

Crown Pastoral Land Tenure Review

**Lease name : OTEMATATA
STATION I**

Lease number : PO 304

Due Diligence Report (including Status Report) - Part 2

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.

July 09

OTEMATATA NO. 1 PASTORAL LEASE

RECONCILLIATION OF AREA IN LEASE

	<u>Acres</u>	<u>Roods</u>	<u>Perches</u>
Run 742 CT 2C/585 (1.12.1964)	31,300		
Less, Proclamation No. 338404 taking 1 rood 6.9 perches for the development of water power (Benmore Power Project) 14. 3.1969 – SO 16562		<u>1.</u>	<u>6.9</u>
	31,299	2.	33.1
Plus Proclamation No. 340 ³ 23 proclaiming as closed road 17 perches which is now known as Section 8 Block VIII Gala Survey District and incorporating the land within the lease. 7. 5.1969. – SO 16562			<u>17.0</u>
	31,299.	3.	10.1
Less, Gazette Notice No. 339854 declaring 2 acres 9.4 perches to be taken for purposes of a road. 28.4 1969. – SO 16562		<u>2.</u>	<u>0. 9.4</u>
	31,297.	3.	00.7
Gazette Notice No. 340318 declaring the land in Gazette Notice No. 339854 to be set apart for road from 28. 4.1969. 7. 5.1969. – SO 16562			
	31,297.	3.	00.7
Less Proclamation No. 362427 proclaiming 1 acre 28 perches to be taken for the development of water power (Benmore Water Power Scheme). 2.11.1970. – SO 16781		<u>1.</u>	<u>0. 28.0</u>
	31,296.	2.	12.7

	<u>Acres</u>	<u>Roods</u>	<u>Perches</u>	<u>Hectares</u>
Carried Forward	31,296.	2.	12.7	
Gazette Notice No. 364145 setting apart for electricity works (Benmore Water Power Scheme) the Crown Land described in Proclamation No. 362427 from and after 30.11,1970. 7.12.1970 SO 16781	31,296	2.	12.7	
Pursuant to Re-Appellation No. 518736/4, part of the land is now known as Section 50 (500m2) and Section 51 (2800m2) Block VIII Gala Survey District	31,296.	2.	12.7	12,665.2763
Plus Certificate of Alteration No. 529355 incorporating Sections 36, 37 and 49 Block VIII Gala Survey District. 7.2.1980. SO 17676,17746 & 18947				<u>113.4638</u>
				12,778.7401
				12778
Plus, Certificate of Alteration No. 614239 incorporating Sections 40, 41 and 42 Block VIII Gala Survey District. 8. 5.1984.				<u>1.3727</u>
				12,780.1128
Area as per CT No.OT2C/585				12,781.5401 ha
Less, area as per reconciliation				<u>12,780.1128</u>
Difference				1.4273 ha
The correct area is				12,780.1128 ha

LEGAL DESCRIPTION

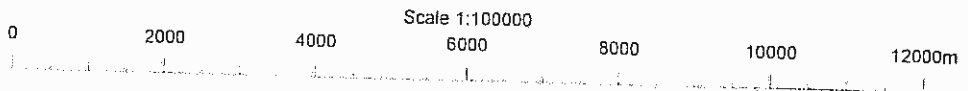
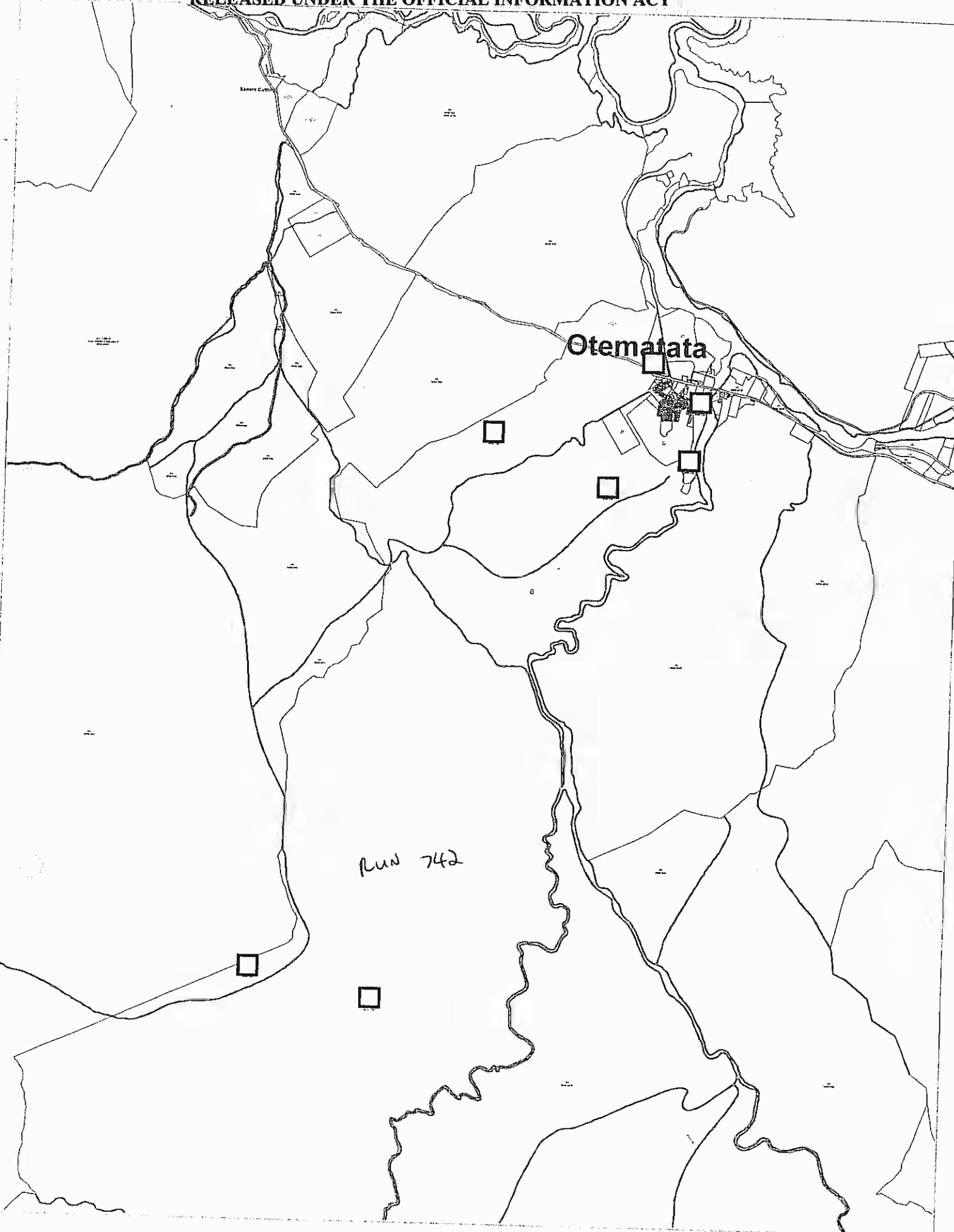
The legal description is shown as Run 742 and Sections 50-51, Section 8, Sections 36-37, Section 49 and Sections 40-42 Block VIII Gala Survey District.

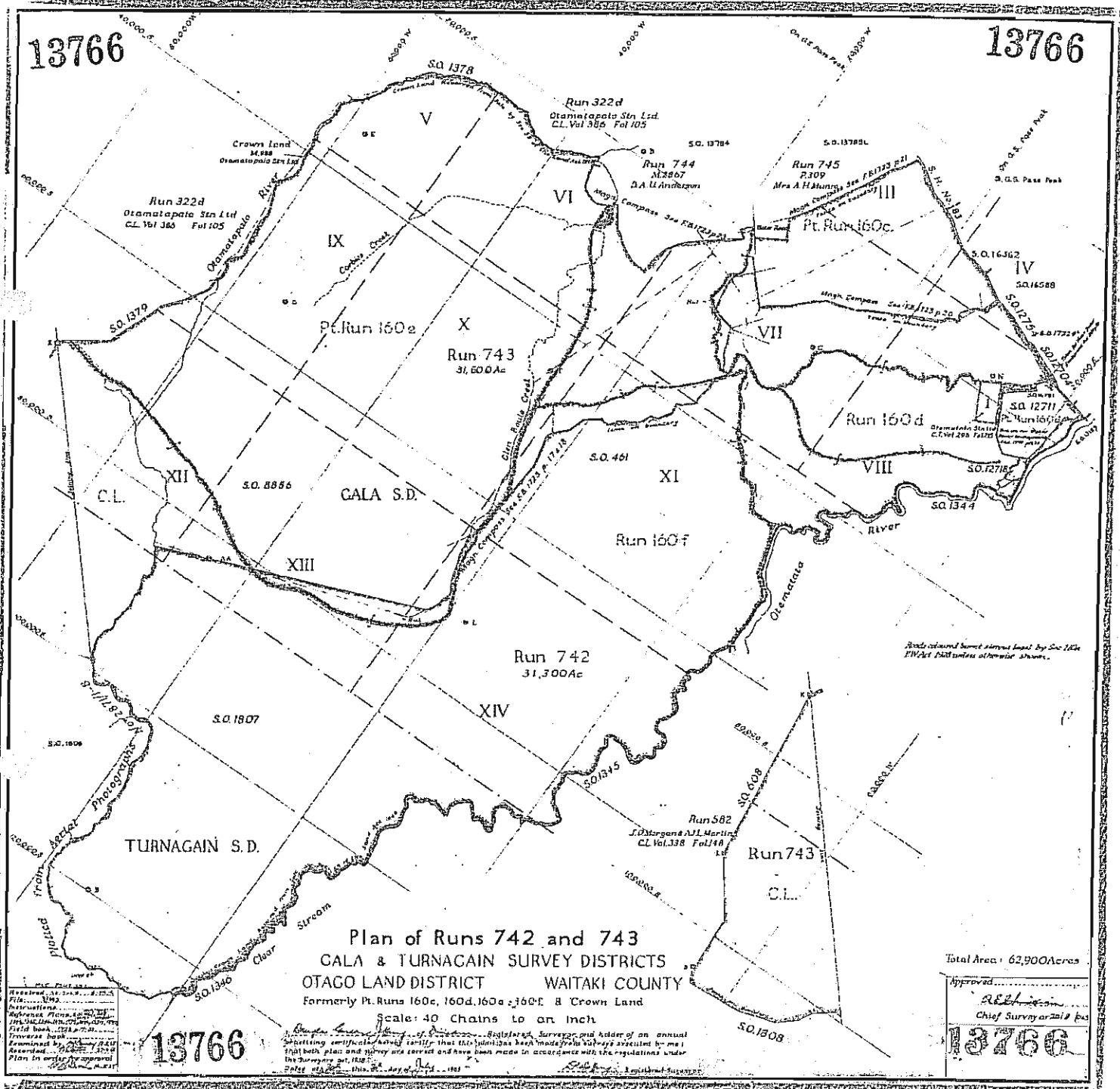
As parts of Run 742 have been taken for the purposes of a road and for the development of water power from Run 742, the description of this run should be amended to Part Run 742.

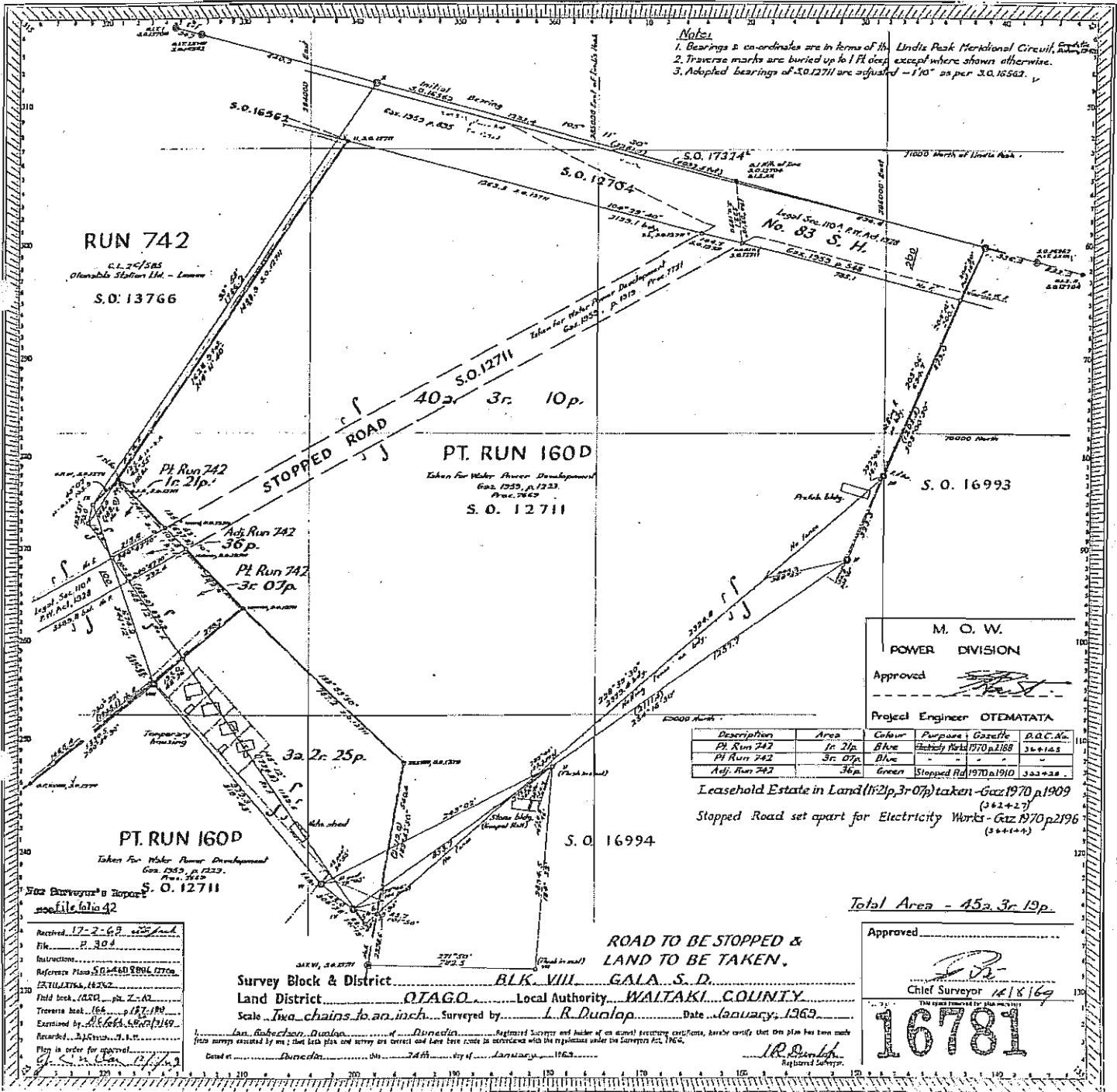
CONVERSION FROM ACRES TO HECTARES

31,296 acres 2 rood 12.7 perches

10,000 Acres	=	4046.85642 ha =====
Therefore: 30,000 Acres	=	12,140.5693 ha
1,000 Acres	=	404.68564 ha
200 Acres	=	80.93713 ha
90 Acres	=	36.42171 ha
6 Acres	=	2.42811 ha
2 Roods	=	.2023.4 ha
12.7 Perches	=	<u>.0321.2</u> ha
		12,665.2763 ha







Notes
 1. Bearings & co-ordinates are in terms of the Linds Peak Meridian Circuit, etc.
 2. Traverse marks are buried up to 1 ft deep except where shown otherwise.
 3. Adopted bearings of S.O. 12711 are adjusted -1'0" as per S.O. 16562.

RUN 742
 C.L. 24/385
 Otterdale Station Ltd. - Lumsden
 S.O. 13766

PT. RUN 160D
 Taken for Water Power Development
 Gaz. 1959 p. 1223
 Dec. 29/59
 S.O. 12711

M. O. W.
POWER DIVISION
 Approved: [Signature]
 Project Engineer OTEMATATA

Description	Area	Colour	Purpose	Gazette	D.C. No.
Pl. Run 742	1c 21p.	Blue	Electricity Works	1970 p. 2188	36+165
Pl. Run 742	3c 07p.	Blue	-	-	-
Adj. Run 742	36p.	Green	Stopped Rd	1970 p. 1910	36+238

Leasehold Estate in Land (1c 21p, 3c 07p) taken - Gaz 1970 p. 1909 (36+165)
 Stopped Road set apart for Electricity Works - Gaz 1970 p. 2196 (36+165)

Total Area - 45a 3c 19p.

Approved: [Signature]
 Chief Surveyor 1218169
16781

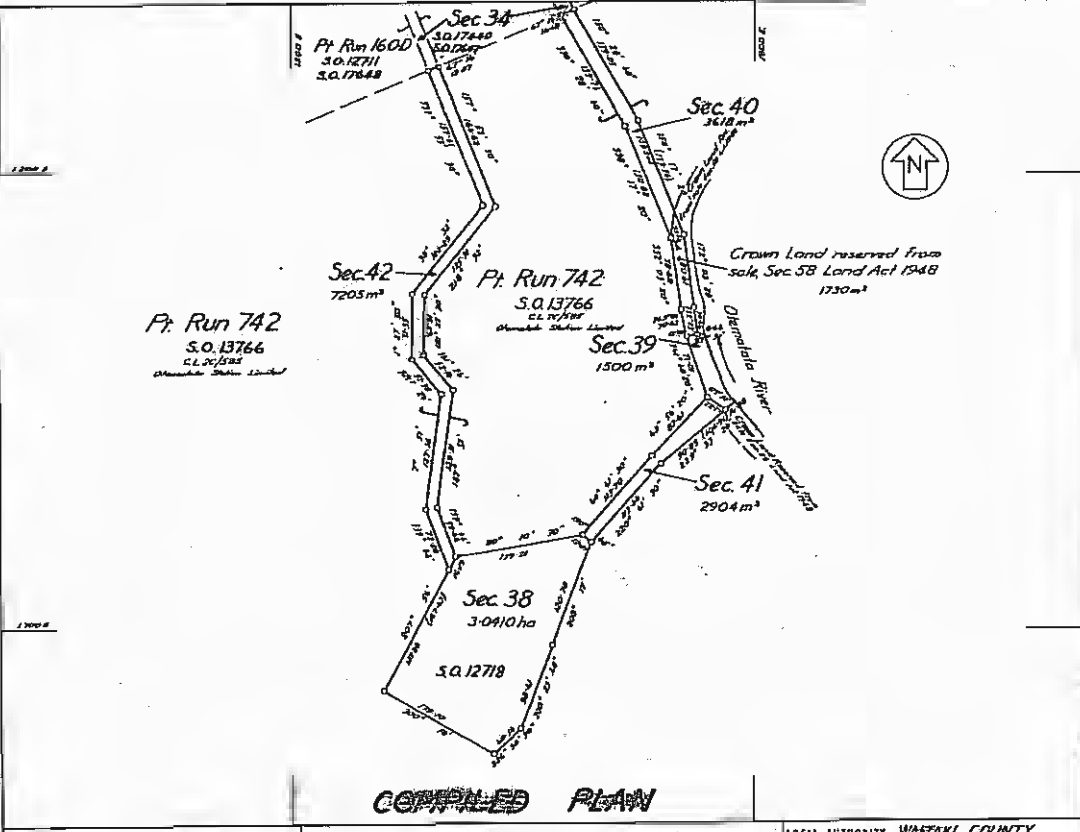
ROAD TO BE STOPPED & LAND TO BE TAKEN.

Survey Block & District BLK VIII, GALA, S. D.
 Land District OTAGO Local Authority WAIKAI COUNTY
 Scale two chains to an inch Surveyed by L. R. Dunlop Date January, 1969

I, L. R. Dunlop, District Surveyor, do hereby certify that the plan has been made from surveys executed by me; that both plan and survey are correct and have been made in accordance with the requirements under the Surveyors Act, 1960.

Surveyor's Report
 17-2-69
 P. 304
 Reference Plans S.O. 13766, 13767, 13768, 13769
 Field book, 1969, p. 2, 3, 4
 Traverse book, 1969, p. 1, 2, 3, 4
 Examined by: [Signature]
 Recorded: [Signature]
 Plan is order for approval: [Signature]

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Section
Former Description
Section 35 Block VIII
Gala S. D.

All adoptions from S.O. 12718

Datum: Old Cadastral in terms of Trig 'N' Gala S. D.

Total Area: 7367 ha
Comprised in G.M. 398 320 Gaz 1973
p. 87 Crown Land

Field Book: ...
Reference Plan: S.O. 17648, 17649, 17650, 17651, 17652

Approved as to Survey: *[Signature]* 26/1/79
26/1/79 Chief Surveyor
Deposited this day of 1979

District Land Registrar

SO 17649
Section

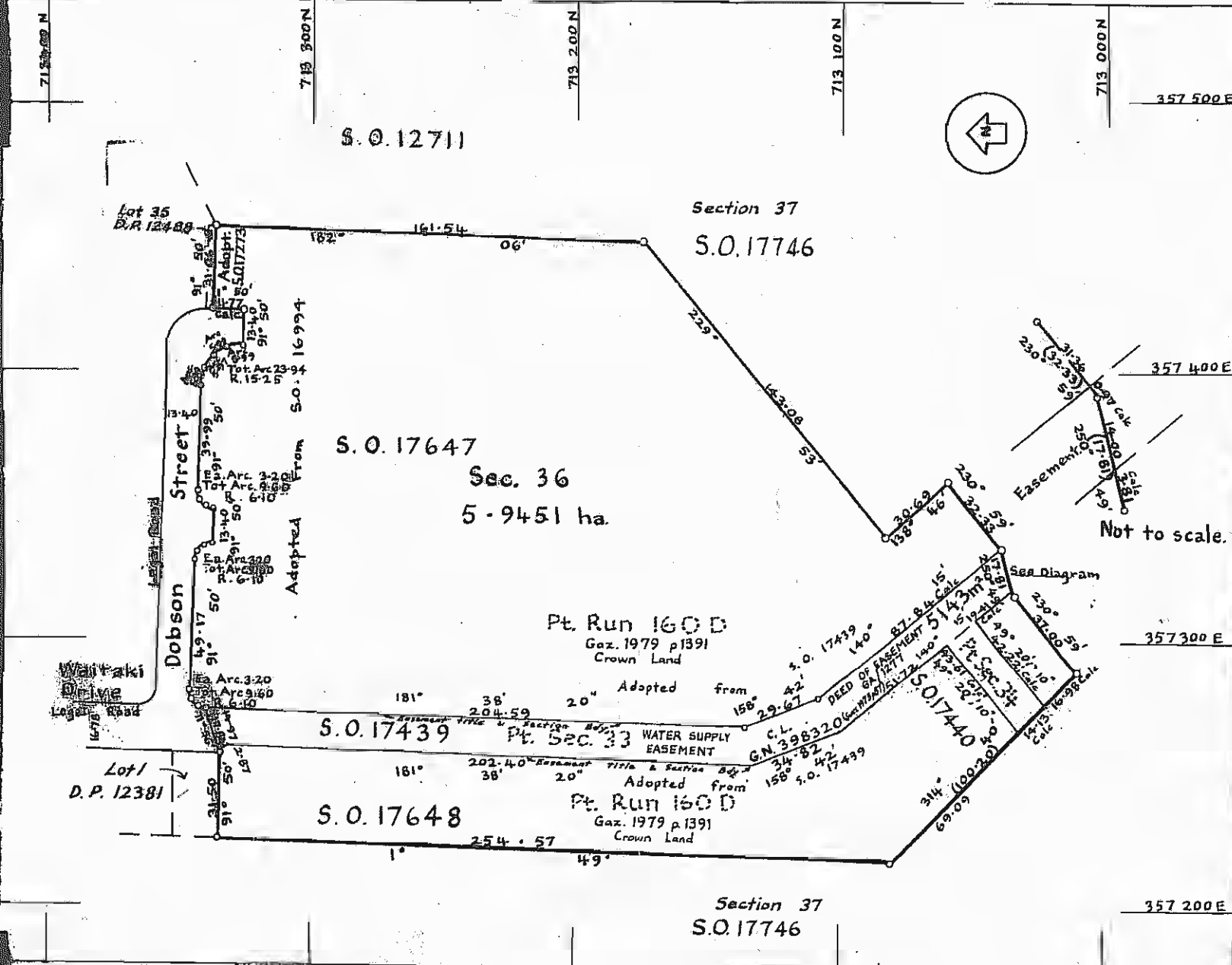
SO 17649

LAND DISTRICT OTASEO
SURVEY BLK. & DIST. VIII GALA
NZHS 177 SHEET NO. 517 AM. 787

Sections 38, 39, 40, 41 and 42

LOCAL AUTHORITY WAFFARI COUNTY
forwarded by Comptrol in Survey Office
Scale 1:2500 Date May 1973

“RELEASED UNDER THE OFFICIAL INFORMATION ACT”



Former Description
 Pt. Run 160 D, Pt. Sec.
 33 & Pt. Sec 34

"Datum Geodetic 1949
 Lindis Peak Circuit
 Coordinates in terms
 of False Origin
 700000N. 300 000 E."

Total Area **5.9451 ha.**
 Comprised in *G.N. 398320* (*Gaz. 1973 p.1391*)

Raymond Armitage Brown of Dunedin
 Registered Surveyor and holder of an annual practising certificate
 hereby certify that this plan has been made from Surveys executed
 by me or under my direction; that both plan and Survey are correct
 and have been made in accordance with the regulations under the
 Surveyors Act 1958
 Dated at *Dunedin* this *25* day
 of *June* 1973 Signature *R.A. Brown*

Field Book *1914* p. *12-14* *Traverse Book 188* p. *46-5*
 Reference Plans *S.O. 12711 17279 17439 17440 17441*
17449 P.P. 12781 12488
 Examined *C.J. Miller* Correct *[Signature]*

Approved as to Survey *[Signature]* 15/5/73
 Chief Surveyor
 Deposited this _____ day of _____ 19____

District Land Registrar

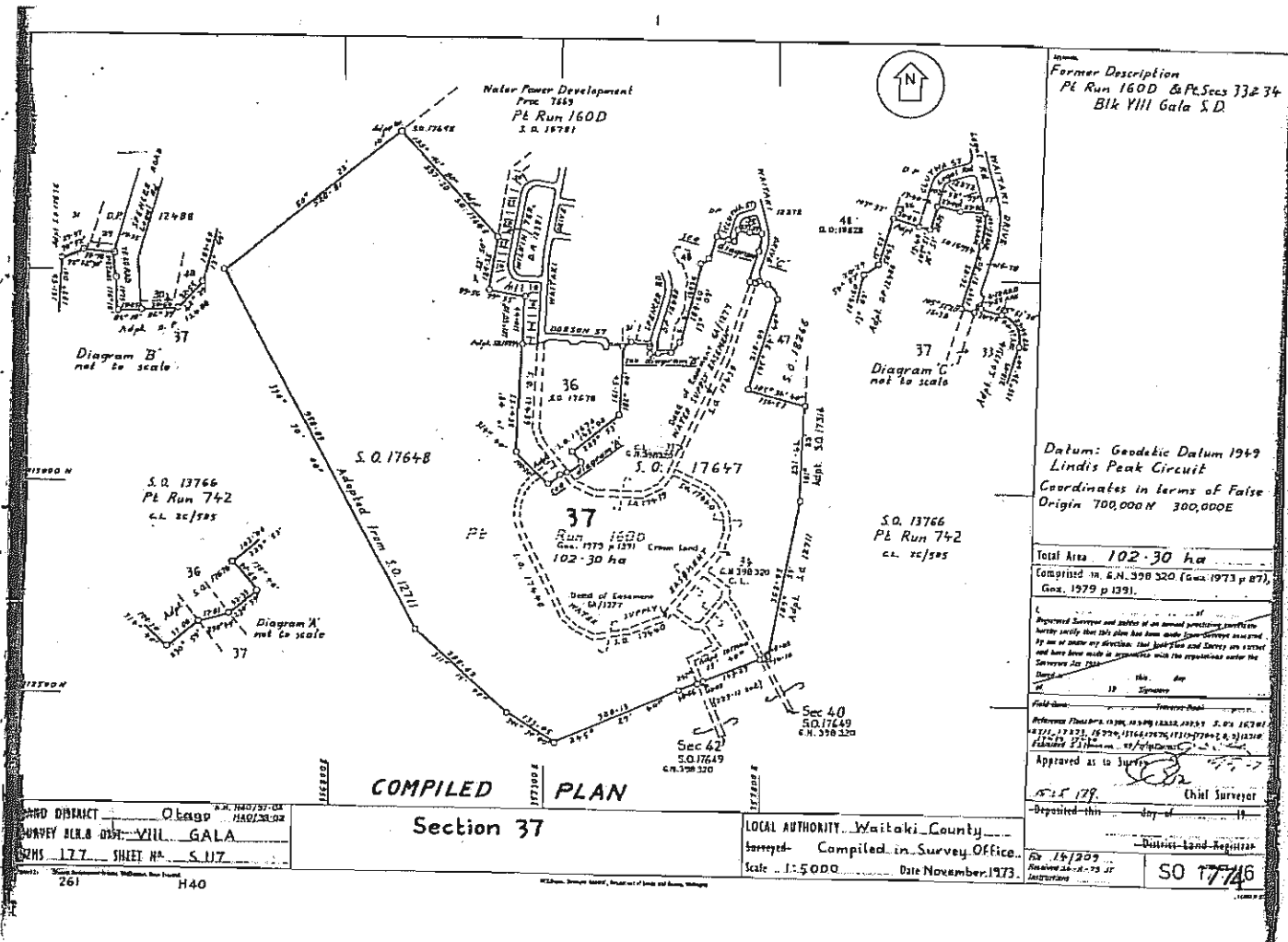
File *14/202*
 Received *2.6.73*
 Instructions *Sub. 79/16*

SO 17676

DISTRICT: **OTAGO**
 COUNTY: **WAIKATO**
 SHEET NO: **117**

Section **36**

LOCAL AUTHORITY **WAITAKI COUNTY**
 Surveyed by **R. A. Brown**
 Scale **1 : 1000** Date **June 1973**



Former Description
PE Run 160D & Pt. Secs 33 & 34
Blk VIII Gala S.D.

Datum: Geodesic Datum 1949
Lindis Peak Circuit
Coordinates in terms of False
Origin 700,000N 300,000E

Total Area 102.30 ha
Comprised in S.N. 398 320 (Gaz. 1973 p 87),
Gaz. 1979 p 1391.

I, the undersigned, being a duly qualified and licensed Surveyor, do hereby certify that this plan has been made from surveys conducted by me or under my direction, that the boundaries and areas are correct and have been made in accordance with the requirements under the Survey Act 1976.

Field Book No. 17
Reference to Plans 11396, 11397, 11398, 11399, 11400, 11401, 11402, 11403, 11404, 11405, 11406, 11407, 11408, 11409, 11410, 11411, 11412, 11413, 11414, 11415, 11416, 11417, 11418, 11419, 11420, 11421, 11422, 11423, 11424, 11425, 11426, 11427, 11428, 11429, 11430, 11431, 11432, 11433, 11434, 11435, 11436, 11437, 11438, 11439, 11440, 11441, 11442, 11443, 11444, 11445, 11446, 11447, 11448, 11449, 11450, 11451, 11452, 11453, 11454, 11455, 11456, 11457, 11458, 11459, 11460, 11461, 11462, 11463, 11464, 11465, 11466, 11467, 11468, 11469, 11470, 11471, 11472, 11473, 11474, 11475, 11476, 11477, 11478, 11479, 11480, 11481, 11482, 11483, 11484, 11485, 11486, 11487, 11488, 11489, 11490, 11491, 11492, 11493, 11494, 11495, 11496, 11497, 11498, 11499, 11500, 11501, 11502, 11503, 11504, 11505, 11506, 11507, 11508, 11509, 11510, 11511, 11512, 11513, 11514, 11515, 11516, 11517, 11518, 11519, 11520, 11521, 11522, 11523, 11524, 11525, 11526, 11527, 11528, 11529, 11530, 11531, 11532, 11533, 11534, 11535, 11536, 11537, 11538, 11539, 11540, 11541, 11542, 11543, 11544, 11545, 11546, 11547, 11548, 11549, 11550, 11551, 11552, 11553, 11554, 11555, 11556, 11557, 11558, 11559, 11560, 11561, 11562, 11563, 11564, 11565, 11566, 11567, 11568, 11569, 11570, 11571, 11572, 11573, 11574, 11575, 11576, 11577, 11578, 11579, 11580, 11581, 11582, 11583, 11584, 11585, 11586, 11587, 11588, 11589, 11590, 11591, 11592, 11593, 11594, 11595, 11596, 11597, 11598, 11599, 11600, 11601, 11602, 11603, 11604, 11605, 11606, 11607, 11608, 11609, 11610, 11611, 11612, 11613, 11614, 11615, 11616, 11617, 11618, 11619, 11620, 11621, 11622, 11623, 11624, 11625, 11626, 11627, 11628, 11629, 11630, 11631, 11632, 11633, 11634, 11635, 11636, 11637, 11638, 11639, 11640, 11641, 11642, 11643, 11644, 11645, 11646, 11647, 11648, 11649, 11650, 11651, 11652, 11653, 11654, 11655, 11656, 11657, 11658, 11659, 11660, 11661, 11662, 11663, 11664, 11665, 11666, 11667, 11668, 11669, 11670, 11671, 11672, 11673, 11674, 11675, 11676, 11677, 11678, 11679, 11680, 11681, 11682, 11683, 11684, 11685, 11686, 11687, 11688, 11689, 11690, 11691, 11692, 11693, 11694, 11695, 11696, 11697, 11698, 11699, 11700, 11701, 11702, 11703, 11704, 11705, 11706, 11707, 11708, 11709, 11710, 11711, 11712, 11713, 11714, 11715, 11716, 11717, 11718, 11719, 11720, 11721, 11722, 11723, 11724, 11725, 11726, 11727, 11728, 11729, 11730, 11731, 11732, 11733, 11734, 11735, 11736, 11737, 11738, 11739, 11740, 11741, 11742, 11743, 11744, 11745, 11746, 11747, 11748, 11749, 11750, 11751, 11752, 11753, 11754, 11755, 11756, 11757, 11758, 11759, 11760, 11761, 11762, 11763, 11764, 11765, 11766, 11767, 11768, 11769, 11770, 11771, 11772, 11773, 11774, 11775, 11776, 11777, 11778, 11779, 11780, 11781, 11782, 11783, 11784, 11785, 11786, 11787, 11788, 11789, 11790, 11791, 11792, 11793, 11794, 11795, 11796, 11797, 11798, 11799, 11800, 11801, 11802, 11803, 11804, 11805, 11806, 11807, 11808, 11809, 11810, 11811, 11812, 11813, 11814, 11815, 11816, 11817, 11818, 11819, 11820, 11821, 11822, 11823, 11824, 11825, 11826, 11827, 11828, 11829, 11830, 11831, 11832, 11833, 11834, 11835, 11836, 11837, 11838, 11839, 11840, 11841, 11842, 11843, 11844, 11845, 11846, 11847, 11848, 11849, 11850, 11851, 11852, 11853, 11854, 11855, 11856, 11857, 11858, 11859, 11860, 11861, 11862, 11863, 11864, 11865, 11866, 11867, 11868, 11869, 11870, 11871, 11872, 11873, 11874, 11875, 11876, 11877, 11878, 11879, 11880, 11881, 11882, 11883, 11884, 11885, 11886, 11887, 11888, 11889, 11890, 11891, 11892, 11893, 11894, 11895, 11896, 11897, 11898, 11899, 11900, 11901, 11902, 11903, 11904, 11905, 11906, 11907, 11908, 11909, 11910, 11911, 11912, 11913, 11914, 11915, 11916, 11917, 11918, 11919, 11920, 11921, 11922, 11923, 11924, 11925, 11926, 11927, 11928, 11929, 11930, 11931, 11932, 11933, 11934, 11935, 11936, 11937, 11938, 11939, 11940, 11941, 11942, 11943, 11944, 11945, 11946, 11947, 11948, 11949, 11950, 11951, 11952, 11953, 11954, 11955, 11956, 11957, 11958, 11959, 11960, 11961, 11962, 11963, 11964, 11965, 11966, 11967, 11968, 11969, 11970, 11971, 11972, 11973, 11974, 11975, 11976, 11977, 11978, 11979, 11980, 11981, 11982, 11983, 11984, 11985, 11986, 11987, 11988, 11989, 11990, 11991, 11992, 11993, 11994, 11995, 11996, 11997, 11998, 11999, 12000.

Approved as to Survey
15.11.1979
Chief Surveyor

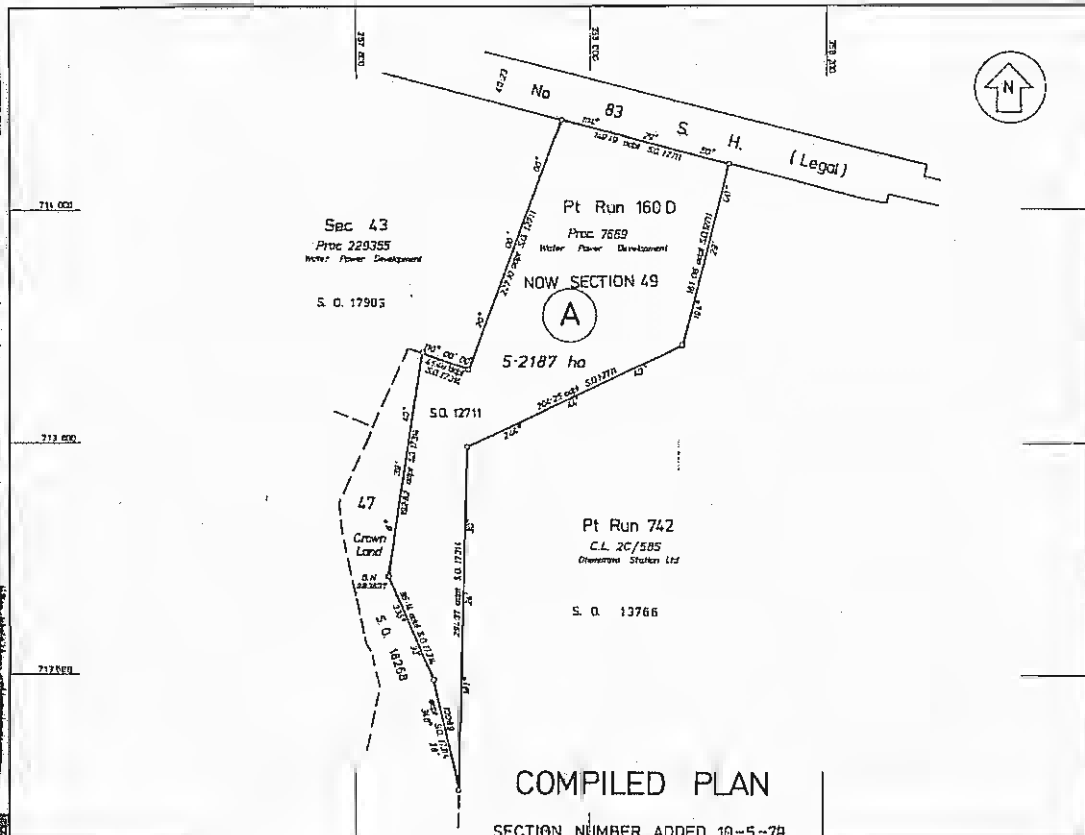
Deposited this 15th day of November 1979
District Land Registrar

ROAD DISTRICT Otago
HARVEY BLK. A DIST. VIII GALA
SHEETS 177 SHEET NO. S.17

COMPILED PLAN
Section 37

LOCAL AUTHORITY Waitaki County
Surveyed - Compiled in Survey Office
Scale 1:5000 Date November 1973

No. 16/209
Received 26-11-79
SO 17746



Approved as to Layout
See plan file
DISTRICT COMMISSIONER OF WORKS

SCHEDULE OF AREAS

Shown	Land to be declared CL	Area
A	Pt Run 160 D	5 2187 ha

(A) Now Crown Land Gaz 1979 p.139.

Datum: Geodetic 1949
Lindis Peak Circuit
False Origin: 700 000 N
300 000 E

Total Area 5-2187 ha
Comprised in (Gaz. 1959 p. 1223)
Proc. 7589

Additional Survey and Order of assessment pending and after
being made that the plan has been made from surveys as stated
above and by direction that both plan and Survey are correct
and have been made in accordance with the regulations and order
Survey Act 1954

Field Book A ——— Towns Book A
Reference Plans S.O. 8058, 12704, 12711, 17316, 17320

Examined & Approved: *[Signature]*
Approved as to Survey: *[Signature]*
2. 16. 78 Chief Surveyor
Deposited this day of 1978

District Land Registrar
50 18947

COMPILED PLAN

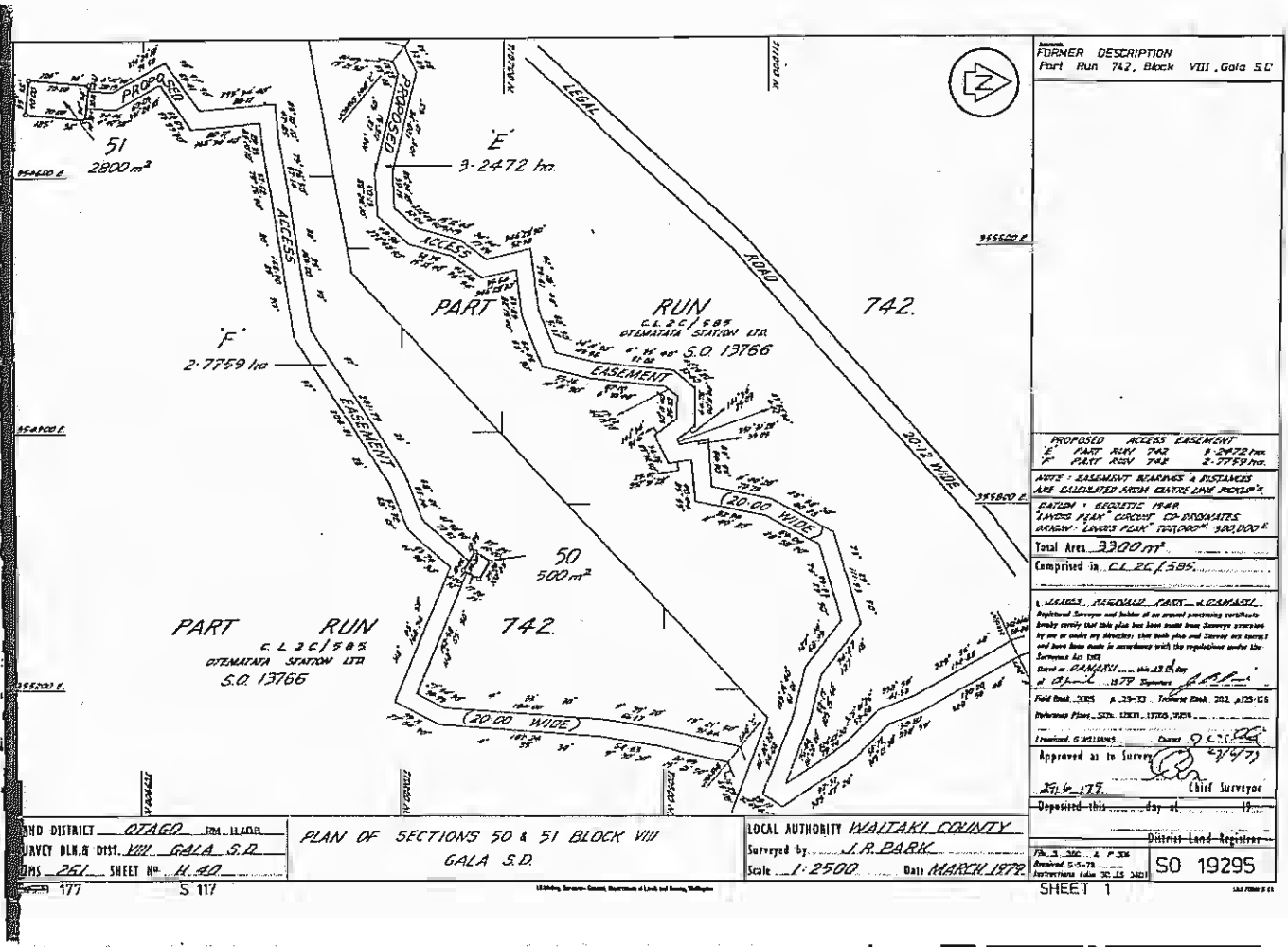
SECTION NUMBER ADDED 10-5-78

LAND DISTRICT OTAGO
SURVEY DISTRICT VIII, Gait S. D.
NZMS 261 SHEET No. B 40 S 117

LAND TO BE
DECLARED CROWN LAND

LOCAL AUTHORITY Waitaki County
Compiled in Survey Office
Scale 1:2000 Date March 1978

© Crown Survey Office, Department of Lands and Survey, 1978-1979



FORMER DESCRIPTION
Part Run 742, Block VIII, Gala S.C.

PROPOSED ACCESS EASEMENT
 E PART RUN 742 3.2472 ha
 F PART RUN 742 2.7759 ha
 NOTE: EASEMENT BEARINGS & DISTANCES
 ARE CALCULATED FROM CENTRE LINE POINTS
 DATUM: GEODETIC 1948
 LINES PLAN CORRECTED BY BRONKHORST
 AND VAN DER MERWE
 Total Area 3300 m²
 Comprised in C.L. 20/585

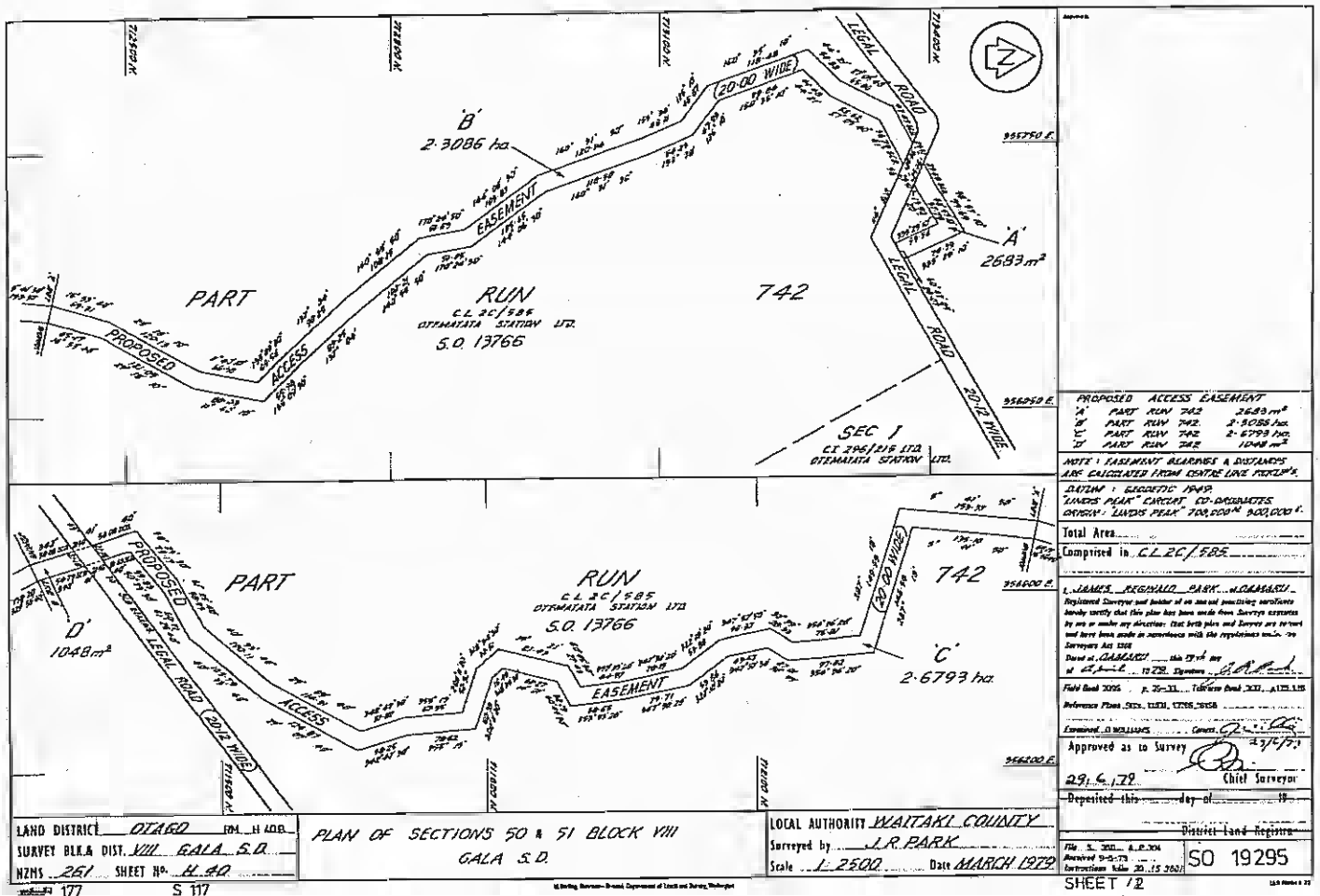
I, JAMES HENRIK PARY, of CANADON,
 Registered Surveyor and holder of an annual practicing certificate
 hereby certify that this plan has been made from accurate surveys
 by me or under my direction that both plan and Survey are correct
 and have been made in accordance with the regulations under the
 Surveyors Act 1967
 Dated at CANADON this 13th day
 of MARCH 1972
 JAMES HENRIK PARY
 Reference Plans: S.D. 1281, 1270, 1216
 I, G. W. H. J. VAN DER MERWE, Chief Surveyor
 Approved as to Survey (Signature)
 27/6/72 Chief Surveyor
 Deposited this day of 1972

LAND DISTRICT OTAGO DIST. H.L.D.
 JAVEY BLK. 8 DIST. VIII GALA S.D.
 THIS 251 SHEET NO. H. 20
 177 5 117

PLAN OF SECTIONS 50 & 51 BLOCK VIII
 GALA S.D.

LOCAL AUTHORITY WAITAKI COUNTY
 Surveyed by J. R. PARK
 Scale 1:2500 Date MARCH 1972

District Land Registrar
 50 19295
 SHEET 1



PROPOSED ACCESS EASEMENT	
A	PART RUN 742 2,693 m ²
B	PART RUN 742 2,308.6 ha
C	PART RUN 742 2,679.3 ha
D	PART RUN 742 1,048 m ²

NOTE: EASEMENT BEARINGS & DISTANCES ARE CALCULATED FROM CENTRE LINE PEOPLE'S

DATA: 1. GEODETIC 1949
2. ANGLES PEAK, ENCLAV. CO-ORDINATES
3. ANGLES PEAK, 750,000 M, 800,000 M

Total Area.....
Comprised in C.L. 20/586.....

L. JAMES PROSSER, SURV. M.C. 10000000
Registered Surveyor and holder of an annual practicing certificate
do hereby certify that this plan has been made from surveys executed
by me or under my direction: that both plan and surveys are correct
and have been made in accordance with the regulations under the
Surveyors Act 1958
Dated at GABARU this 27th day
of MARCH 1979
Field Book 2005 p. 20-33, 10000000, 10000000
Reference Plans C.L. 1000, C.L. 1000
Examined by WILLIAMS, Const. G. J. J.
Approved as to Survey 27/3/79
29.6.79 Chief Surveyor
Deposited this 29th day of 1979

LAND DISTRICT DIABO I.M. H. 400
SURVEY BLK. A DIST. VIII GALA S.D.
NZMS 261 SHEET NO. H. 40

PLAN OF SECTIONS 50 & 51 BLOCK VIII
GALA S.D.

LOCAL AUTHORITY WAIKAKI COUNTY
Surveyed by J.R. PARK
Scale 1:2500 Date MARCH 1979

District Land Register
No. S. 200, A.P. 204
Received 9-5-79
Extraction No. 20, 15 2000
50 19295
SHEET 1/2

H140



COMPUTER INTEREST REGISTER
UNDER LAND TRANSFER ACT 1952



Search Copy

R. W. Muir
Registrar-General
of Land

Identifier **OT2C/585**
Land Registration District **Otago**
Date Registered 26 November 1965 02:03 pm

Part-Cancelled

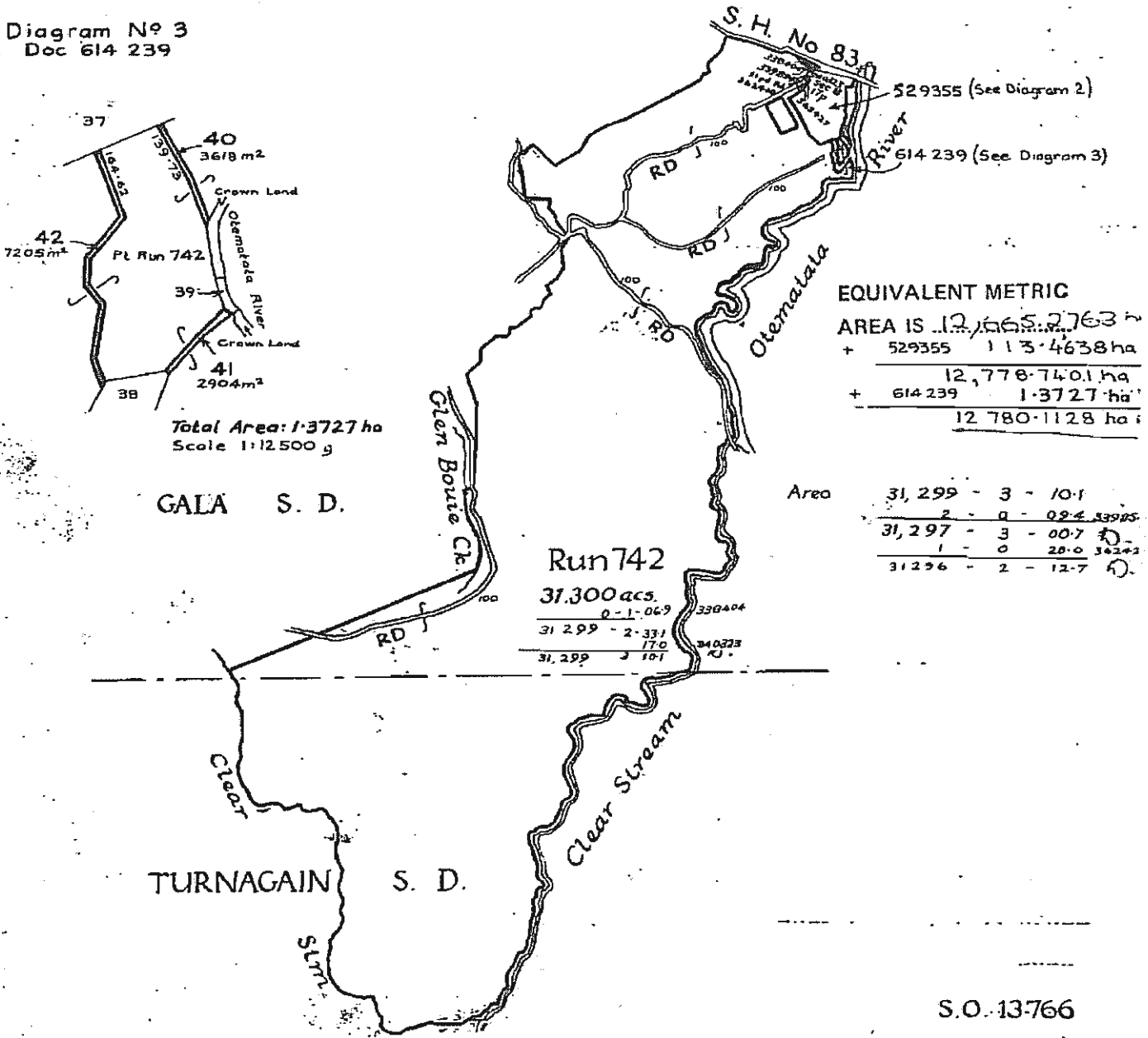
Type	Lease under s83 Land Act 1948		
Area	12781.5401 hectares more or less	Term	33 years commencing on the 1st day of January 1965 and extending the term to 1.1.2031
Legal Description	Run 742 and Section 50-51, Section 8, Section 36-37, Section 49 and Section 40-42 Block VIII Gala Survey District		

Proprietors
Otematata Station Limited

Interests

- 339854 Gazette Notice declaring the leasehold estate in the part indicated on the plan hereon (2acres 9.4perches = 8331m²) to be taken for the purposes of a road from and after 21 April 1969 - 28.4.1969 at 1.46 pm
- 338404 Proclamation taking the leasehold estate in the part indicated on the plan hereon (1 rood 6.9 perches = 4221m²) for the development of water power (Benmore Power Project) - 14.3.1969 at 10.14 am and entered 22.9.1969 (as amended by Proclamation 345952)
- 362427 Proclamation proclaiming part of the leasehold estate indicated on the diagram hereon (1 acre 28 perches = 4755m²) to be taken for the development of water power (Benmore Water Power Scheme) - 2.11.1970 at 2.31 pm
- 511103 Mortgage to The National Bank of New Zealand Limited - 15.2.1979 at 9.23 am
- Deed of Easement embodied in Register OT6A/1277 - 28.2.1983 at 2.05 pm (affecting Section 36 and 37 Block VIII Gala Survey District and Section 40, 41, 42 Block VIII Gala Survey District)
- 854438 Land Improvement Agreement pursuant to Section 30A Soil Conservation and Rivers Control Act 1941 - 2.5.1994 at 9.38 am
- 911293 Variation of Mortgage 511103 - 4.7.1996 at 9.44 am
- 916242 CAVEAT BY TELECOM NEW ZEALAND LIMITED - 16.9.1996 AT 1.00 PM -
- 939524.1 Variation of Lease and extension of term - 13.11.1997 at 3.21 pm

Diagram No 3
Doc 614 239



Total Area: 13727 ha
Scale 1:12500 g

GALA S. D.

TURNAGAIN S. D.

Run 742
31,300 acs.

0-1-069
31 299 - 2-331
170
31,299 3 101

EQUIVALENT METRIC
AREA IS 12,778.2763 ha
+ 529355 113,4638 ha

12,778.7401 ha
+ 614 239 1.3727 ha

12 780.1128 ha

Area

31,299	-	3	-	10.1
2	-	0	-	02.4 33905
31,297	-	3	-	00.7
1	-	0	-	20.0 36242
31296	-	2	-	12.7

Scale: 2 miles to an inch.
1:12,500

S.O. 13766



COMPUTER INTEREST REGISTER
UNDER LAND TRANSFER ACT 1952



Historical Search Copy

R.W. Muir
Registrar-General
of Land

Identifier **OT2C/585**
Land Registration District **Otago**
Date Registered 26 November 1965 02:03 pm

Part-Cancelled

Type	Lease under s83 Land Act 1948		
Area	12781.5401 hectares more or less	Term	33 years commencing on the 1st day of January 1965 and extending the term to 1.1.2031

Legal Description Run 742 and Section 50-51, Section 8, Section 36-37, Section 49 and Section 40-42 Block VIII Gala Survey District

Original Proprietors
Otematata Station Limited

Interests

- 339854 Gazette Notice declaring the leasehold estate in the part indicated on the plan hereon (2acres 9.4perches = 8331m²) to be taken for the purposes of a road from and after 21 April 1969 - 28.4.1969 at 1.46 pm
- 338404 Proclamation taking the leasehold estate in the part indicated on the plan hereon (1 rood 6.9 perches = 4221m²) for the development of water power (Benmore Power Project) - 14.3.1969 at 10.14 am and entered 22.9.1969 (as amended by Proclamation 345952)
- 362427 Proclamation proclaiming part of the leasehold estate indicated on the diagram hereon (1 acre 28 perches = 4755m²) to be taken for the development of water power (Benmore Water Power Scheme) - 2.11.1970 at 2.31 pm
- 511103 Mortgage to The National Bank of New Zealand Limited - 15.2.1979 at 9.23 am
- Deed of Easement embodied in Register OT6A/1277 - 28.2.1983 at 2.05 pm (affecting Section 36 and 37 Block VIII Gala Survey District and Section 40, 41, 42 Block VIII Gala Survey District)
- 854438 Land Improvement Agreement pursuant to Section 30A Soil Conservation and Rivers Control Act 1941 - 2.5.1994 at 9.38 am
- 911293 Variation of Mortgage 511103 - 4.7.1996 at 9.44 am
- 916242 CAVEAT BY TELECOM NEW ZEALAND LIMITED - 16.9.1996 AT 1.00 PM
- 939524.1 Variation of Lease and extension of term - 13.11.1997 at 3.21 pm

L. & S.—B. 4

Former Ref. Vol. - fol. -
L. & S. Ref. No. P. 304

Entered in the Register-book, the
26th day of November

No. 2C/585

PART CANCELLED
1965
PART TAKEN BY GAZETTE NOTICE



Land Registrar

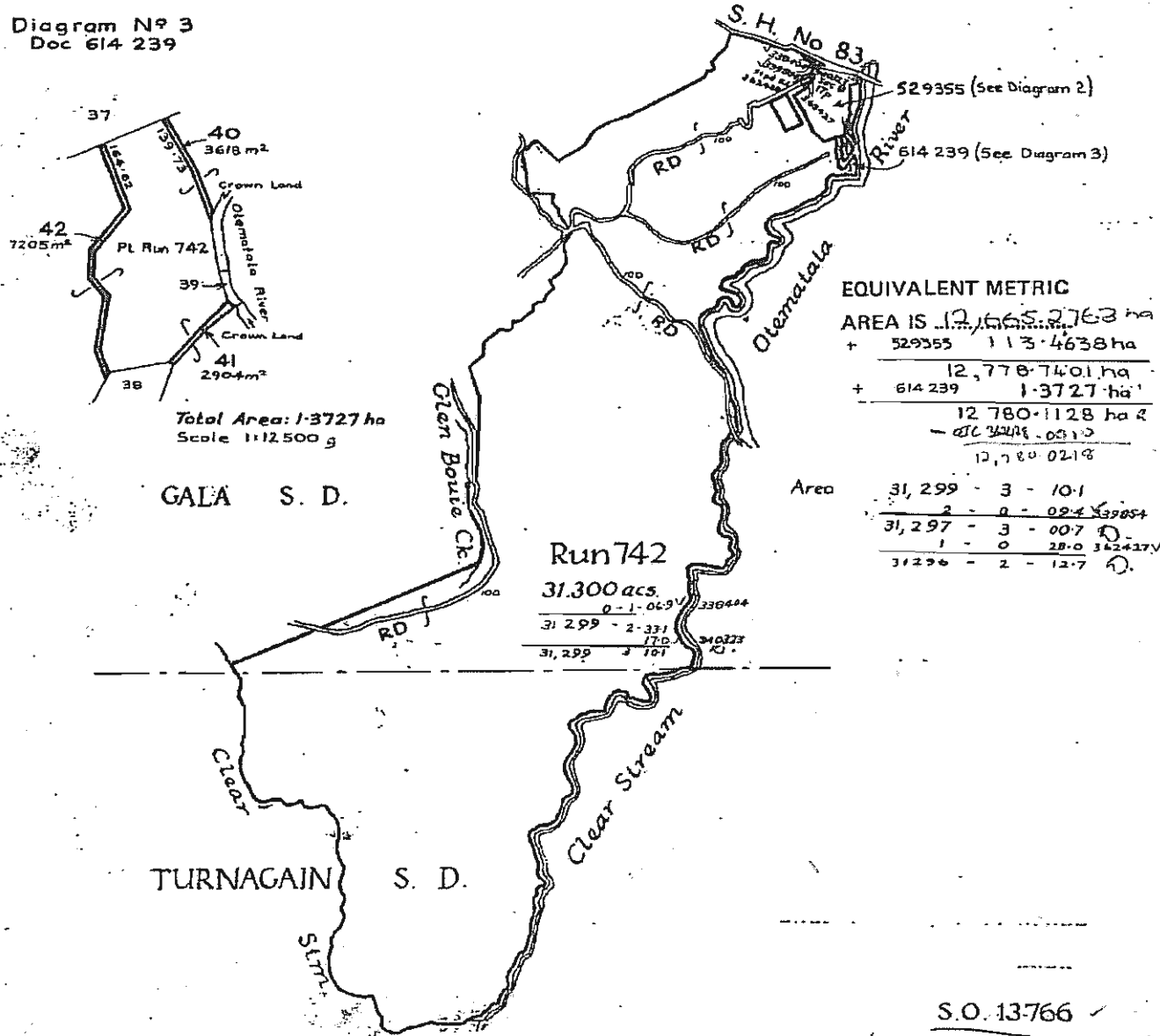
Pastoral Lease under the Land Act 1948

This Deed, made the 1st day of December 1964 between HER MAJESTY THE QUEEN (hereinafter referred to as "the Lessor") of the one part, and OTEMATATA STATION LIMITED a duly incorporated company having its registered office at Dunedin.

(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 31,300 acres more or less, situated in the Land District of Otago, and being Run 742 Gala and Turnagain Survey Districts

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

Diagram No 3
Doc 614 239



S.O. 13-766

Scale: 2 miles to an inch.

No. 2C/585

easements, 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 January 1965, together with the period between the date of this lease and the aforesaid 1st day of January 1965, YIELDING and paying therefor unto the Department of Lands and Survey at Dunedin the annual rent of £430 : 0 : 0 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 £ 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 63757 sheep which number shall not include more than 1500 breeding ewes nor more than 60 caule which number shall not include more than 50 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 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.

SCHEDULE OF IMPROVEMENTS BELONGING TO THE CROWN

Nil.

Assistane

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.

Assistane

Signed by the said Commissioner on behalf of the Lessor, in the presence of—

Witness:

Occupation:

Address:

The common seal of Otematata Station Limited was hereunto affixed

Signed by the above-named Lessee, in the presence of—

Director:

Witness:

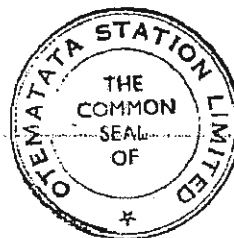
Director:

Occupation:

Address:

[Handwritten signature]

Assistant Commissioner of Crown Lands.



Lessee.

331405 Compensation Certificate pursuant to **DISCHARGED** 25.11.1959 17 of the Public Works Amendment Act 1948 - 5.9.1958 at 11.39 am.

c.t. 20/585

51103 Mortgage to the National Bank of New Zealand Limited - 15.2.1979 at 9.23 am

[Signature]
A.L.R.

[Signature]
A.L.R.

340323 Proclamation proclaiming as closed the road indicated on the plan hereon (17 perches) which is now known as Section 8 Block VIII Gala District and incorporating the same in the within Lease - 7.5.1969 at 11.39 am

Part of the within land is now known as Section 50 (500m²) and Section 51 (2800m²) Block VIII Gala Survey District See Re-appellation 518736/4

[Signature]
A.L.R.

[Signature]
A.L.R.

339854 Gazette Notice declaring the leasehold estate in the part indicated on the plan hereon (2 acres 9.4 perches) to be taken for the purposes of a road from and after 21 April 1969. Registered 28.4.1969 at 1.46 pm

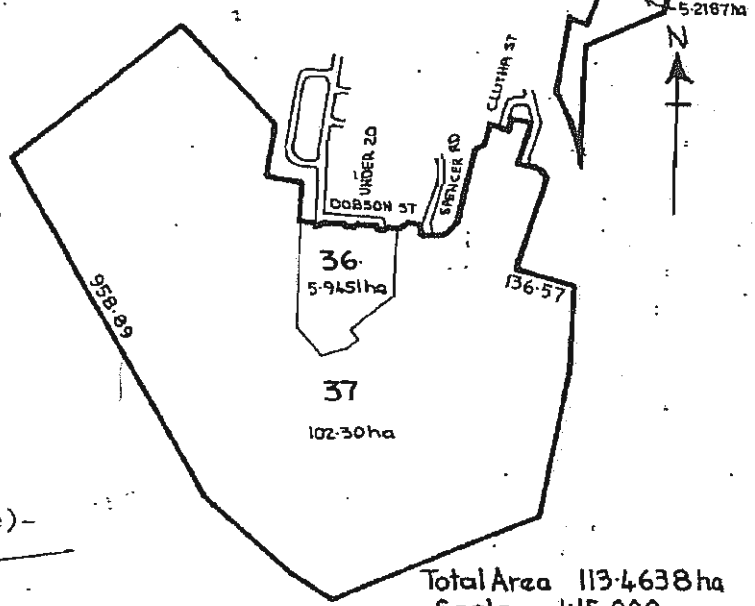
529355 Certificate of Alteration incorporating in the within lease Sections 36, 37 and 49 Block VIII Gala District (113.4638ha) with no increase in Annual rent or Stock Limitation 7.2.1980 at 11.01 am

[Signature]
A.L.R.

[Signature]
A.L.R.

340318 Gazette Notice declaring the land in Gazette Notice 339854 to be Set Apart for Road from and after 28 April 1969 Registered 7.5.1969 at 11.30 am

DIAGRAM No.2
Doc 529355



[Signature]
A.L.R.

338404 Proclamation taking the leasehold estate in the part indicated on the plan hereon (1 road 6.9 perches) for the development of water power (Benmore Power Project) - 14.3.1969 at 10.14 am and entered 22.9.1969 (as amended by Proclamation 345952)

590817 Certificate of alteration certifying Sections 36 and 37 Block VIII Gala District (herein) subject to deed of grant of easement contained in C.T. 6A/1277 - 28.2.1983 at 2.5 pm

[Signature]
A.L.R.

[Signature]
A.L.R.

362427 Proclamation proclaiming part of the leasehold estate indicated on the diagram hereon (1 acre 28 perches) to be taken for the development of water power (Benmore Water Power Scheme) - 2.11.1970 at 2.31 pm

362428 Order in Council declaring the road indicated on the diagram hereon (36 perches) to be a Government road and to be stopped - 2.11.1970 at 2.34 pm

[Signature]
A.L.R.

364145 Gazette Notice setting apart for Electricity Works (Benmore Water Power Scheme) the Crown Land described in Proclamation 362427 from and after the 30.11.1970 entered 7.12.1970 at 11.11 am

614239 Certificate of Alteration incorporating in the within lease sections 40, 41 and 42 Block VIII Gala S.D. (1.3727 ha) with no increase in annual rental or stock limitation and certifying that the said sections are subject to deed of grant of easement contained in C.T. 6A/1277 - 8.5.1984 at 11.06 am

[Signature]
A.L.R.

[Signature]
A.L.R.

364144 Gazette Notice setting apart for Electricity Works (Benmore Water Power Scheme) the land in Order in Council 362428 from and after the 30.11.1970 entered 7.12.1970 at 11.09 am

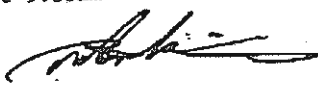
[Signature]
A.L.R.

over 5

58

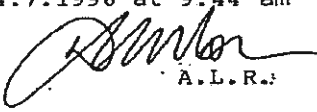
✓ C.T. 2C/585-

854438 Land Improvement Agreement
under Section 30A of the Soil
Conservation and Rivers Control Act
1941 - 2.5.1994 at 9.38am



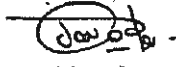
A.L.R.

911293 Variation of Mortgage
511103 - 4.7.1996 at 9.44 am



A.L.R.

✓ 916242 Caveat by Telecom New
Zealand Limited - 16.9.1996 at
1.00 pm



A.L.R.

✓ 939524.1 Variation and extension
of the term to 1.1.2031
13.11.1997 at 3.21

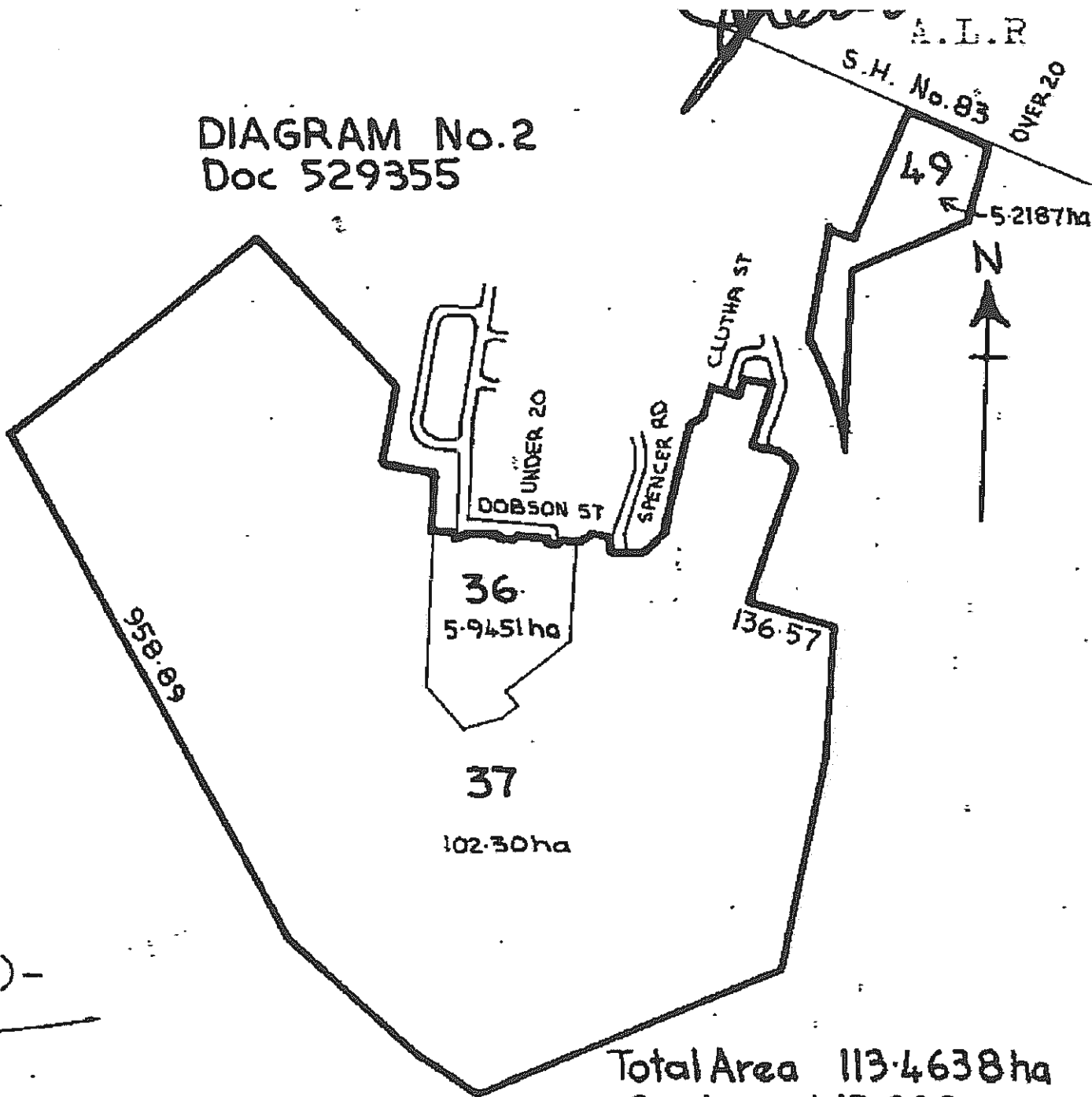

for DLR

2C/585

LAND & DEEDS
Nature: Pastoral Lease
Firm: CCh
26 NOV 1995
Time: 2.03
Fee: £ 151.00
Abstract No. 456



DIAGRAM No.2
Doc 529355



e)-

Total Area 113.4638 ha
Scale 1:15,000

338404

CT. 20/58B

Particulars Entered in the Register-Book
VOL. — FOLIO in Block VIII Gula District
14 MAR 1969

AT 10:14 O'CLOCK.

Stewart
Assistant Land Registrar
OTAGO

02



Words to be deleted

345952 Proclamation pending
U + in the seventh and eight
times have to be deleted the
words "Pastoral Lease No. P 305,
register book Volume 24 folio
586" be deleted, and substituted
the words "Pastoral Lease No P 304,
register book, Volume 24
folio 585". Registered
22.9.1969 at 2.3 pm.

Stewart A.L.R.

338492 Gazette Notice declaring
the unalienated land to be set apart
for the development of water
power (Benmore Falls Project)
from and after 10th March 1969.
at 10 21 am

Stewart A.L.R.

Eng. Miller Proc
14-MAR-1969
10:14
197

Private Bag, Dunedin

12 August

69

Ministry of Works,

P.O. Box 451,

DUNEDIN.

Proclamation

338404

The leasehold estate mentioned in the above
Proclamation is part of the land in Lease P.304 -
Certificate of Title 20/585 - not as stated in your document.

C.C. Kennelly
C.C. Kennelly

Dir

(Rev. 1/67)



IN REPLY PLEASE QUOTE

MINISTRY OF WORKS

P.W. 92/12/46/6

Telephone: 77 131

P.O. BOX 451
DUNEDIN

3 August 1969



The District Land Registrar,
Private Bag,
DUNEDIN.

PROCLAMATION 338404
LEASEHOLD ESTATE IN LAND TAKEN FOR THE DEVELOPMENT
OF WATER POWER (BENMORE POWER PROJECT) IN BLOCK VIII,
GALA S.D. : (N.Z. GAZETTE NO. 72 OF 27.2.69, PAGE 361)

I acknowledge your requisition of 12 August 1969 and am attending to early gazettal of an amendment to the Proclamation in which, as you point out, the correct reference to the leasehold estate should be to that in Pastoral Lease No. P 304, register book Volume 2C, folio 585, Otago Land Registry. The amending document will be lodged with you as soon as possible.

J.F. Henderson
District Commissioner of Works

For:

W.C. Bates

Extract from *N.Z. Gazette*, 27 February 1969, No. 12, page 360

*Leasehold Estate in Land Taken for the Development of
Water Power (Benmore Power Project) in Block VIII, Gala
Survey District*

ARTHUR PORRITT, Governor-General

A PROCLAMATION

PURSUANT to the Public Works Act 1928, 1, Sir Arthur Espie Porritt, Baronet, the Governor-General of New Zealand, hereby proclaim and declare that the leasehold estate in the land described in the Schedule hereto, hold from Her Majesty the Queen by Otagoata Station Ltd., a duly incorporated company having its registered office at Dunedin, under and by virtue of Pastoral Lease No. P. 305, Register Book, Volume 2c, Folio 586, Otago Land Registry, is hereby taken for the development of water power (Benmore Power Project).

SCHEDULE

OTAGO LAND DISTRICT

ALL that piece of Crown land containing 1 rood 06.9 perches situated in Block VIII, Gala Survey District, Otago R.D., being part Run 742; as (the same is more particularly delineated on the plan marked M.O.W. 22496 (S.O. 16562) deposited in the office of the Minister of Works at Wellington, and thereon coloured sepia, edged orange.

Given under the hand of His Excellency the Governor-General, and issued under the Seal of New Zealand, this 11th day of February 1969.

[S.] PERCY B. ALLEN, Minister of Works.
GOD SAVE THE QUEEN!

(P.W. 92/12/46/6; D.O. 92/12/46/6)

A. S. STANLEY, Government Printer, Wellington, New Zealand.

340323

PARTICULARS ENTERED IN THE REGISTER-BOOK
VOL. 73 FOLIO 185, 138/197, ~~138/197~~

374/118, 399/191, 20/585
AT 11-39 7 MAY 1969

E. H. Lawrence
Assistant Land Registrar
OTAGO

CT issued for sections in Block VI Kerow
Sections 24 & 25 30/650
~~Section 26 30/651~~
~~Section 27 via Kula Section 30/652~~

See CNCT 343009

E. H. Lawrence
HLR
15.7.1969



Proclamation
HLR

11-39
103

Document No. 340323.....

Land & Deeds,
 C.P.O.,
 DUNEDIN.
 19539

The Chief Surveyor,
DUNEDIN.

The Proclamation in N.Z. Gazette of 23/1.4.1954 (S.O. 13154.....) closes road or street, and grants same to adjoining owners.

Would you please supply me with the new appellation for the parcels so affected in the schedule following.

C.C. KENNELLY
 District Land Registrar.
per [Signature]

Area	Adjoining C.T.	New Appellation
1-2-209	397/ 191	Section 24, Block VI, Kuraw Survey District
2-2-056	75/185	Section 25, Block VI, Kuraw Survey District
0-1-18	75/185	
1.4p	138/197	Section 26, Block VI, Kuraw Survey District

To District Land Registrar

Descriptions are as above.

R.C. Petre
 Chief Surveyor
 per: D. E. Bell

Extract from N.Z. Gazette, 23 April 1969, No. 24, page 780

Road Closed and Vested and Road Closed and Incorporated in Lease in Perpetuity in Block VI, Kurow Survey District, and Road Closed and Incorporated in Pastoral Lease in Block VIII, Gula Survey District

PURSUANT to section 29 of the Public Works Amendment Act 1948, the Minister of Works hereby proclaims that the road described in the Schedule hereto is closed; and declares that the road shall, essentially and finally, be incorporated in the said Schedule shall, vest, in Quemana Station Ltd., a duly incorporated company having its registered office at Dunedin, subject to the reservations and conditions imposed by section 59 of the Land Act 1948, and subject to electricity agreement X. 20611, Otago Land Registry, and declares that the road wholly described in the said Schedule shall be incorporated in lease in perpetuity No. 1427, recorded in register book Volume 126 folio 197, Otago Land Registry, held by the said Quemana Station Ltd., subject to electricity agreement X. 20611, Otago Land Registry, and declares that the road wholly described in the said Schedule shall be incorporated in pastoral lease No. P. 104, recorded in register book Volume 76 folio 311, Otago Land Registry, held by the said Quemana Station Ltd.

SCHEDULE

OTAGO LAND DISTRICT

ALL those pieces of road situated in Block VI, Kurow Survey District, Otago R.D., described as follows:

- | | | | |
|----|----|------|---------------------------------------|
| A. | R. | P. | |
| 1 | 2 | 20.4 | Adjoining Section 16. |
| 2 | 2 | 3.6 | Adjoining Sections 8, 12, 13, and 15. |
| 0 | 1 | 18 | Passing through Section 8. |
| 0 | 0 | 1.4 | Adjoining Section 12. |

As the same are more particularly delineated on the plan marked M.O.W. 22570 (S.O. 13134) deposited in the office of the Minister of Works at Wellington, and thereon coloured green.

All that piece of road containing 17.0 perches situated in Block VIII, Gula Survey District, Otago R.D., adjoining or passing through Run 742; as the same is more particularly delineated on the plan marked M.O.W. 22696 (S.O. 16562), deposited in the Office of the Minister of Works at Wellington, and thereon coloured green.

Dated at Wellington this 16th day of April 1969.

PERCY B. ALLEN, Minister of Works.

(P.W. 72/83/16/0; D.O. 72/83/16/0/0)

A. R. SIZARD, Government Printer, Wellington, New Zealand.

339854

Electricity Agreement X 20611

PARTICULARS REFERRED TO IN THE REPORT

VOL 73 FOLIO 185 138/197, 145/54, 399/191, 2c/585 and 2c/586

AT 146

Ethelwyn
Assistant Land Registrar
DUNEDIN



Please visit 252 130
303 9 2

40318. Gazette Notice declaring the land therein contained in CST 138/197, 145/54, c/585 and 2c/586 to be set apart for road from and after 28 April 1969 —
15.1969 at 11.30 am *Ethelwyn*

AZR

LAND & DEEDS
Nature: *Q3 N.*
File: *MOW*
28 APR 1969
146.
303.

Extract from N.Z. Gazette, 17 April 1969, No. 23, page 749

Declaring Land Taken for Road and for the Use, Convenience, or Enjoyment of a Road in Block VI, Kurow Survey District, and Leasehold Estate in Land Taken for the Purposes of a Road in Blocks III, IV, and VIII, Gale Survey District

PURSUANT to section 32 of the Public Works Act 1924, the Minister of Works hereby declares that, a sufficient agreement to that effect having been entered into, the land described in the First Schedule hereto is hereby taken for roads; and the land described in the Second Schedule hereto is hereby taken for the use, convenience, or enjoyment of a road; and the leasehold estate in the land first described in the Third Schedule hereto, held from Her Majesty the Queen by Otomatata Station Ltd., a duly incorporated company having its registered office at Dunedin, under and by virtue of lease in perpetuity No. 1427, register book, Volume 139, folio 197, Otago Land Registry, and the leasehold estate in the land secondly described in the said Third Schedule, held from Her Majesty the Queen by Otomatata Station Ltd., aforesaid, under and by virtue of lease in perpetuity No. 1445, register book, Volume 143, folio 54, Otago Land Registry, and the leasehold estate in the land thirdly described in the said Third Schedule, held from Her Majesty the Queen by Otomatata Station Ltd., aforesaid, under and by virtue of pastoral lease No. P. 305, register book, Volume 2c, folio 585, Otago Land Registry, and the leasehold estate in the land avernantly and eighthly described in the said Third Schedule, held from Her Majesty the Queen by Otomatata Station Ltd., aforesaid, under and by virtue of pastoral lease No. P. 364, register book, Volume 2c, folio 585, Otago Land Registry, is hereby taken for the purposes of a road from and after the 21st day of April 1969.

FIRST SCHEDULE

OTAGO LAND DISTRICT

ALL those pieces of land situated in Block VI, Kurow Survey District, Otago R.D., described as follows:

A. R. P.	Being
0 0 30.5	Part Section 16.
1 0 2.8	"
0 1 6.8	Part Section 8.

As the same are more particularly delineated on the plan marked M.O.W. 22570 (S.O. 13134) deposited in the office of the Minister of Works at Wellington, and thereon coloured yellow.

SECOND SCHEDULE

OTAGO LAND DISTRICT

ALL that piece of land containing 1 rood 8.1 perches, situated in Block VI, Kurow Survey District, Otago R.D., being part Section 16; as the same is more particularly delineated on the plan marked M.O.W. 22570 (S.O. 13134) deposited in the office of the Minister of Works at Wellington, and thereon coloured yellow, bordered yellow.

THIRD SCHEDULE

OTAGO LAND DISTRICT

ALL those pieces of Crown land situated in Block VI, Kurow Survey District, and Blocks IV and VIII, Gale Survey District, Otago R.D., described as follows:

A. R. P.	Being
1 3 2.3	Part Section 12, Block VI, Kurow Survey District: coloured sepia on plan M.O.W. 22570 (S.O. 13134).
0 3 30.4	Part Section 13, Block VI, Kurow Survey District: coloured blue on plan M.O.W. 22570 (S.O. 13134).
0 0 29.8	Part Run 743, Block IV, Gale Survey District: coloured blue on plan M.O.W. 22696 (S.O. 16562).
0 1 25.6	Part Run 743, Block IV, Gale Survey District: coloured blue on plan M.O.W. 22696 (S.O. 16562).
0 3 26.6	"
0 0 28.6	"
0 0 12.3	Part Run 160a, Block VIII, Gale Survey District: coloured orange on plan M.O.W. 22695 (S.O. 13159).
2 0 9.4	Part Run 742, Block VIII, Gale Survey District: coloured orange on plan M.O.W. 22695 (S.O. 16562).

As the same are more particularly delineated on the plans deposited in the office of the Minister of Works at Wellington, and thereon marked and coloured as above-mentioned.

Dated at Wellington this 27th day of March 1969.

PERCY B. ALLEN, Minister of Works.

(P.W. 72/83/16/0; D.O. 72/83/16/0/0)

A. R. 924122. Government Printer, Wellington, New Zealand.

Handwritten notes:
 1st plan
 2nd plan
 3rd (1307/197 + 145/143)
 10/15/1969
 Standard of title on
 Part of Road

Handwritten:
 327/17
 7/1/69

Handwritten checkmarks:
 2 ✓
 6 ✓
 7 ✓
 11 ✓
 12 ✓

Handwritten:
 100

✓ 340318
138/197, 145/54, 20/585 + 20/586
PARTICULARS ENTERED IN THE REGISTER-BOOK and
VOLGZ FOLIO 339854

AT 11:30 O'CLOCK. 7 - MAY 1969

E. M. Blair
Assistant Land Registrar
OTAGO



W. S. [unclear]

SEARCHED
INDEXED
SERIALIZED
FILED
MAY 11 1969
FBI - OTAGO
103

Extract from N.Z. Gazette, 23 April 1969, No. 24, page 777

Crown Land Set Apart for Road in Block VI, Kuraw Survey District, and Blocks IV and VIII, Gala Survey District

PURSUANT to section 25 of the Public Works Act 1928, the Minister of Works hereby declares the Crown land described in the Schedule hereto to be set apart for road from and after the 28th day of April 1969.

SCHEDULE

OTAGO LAND DISTRICT

All those pieces of Crown land situated in Block VI, Kuraw Survey District, and Blocks IV and VIII, Gala Survey District, Otago R.D., described as follows:

A. R. P.		Being
1	2 2.3	Part Section 12, Block VI, Kuraw Survey District: coloured sepia on plan M.O.W. 22370 (S.O. 13134).
0	3 30.4	Part Section 13, Block VI, Kuraw Survey District: coloured blue on plan M.O.W. 22370 (S.O. 13134).
0	0 29.8	Part Run 743, Block IV, Gala Survey District: coloured blue on plan M.O.W. 22696 (S.O. 16562).
0	1 25.6	Part Run 743, Block III, Gala Survey District: coloured blue on plan M.O.W. 22696 (S.O. 16562).
0	3 25.8	
0	0 28.6	
0	0 12.5	Part Run 1600, Block VIII, Gala Survey District: coloured orange on plan M.O.W. 22695 (S.O. 13159).
2	0 9.4	Part Run 742, Block VIII, Gala Survey District: coloured orange on plan M.O.W. 22696 (S.O. 16562).

As the same are more particularly delineated on the plans deposited in the office of the Minister of Works at Wellington, and thereon marked and coloured as above-mentioned.

Dated at Wellington this 27th day of March 1969.

PERCY B. ALLEN, Minister of Works

(P.W. 72/83/16/0; D.O. 72/83/16/0/0)

A. R. Seale, Government Printer, Wellington, New Zealand

362427

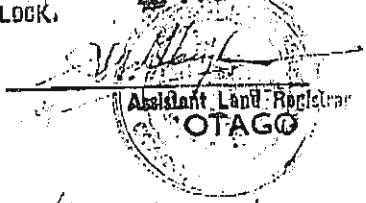


MWP_0016324

PARTICULARS ENTERED IN THE REGISTER-BOOK
VOL: 2c FOLIO 586

2.31 O'CLOCK.

2 NOV 1970



work advised

3 641 45 Gazette Notice declaring
the within land to be set apart
for electricity works from and
after the 30.11.1970 entered
2.12.1970 at 11/11am. *[Signature]*

LAND & DEEDS	
Nature:	<i>luc mco</i>
Date:	2 NOV 1970
Time:	<i>2.31</i>
Folio:	
Subsidiary No:	

Extract from N.Z. Gazette, 22 Oct. 1970, No. 65, page 1909

Leasehold Estate in Land Taken for the Development of Water Power (Benmore Water Power Scheme) in Block VIII, Otago Survey District

ARTHUR PORRITT, Governor-General
A PROCLAMATION

PURSUANT to the Public Works Act 1928, I, Sir Arthur Brels, Baronet, the Governor-General of New Zealand, hereby proclaim and declare that the leasehold estate in the land described in the Schedule hereto, held from Her Majesty the Queen by Otomatata Station Limited, a duly incorporated company having its registered office at Dunedin, under and virtue of pastoral lease No. P. 304, recorded in register book, Volume 2, folio 585, Otago Land Registry, is hereby taken for the development of water power (Benmore water power scheme).

SCHEDULE
OTAGO LAND DISTRICT

All those pieces of Crown land situated in Block VIII, Otago Survey District, Otago R.D., described as follows:

A. R. P. Being
0 1 21 } Paris Run 742
0 3 7 }

As the same are more particularly delineated on the plan marked M.O.W. 24514 (S.O. 16781) deposited in the office of the Minister of Works at Wellington, and thereon coloured blue.

Given under the hand of His Excellency the Governor-General, and signed under the Seal of New Zealand, this 13th day of October 1970.

[S.] PERCY B. ALLEN, Minister of Works.
GOD SAVE THE QUEEN!
(P.W. 92/12/46/6; Dn. D.O. 92/12/46/6)

OTEMATATA

12/12/46/6

12/12/46/6

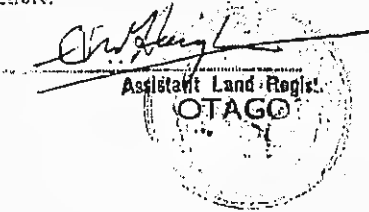
382423



PARTICULARS ENTERED IN THE REGISTER-BOOK
VOL. 2c FOLIO 585

2 NOV 1970

AT 2:34 P.M. CLOCK.



364144 Gazette Notice
declaring the land therein
to be set apart for electrical
works (Common Water Power
Scheme) from and after the
30.11.1970 entered 7.12.1970 at 1109c

[Signature]
H.B.

LAND & DEEDS
Nature: O.T.C.
Form: 111.1.1
2 - NOV 1970
234
10

Extract from N.Z. Gazette, 22 Oct. 1970, No. 65, page 1910

Declaring Road in Block VIII, Gald Survey District, to be a Government Road and to be Stopped

ARTHUR FORBITH, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 12th day of October 1970

Present:

HON. N. L. SHELTON PRESIDING 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:

- (a) Declares the piece of road described in the Schedule hereto to be a Government road, and
- (b) Stops the said road.

SCHEDULE

OTAGO LAND DISTRICT

ALL that piece of road containing 36 perches situated in Block VIII, Gald Survey District, Otago R.D., adjoining or passing through stopped road and Run 762; as the same is more particularly delineated on the plan marked M.O.W. 24334 (S.O. 16781) deposited in the office of the Minister of Works at Wellington, and thereon coloured green.

F. J. BROOKS, Clerk of the Executive Council.

(P.W. 92/12/46/6; Dn. D.O. 92/12/46/6)

Not in Run

EDS S15 - Request Manual Copy

Document Type	Other	Request Id	54149
Reference Number	364145-gazette notice	User Id	bartramch
Land District	Otago	Request Date	16/04/2002 15:46:36
Method of Delivery	Fax	Client Reference	bartramch
Requested By	m.george	Status	Pending
<input type="checkbox"/> Certified Copy			
Comments	fax no 477-5162		
Delivery Details			
Firm	Knight Frank (NZ) Ltd (Christchurch)		
Primary Contact	Ms Caroline Mason		
Street	P.O. Box 142		
Town	Christchurch		
Country	New Zealand		
Postcode	8001		
Fax Number	03 379 8440		
Fees	OK	Cancel	

NF

NF (144, 146)

not in Real
-- EDS

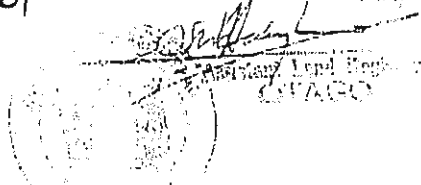
Not Found.

3641/44

PARTICULARS ENTERED IN THE REGISTER BOOK
VOL. 26 FOLIO 585 Y 362428

AT 11 09 DUBLIN

7 DEC 1970



675385/1 } New C.T. 11A/1416 issued from the within
23.12.1970 } land (Lot 55 DP 19839)
[Signature]
A.R.



①

REDS
Gay, Nolan
MOJ
- 7 DEC 1970
11-09
86

Extract from *N.Z. Gazette*, 26 Nov. 1970, No. 75, page 2196

*Stopped Government Road Set Apart for Electricity Works
(Benmore Water Power Scheme) in Block VIII, Gala Survey
District*

PURSUANT to section 25 of the Public Works Act 1925, the Minister of Works hereby proclaims and declares the land described in the Schedule hereto to be set apart for electricity works (Benmore water power scheme) from and after the 30th day of November 1970.

SCHEDULE

OTAGO LAND DISTRICT

ALL that piece of stopped Government road containing 36 perches situated in Block VIII, Gala Survey District, Otago R.D., adjoining or passing through stopped road and Run 742; as the same is more particularly delineated on the plan marked M.O.W. 24534 (S.O. 16781) deposited in the office of the Minister of Works at Wellington, and thereon coloured green.

Dated at Wellington this 4th day of November 1970.

PERCY B. ALLEN, Minister of Works.

(P.W. 92/12/46/6; Dn. D.O. 92/12/46/6)

A. R. SIMMONS, Government Printer, Wellington, New Zealand.

Act in Run

RELEASED UNDER THE OFFICIAL INFORMATION ACT

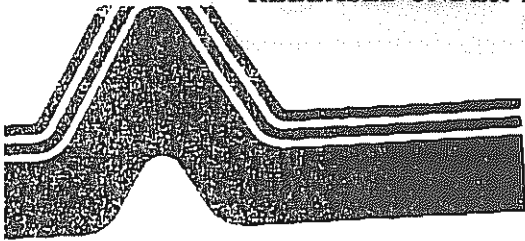
MWP_0016329



[Handwritten signature]
18/04/02

5 07 07/4
[Handwritten initials]

578706/4



DEPARTMENT OF
LANDS AND SURVEY
"a century of service
to the land 1878-1978"

OUR REFERENCE: 3/35/1
YOUR REFERENCE:
FOR VERBAL ENQUIRIES PLEASE ASK I

Box 896
DUNEDIN

The District Land Registrar
Land and Deeds Division
Justice Department
DUNEDIN

The Officer-in-Charge
Valuation Department
DUNEDIN

ALTERATION TO DESCRIPTION

Please note the following alteration to description. A copy of the relevant plan is attached.

SO Plan 19295

Former Description
Part Run 742 Block VIII
Gala SD

New Description
Section 50 Block VIII
Gala SD
Area: 500 m²
Section 51 Block VIII
Gala SD
Area: 2800 m²
Total Area: 3300 m²

R C Petre
Chief Surveyor
per

MWP_0016332



529355

5 2 0 3 0 1
MDC/585
M 51103

Handwritten signature



11 01 1990

M.K.

DEPARTMENT OF LANDS AND SURVEY

TELEGRAPHIC ADDRESS 'LANDS'

FOR VERBAL INQUIRIES
PLEASE ASK FOR Mr Patrick

TELEPHONE NO 770 650



OUR REFERENCE P 304

YOUR REFERENCE

DISTRICT OFFICE

P.O. BOX 896
DUNEDIN

5 February 1980

District Land Registrar
Lands and Deeds Division
Department of Justice
DUNEDIN

INCORPORATION : OTEMATATA STATION LTD

The fees required for registration of the certificate of incorporation is payable from the Consolidated Account and I therefore request that these be waived.

G L Costello
Commissioner of Crown Lands

per

S.-B.6

CERTIFICATE OF ALTERATION UNDER SECTION 113, LAND ACT 1948

IN THE MATTER of the Land Transfer Act 1952, and the Land Act 1948.

and

IN THE MATTER of lease (licence) from HER MAJESTY THE

QUEEN to Otago Station Limited a duly incorporated company having its registered office at Dunedin of all that piece of land containing by admeasurement 12655.2763 hectares more or less being Sections 8, Block VIII, Gala Survey District and Part Run 742, Blocks IV, VII, VIII, XI, XII, XIII and XIV, Gala and Turnagain Survey Districts and being all the land comprised and described in Pastoral Lease No P 301,

registered in Register Book

Vol 20 folio 585 Otago Land Registry.

This is to certify

that from and inclusive of 1 July 1979 pursuant to Section 54 of the Land Act 1948 the area of land included in the abovementioned Pastoral Lease has been increased by the incorporation therein of the land in the Schedule hereto as the same is more particularly delineated edged in bold black lines on the plan hereon with no increase in Annual Rent or Stock Limitation

For Diagram see Separate Sheet

SCHEDULE

Sections 36, 37 and 49, Block VIII, Gala Survey District. Area: ~~113.4638~~ 113.4638 hectares.

As witness my hand, this nineteenth day of December 1979

Assistant Commissioner of Crown Lands.

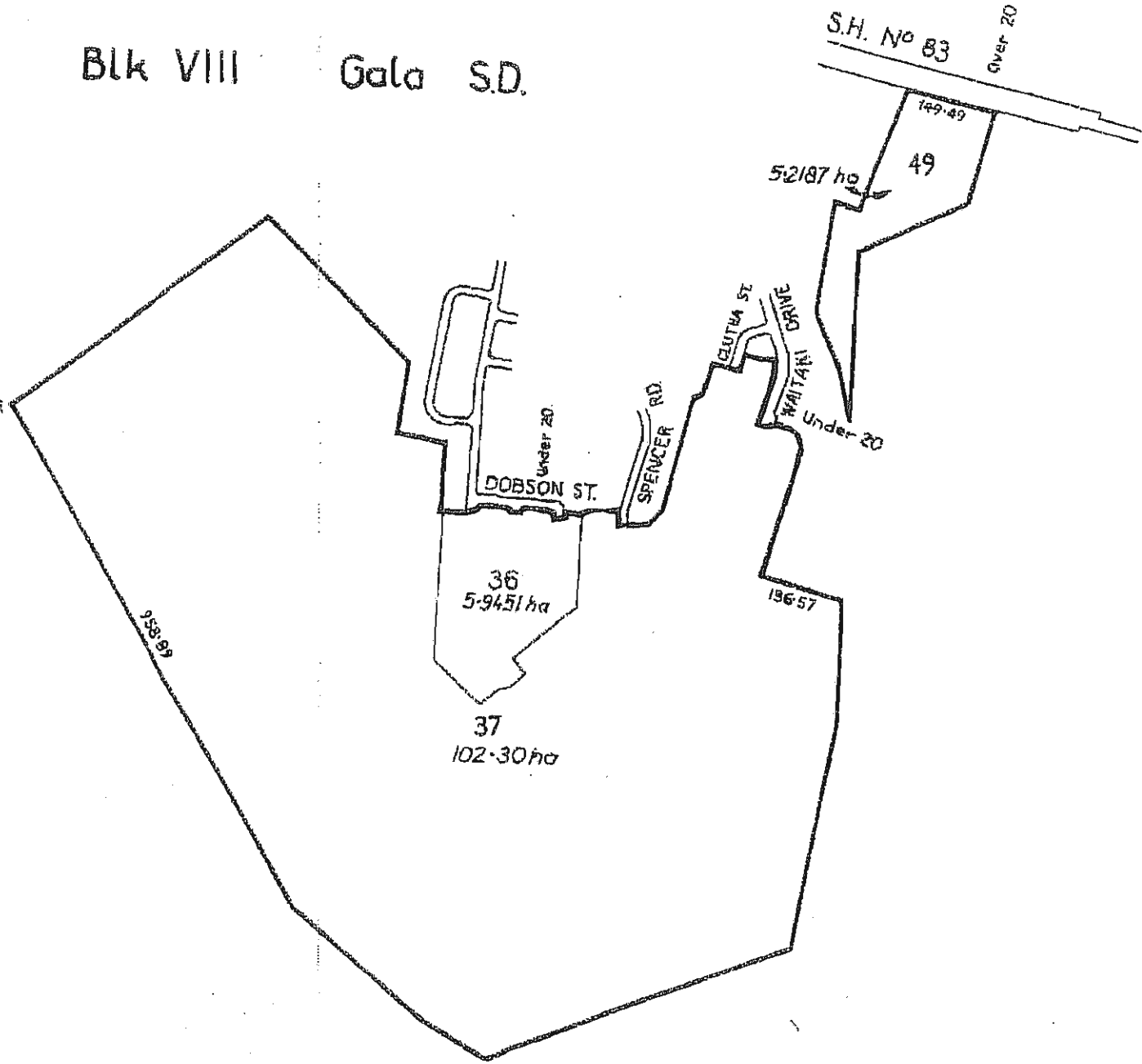
Total Area: 7134638

Scale 1:10 000

S.O.P.'s 17676
17746
18947



Blk VIII Gala S.D.



CERTIFICATE OF ALTERATION

HER MAJESTY THE QUEEN { Lessor.
Licensor.
..... { Lessee.
Licensee.

PARTICULARS entered in the Register Book,
Volume folio

the day of 19.....
at o'clock.

.....
Assistant Land Registrar of the
District

District of

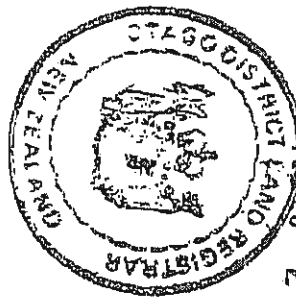
CERTIFICATE OF ALTERATION

HER MAJESTY THE QUEEN { Lessor.
=licensor
OTEMATATA STATION LIMITED { Lessee.
=licensee

PARTICULARS entered in the Register Book,
Volume _____, folio _____
the _____ day of _____ 19____
_____ o'clock.

Assistant
District Land Registrar of the
District of _____

MNP_0016333



20/5/83
598817
20/5/83 2 05 PM '83
[Signature]

L. & S.-B.6

CERTIFICATE OF ALTERATION UNDER SECTION 113, LAND ACT 1948

IN THE MATTER of the ~~Land Transfer Act 1952~~ and the Land Act 1948.

and

IN THE MATTER of lease ~~(herein)~~ from HER MAJESTY THE QUEEN to OTEMATATA STATION LIMITED a company incorporated under the Companies Act 1933 and having its registered office at Oamaru recorded as Register No 2C/585 (Otago Registry)

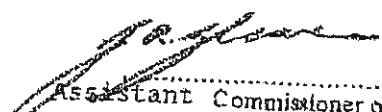
WHEREAS (1) on the 21st day of April 1975 a deed of grant of easement in gross being a right to convey water in favour of The Waitaki County Council and its assigns through along and under Sections 33 34 40 41 and 42 Block VIII Gala Survey District and Crown land reserved from sale between Sections 39 and 40 Block VIII Gala Survey District and adjoining Run 742 Gala Survey District (hereinafter ~~registered in~~ called "the said land") ~~was~~ ~~registered~~ ~~as~~ ~~Register~~ ~~No~~ ~~6A/1277~~ ~~(Otago~~ ~~Registry)~~ ~~'~~ ~~was~~ ~~registered~~ ~~as~~ ~~Register~~ ~~No~~ ~~6A/1277~~ ~~(Otago~~ ~~Registry)~~ ~~'~~

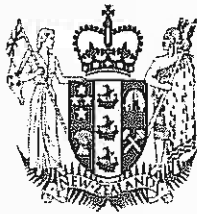
~~This is to certify~~ that

- (2) part of the said land is now described as Sections 36 and 37 Block VIII Gala Survey District
- (3) Sections 36 37 and 49 Block VIII Gala Survey District were incorporated into the balance of the land comprised and described in Crown Pastoral Lease P 304 recorded as Register No 2C/585 (Otago Registry) by Certificate of Alteration 529355 on 7 February 1980 but no reference was made therein to the fact that Sections 36 and 37 were subject to the easement referred to above

NOW THEREFORE THIS IS TO CERTIFY that Sections 36 and 37 Block VIII Gala Survey District referred to in Certificate of Alteration 529355 are subject to deed of grant of easement registered as Register No 6A/1277 (Otago Registry)

As witness my hand, this 21st day of December 1982


Assistant Commissioner of Crown Lands.



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



Search Copy

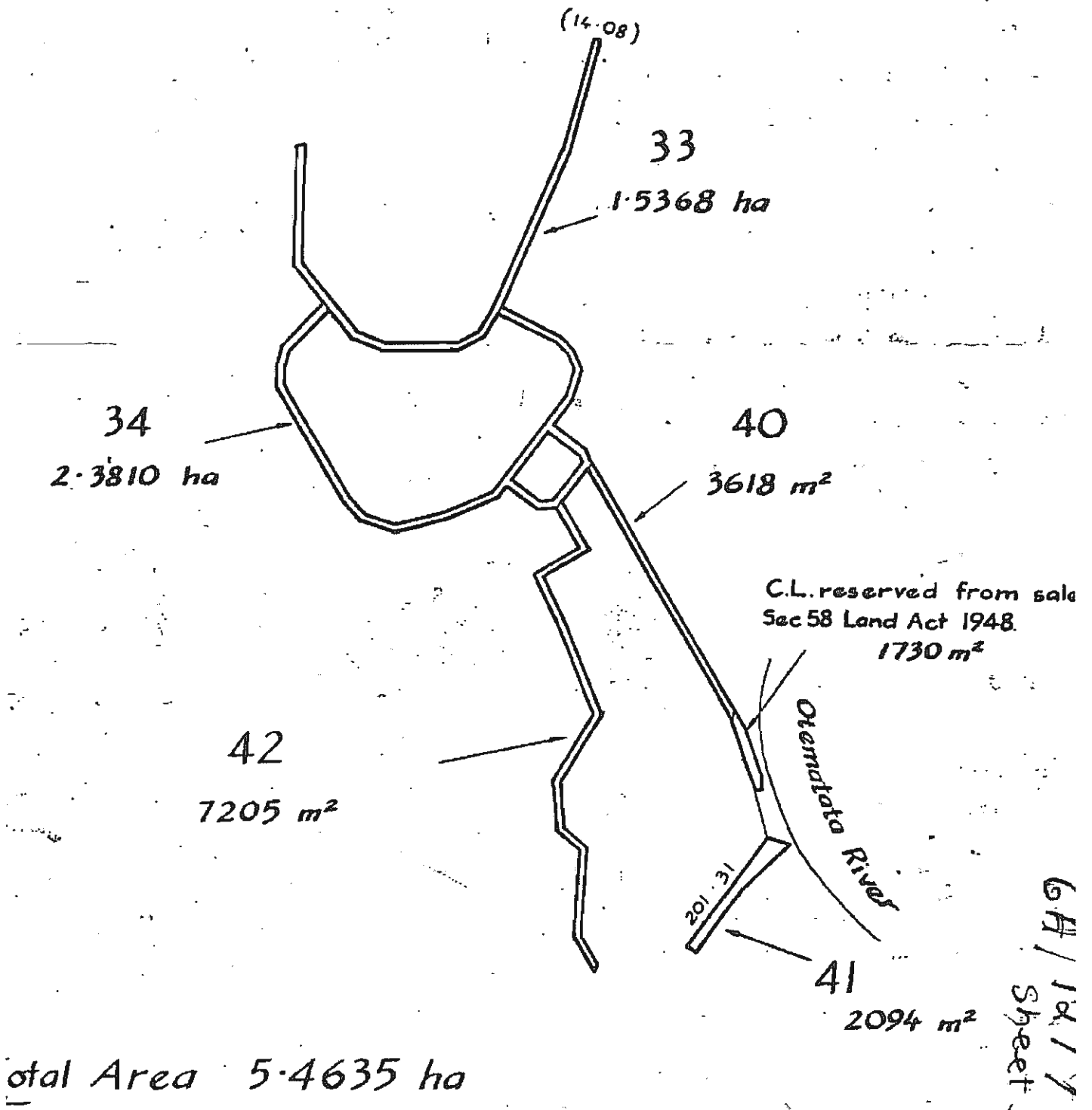

R. W. Muir
Registrar-General
of Land

Identifier OT6A/1277
Land Registration District Otago
Date Registered 21 April 1975 11:24 am

Type Deed of easement under s60 Land Act
1948
Area 5.4635 hectares more or less
Legal Description Section 33-34, Section 42 and Section
40-41 Block VIII Gala Survey District and
Crown Land reserved from sale between
Section 39 and 40 Block VIII Gala Survey
District and adjoining Run 742 Gala
Survey District

Proprietors
Her Majesty the Queen

Interests



GH / 1417
Sheet 3

CERTIFICATE OF ALTERATION

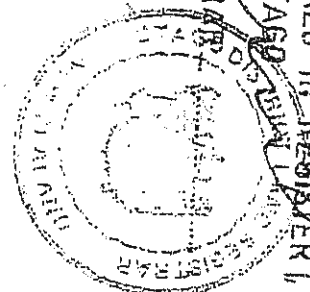
HER MAJESTY THE QUEEN { Lessor.
-Licensor.

Otematata Station Limited { Lessee.
-Licensor.

PARTICULARS entered in the Register on the date and at the time recorded below.

District Assistant Land Registrar of the District of

11.06.08 MAY 84 614239
PARTICULARS ENTERED IN REGISTER
LAND REGISTRY
ASST. LAND REGISTRAR



Commissioner of Crown Lands
DUNEDIN

DEPARTMENT OF LANDS AND SURVEY

RECEIVED
FOR THE DISTRICT LAND REGISTRAR
Miss Gibb
770 650



P 304
896
DUNEDIN

4 May 1984

The District Land Registrar
Land Registry Office
Land and Deeds Division
Department of Justice
Private Bag
DUNEDIN

INCORPORATION OF LAND INTO CROWN LEASE 2C/585

I refer to the enclosed dealing incorporating 1.3727 hectares of land into the abovementioned lease held by Orematata Station Limited.

The purpose of this memorandum is to draw your attention to the fact that the land being incorporated is subject to the deed of grant of easement contained in 6A/1277, and I would be pleased if you would note the memorial accordingly.

As the Crown is responsible for the payment of fees and as these are payable from the Consolidated Account, I would also be pleased if you would waive payment.

C R Gibb (Miss)
for Commissioner of Crown Lands

enc

CERTIFICATE OF ALTERATION UNDER SECTION 113, LAND ACT 1948

IN THE MATTER of the Land Transfer Act 1952, and the Land Act 1948,

and

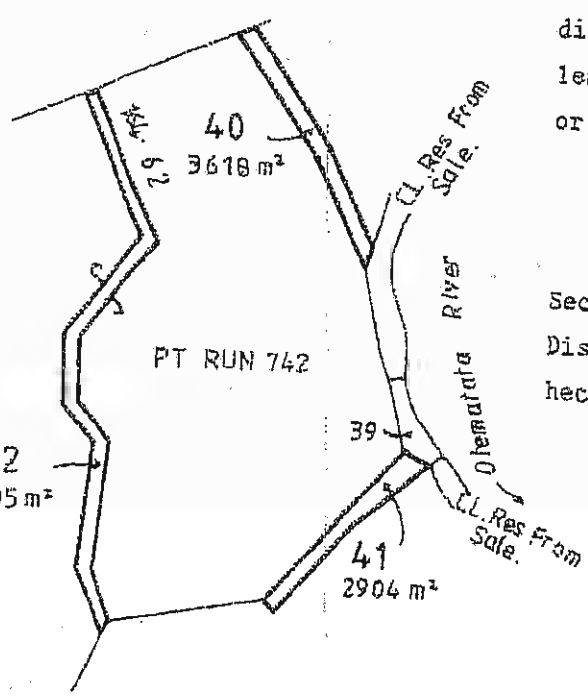
IN THE MATTER of lease/licence from HER MAJESTY THE QUEEN to Otematata Station Limited a company incorporated under the Companies Act 1955 and having its registered office at Dunedin

registered in

Vol 2C, folio 585 Otago Land Registry.

This is to certify

that with effect on the 24th day of August 1983 the land described in the Schedule hereto and shown outlined in bold black lines on the diagram hereon is incorporated into the aforesaid lease with no alteration to the annual rental or stock limitation.



SCHEDULE

Sections 40, 41 and 42, Block VIII Gala Survey District containing by admeasurement 1.3727 hectares be the same a little more or less.

TOTAL AREA 1.3727 HA.
 SD 17649

as witness my hand, this 10th day of June February 1984.

[Signature]
 Assistant Commissioner of Crown Lands.

FILE COPY

9-38 O2 MAY 94 8574-38

*Particulars Entered as Registrar
LAND REGISTRY OFFICE
ASST LAND REG-1588
206/215, 20/586
20/586*



MWP_0016316

**LAND IMPROVEMENT AGREEMENT
 APPLICATION FOR REGISTRATION**

TO: The District Land Registrar
 Otago Registry

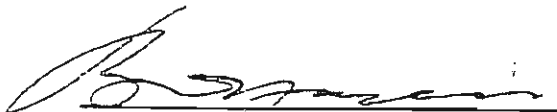
I, BRIAN BURKITT HASELL, Group Manager Corporate Policy of The Canterbury Regional Council, HEREBY CERTIFY that the within is a true duplicate of a Land Improvement Agreement affecting an estate in fee simple/of leasehold in the land described in the Schedule below SUBJECT to the encumbrances therein set out.

SCHEDULE

AREA (ha)	LOT AND DEPOSITED PLAN (or other sufficient description where land not described in terms of complete lots on a deposited plan)	ENCUMBRANCES	TITLE REFERENCE (and lease or licence number where applicable)
			REGISTER/FOLIO
FEE SIMPLE			
37.2311	Section 1 Block VIII Gala SD	Mortgage 511103	296/215
LEASEHOLD			
12780.1128	Run 742 Gala and Turnagain SD **	Mortgage 511103	2C/585 Lease P.304
12787.3814	Run 743, Gala and Turnagain SD	Mortgage 511103	2C/586 Lease P.305

of which OTEMATATA STATION LIMITED, a duly incorporated company having its registered office at Dunedin is registered as proprietor AND I HEREBY APPLY to have the said Agreement registered against the said land pursuant to Section 30A of the Soil Conservation and Rivers Control Act 1941. I FURTHER CERTIFY that the Agreement is one that may be registered against the land under Section 30A of the Soil Conservation and Rivers Control Act 1941.

DATED at Christchurch this 4th day of February 1994.


 Group Manager Corporate Policy of
 The Canterbury Regional Council

** and Sections 36, 37, 40, 41, 42, 49, 50
 and 51 Block VIII Gala Survey District.

CANTERBURY REGIONAL COUNCIL

LAND IMPROVEMENT AGREEMENT

(under Sections 30(3) and 30A of the Soil Conservation and Rivers Control Act 1941)

AGREEMENT made the *fifth* day of *February* 19*94*, BETWEEN THE CANTERBURY REGIONAL COUNCIL, duly constituted under the Local Government Act 1974 (hereinafter called "the Council") of the one part AND OTEMATATA STATION LIMITED a duly incorporated Company having its registered office at Oamaru (hereinafter called "the Landholder") of the other part

WHEREAS

1. THE Landholder is the owner/lessee of the land described in paragraph four of the Rabbit and Land Management Property Plan attached hereto (hereinafter called "the land" and "the Plan" respectively).
2. THE Landholder and the Council have agreed that certain works and land management practices should be carried out on the land for the purpose of eradicating or controlling rabbits and for the conservation and protection of the soil on the land.
3. THE Council has agreed to make certain grants to the Landholder in respect of such works and land management practices.

NOW THEREFORE in consideration of the premises the parties hereto **HEREBY AGREE AND DECLARE** as follows:

1. THE term of this agreement shall be twenty (20) years commencing on the 1st day of April 1990.
2. THIS agreement shall be read with and shall incorporate the Plan and all works terms and conditions referred to in this agreement shall be those described in the Plan.
3. THE parties hereto will during the period from the 1st day of April 1990 until the 30th day of June 1995 carry out the works terms and conditions of the Plan in accordance with the Plan and the programme therein set forth and the Landholder will so manage

the land as to enable such works terms and conditions to be carried out during such period.

4. SHOULD any of the works described in the plan and intended to attract a grant not be completed by the 30th day of June 1995 then in the absence of express written agreement of the parties to the contrary the respective obligations of the parties to carry out such work and to pay a grant in respect of such work shall cease at that date.

5. THE Council shall set up and operate and control an internal ledger account within the administration and accounting operations of the Council (hereinafter called "the property account") in which all payments between the parties in respect of the works referred to in paragraph (a) of Clause 6 hereof shall be recorded.


6. THE responsibilities of the parties to carry out the works referred to in Clause 3 hereof and terms and conditions relating to the respective works shall be as follows:

(a) Primary Poisoning Operation (including Followup):

Where any such work comprises a primary poisoning operation (including followup):

(i) Prior to carrying out the work the Council shall supply to the Landholder a detailed written estimate of the cost of the work and the Council shall also supply to the Landholder such other information as the Council shall deem appropriate to demonstrate to the Landholder that such estimate is reasonable.

(ii) Unless there shall then exist in the property account a credit balance of an amount at least equal to one half of the Landholder's share of the estimated cost of the work the Council may by written notice given to the Landholder immediately prior to the carrying out of the work require that the Landholder pay to the Council as a contribution to the cost of the work one half of the Landholder's share of the estimated cost of the work the amount of such contribution to be reduced by the amount of any credit balance then existing in the property account. The Landholder shall forthwith pay to the Council the amount so required by the Council and the Council shall credit to the property account the amount so paid by the Landholder.

W. O. ...


(iii) The Council shall cause the work to be carried out at its own cost and expense and upon the due completion thereof the Council shall debit to the property account the Landholder's share of the cost of the work.

(iv) Upon the due completion of the work in accordance with the Plan the Council shall supply to the Landholder a statement of the transactions in the property account and the balance of the property account shall be dealt with in the following manner:

(1) if it is a debit balance

such balance shall be payable by the Landholder to the Council not later than the 20th day of the month following the date of the statement of transactions and upon such payment being made to it the Council shall credit such payment to the property account.

(2) if it is a credit balance and to the extent that it shall be attributable to a payment by the Landholder of a contribution pursuant to paragraph (a)(ii) of this Clause 6 and result from an over-estimation by the Council of the cost of the work

such balance shall be payable forthwith by the Council to the Landholder and upon such payment being made to the Landholder the Council shall debit such payment to the property account.

(3) if it is a credit balance but not subject to paragraph (a)(iv)(2) of this Clause 6

such balance shall be retained in the property account and shall be applied in reducing the amount of any future contribution to be made by the Landholder pursuant to paragraph (a)(ii) of this Clause 6 or in accordance with any agreement made between the Council and the Landholder in respect of any of the works referred to in paragraph (b) of this Clause 6 (and to the extent that the Landholder's share of the cost of such work does not exceed such credit balance) by the Council reimbursing the Landholder in full for the cost of carrying out such work and by debiting to the property account the Landholder's share of the

cost of such work. Any difference between the cost of such work and the reimbursement therefor shall be subject to the provisions of paragraph (b) of this Clause 6.

(b) Secondary Pest Control or Land Management Works:

Where any such work comprises secondary pest control or land management works:

- (i) The Landholder shall carry out the work at the cost and expense of the Landholder and when the work qualifying for a grant is completed the Landholder shall notify the Council in writing accordingly.
- (ii) The Landholder shall supply to the Council such vouchers and other information relating to the completed work as the Council may require.
- (iii) Within a period of ten (10) working days following the receipt by the Council of notice of completion of the work the Council shall inspect the work to satisfy itself that the same has been completed in accordance with the Plan and within a period of ten (10) working days thereafter and subject to the Council being satisfied that the costs thereof have been incurred by the Landholder and that such are costs properly incurred in respect of the completed work the Council shall pay to the Landholder the grant in respect of the completed work.
- (iv) Should the Council not be satisfied as to some aspect of the work or the costs thereof the Council shall forthwith notify the Landholder of the further action required of the Landholder in order to satisfy the Council and upon such action being taken by the Landholder and the Landholder having notified the Council thereof the Council shall within a period of ten (10) working days thereafter pay to the Landholder the grant in respect of the completed work subject to the Council having confirmed for itself that the grant for the completed work may properly be paid.

7. NOTHING shall be chargeable to the property account other than as expressly provided for in this agreement.

8. THE Landholder acknowledges that the balance of the property account as at the 30th day of June 1991 is a credit of \$19,510.55 and the Landholder confirms such balance as true and correct.

9. NOTWITHSTANDING the provisions of paragraph (a) of Clause 6 hereof any debit balance which may exist in the property account as at the 30th day of June 1991 shall be payable by the Landholder to the Council in two equal instalments on the 30th day of June 1992 and the 30th day of June 1993 and the payments thereof by the Landholder shall be credited to the property account.
10. NOTWITHSTANDING the provisions of paragraph (a) of Clause 6 hereof the Council may upon application made by the Landholder agree to defer payment by the Landholder in respect of any debit balance existing in the property account on the grounds that the making of any such payment would cause undue hardship to the Landholder and any such agreement by the Council may be given on such conditions as to alternative payment terms and other matters as the Council may deem appropriate.
11. DURING the term of this agreement the Landholder shall not without the prior written consent of the Council cut down remove mutilate damage or destroy any trees planted as part of the works referred to in the Plan and the Landholder shall use all reasonable means to preserve and protect such trees so planted **PROVIDED THAT** the trimming of lateral branches may be carried out without consent.
12. THE Landholder shall at all times during the term hereof keep and maintain the works referred to in the Plan at the Landholder's own cost and expense unless the Council and the Landholder agree in writing that it is unreasonable to do so.
13. THE Council by its members employees agents servants and contractors and their respective assistants may with the prior permission of the Landholder (such permission not to be unreasonably withheld) enter onto the land for the purpose of inspecting the land or any of the works or measures referred to in the Plan or to monitor pest populations or the condition of the land and in connection with such monitoring to take all samples of the soil and vegetation and pests that the Council may require and such persons may bring with them onto the land all vehicles machinery implements and things as the Council may deem necessary for such purposes **AND IT IS HEREBY FURTHER AGREED THAT** the foregoing provisions shall also apply to officers of the Ministry of Agriculture and Fisheries on official duties for the purposes of inspection and monitoring as aforesaid. For the purpose of facilitating if necessary the power of entry given to officers of the Ministry of Agriculture and Fisheries those officers shall be deemed to be agents of the Council.
14. THE Landholder shall when required by the Council supply to the Council all information and data necessary to assist the Council in its monitoring of pest

populations and the condition of the land to enable the Council to evaluate the effectiveness of the Plan.

15. IF at any time during the term hereof the Landholder shall fail to carry out faithfully the provisions of the Plan or to observe perform and fulfil the provisions of this agreement and such failure shall continue for a period of fourteen (14) days after written notice has been posted by the Council to the Landholder requiring the Landholder to remedy any such failure then the Landholder shall upon demand made by the Council pay to the Council in full all grants provided by the Council in respect of the works carried out under this agreement or such lesser amount as the Council may determine having regard to the nature and effect of the breach together with any amount debited to the property account and which at the time of such demand has not have been paid by the Landholder to the Council. Should the Landholder be dissatisfied with either the Council's determination that there has been a breach of this agreement by the Landholder or the amount demanded by the Council then the Landholder may within fourteen (14) days of receiving from the Council notice of the breach or demand for payment by written notice to the Council refer the matter for determination by arbitration. Should the Landholder fail to make such payment the Council may take such action to recover any grants made as it shall consider necessary.

16. THE Plan and this agreement may be modified only by agreement in writing between the parties.

17. THE Landholder acknowledges that the grants provided for in the Plan in each year during the period referred to in Clause 3 hereof are to be funded in part by general rates to be levied by the Council on all rateable property in the Canterbury Region and as to the remainder by contributions to be paid to the Council by the Crown pursuant to an agreement dated the 12th day of June 1991 out of moneys appropriated by Parliament for the purpose and **IT IS HEREBY AGREED AND DECLARED** that if in any year during the period referred to in Clause 3 hereof the Crown should fail to make to the Council full payment of the contribution by the Crown in respect of such grants and should the Council not be willing to make up the deficiency in the contribution of the Crown then the Council shall forthwith give to the Landholder notice thereof in writing and as soon as practicable thereafter the Council and the Landholder shall review the Plan and the funding of the works and measures therein contained. In the absence of agreement between the Council and the Landholder as to any modification of the Plan and the funding of the uncompleted works and measures the respective obligations of the parties hereunder to carry out the uncompleted works and measures described in the Plan and to provide grants in respect of such works and measures shall cease. Any

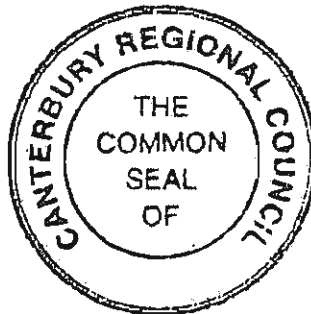
such cessation shall not be construed as modifying any other provision of this agreement.

18. ALL disputes and differences between the parties shall be submitted to the arbitration of a single arbitrator if one can be agreed upon or to two arbitrators (one appointed by each party) and their umpire (appointed by the arbitrators prior to their arbitration) such arbitration to be carried out in accordance with the provisions of the Arbitration Act 1908 or any then statutory provisions relating to arbitration. This clause shall not relate to the funding of the works or funding of the measures provided for in the Plan.

19. THE Landholder covenants with the Council that this agreement binds the Landholder and successors in title to the land. The Landholder covenants with the Council to perform and observe the terms and conditions upon which the Council makes grants in terms of this agreement and agrees that the Council may present this agreement for registration against the relevant land transfer documents relating to the land in the Land Registry to which the documents relate.

IN WITNESS WHEREOF these presents have been executed the day and year first hereinbefore written.

THE COMMON SEAL of THE
CANTERBURY REGIONAL COUNCIL
was hereto affixed in the presence of:



[Handwritten signature]

GROUP MANAGER, CORPORATE POLICY

THE COMMON SEAL of OTEMATATA
STATION LIMITED was hereto affixed in the
presence of:



[Handwritten signature: Hugh Cameron]

Director

[Handwritten signature]

[Handwritten signature]