 15 acres 1 rood 10 perches was set apart for road and 1 acre 1 rood 10 perches was set apart for better utilisation, a total of 16 acres 2 roods 20 perches [Note: Part Run 354A is wrongly described as Part Run 354B for the land acquired for better utilisation as mentioned in Gazette 1968 page 253 (GN 324706)]. Balance area was then 38183 acres 1 rood 20 perches.

By proclamation 324906, an area of road was closed and incorporated into the lease [Area of 7 acres 1 rood 18 perches giving a total of 38190 acres 2 roods 38 perches]. By alteration to SO 13790, the area of closed road in Proc 324904 was given a new appellation of Section 1, South Wakatipu SD.

By gazette notice 366934, adjoining roads were closed and incorporated into the lease [Area of 41 acres 1 rood 4 perches giving a total of 38232 acres 2 perches]. By amendment to SO 16997

the closed roads were given a new appellation of Sections 2 - 4, South Wakatipu SD.

By gazette notice 366935, an area of 53 acres 2 roods 27 perches was taken for road and 36 acres 3 roods 39 perches taken for better utilisation, a total of 90 acres 2 roods 26 perches giving a balance area of 38141 acres 1 rood 16 perches - 15435.2703 hectares metric conversion by factor of 0.404686 [Note: area shown on register copy of OT386/138 incorrectly shows balance area of 38142 acres 2 roods 26 perches - 15435.8637 hectares by title metric conversion].

By new appellation 746023/1, part of the land [formerly Sections 2 - 4, South Wakatipu SD and Part Run 765] was described as Sections 1 - 8, SO 23209 [Note: Sections 2 - 4, South Wakatipu SD was formerly Closed Road but given new appellation by amendment to SO 16997].

By 842058, Sections 2, 5, 6 & 7, SO 23209, were surrendered [Area of 4377.42 hectares giving a derived balance leased area of 11057.8503 hectares (11058.4437 by title derivation and metric conversion calculation)].

It should be noted that Sections 5, 6 & 7, SO 23209 were ostensibly to identify marginal strips. As marginal strips move with movements in the waterways concerned the pseudo fixing of extent of marginal strip boundaries on SO 23209 would be against the full intent of the Conservation Act 1987. As mentioned below, SO 23882 was intended to regularise the situation. Nevertheless, Sections 5, 6 & 7, SO 23209 had still been surrendered from the lease.

By new appellation 851575, Sections 1, 3, 4 & 8, SO 23209, became Sections 1, 3, 4 & 5, SO 23882. However, as the appellations for Sections 1, 4 & 5, SO 23882 included land which had been already surrendered [ie Sections 5, 6 & 7 SO plan 23209], the correct description of affected land remaining in the leased land is deemed to comprise only Part of Sections 1 and 4, SO 23882.

Incidentally, Section 3, SO 23882 excludes a narrow strip of Part Section 3, SO 23209 [situated between F - G on SO 23882] being actually bed of Staircase Creek and while not surrendered was subsequently removed from the lease pursuant to Sections 24(2) & (9) Conservation Act 1987 on renewal by 866577. Further, having regard to the above and also current conventions, for inexplicable reasons:

*NAP 851575 refers to Section 3, SO 23209 rather than Part Section 3, SO 23209, and*

*The areas of Section 3, SO 23209 and Section 3, SO 23882 remain the same at 1040 hectares.*

*Note: For further details regarding the above see appendix 3.*

The area comprising the Marginal Strips have not been deducted from the area of land leased except through application of Part IV of the Conservation Act on renewal of the lease by 866577.  
*- for further details see appendix 4.*



## Registered interests

SUBSTANTIAL INTEREST	SUMMARY
223900 - Certificate of alteration	Land incorporated within lease - <i>for further details see appendix 3.</i>
313738 - New appellation	Change of part description of leased land - <i>for further details see appendix 3.</i>
314671 - Certificate of alteration	Land incorporated within lease - <i>for further details see appendix 3.</i>
31687 - Certificate of alteration	Area of 223900 amended - <i>for further details see appendix 3.</i>
324706 - Gazette Notice	Land taken for road and better utilisation - <i>for further details see appendix 3.</i>
324905 - Gazette Notice	Land taken for road and better utilisation - <i>for further details see appendix 3.</i>
324906 - Gazette Notice	Incorporating land within lease - <i>for further details see appendix 3.</i>
358302 - Land Improvement Agreement - Pursuant to Section 30A of the Soil Conservation and Rivers Control Act 1941	Expired, but action relating to clause 11.6 may not have been actioned - <i>for further details see appendix 5.</i>
366934 - Gazette Notice	Land incorporated within lease - <i>for further details see appendix 3.</i>
366935 - Gazette Notice	Leasehold interest taken for road and better utilisation - <i>for further details see appendix 3.</i>
746023.1 - New appellation	Change of part description of leased land - <i>for further details see appendix 3.</i>
842058 - Surrender	Part of leased land surrendered - <i>for further details see appendix 3.</i>
851575 - New appellation	Change of part description of leased land - <i>for further details see appendix 3.</i>
866577 - Memorandum of renewal	In accordance with lease conditions - <i>for further details see appendix 2.</i>
976333.5 - Mortgage to National Bank of NZ	Personal to lessee
978393.1 - Mortgage to S I Scott, A D Scott, P A Tonkin and to W M Scott, A D Scott and P A Tonkin in shares	Personal to lessee

**Unregistered interests**

INTEREST	SUMMARY
Recreation permits	There is no record on file of any recreation permits over the lease
Unsecured debts	None known
Marginal Strips	Marginal strips exist along Staircase Creek [major and minor branches], Wye Creek [south branch], Sproules Creek and Whittens Creek as shown marked A - B on SO 812, A - B, C - D and E - F on SO 813, A - D, B - G and I - J on SO 23882, pursuant to Sections 24(2) & (9) Conservation Act 1987. The land was removed from the lease on renewal by 866577 with no derived reduction of the "title area" except for surrender of Sections 5, 6 & 7, SO 23209 - <i>for further details see appendix 4.</i>

**4 Summarise any Government programmes approved for the lease:**

Until recently, a Land Improvement Agreement 358302 [*for further details see appendix 5*] existed pursuant to Section 30A, Soil Conservation and Rivers Control Act 1941. The agreement was in relation to works and land management practices to be carried out on the land concerned for the control of erosion and the conservation of soil on the land. It was between the lessee and [now] the Otago Regional Council and is for a period of fifteen years from 20 March 1970 [ie it has since time expired]. However, clause 11.6 provided for the conversion of "green belt areas" comprising 9759 acres to pastoral occupation licence with a clause prohibiting grazing by sheep and which may still require actioning.

**5 Summary of Land Status Report**

The land the subject of this report is Crown Land subject to Pastoral Lease P 230 as certified by the Chief Surveyor, Dunedin.

*A copy of the certified land status report is appended as Schedule A.*

**6 Review of topographical and cadastral data**

Telecommunications facilities	Believed to be not applicable
Electricity transmission facilities	Believed to be not applicable
Historic places	A disused water races exist on the eastern boundary of the leased land. In addition, the files record the existence of abandoned mining equipment on the land - <i>for further details see appendix 6.</i>
Discrepancies between fenced and legal boundaries	Believed to be not applicable
Formed Roads	State Highway 6, adjoining the leased land on the western boundary and a road adjoining the eastern boundary follow a legal road alignment. Other roads/tracks do not follow a legal road alignment.
Paper roads	Believed to be not applicable
Marginal strips	Marginal strips exist along Staircase Creek [major and minor branches], Wye Creek [south branch], Sproules Creek and Whittens Creek as shown marked A - B on SO 812, A - B, C - D and E - F on SO 813, A - D, B - G and I - J on SO 23882, pursuant to Sections 24(2) & (9) Conservation Act 1987 on renewal by 866577 with no derived reduction of the "title area" except for surrender of Sections 5, 6 & 7, SO 23209 - <i>for further details see appendix 4.</i>
Other [specify]	Believed to be not applicable

[See copy of cadastral plan and topographical map at appendix 7]

**7 Details of any neighbouring Crown or conservation land**

In a clockwise manner the Crown [including land of the crown] or conservation land adjoining/adjacent to the land the subject of this report is:

Section 10, Block V, Coneburn SD

SITUATION	STATUS
North of leased land	Conservation purposes by GN866676

Section 2, SO 23882

SITUATION	STATUS
North of leased land	Presumed part of conservation estate [DoC reference is F42032] - no landonline record.

Part Run 354A

SITUATION	STATUS
North of leased land	Crown land subject to pastoral lease as recorded in register volume OTA2/1215.

Run 339E

SITUATION	STATUS
Northeast of leased land	Crown land subject to pastoral lease as recorded in register volume OT338/81.

Run 625

SITUATION	STATUS
East of leased land	Presumed un-alienated crown land - no landonline record [previously pastoral lease as recorded in register volume OTA2/1269].

Part Run 354B

SITUATION	STATUS
South of leased land	Crown land subject to pastoral lease as recorded in register volume OT338/81.

Lake Wakatipu

SITUATION	STATUS
West of leased land	Land of the Crown

**8 Summarise any uncompleted actions or potential liabilities**

Your attention is drawn to the following:

Part Run 354A is wrongly described as Part Run 354B for the land acquired for better utilisation in Gazette 1968 page 253.

*[For further details see appendix 3]*

Land for marginal strip along Staircase Creek [major and minor branches], Wye Creek [south branch], Sproules Creek and Whittens Creek as shown marked A - B on SO 812, A - B, C - D and E - F on SO 813, A - D, B - G and I - J on SO 23882, pursuant to Sections 24(2) & (9) Conservation Act 1987 was removed from the lease on renewal by 866577 with no derived reduction of the "title area" except for surrender of Sections 5, 6 & 7, SO 23209. Notwithstanding the lessee agreeing to the conditional lease renewal, there is no known record of compensation having been paid to the lessee for the dispossession.

*[For further details see appendix 4]*

Until recently, a Land Improvement Agreement 358302 existed pursuant to Section 30A, Soil Conservation and Rivers Control Act 1941. It was between the lessee and [now] the Otago Regional Council and was for a period of fifteen years from 20 March 1970 [ie it has since time expired]. However, clause 11.6 provided for the conversion of "green belt areas" comprising 9759 acres to pastoral occupation licence with a clause prohibiting grazing by sheep and which may still require actioning.

*[For further details see appendix 5]*

**ATTACHMENTS**

- Schedule A land status report [including enclosures]
  
- Appendix 1 Register volume copy of pastoral lease
  
- Appendix 2 Memorandum of renewal of lease
  
- Appendix 3 Copies of relevant registered instruments  
 [Area alterations]
 

223900	313738	316487
314671	324706	324905
324906	366934	366935
746023.1	842058	851575
  
- Appendix 4 File search summary comprising copies of relevant supporting folios referenced in this due diligence report
  - Marginal strip
  
  - Copies of relevant SO Plans:
    - SO 813
    - SO 23209
    - SO 23882
  
- Appendix 5 Copies of relevant registered instruments  
 [Land improvement agreement 358302]
  
- Appendix 6 File search summary comprising copies of relevant supporting folios referenced in this due diligence report
  - Historic sites
  
- Appendix 7 Cadastral plan and topographical map of pastoral lease

# ABERCROMBIE AND ASSOCIATES LIMITED

PROPERTY MANAGERS AND CONSULTANTS

P O BOX 5056  
MORAY PLACE  
DUNEDIN

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This report has been prepared on the instructions of Crown Property Management, Land Information New Zealand, and is undertaken for the purposes of the Crown Pastoral Leases Act 1998.

LAND STATUS REPORT	LOCH LINNHE	P 230	[LIPS Ref. 12515]
Property	1	of	1

Land District	Otago
Legal Description	Section 3 and Part Sections 1 & 4, SO 23882 and Part Run 354A, South Wakatipu, Lorn and Nevis Survey Districts [see comment below].
Area	11057.8503 hectares [see comment below]
Status	Crown Land subject to Pastoral Lease P 230
Instrument of Lease	Reg Vol OT386/138 registered in Land Transfer Office but not under Land Transfer Act
Encumbrances	358302 - Soil conservation agreement pursuant to Section 30A Soil Conservation and Rivers Control Act 1941. Marginal strip along Staircase Creek [major and minor branches], Wye Creek [south branch], Sproules Creek and Whittens Creek as shown marked A - B on SO 812, A - B, C - D and E, F on SO 813, A - D, B - G and I - J on SO 23882 created pursuant to Sections 24(9) and 24(F), Conservation Act 1987 on renewal of the lease by 866577.
Mineral Ownership	Crown [see comment below]
Statute	Land Act 1948, Crown Pastoral Land Act 1998

Data Correct as at:	3 April 2002
Accredited Supplier certification	As attached

Prepared by	David J Abercrombie
Crown Accredited Supplier	<b>Abercrombie &amp; Associates Ltd</b>

Certified correct as to status:

*M H Warburton*

Chief Surveyor  
Land Information New Zealand, Dunedin

171 A1 2002

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

Part Run 354A is wrongly described as Part Run 354B for the land acquired for better utilisation in Gazette 1968 page 253.

Land for marginal strip along Staircase Creek [major and minor branches], Wye Creek [south branch], Sproules Creek and Whittens Creek as shown marked A - B on SO 812, A - B, C - D and E - F on SO 813, A - D, B - G and I - J on SO 23882, pursuant to Sections 24(2) & (9)

Conservation Act 1987 was removed from the lease on renewal by 866577 with no derived reduction of the "title area" except for surrender of Sections 5, 6 & 7, SO 23209. Notwithstanding the lessee agreeing to the conditional lease renewal, there is no known record of compensation having been paid to the lessee for the dispossession.



Research Data: Some items may not be applicable

SDI Print obtained	Yes <i>[See attached]</i>
NZMS 261 Ref	F 42
Local Authority	Queenstown Lakes District Council
Crown Acquisition Map	Yes To determine agreement for purchase from Ngai Tahu
SO Plan	812, 813, 13233, 13234, 13789, 13790, 16016, 16996, 16997, 22367, 23209, 23882  <i>[See evidence attached]</i>
Relevant Gazette Notices	Gazette 1968 page 253 [Note: Part Run 354A is wrongly described as Part Run 354B for the land acquired for better utilisation] Gazette 1968 page 306  <i>[See evidence attached]</i>
CT Reference / Lease Reference	Pastoral Lease P 230, Reg Vol OT386/138. Lease renewed by 866577. NOTE: For history of land see below <i>[See evidence attached]</i>
Legislation Cards	Yes  <i>[See evidence attached]</i>
CLR	Yes  <i>[See evidence attached]</i>
Allocation Maps [if applicable]	Not applicable
QVNZ Reference	28441/13900 29131/2100 29131/2000
Crown Grant Maps	Yes - There are no references for the subject property

Research - continued

If Crown land - Check Irrigation Maps.	Yes There are no references for the subject property
Mining Maps	Yes There are no references for the subject property
<p>Other Relevant Information</p> <p>a] Concessions - Advice from DoC</p> <p>b] Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998</p> <p>c] Mineral Ownership</p> <p>d] Other Info</p>	<p>a] Nil affecting land concerned. However, concessions have been granted for transmission line purposes over the marginal strip shown as F42025 [Wye Creek]. In addition, an easement has been granted over marginal strip F 42025 [Wye Creek] for weirs, pipelines and transmission lines. None of these have been formally created. <i>[See evidence attached from DoC]</i></p> <p>b] Only on divestment of freehold or a lease of fifty years or greater by LINZ as a Crown Body</p> <p>c] Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition from Ngai Tahu by way of the Kemp Purchase.</p>

**History of ownership:**

Purchased from Ngai Tahu by the Kemp Purchase of 1848.

No record of crown grants having been made.

**Run 331**

Selected for lease and Pastoral Licence 1337 granted [no registration].

Selected for lease and Pastoral Licence 1715 granted as at 1 March 1924 as recorded in register volume OT336/17.

On expiry of PL 1715, Pastoral Lease P243 granted with effect from 1 July 1959 as recorded in register volume OT386/149.

By 221872 an area of 5083 acres was surrendered [Note: By certificate of alteration 316487 the area was amended to 4700 acres] - see 223900 below for further action.

By 314672 an area of 15200 acres was surrendered - see 314671 below for further action.

### **Run 354A**

Selected for lease and Pastoral Licence 1397 granted with effect from 1 March 1924 [no registration] and comprising area of 18300 acres.

On expiry, Pastoral Licence 1924 granted with effect from 1 March 1938 as recorded in register volume 337/121 [comprises area of 18300 acres].

### **Combined land**

On expiry of Pastoral Licence 1924, Pastoral Lease P 230 was granted with effect from 1 July 1959 as recorded in register volume OT386/138 [Area of 18300 acres].

By certificate of alteration 223900 an area of 5000 acres being Part Run 331 was incorporated [Area total of 23300 acres] into the lease.

By new appellation 313738 part of the leased land [Parts Run 331] became Run 765 [Area of 19900 acres].

By certificate of alteration 316487 the area in certificate of alteration 223900 was amended to 4700 acres - see also SO 16016 [Area total of 23000 acres].

By certificate of incorporation 314671 an area of 15200 acres being Part Run 331 was incorporated into the lease [Area total of 38200 acres].

By gazette notices 324706 and 324905 an area of 15 acres 1 rood 10 perches was set apart for road and 1 acre 1 rood 10 perches was set apart for better utilisation, a total of 16 acres 2 roods 20 perches [Note: Part Run 354A is wrongly described as Part Run 354B for the land acquired for better utilisation as mentioned in Gazette 1968 page 253 (GN 324706)]. Balance area was then 38183 acres 1 rood 20 perches.

By proclamation 324906, an area of road was closed and incorporated into the lease [Area of 7 acres 1 rood 18 perches giving a total of 38190 acres 2 roods 38 perches]. Incidentally, the land concerned is shown as legal road on original crown subdivision of the land [see road delineated pecked on SO 812]. This former "road" is considered to have been vested in crown ownership following purchase from Ngai Tahu by the Kemp Purchase of 1848.

By alteration to SO 13790, the area of closed road in Proc 324904 was given a new appellation of Section 1, South Wakatipu SD.

By gazette notice 366934, adjoining roads were closed and incorporated into the lease [Area of 41 acres 1 rood 4 perches giving a total of 38232 acres 2 perches]. By amendment to SO 16997 the closed roads were given a new appellation of Sections 2 - 4, South Wakatipu SD.

By gazette notice 366935, an area of 53 acres 2 roods 27 perches was taken for road and 36 acres 3 roods 39 perches taken for better utilisation, a total of 90 acres 2 roods 26 perches giving a balance area of 38141 acres 1 rood 16 perches - 15435.2703 hectares metric conversion by factor of 0.404686 [Note: area shown on register copy of OT386/138 incorrectly shows balance area of 38142 acres 2 roods 26 perches - 15435.8637 hectares by title metric conversion].

By new appellation 746023/1, part of the land [formerly Sections 2 - 4, South Wakatipu SD and Part Run 765] was described as Sections 1 - 8, SO 23209 [Note: Sections 2 - 4, South Wakatipu SD was formerly Closed Road but given new appellation by amendment to SO 16997].

By 842058, Sections 2, 5, 6 & 7, SO 23209, were surrendered [Area of 4377.42 hectares giving a derived balance leased area of 11057.8503 hectares (11058.4437 by title derivation and metric conversion calculation)].

It is noted that Sections 5, 6 & 7, SO 23209 ostensibly identifies the bed of the waterways and marginal strips. As marginal strips move with movements in the banks of the waterways concerned the pseudo fixing of extent of marginal strip boundaries on SO 23209 by a centre line definition would be in error and against the full intent of the Conservation Act 1987. As mentioned below, SO 23882 regularised the situation. Nevertheless, Sections 5, 6 & 7, SO 23209 had still been surrendered from the lease.

By new appellation 851575, Sections 1, 3, 4 & 8, SO 23209, became Sections 1, 3, 4 & 5, SO 23882. However, as the appellations for Sections 1, 4 & 5, SO 23882 included land which had been already surrendered [ie Sections 5, 6 & 7 SO plan 23209], the correct description of affected land remaining in the leased land is deemed to comprise Part Section 1 and Part Section 4, SO 23882.

Incidentally, Section 3, SO 23882 excludes a narrow strip of Part Section 3, SO 23209 [situated between F - G on SO 23882] being actually bed of Staircase Creek. While not surrendered it was subsequently removed from the lease pursuant to Sections 24(2) & (9) Conservation Act 1987 on renewal by 866577. As a further observation:

*NAP 851575 refers to Section 3, SO 23209 rather than Part Section 3, SO 23209, and*

*The areas of Section 3, SO 23209 and Section 3, SO 23882 remain the same at 1040 hectares.*

Notwithstanding the surrender of leased land by 842058, the impact of Section 24, Conservation Act 1987 is still considered applicable as the marginal strip boundary is determined from the bank of the waterways involved whereas the boundaries of land surrendered were determined from the centre line of the waterway. The marginal strips involved in this situation are A - C & I - J [affects Part Section 1 being formerly Section 1, SO 23209], F - G [affects Part Section 3, SO 23209] and B - D & B - E [affects Part Section 4 being formerly Section 4, SO 23209] as shown on SO 23882.

Status, description of land and derived area are now as indicated above.



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



R. W. Muir  
Registrar-General  
of Land

Search Copy

**Identifier** OT386/138  
**Land Registration District** Otago  
**Date Registered** 30 March 1960 01:57 pm

**Part-Cancelled**

**Prior References**  
OT337/124

<b>Type</b>	Lease under s83 Land Act 1948		
<b>Area</b>	15481.5528 hectares more or less	<b>Term</b>	Thirty three years commencing on the 1st day of July 1959 and renewed for a further term of 33 years commencing on the 1st July 1992

**Legal Description** Run 354A, Part Run 331, Run 765, Section 1 South Wakatipu Survey District, Part of adjoining closed road, Section 1 Survey Office Plan 23882, Section 2 Survey Office Plan 23209, Section 3-4 Survey Office Plan 23882, Section 5-7 Survey Office Plan 23209 and Section 5 Survey Office Plan 23882

**Proprietors**  
Murray William Scott, Karen Jan Scott and Polson Higgs Nominees Limited

**Interests**

- 324706 Gazette Notice declaring part of the within land (15 acres 1 rood 10 perches) to be set apart for road and part (1 acres 1 rood 10 perches) to be set aside for better utilisation from and after the 26th day of February 1963 - 7.3.1968 at 9.23 am
- 324905 Gazette Notice declaring parts of the within land (15 acres 1 rood 10 perches) coloured red on the diagram hereon to be taken for road and part (1 acre 1 rood 10 perches) to be taken for better utilisation from and after the 4th day of March 1968 - 13.3.1968 at 10.21 am
- 358302 Agreement pursuant to Section 30A of the Soil Conservation and Rivers Control Act 1941 - 30.7.1970 at 10.36 am
- 366935 Gazette Notice taking parts of the leasehold estate herein (52 acres 2 roods 27 perches) for the purposes of a road and taking other parts (36 acres 3 roods 39 perches) for better utilisation from and after the 15.2.1971 - 23.2.1971 at 10.21 am
- 842058 Surrender of Lease as to Sections 2,5,6 & 7 SO 23209 (4377.4200ha) shown hatched black hereon effective from 1 July 1990 - 5.11.1993 at 10.48 am
- 866577 Memorandum renewing the within lease and fixing (for the first 11 years) the annual rent at \$10,500 calculated on a rental value of \$700,000 - 4.10.1994 at 11.47 am
- 976333.5 Mortgage to The National Bank of New Zealand Limited - 7.10.1999 at 11.11 am
- 978393.1 Mortgage to Shirley Isabelle Scott, Alistair Douglas Scott and Philip Anthony Tonkin and to William Murray Scott, Alistair Douglas Scott and Philip Anthony Tonkin in shares - 16.11.1999 at 11.26 am



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



R. W. Muir  
Registrar-General  
of Land

Historical Search Copy

**Identifier** OT386/138  
**Land Registration District** Otago  
**Date Registered** 30 March 1960 01:57 pm

**Part-Cancelled**

**Prior References**  
OT337/124

Type	Lease under s83 Land Act 1948	Term	Thirty three years commencing on the 1st day of July 1959 and renewed for a further term of 33 years commencing on the 1st July 1992
Area	15481.5528 hectares more or less		

**Legal Description** Run 354A, Part Run 331, Run 765,  
Section 1 South Wakatipu Survey District,  
Part of adjoining closed road, Section 1  
Survey Office Plan 23882, Section 2  
Survey Office Plan 23209, Section 3-4  
Survey Office Plan 23882, Section 5-7  
Survey Office Plan 23209 and Section 5  
Survey Office Plan 23882

**Original Proprietors**  
Murray William Scott, Karen Jan Scott and Polson Higgs Nominees Limited

**Interests**

- 324706 Gazette Notice declaring part of the within land (15 acres 1 rood 10 perches) to be set apart for road and part (1 acres 1 rood 10 perches) to be set aside for better utilisation from and after the 26th day of February 1963 - 7.3.1968 at 9.23 am
- 324905 Gazette Notice declaring parts of the within land (15 acres 1 rood 10 perches) coloured red on the diagram hereon to be taken for road and part (1 acre 1 rood 10 perches) to be taken for better utilisation from and after the 4th day of March 1968 - 13.3.1968 at 10.21 am
- 358302 Agreement pursuant to Section 30A of the Soil Conservation and Rivers Control Act 1941 - 30.7.1970 at 10.36 am
- 366935 Gazette Notice taking parts of the leasehold estate herein (52 acres 2 roods 27 perches) for the purposes of a road and taking other parts (36 acres 3 roods 39 perches) for better utilisation from and after the 15.2.1971 - 23.2.1971 at 10.21 am
- 842058 Surrender of Lease as to Sections 2,5,6 & 7 SO 23209 (4377.4200ha) shown hatched black hereon effective from 1 July 1990 - 5.11.1993 at 10.48 am
- 866577 Memorandum renewing the within lease and fixing (for the first 11 years) the annual rent at \$10,500 calculated on a rental value of \$700,000 - 4.10.1994 at 11.47 am
- Exploration Permit embodied in the register OT9D/620 - 4.3.1999 at 9.00 am
- 976333.5 Mortgage to The National Bank of New Zealand Limited - 7.10.1999 at 11.11 am
- 978393.1 Mortgage to Shirley Isabelle Scott, Alistair Douglas Scott and Philip Anthony Tonkin and to William Murray Scott, Alistair Douglas Scott and Philip Anthony Tonkin in shares - 16.11.1999 at 11.26 am
- 5095758.1 Surrender of Exploration Permit 963356.1 - 16.10.2001 at 9:49 am

PART TAKEN BY GAZETTE NOTICE  
Issued as a Remount of Form 100  
Registered in Vol. 386 of 1948

LAND & DEE  
NEW ZEALAND  
LAND-DISTRICT  
Allotment No. 4466

Entered in the Register-book, Vol 386 fol 138  
day of March 1948  
Land Registrar

Image Quality due to Condition of Original

Pastoral Lease of Pastoral Land under the Land Act, 1948  
No. 230

This Deed, made the 1st day of March, one thousand nine hundred and fifty-nine, between HIS MAJESTY THE KING (who, with his heirs and successors, is hereinafter referred to as "the Lessor"), of the one part, and

For Diagram

See Other Sheet

(hereinafter referred to as "the said land"), as the same is more particularly delineated in the plan drawn hereon and therein coloured red in outline, together with the rights, easements, and appurtenances thereto belonging. TO HOLD the said premises intended to be hereby demised unto the Lessee for the term of thirty-three years, commencing on the first day of July one thousand nine hundred and fifty-nine, together with the period between the date of this lease and the aforesaid first day of July 1959. Yielding and paying therefor during the said term unto the Department of Lands and Survey at the Principal Land Office for the said Land District of Otago the clear annual rent of one hundred and fifty pounds (£150.-) 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 also paying in respect of the improvements specified in the Schedule hereto the sum of (£) half-yearly instalments of (£) (the receipt of which sum is hereby acknowledged) and thereafter by a deposit of (£) pounds shillings and pence (£) on the 1st day of January and 1st day of July in each and every year during the said term.

- AND the Lessee doth hereby covenant with the Lessor as follows, that is to say:-
1. THAT the Lessee will fully and punctually pay the rent hereinafter reserved as the times and in the manner hereinafter named in this behalf; and also will pay and discharge all rates, taxes, assessments, and outgoings whatsoever that now are or hereafter may be imposed, levied, or payable in respect of the said land or any part or parts thereof during the said term.
  2. THAT the Lessee will within one year after the date of this lease take up his residence on the said land, and thereafter throughout the term of the lease will reside continuously on the said land.
  3. THAT the Lessee will build and use the said land bona fide for his own use and benefit and will not transfer, assign, sublet, mortgage, charge, or part with possession of the said land or any part thereof without the previous approval of the Land Settlement Board: Provided that such approval will not be necessary in the case of a mortgage to the Crown or to a Department of State.
  4. THAT the Lessee will at all times farm the said land diligently and in a husbandlike manner according to the rules of good husbandry and will not in any way commit waste.
  5. THAT the Lessee will throughout the term of his lease to the satisfaction of the Commissioner of Crown Lands for the Land District of Otago (hereinafter referred to as "the Commissioner") cut and firs all his fences and bridges, clear and keep clear the said land of all noxious weeds, and will comply strictly with the provisions of the Noxious Weeds Act, 1938, 1950.
  6. THAT the Lessee will keep the said land free from wild animals, rabbits, and other vermin, and generally comply with the provisions of the Game and Game Birds Act, 1938.
  7. THAT the Lessee will clean and clear from weeds and keep open all creeks, drains, ditches, and watercourses upon the said land, including any drains or ditches which may be constructed by the Commissioner after the commencement of the term of the lease; and will not at any stage without the prior consent of the Commissioner alter the channel of any such creek or watercourse or stop or divert the water flowing therein.
  8. THAT the Lessee will at all times during the said term repair and maintain and keep in good substantial repair, order, and condition all improvements belonging to the Crown (including those specified in the Schedule hereto which are being purchased by the Lessee) now or hereafter erected on the said land, and will not, without the prior written consent of the Commissioner, pull down or remove them or any part of them.
  9. THAT the Lessee will insure all buildings belonging to the Crown (including those specified in the Schedule hereto which are being purchased by the Lessee) now or hereafter erected on the said land to their full insurable value in the name of the Commissioner in some insurance office approved by the Commissioner and will pay all premiums falling due under every such insurance policy and deposit with the Commissioner every such policy and, not later than the first day of the month in which any such premium becomes payable, the receipts for that premium.
  10. THAT the Lessee will not throughout the term of the lease without the prior consent of the Commissioner, which consent may be given on such terms and conditions (including the payment of royalty) as the Commissioner thinks fit, fell, sell, or remove any timber, tree, or bush growing, standing, or lying on the said land, and that he will throughout the term of the lease prevent the destruction of any such timber, tree, or bush unless the Commissioner otherwise approves: Provided that the consent of the Commissioner as aforesaid shall not be necessary where any such timber or tree is required for any agricultural, pastoral, household, roadmaking, or building purpose on the said land nor where the timber or trees has been planted by the Lessee.
  11. THAT the Lessee shall not, except for the purpose of complying with any of the provisions of the Noxious Weeds Act, 1938, burn any tussock, scrub, fern, or grass on the said land, nor permit any tussock, scrub, fern, or grass on the said land to be burned, unless in either case he shall have obtained the prior consent in writing of the Commissioner, which consent may be given subject to such terms and conditions as the Commissioner may deem necessary.
  12. THAT officers and employees of the Department of Internal Affairs 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 cats, wild pigs, opossums, or other animals which the said Department is charged with the duty of exterminating or controlling, or for the purpose of destroying any such animals: Provided that such officers and employees in the performance of the said duties shall at all times avoid undue disturbance of the Lessee's stock.
  13. THAT the Lessee shall exercise due care in stocking the said land and shall not overstock.
  14. See hereover.

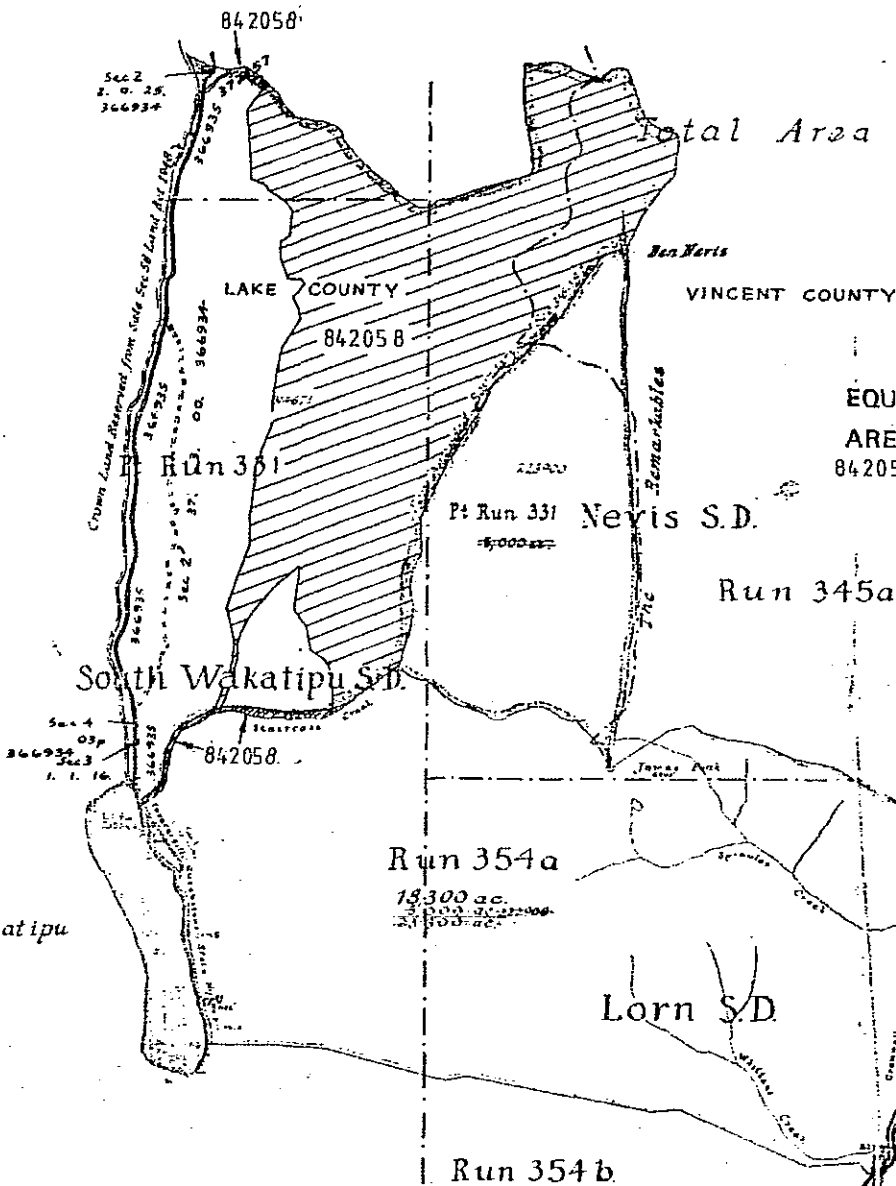
AND it is hereby agreed and declared by and between the Lessor and the Lessee:-

- (a) THAT the Lessee shall have the exclusive right of passage over the said land, but shall have no right to the soil.
- (b) THAT the Lessee shall have no right, title, or claim whatsoever to any minerals (within the meaning of the Land Act, 1948) on or under the surface of the soil of the said land, and all such minerals are reserved to His Majesty together with a free right of way over the said land in favour of the Commissioner or of any person authorized by him and of all persons lawfully engaged in the working, extraction, or removal of any mineral on or under the surface of the said land or any adjacent land of the Crown, subject to the payment to the Lessee of compensation for all damage done to improvements on the said land belonging to the Lessee in the working, extraction, or removal of any such minerals: Provided that there shall be no right of way over, or right to work, extract, or remove any mineral from, any part of the said land which is for the time being under crop or used or situated within the curtilage of a yard, garden, orchard, vineyard, nursery, or plantation, or within 100 yards of any building: Dwellinghouse: Provided also that the Lessee may, with the prior consent in writing of the Commissioner, which consent may be given subject to such conditions as the Commissioner thinks fit, use any such minerals for any agricultural, pastoral, household, roadmaking, or building purpose on the said land, for not otherwise.
- (c) THAT upon the expiration by effluxion of time of the term hereby granted and thereafter at the expiration of each succeeding term to be granted to the Lessee the outgoing Lessee shall have a right to obtain, in accordance with the provisions of section 66 (3) of the Land Act, 1948, a new lease of the land hereby leased as a rent to be determined in the manner prescribed by Part VIII of the said Act for a term of thirty-three years computed from the expiration of the term hereby granted and subject to the same covenants and provisions as this lease, including this present provision for the removal thereof and all provisions ancillary or in relation thereto.

South Wakatipu, Lorn & Nevis S.D's

386/138

V  
Coneburn S.D



Total Area 18,300 ac

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EQUIVALENT METRIC

AREA IS	15.35.2637	ha
842058	4377.4200	ha
	11058.4437	ha

thereof the Lessor  
in a National Park  
inconvenience

so long as the  
an increase of  
by  
or expedient  
any time  
affect the

Scale: 80 chains to an inch





28591 Transfer Alan Edwin Lucas & John Chapman Jack & Demetrius Bonfanti Employees (1/2 share) and Grace Jack (1/2 share) natural in common in the Province of New Zealand 17th April 1960 at 11.00 am

DISCHARGED

222995 Certificate of Alteration incorporating in Part within Part Run 331 (Area 5,000 acres) registered 2nd August 1960 at 2.25 pm

224145 Mortgage to John Chapman Jack and Grace Jack to the Registrar General and Agency Company of New Zealand Limited pursuant 5/9/1960 at 11.15 am

262018 Transfer to Allen Nathaniel Murray of Kingston Street Farmer 26/8/1963 at 11.00 am

262019 Mortgage to the Registrar General, Trustees Estate and Agency Company of New Zealand Limited - 26/8/1963 at 11.00 am

DISCHARGED 12 NOV 1991

267578 Electric Agreement pursuant to the Electricity Act 1948 - 30/11/1964 at 11.10 am

314249 Transfer to Robert James Gardiner of Greenstone Farmer 19.5.1967 at 11.10 am

OBSCLETE

313738 Part of the within land is now known as Run 765 - 8.5.1967 at 2.18 pm

316487 Certificate of Alteration certifying that the area of land incorporated herein by certificate of alteration 223900 has altered on re-survey and the correct area is now 4,700 acres - 17.7.1967 at 11.45 am

314670 Mortgage under the provisions of the Mortgage Act 1950 to Her Majesty the Queen - 31.5.1967 at 2.27 pm

DISCHARGED 29 JUN 1973

314671 Certificate of Incorporation incorporating in the within lease Part Run 331 Paves, South Wairarapa and Horebarn Survey Districts Area 15, 200 acres - 31.5.1967 at 2.13 pm

317028 Transfer to Dickson Stewart Gardiner of Greenstone, Farmer - 1.8.1967 at 2.30 pm

317029 Mortgage to Dickson Gardiner of Greenstone, Farmer - 1.8.1967 at 2.31 pm

DISCHARGED 29 JUN 1973

324706 Gazette notice declaring part of the within land (15 acres road 10 fences) to be set apart for road and part (1 acre wood 10 fences) to be set apart for better utilization from and after the 4th day of March 1965 - 13/3/1965 at 10.21 am

324905 Gazette notice declaring part of the within land (15 acres one road 10 fences) to be taken for road and part (1 acre road 10 fences) to be taken for better utilization from and after the 4th day of March 1965 - 13/3/1965 at 10.21 am

324906 Proclamation proclaiming as closed the road indicated red on the plan hereon (15 acres road 10 fences) and incorporating the said land in the within Part Run 331 - 13/3/1965 at 10.22 am

324906 Proclamation proclaiming as closed the road indicated red on the plan hereon (15 acres road 10 fences) and incorporating the said land in the within Part Run 331 - 13/3/1965 at 10.22 am

THIS REPRODUCTION (ON A REDUCED SCALE) CERTIFIED TO BE A TRUE COPY OF THE ORIGINAL REGISTER FOR THE PURPOSES OF SECTION 215A LAND TRANSFER ACT 1952.

351015 Mortgage for Her Majesty the Queen under the Marginal Lands Act 1950 - 18.2.1970 at 9.23 am

351016 Memorandum of Priority ranking Mortgage 351015 as a second Mortgage and Mortgage 317029 as a third Mortgage - 6.2.1970 at 9.24 am

358302 Agreement pursuant to Section 30A of the Soil Conservation and Rivers Control Act 1941 - 30.7.1970 at 10.36 am

366555 Mortgage for Her Majesty The Queen under the Marginal Lands Act 1950 - 12.2.1971 at 11.10 am

366556 Memorandum of Priority ranking Mortgage 366555 as a third Mortgage and Mortgage 317029 as a fourth Mortgage - 12.2.1971 at 11.10 am

366555 Mortgage for Her Majesty The Queen under the Marginal Lands Act 1950 - 12.2.1971 at 11.10 am

366556 Memorandum of Priority ranking Mortgage 366555 as a third Mortgage and Mortgage 317029 as a fourth Mortgage - 12.2.1971 at 11.10 am

366555 Mortgage for Her Majesty The Queen under the Marginal Lands Act 1950 - 12.2.1971 at 11.10 am

366556 Memorandum of Priority ranking Mortgage 366555 as a third Mortgage and Mortgage 317029 as a fourth Mortgage - 12.2.1971 at 11.10 am

366974 Gazette Notice closing parts (4 1/2 acres 1 rood .04 perches) adjoining road and incorporating the said parts in within Lease (subject to Electricity Agreement 267578 and Mortgages 314670, 351015 and 317029) - 23.2.1971 at 10.20 am

*[Signature]*  
A.L.R.

366935 Gazette Notice taking parts of the leasehold estate herein (53 acres 2 roods 27 Perches) for the purposes of a road and taking other parts (36 acres 3 roods 39 perches) for better utilisation from and after the 15.2.1971 entered 23.2.1971 at 10.21 am

*[Signature]*  
A.L.R.

405907 Transfer to William Murray Scott of Kyeburn Farmer - 29.6.1973 at 9.22 am

**COMPLETE**  
*[Signature]*  
A.L.R.

Prospecting Licence under the Mining Act 1971 affecting part of the within land in favour of Carpentaria Exploration Company Proprietary Limited for a term of three years commencing on the 25th day of March 1975. See VOL 5D FOL 18

*[Signature]*  
A.L.R.

512515 Mortgage to The Rural Banking and Finance Corporation of New Zealand - 12.3.1979 at 2.00pm

**DISCHARGED**  
28 AUG 1991  
*[Signature]*  
A.L.R.

533591 Transfer to Murray William Scott of Kingston Farmer - 28.4.1980 at 2.17pm

*[Signature]*  
A.L.R.

39570/1 Mortgage to The Rural Banking and Finance Corporation of New Zealand - 1.8.1980 at 1.42 pm

**DISCHARGED**  
28 AUG 1991  
*[Signature]*  
A.L.R.

539570/2 Mortgage to William Murray Scott - 11.8.1980 at 1.42 pm

**DISCHARGED**  
7 OCT 1991  
*[Signature]*  
A.L.R.

555564 Variation of Mortgage 539570/1 - 8.6.1981 at 11.46 am

**DISCHARGED**  
*[Signature]*  
A.L.R.

561644 Mortgage to The Rural Banking and Finance Corporation of New Zealand - 14.9.1981 at 2.22pm

*[Signature]*  
A.L.R.

579074 Variation of Mortgage 512515 - 12.7.1982 at 2.15 pm

*[Signature]*  
A.L.R.

581876 Court Order vesting mortgage 539570/2 in Shirley Isabelle Scott - 30.8.1982 at 2.03 pm

*[Signature]*  
A.L.R.

615815 Variation of Mortgage 512515 - 31.3.1984 at 2.05 pm

**OBSCLETE**

*[Signature]*  
A.L.R.

Part of the adjoining land is now known as Section 10 (4996 ha) SO 22367 - 23.10.1987 at 9.00 am. See Re Appellation 689491/1

746023/1 Part of the within and adjoining land is now known as Sections 1 (2290ha), 2 (4360ha), 3 (1040ha), 4(240ha), 5 (7ha), 6 (10ha), 7(4200m2) and 8 (30ha) all SO 23209 - 22.1.1990 at 9.43am. See New Appellation 746023/1

*[Signature]*  
A.L.R.

763796 Mining Licence under the Mining Act 1971 over the within land in favour of L. S. Mining Limited for a term of 10 years commencing on 12.8.1991 at 10.36am. See 9D/366

*[Signature]*  
A.L.R.

512515 Mortgage to The Rural Banking and Finance Corporation of New Zealand - 12.3.1979 at 2.00pm

**DISCHARGED**  
107 47 91 1999  
*[Signature]*  
A.L.R.

786897/3 Mortgage to The Rural Bank Limited - 28.8.1991 at 10.47am

*[Signature]*  
A.L.R.

786897/4 Memorandum of Priority ranking Mortgage 786897/3 as a first mortgage and Mortgage 539570/2 as a second mortgage - 28.8.1991 at 10.47am

*[Signature]*  
A.L.R.

840935 Surrendered as to Sections 2, 5, 6 & 7 SO 23209 (4377.4200 ha) - 20.10.1993 at 9.45 am

**REJECTED**  
*[Signature]*  
A.L.R.


A.L.R.

842058 Surrender of the within lease as to sections 2, 5, 6 & 7 SO 23209 (4377.4200ha) shown hatched black hereon effective from 1 July 1990 - 5.11.1993 at 10.48am


*[Signature]*  
A.L.R.

OVER - - -

Sections 1, 3, 4 and 8 SO Plan 23209  
are now known as Sections 1, 3, 4 and 5  
SO Plan 23882 (3601.88 ha) - 21.3.1994  
at 9.05am  
See new appellation 851575

  
A.L.R.

866577 Memorandum renewing the within  
lease for a further term of 33 years  
commencing on the 1st July 1992 and  
fixing (for the first 11 years) the  
annual rent at \$10,500 calculated  
on a rental value of \$700,000 -  
4.10.1994 at 11.47am



A.L.R.

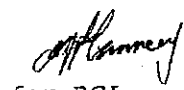
905135 Exploration Permit under Crown  
Minerals Act 1991 over part of the  
within land in favour of Dunstan  
Mining Limited for the term of 3 years  
commencing on the 24.3.1996 - 4.4.1996  
at 9.25 am  
9D/543

**SECRET**



A.L.R.

963356.1 Exploration Permit under  
Section 81 Crown Minerals Act  
1991 Term 5 years from 16.2.1999  
4.3.1999 at 9.00  
9D/628



for RGL

of a 1/2 share  
976333.3 Transfer to Karen Jan Scott

976333.4 Transfer to Murray William  
Scott, Karen Jan Scott and Polson Higgs  
Nominees Limited

976333.5 Mortgage to The National Bank  
of New Zealand Limited  
all 7.10.1999 at 11.11

  
for RGL

978393.1 Mortgage to Shirley  
Isabelle Scott, Alistair Douglas  
Scott and Philip Anthony Tonkin  
and to William Murray Scott,  
Alistair Douglas Scott and  
Philip Anthony Tonkin in shares  
16.11.1999 at 11.26

  
for RGL

