

Crown Pastoral Land Tenure Review

Lease name : RAMSHEAD RUN

Lease number : PM 024

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.

July 09

**DUE DILIGENCE REPORT
CPL PRE TENURE REVIEW ASSESSMENT STANDARD 6:**

File Ref: CON/50241/09/12641/A-ZNO-01 **Report No:** QVV 65 **Report Date:** 20/02/2001

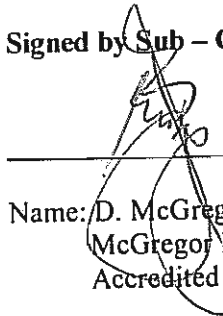
Office of Agent: CHRISTCHURCH **LINZ Case No:** 01/ **Date sent to LINZ:**
TR 52/111.

RECOMMENDATIONS

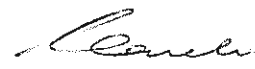
1. That the Commissioner of Crown Lands or his delegate **note** this Due Diligence Report which has been prepared in accordance with the Pre Tenure Review Assessment Standard;
2. That the Commissioner of Crown Lands or his delegate **note** the following incomplete actions:
 - ✓ (a) Creation of an appurtenant ROW Easement against the lease to record the effect of the subject ROW Easement over the adjoining freehold land (CT 53/32) thereby protecting legal and practical access.
 - ✓ (b) Creation of a Right of Way Easement in favour of DOC up Dillon Creek to Conservation land (Part Run 228) as defined on D.P.7395.
3. That the Commissioner of Crown Lands or his delegate **note** that no potential liabilities have been identified as a result of the file search.
4. The Commissioner or his delegate **note** that:
 - a) An application for a Recreation permit has been received from the lessee for the operation of unguided track walks on the lease and is still being processed.
 - b) The approved stock limitation has never been recorded on the lease.

*Approved + docs recorded
22.1.01.*

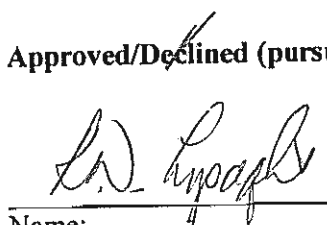
Signed by Sub - Contractor:


Name: D. McGregor
McGregor Property Services Limited
Accredited Agent

Signed by Contractor


Name: B. Dench
Team Leader for Tenure Review
Quotable Value (Valuations)

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


Name:
Date of Decision: 10/10/01.

1. Details of Lease:

Lease Name: Ramshead.

Location: On Omaka Valley Road approximately 30 Kilometres from Blenheim.

Lessees: G.S. Miller Limited.

Tenure: Pastoral lease of pastoral land under Section 66 and registered under Section 83 of the Land Act 1948.

Term: 33 years from 1 July 1996 (expires 30 June 2029).

Annual Rent: \$2325.

Rental Value: \$155,000.

Date of Next Review: 30 June 2007.

Land Registry Folio Ref: C.L. 1A/1033 (Marlborough Registry).

Legal Description: Part Section 2, Block XX, Avon Survey District and Section 1, S.O. 6741.

Area: 2346.1402 hectares

2. File Search

Files held by agent Knight Frank (NZ) Ltd on behalf of LINZ:

File Reference	Volume	First Folio Number	Date	Last Folio Number	Date
Pm 024-SBM-01	1	420	04.05.1955	718	18.09.1970
Pm 024-SBM-02	2	719	01.02.1971	386	27.07.1981
Pm 024-SBM-03	3	1	25.02.1981	96	07.03.1984
Pm 024-SBM-04	4	1	09.05.1984	134	16.07.1993
Pm 024-SBM-05	5	-	06.08.1993	-	27.04.1999
Pm 024-SBM-06	6	-	28.04.1999	-	15.02.2000
Pm 024-1 SBM-01	1	-	19.06.1995	-	28.09.1998

Files held by agent Q.V. Valuations on behalf of LINZ:

File Reference: CON/50241/09/12641/A-ZNO-01
 Volume: 1
 First folio: 1
 Date: 30. 10. 2000.
 Last folio note: File current.
 Date: -

3 Summary of Lease Document: (Copy of CL 1A/1033 attached as Appendix 1)

3.1 Terms of Lease

The Pastoral lease was registered on 10 April 1963. The lease, over 2346.1402 hectares, was originally issued for a term of 33 years from 1 July 1963 (expiring 30 June 1996) at the Annual rental of \$180

and increased to \$300 following an incorporation in 1985. *The approved stock limitation in the lease was 1550 sheep (including not more than 600 breeding ewes) when combined with Run 228 (POL that expired 30 June 1985) but this has never been recorded on the lease.* The lease was transferred to the current lessee in 1993 (Doc.168485.2) and renewed for a term of 33 years from 1996 on the basis of the Annual rental for the first 11 years being \$2325, calculated on a Rental value of \$155,000.

Stock limitation in Lease:

Not shown on lease. Refer to Clause 8.1.

Commencement date

1 July 1996, being renewal of the original lease (Memorandum of Renewal 184034 registered 1 March 1996).

Other Provisions:

There are no other special provisions in the lease.

3.2 Area adjustments

There have been no adjustments to the lease since renewal in 1996.

3.3 Registered Interests

Mortgages:

No. 193283.2 to PGG Trust Limited (registered 26 September 1997).

No. 196103.2 to Pyne Gould Guinness Limited (registered 2 March 1998).

Encumbrance to the Marlborough District Council

Encumbrance 86262 (registered 17 February 1977) to the Marlborough District Council (as successor to the Marlborough County Council) as varied by Partial Discharge of Encumbrance 142453 (registered 16 August 1988) requires the Council's prior consent to Transfer, lease or otherwise deal with certain lands except in conjunction with the Pastoral lease.

Land Improvement Agreement:

Land Improvement Agreement 107938 registered 2 April 1982.

For details refer to Clause 4 below.

Protected Private Land Reservation

Gazette Notice 154889 (N.Z. Gazette 1990 p3738), registered 25 October 1990, declared part (651.7650 hectares) of the lease marked "A", "B" and "O" on D.P. 7395 to be Protected Private Land for Scenic purposes subject to the Reserves Act 1977.

Forestry Right

Transfer 194369 (registered 24 November 1997) granted a Forestry Right (under the Forestry Rights Registration Act 1983) over a 77.5000 hectare area of the lease to PGG Trust Limited (as agent for and on behalf of the Insignis Forest Partnership to be formed) for a term of 30 years from and inclusive of 7 May 1997 (expiring 6 May 2027).

3.4 Unregistered Interests

Recreation Permits:

There are no current recreation permits over this lease.

It is noted however that an application was received by the lessee on 24 January 2000 for a Recreation permit to operate unguided track walks. There has been correspondence and it would appear the application is still being processed.

Copies of relevant folios attached as *Appendix 3*

Easements

The Right of Way Easement over CT 53/32 (originally named "Tyntek^Sfield") created by Transfer 9586 dated 2 April 1928 in favour of parts of the lease (formerly Run 110 - Pastoral licence 253 comprising 14,000 acres) is not recorded against the lease.

Right of Way in favour of the Crown (not the general public) along the Dillon Creek to the Conservation land beyond as shown "C" - "N" on D.P. 7395.

Unsecured Debts:

None known.

4 Summarise any Government programmes approved for the lease:

A Land Improvement Agreement is registered as Document 107938 on 2 April 1982 and secured a SWC Plan (over Section 2, Block XXIV, Avon SD) executed on 9 March 1982 between the then lessee and the Marlborough Catchment Board. The works involved completion of a 10.7km Conservation fence and maintenance works. The Agreement enures for 99 years (expiring 8 March 2081) or earlier by agreement between the parties.

The property is not part of a Rabbit and Land Management programme.

5 Summary of Land Status Report:

The Land Status Report by D. McGregor, McGregor Property Services Limited, for and on behalf of Q.V. Valuations on 18 February 2001, confirmed the status as Crown land under the Land Act 1948, being leased pursuant to Section 66 and registered under Section 83 of the Land Act 1948 as CL 1A/1033.

The land is subject to Part IVA of the Conservation Act 1987 upon disposition.

The minerals remain with the Crown. A significant part of the land has never been alienated since the original acquisition from the original Maori owners under the 1859 Kaikoura Purchase. Other parts formerly in private ownership were subsequently acquired by the Crown as Crown Land subject to the Land Acts (part of an exchange agreement with the Crown) and not acquired for a public work.

The report noted the following issues:

- 1). As part of the Protected Private land area (registered as Gazette Notice 154889) the lessee agreed to the provision of a ROW to the Crown for practical access along the Dillon Creek to the Conservation land beyond (former Pastoral Occupation Licence area) as shown "C - N" on D.P. 7395. While some preliminary action has been undertaken this ROW has not been created.

*4 incorrect
Rec Permits
in name of
GS + CM Miller dated
22.1.2001*

- 2). The original stock limitation is not recorded on the lease.
- 3). Transfer 9586 dated 2 April 1928 created in favour of the Crown and its lessees an appurtenant Right of Way easement across the adjoining freehold (originally "Tyntexfield"). This ROW is not registered against the lease and it is likely that the subject lands have been affected by further subdivision.
- 4). An application for the operation of a tramping track with unguided walks was received from the lessee on 24 January 2000. There has been correspondence and it appears that the application is still being processed. *Approved & signed, 22.1.2001*

A copy of the Land Status Report is attached as Schedule A.

6 Review of Topographical and Cadastral Data:

Both maps attached to the Land Status Report show that there are no historic sites, transmission or power lines, water races, airstrips, telecommunication or other installations on the lease. The topographical map does however show that there are two huts on the lease "Ramshead Hut" and "Dillon Hut".

6.1 Marginal Strips:

The Land Status Report indicates the lease is subject to Marginal strips along the Omaka River under Section 24(3) (S.O. 6741) and Section 24(9) of the Conservation Act 1987 (S.O. 7182).

6.2 Legal Roads – formed and paper

The Land Status Report indicates that SO 4608 showed roads as being legal by Section 110A of the Public Works Act 1928 as defined on S.O. 4608.

6.3 Fenced Boundaries v Legal Boundaries (peripheral):

There appears to be no boundary discrepancies.

7 Details of any neighbouring Crown or Conservation land:

Southern Boundary – *Part Run 228 - held by DoC as stewardship land in terms of Section 62 of the Conservation Act 1987.*

South – eastern boundary - *Section 2, S.O. 6741 - held by DoC as stewardship land in terms of Section 62 of the Conservation Act 1987.*

8 Summarise any uncompleted actions or potential liabilities:

8.1 Stock Limitation

Refer to Clause 3.1 above.

The stock limitation has never been recorded against the lease. The original lease approval (*folios 510 and 519 on P24*) indicated a combined stock limitation for the lease and Run 228 (POL expired on 30 June 1985 – part, 423 86 ha, of which was subsequently incorporated into the lease). Prior to expiry the POL had a stock limitation of 850 wethers on 2994.6737 ha but there is no separate limitation for the lease area.

Copies of the relevant folios are attached as *Appendix 2*.

8.2 ROW Easement preserving practical access across freehold land

Refer to Clause 3.4 above.

The Right of Way Easement created over CT 53/32 (originally named Tyntekfield^S) by Transfer 9586 dated 2 April 1928 in favour of Run 110 (Pastoral licence 253 comprising 14,000 acres) is not recorded against the lease. Part of Run 110 is still contained in the current lease. A copy of the Transfer and the current copy of CT 53/32 are attached.

Relevant folios from file attached as *Appendix 4*.

8.2 ROW Easement in favour of DOC along the Dillon Creek to Conservation land

Refer to Clause 3.4 above.

In 1985 the Land Settlement Board approval (HOC Case 1985/150 of 18 July 1985) relating to the rationalisation of the boundaries of the lease and the POL recorded that access by ROW Easement up Dillon Creek to the surrendered POL area (now DOC land) had the agreement of the then lessee. (*folio 9 on Volume 4, P24*). This access was not for the general public.

This ROW access has been defined on DP 7395 but has not yet been registered against the lease. A draft ROW promoted by DOC is on the file (copy attached).

Relevant folios from file attached as *Appendix 5*.

APPENDICES

Schedule A – Land Status Report.

1. Copy of Lease.
2. Copies of relevant folios – Stock limitation.
3. Copies of relevant folios – Recreation permit.
4. Copies of relevant folios – Access to lease across freehold land
5. Copies of relevant folios – Access to DOC land.

Schedule A

**Q V VALUATIONS
CHRISTCHURCH OFFICE**

APPENDIX A

Project Number QVV 64

This report has been prepared on the instruction of Land Information New Zealand in terms of Contract No. 50241 dated 6 November and is undertaken for the purposes of the Crown Pastoral Act 1998.

LAND STATUS REPORT for Ramshead Tenure Review		LIPS Ref:12641
Property 1 of 1		
Land District	Marlborough.	
Legal Description	Part Section 2, Block XXIV, Avon Survey District and Section 1, S.O. 6741.	
Area	2346.1402 hectares.	
Status	Crown land subject to the Land Act 1948.	
Instrument of title / lease	Balance Pastoral Lease CL 1A/1033 pursuant to Section 66 and registered under Section 83 of the Land Act 1948 as varied by Memorandum of Renewal 184034.	
Encumbrances	<p>Subject to:</p> <ol style="list-style-type: none"> 86262 Encumbrance to the Marlborough District Council (as successor to the Marlborough County Council) as varied by Partial Discharge of Encumbrance 142453 requiring the Council's prior consent to Transfer, lease or otherwise deal with certain lands except in conjunction with the Pastoral lease. 107938 Land Improvement Agreement under Section 30 of the Soil Conservation and Rivers Control Act 1941. Gazette Notice 154889 (N.Z. Gazette 1990 p3738) declaring part (651.7650 hectares) marked "A", "B" and "O" on DP 7395 to be protected private land for scenic purposes subject to the Reserves Act 1977. 194369 Transfer granting a Forestry Right under the Forestry Rights Registration Act 1983 to PGG Trust Limited for a term of 30 years from and inclusive of 7 May 1997 and expiring on 6 May 2027. Part IVA of the Conservation Act 1987, upon disposition. 	
Mineral Ownership	<p>The Mines and Minerals are owned by the Crown over a significant part of the land because it has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1859 Kaikoura Deed of Purchase.</p> <p>Those parts Crown Granted in 1863 into private ownership were subsequently acquired by the HMK as Crown land subject to the Land Act in 1916 as part of an exchange proposal. The land was not acquired as a public work therefore the Crown is at liberty to invoke the standard</p>	

	Mineral restrictions.
Statute	Land Act 1948 and Crown Pastoral Land Act 1998

Data Correct as at [Certification Attached]	18 February 2001 Yes
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Prepared by Crown Accredited Supplier	Don McGregor, McGregor Property Services Limited for and on behalf of Q V Valuations
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<p>NOTES: This information does not affect the status of the land but was identified as possible requiring further investigation at the due diligence stage: See Crown Pastoral Standard 6</p>	<p>1). As part of the Protected Private land area (registered as Gazette Notice 154889) the lessee agreed to the provision of a ROW to the Crown for practical access along the Dillon Creek to the Conservation land beyond (former Pastoral Occupation Licence area) as shown "C - N" on D.P. 7395. While some preliminary action has been undertaken this ROW has not been created.</p> <p>2). The original stock limitation is not recorded on the lease.</p> <p>3). Transfer 9586 dated 2 April 1928 created in favour of the Crown and its lessees an appurtenant Right of Way easement across the adjoining freehold (originally "Tynterfield"). This ROW is not registered against the lease and it is likely that the subject lands have been affected by further subdivision.</p> <p>4). An application for the operation of a tramping track with unguided walks was received from the lessee on 24 January 2000. There has been correspondence and it appears that the application is still being processed.</p>
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LAND STATUS REPORT for Ramshead Tenure Review	LIPS Ref 12641
Property 1 of 1	

Research Data: Some Items may not be applicable

SDI Prints Obtained	Yes.
NZMS 261 Ref	O29, P28 and P29.
Local Authority	Marlborough District Council.
Crown Acquisition Map	Kaikoura Deed of Purchase.
SO Plans	<p>SO 4608 – Plan of Section 2, Block XXIV, Avon SD also Run 228, Blocks XXIV and XXV, Avon SD and Blocks VII and VIII Hodder SD. (Approved 18 March 1963).</p> <p>SO 6639 – Plan DOC Allocations (Approved 21 August 1987).</p> <p>SO 6640 – Plan DOC Allocations (Approved 21 August 1987).</p> <p>SO 6741T – Plan of Sections 1 and 2 (Approved 28 September 1988).</p> <p>SO 7182 – Plan of Waterways in P24 along which Section 24 Conservation Act 1987 applies.</p> <p><i>Other Plans</i></p> <p>DP's 740, 744 and 745 – Plans of Part Leeffield Estate and Part Exchange of Blocks XVIII XXIII XIV and XXIV Avon SD. (Approved 24 March 1919).</p> <p>DP 7395 – Plan of Protected Private lands and Rights of Way over Part Section 2, Block XXIV Avon SD and Section 1, S.O.6741. (Approved 17 January 1989).</p>
Relevant Gazette Notices	NZ Gazette 1963 p1307 (Proclamation 40419) Closed parts of the Road (Crown Grant Road to Dillons Run).
CT Ref / Lease Ref	CL 1A/1033 pursuant to Section 66 and registered under Section 83 of the Land Act 1948 as varied by Memorandum of Renewal 184034.
Legalisation Cards	Searched. Not applicable.
CLR	Confirms Pastoral lease tenure.
Allocation Maps (if applicable)	SO's 6639 and 6640. No allocations to DOC or SOE's. Adjoining land allocated to DOC by Allocation O29-4 CO.
VNZ Ref – if known	VR 20311/22706.
Crown Grant Maps	Parts Crown Grant G1/29 (No 125) and 2/39 (394). Copies attached.

<p>If Land Marginal Strip:</p> <p>a) Type [Sec 24(9) or Sec 58]</p> <p>b) Date Created</p> <p>c) Plan Reference</p>	<p>a) Section 58 along Omaka River deemed to be Marginal strip. Specific appellations given to strips as shown on plan below. Section 24(9) along Dillon Creek.</p> <p>b) 6 December 1993 (SO 6741). 21 November 1995(SO 7182).</p> <p>c) SO 4608 (Sections 3 and 4). SO 7182.</p>
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LAND STATUS REPORT for Ramshead Tenure Review		LIPS Ref 12641
Property 1 of 1		
<i>Search continued..</i>		
If Crown land – Check Irrigation Maps	Searched – Not applicable.	
Mining Maps	Searched – Not applicable.	
If Road a) Is it created on a Block Plan – Section 43(1)(d) Transit NZ 1989 b) By Proc	a) SO Plan 4608 – (along Dillon Creek and right bank of the Omaka River). b) Not applicable. c) Not applicable.	
Other relevant information a) Concessions – Advice from DOC or Knight Frank. b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998 c) Mineral Ownership	<p>a) No current DOC interests apart from Marginal strips.</p> <p>Existence of concessions administered by Knight Frank not determined.</p> <p>b) Searched – Not applicable</p> <p><input checked="" type="checkbox"/> Mines and Minerals are owned by the Crown in respect of parts of the current lease because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1859 Kaikoura Deed of Purchase.</p> <p>However parts of the lease have previously been held in private ownership. Following the Crown's purchase occupation licences were granted over Dillons Run. In 1863 Crown Grants were issued over part of the Run to Dillon [Crown Grants G1/29 (125) and 2/39 (394)]. The Crown Grant sections were "gridironed" by Crown Grant roads.</p> <p>In 1916 some 2192 acres of Dillons freehold was acquired by His Majesty the King by Conveyance 23030 (Deeds Index 5/36 and Deeds Register 30/474 attached record the details) in exchange for 2428 acres of Crown land being granted to Dillon (refer C's T 21/83, 23/127 and 128 attached). Following the exchange the land was let on Pastoral tenures culminating in the current lease (CL 46/158, 46/185 and CL 1A/1033). Prior to the issue of the current Pastoral lease in 1963 the "gridironed road" was closed by NZ Gazette 1963 p1307.</p> <p>Since the affected Crown Grant lands were granted prior to the first Public Works Act legislation (1882) and the land was not acquired for a public work in 1916, but as Crown Land subject to the then Land Act to facilitate an exchange, the Crown is at liberty to invoke the standard mineral restrictions.</p>	
d) Other Info	d) Not applicable	

**Q.V.VALUATIONS
CHRISTCHURCH OFFICE**

APPENDIX B

Project Number : QVV 64

This report has been prepared on the instruction of Land Information New Zealand in terms of **Contract No : 50241** dated **6 November 2000** and is undertaken for the purposes of the Crown Pastoral Land Act 1998.

LAND STATUS REPORT for Ramshead Tenure Review				LIPS Ref 22641
Property	1	of	1	

Land District	Marlborough
Legal Description	Part Section 2, Block XXIV, Avon Survey District and Section 1, S.O. 6741.
Area	2346.1402 hectares.
Status	Crown land subject to the Land Act 1948.
Instrument of title / lease	Balance Pastoral Lease CL 1A/1033 pursuant to Section 66 and registered under Section 83 of the Land Act 1948 as varied by Memorandum of Renewal 184034.
Encumbrances	<p>Subject to:</p> <ol style="list-style-type: none"> 86262 Encumbrance to the Marlborough District Council (as successor to the Marlborough County Council) as varied by Partial Discharge of Encumbrance 142453 requiring the Council's prior consent to Transfer, lease or otherwise deal with certain lands except in conjunction with the Pastoral lease. 107938 Land Improvement Agreement under Section 30 of the Soil Conservation and Rivers Control Act 1941. Gazette Notice 154889 (N.Z. Gazette 1990 p3738) declaring part (651.7650 hectares) marked "A", "B" and "O" on DP 7395 to be protected private land for scenic purposes subject to the Reserves Act 1977. 194369 Transfer granting a Forestry Right under the Forestry Rights Registration Act 1983 to PGG Trust Limited for a term of 30 years from and inclusive of 7 May 1997 and expiring on 6 May 2027. Part IVA of the Conservation Act 1987, upon disposition.
Statute	Land Act 1948 and Crown Pastoral Land Act 1998.

Data Correct as at	16 January 2001
[Certification Attached]	Yes

LAND STATUS REPORT for Inverary Station				LIPS Ref 12759	
Property	1	of	1		

Prepared by	Don McGregor
Crown Accredited Supplier	McGregor Property Services Limited, CHRISTCHURCH for and on behalf of Q.V. Valuations

Certification:

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

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A.D. Belcher, Chief Surveyor
Land Information New Zealand, Blenheim

Date: 18.1.2001

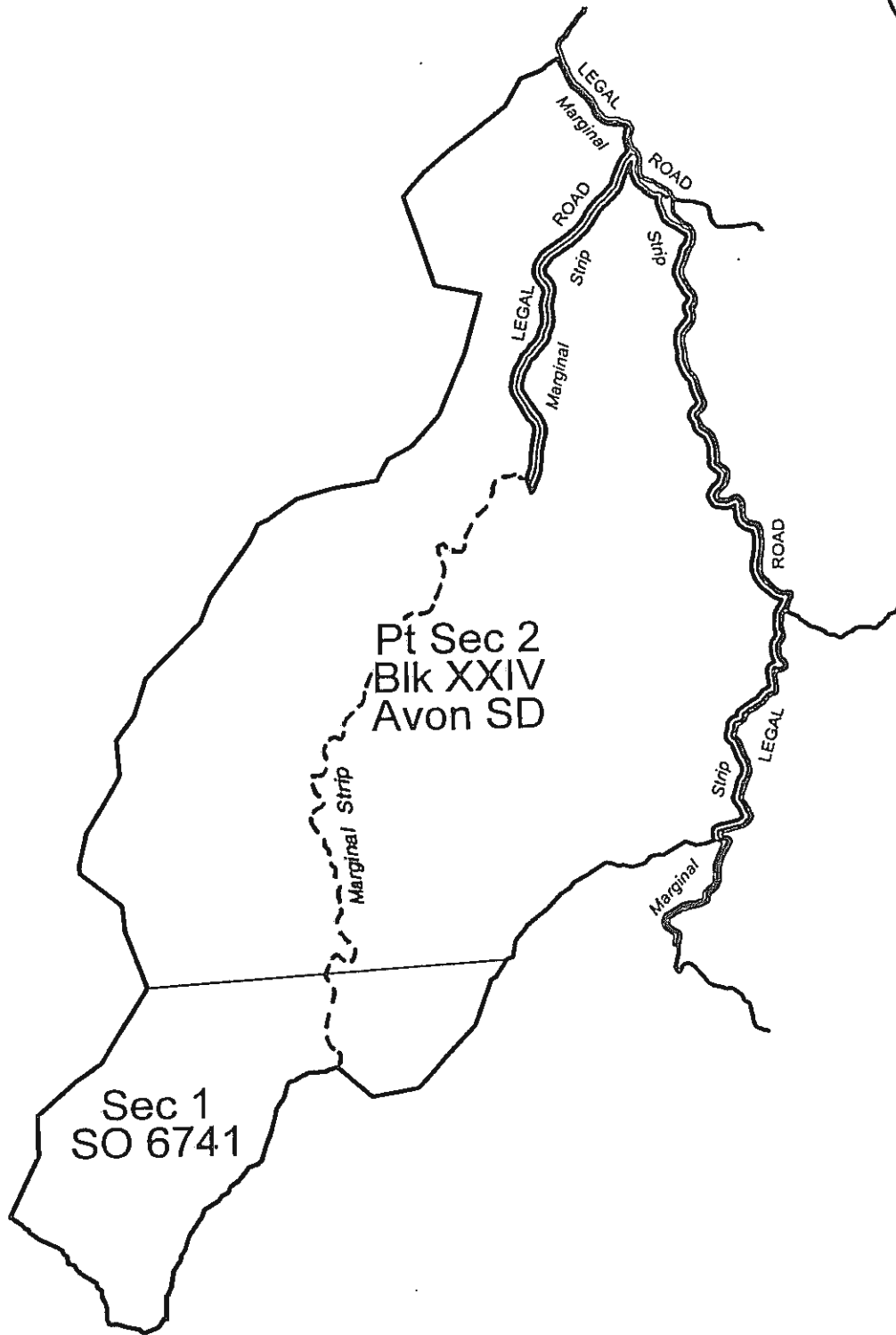
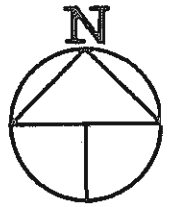
CERTIFICATION

Report to the Chief Surveyor, Christchurch, for a certification of a Status Investigation in respect to RAMSHEAD PASTORAL LEASE TENURE REVIEW.

1. I, Donald McGregor of McGregor Property Services Limited, acting for and on behalf of Q.V.Valuations, certify that the status report enclosed for certification is in order for signature.
2. In giving this certification I, Donald McGregor of McGregor Property Services Limited, acting for and on behalf of Q.V. Valuations, undertake that the status report has been completed in compliance with all relevant policy instructions and in particular, OSG Standard 1999/05 and the Regulatory Chiefs' Land Status Investigations Guidelines 1999/01.



D McGregor
McGregor Property Services Limited
16 January 2001



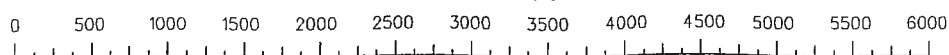
Marginal Strip Subject to Sec 24(9)
Conservation Act 1987 -----

Version	1	2	3	4	5
Marlborough Land District					Sheet 1 of 1
Topographic Map 260 - O29,P28,P29					Date 20/10/00

Ramshead

Scale 1:50000

0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000 5500 6000



APPENDIX 1

G.P. O'Connell

Pastoral Lease under the Land Act 1948 P.24

District Land Registrar

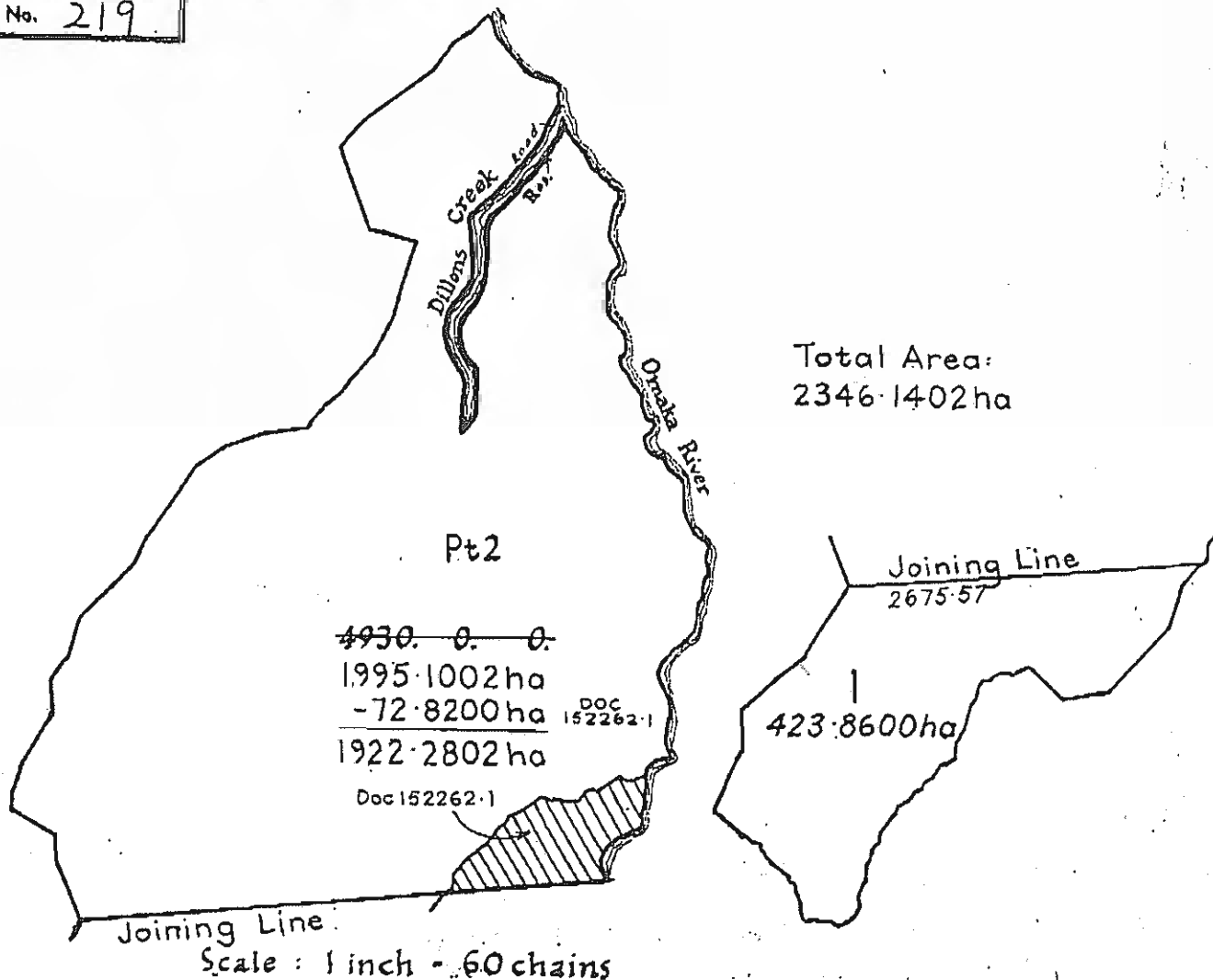
This Deed, made the first day of January 19 63 between HER MAJESTY THE QUEEN (hereinafter referred to as "the Lessor") of the one part, and Thomas Henry Slape, formerly of Kaikoura but now of Havelock, Sheepfarmer

(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 4,930 acres more or less, situated in the Land District of Marlborough, and being Section 2, Block XXIV, Avon Survey District.

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

LAND & DEEDS	
Nature:	<i>Lease</i>
Firm:	<i>CCL</i>
10 APR 1963	
Time:	<i>2.10</i>
Fee: \$	<i>15.1</i>
Abstract No.	<i>219</i>

METRIC AREA IS ~~1995.1002~~ ha



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 19 63, together with the period between the date of this lease and the aforesaid 1st day of January 19 63, YIELDING and paying therefor unto the Department of Lands and Survey at Blenheim the annual rent of £ 90-0-0 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 sheep which number shall not include more than breeding ewes nor more than cattle which number shall not include more than breeding cows PROVIDED HOWEVER that the Lessee may with the prior written consent of the Land Settlement Board carry such additional stock on such terms and conditions as may therein be specified subject nevertheless to the right of the Land Settlement Board to revoke or vary such consent at any time.

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

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.

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

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

Witness:

Occupation:

Address:

Commissioner of Crown Lands.

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

Witness:

Occupation:

Address:

Lessee.

40419 Proclamation of Road passing through within land produced 24/9/1963 at 11.38 a.m.

86406.2 Variation of terms of the within lease.- 3.3.1977 at 11.26o'clock.

40984 Transfer to Nelson Eric Giles of Blenheim, produced 16/12/1963 at 11.1 a.m.

86406.4 Mortgage to Her Majesty the Queen.- 3.3.1977 at 11.26o'clock.

40985 Mortgage to Frank Stanley Ball produced 16/12/1963 at 11.1 a.m.

86406.5 Mortgage to Her Majesty the Queen.- 3.3.1977 at 11.26o'clock.

40986 Mortgage to Thomas Henry Slape produced 16/12/1963 at 11.1 a.m.

89420.1 Transmission of Mortgage 54555 to Gordon Edgar Brown and Allan Maxwell Brown as executors.- 30.11.1977 at 11.26o'clock.

44404 Mortgage to Thomas Mahon Walsh produced 7/4/1965 at 11.4 a.m.

97462 Mortgage to the Rural Banking and Finance Corporation.- 1.1.1980 at 2.49o'clock.

44485 Mortgage to Her Majesty the Queen produced 26/4/1965 at 10.30 a.m.

97470 Notice of Statutory Land Charge under the Rural Housing Act, 1939.- 1.1.1980 at 11.01o'clock.

45522 Transmission of Mortgage 40985 to Leonard Feldman Ball and Allan Maxwell Gascoigne as executors entered 23/8/1965 at 10.45 a.m.

107438 Variation of mortgage 97462.- 1.3.1982 at 2.13o'clock.

53096 Notice of Statutory Land Charges Act 1928 - 1.5.1968

107938 Land Improvement Agreement under Section 30 Soil Conservation and Rivers Control Act, 1941.- 2.4.1982 at 1.58o'clock.

54555 Mortgage to Norton Eric Giles Brown - 7.10.1968 at 11.10 a.m.

124115.1 Application under Section 4 Rural Banking and Finance Corporation Amendment Act 1982 where mortgage 86406.4 is vested in the Rural Banking and Finance Corporation - 21.3.1985 at 12.09o'clock.

54556 Memorandum of Priority making Mortgage 54555 first mortgage and Mortgage 40986 second mortgage and Mortgage 44485 third mortgage - 7.10.1968 at 11.12 a.m.

124115.5 Variation of terms of the within lease.- 21.3.1985 at 12.09o'clock.

54557 Mortgage to Her Majesty The Queen - 7.10.1968 at 11.12 a.m.

124115.6 Transfer to Runsheld Run Limited at Blenheim - 21.3.1985 at 12.09o'clock.

55556 Certificate of Alteration varying the terms of the within lease - 7.2.1969 at 10.21 a.m.

124115.7 Mortgage to the Rural Banking and Finance Corporation.- 21.3.1985 at 12.09o'clock.

Variation of Mortgage 54555 - 5.5.1970 at 11.06 a.m.

124115.8 Mortgage to Norton Eric Giles.- 21.3.1985 at 12.09o'clock.

Variation of Mortgage 54555 - 29.3.1973 at 11.43 o'clock.

127084 Variation of mortgage 124115.7.- 24.9.1985 at 11.26o'clock.

80447 Mortgage to the Rural Banking and Finance Corporation of New Zealand.- 21.8.1975 at 11.27o'clock.

133505 Variation of Mortgage 124115.7.- 26.11.1986 at 11.26o'clock.

86262 Encumbrance to The Chairman Councillors and Inhabitants of the County of Marlborough.- 17.2.1977 at 11.31 o'clock.

138220 Electricity Agreement under Section 30 of the Electricity Act 1968.- 29.10.1987 at 1.45o'clock.

A.L.R.

A.L.R.

A.L.R.

143250 Change of Appellation whereby part of the within land is now known as Section 2 SO 6741.-5.10.1988 at 9.10o'c

A.L.R.

152262.1 Certificate under Section 113 of the Land Act 1948 excluding Section 2 SO 6741 from the within lease.-16.5.1990 at 9.24o'c

A.L.R.

152262.2 Certificate under Section 113 of the Land Act 1948 incorporating Section 1 SO 6741 in the within lease and increasing the annual rent to \$300.00 as from 1.7.1985.-16.5.1990 at 9.24o'c

A.L.R.

153511 Variation of mortgage 124115.7.-27.7.1990 at 10.45o'c

OBSOLETE

A.L.R.

154889 Gazette Notice declaring part of the within land (651.765 ha) marked A,B & O on DP 7395 to be protected private land for scenic purposes, subject to the Reserves Act 1977.-25.10.1990 at 11.10o'c

A.L.R.

157809 Transfer to Norton Eric Giles, Farmer and Valerie Giles, Farmer both of Wairau Valley and Norton Eric Giles, Farmer of Waikopu Valley as tenants in common in equal shares.-23.5.1991 at 9.10o'c

for A.L.R.

159277.4 Mortgage to Rural Bank Limited.-20.8.1991 at 9.03o'c

A.L.R.

159277.5 Memorandum of Priority making mortgage 159277.4 a first mortgage and mortgage 124115.7 a second mortgage.-20.8.1991 at 9.03o'c

A.L.R.

168244.3 Transfer to G.S. Miller Limited at Balclutha.-29.4.1993 at 10.12o'c

Withdrawn From Registration

A.L.R..

168244.4 Mortgage to The National Bank of New Zealand Limited.-29.4.1993 at 10.12o'c

A.L.R..

168485.1 Variation of the within lease.-14.5.1993 at 9.55o'c

A.L.R..

168485.2 Transfer to G.S. Miller Limited at Balclutha.-14.5.1993 at 9.55o'c

A.L.R..

168485.3 Mortgage to The National Bank of New Zealand Limited.-14.5.1993 at 9.55o'c

A.L.R..

184034 Variation of terms renewing the within lease for 33 years commencing on 1.1.1996.-1.3.1996 at 4.00o'c

A.L.R..

193283.2 Mortgage to PGG Trust Limited 26.9.1997 at 9.45

for DLR

194369.1 Transfer granting a Forestry Right under the Forestry Rights Registration Act 1983 to PGG Trust Limited. Term of 30 years from and inclusive of the 7.5.1997 and expiring on 6.5.2027 - 24.11.1997 at 9.25

for DLR.

196103.1 Variation of mortgage 193283.2

196103.2 Mortgage to Pyne Gould Guinness Limited

all 2.3.1998 at 9.30

for DLR.

BALANCE REMAINING

AREA: 2346.1402 ha

DESCRIPTION: Pt Section 2

81K XXIV Avon SD &

Section 1 SO 6741.

APPENDIX 2



LAND SETTLEMENT BOARD

PASTORAL LAND : SURRENDER, CLASSIFICATION
AND DISPOSAL WITHOUT COMPETITION

FILES: H.O. 8/6/49
D.O. 0.13

Case No ... ~~299~~
7003

Marlborough Land District

LICENSEE:

Thomas Henry SLAPE of Kaikoura, Sheepfarmer.

LAND:

Run 110, known as Ramshead.

Area: 14,000 acres.

Location: On Tyntesfield Road, 13 miles S.W. of Blenheim
(4 miles by Right of Way and partly formed road
suitable only for Land Rover or truck).

Amenities: Rural mail, no electricity. Stores, school,
saleyards and railway station at Blenheim.

PARTICULARS
OF LICENCE:

Tenure: Pastoral Occupation Licence.

Term: 10 years from 1-7-1954.

Expires: 30-6-1964.

Annual Rent: £78-12-0.

CROWN'S
IMPROVEMENTS:

Half share	160 chs. E. boundary fence)	Total
Half share	220 chs. E. boundary fence)	Original
Half share	60 chs. N.W. boundary fence)	Value
One-third share	520 chs. N.W. boundary fence)	£305.
Two-thirds share	90 chs. internal fence)	

Valued by P.L.O. Wilson on 18-9-62 at £200.

GENERAL
DESCRIPTION:

Of portion to be let on Pastoral Lease.
By P.L.O. Wilson on 3-10-62.

Aspect: N.E. and N.W. faces.

Rainfall: 30".

Altitude: 600' to 4,200'.

Contour: Whole area steep to very steep.

Area Ploughable: Nil.

How Watered: Ample supply from Dillon Stream, Omaka
River and springs.

Shelter: Good shelter from contour and bushline.

Reversion: Tendency to revert to manuka and tauhinau.

Erosion: Negligible.

Soil Type: 4,700 acres Hurunui soil type.

Snow Risk: Very little.

Balance of
Summer & Winter
Country: Satisfactory with some summer grazing on
the balance of old 0.13. Say 200 sheep
for six months.

Present Cover: 2,000 ac. comparatively clear country
recovering to silver tussock and
danthonia after severe rabbit
infestation and large numbers of
goats and pigs.

FILES: O. 8/6/49
D.O. 0.13

Case No Marlborough Land District

GENERAL DESCRIPTION:

Of portion to be let on Pastoral Occupation Licence.

Aspect: General.

Rainfall: 30" to 60".

Altitude: 1000 ft. to 6000 ft.

Contour: All steep to very steep.

Ploughable: Nil.

How Watered: Rivers and streams.

Shelter: By contour and bush.

Reversion: To scrub and bracken.

Erosion: Only moderate at 6,000 ft.

Soil Type: Kaikoura soil type.

Snow Risk: Moderate where stock graze.

Balance of Summer & Winter Country: No balance. All summer grazing but wethers could winter on lower slopes.

Present Cover: 700 ac. rough grazing.
8,450 ac. native bush, scrub and bracken fern.

9,150 ac. to be let on O. Licence.

No annual cultivation. No winter feed purchased.

WEEDS & PESTS:

Small amount of Nassella Tussock (under Board Control on portion to be leased as P. also some gorse in small clumps at northern tip. Only small pockets of rabbits left, area in proposed lease under Board control. Goats have been practically exterminated by Noxious Animal Division.

OTHER LAND HELD:

Also leases 48 acres at Havelock from Havelock Harbour Board and owns a residential section (1 rood 13.06 perches) in Town of Havelock.

BREED OF STOCK: Merino - suitable.

NORMAL WINTER STOCKING:

Average over last 4 years.
620 ewes, 660 wethers, 225 hoggets.

NORMAL PRODUCTION:

3 year average.
Shearing Tally - 1,245; Wool 11,000 lbs; Death Rate 7½%.
Lambing - 365 - 55%.

P.L.O.'s REPORT:

Mr Slape and his brother J.H. Slape took over this property when it was eaten out by noxious animals including rabbits. J.H. sold out his share to T.H. in 1955. Since then T.H. has brought about considerable improvement by careful stock management, judicious burning with some oversowing, the erection of 2 miles of subdivision fencing, the bulldozing of 1 mile of farm access tracks and the erection of 36 x 36 I.I.R. woolshed, yards, 2 huts and spray dip. This effort has increased his wool production and the general condition of his stock. It will require careful handling for many years before the land has recovered to a good balanced tussock pasture.

59

-3-

FILES: H.O. 8/6/49
D.O. 0.13

Case No. 1111... Marlborough Land District

P.L.O.'s
REMARKS:
(Cont'd)

This may appear unorthodox but it is impossible to impose a stock limitation over the P.O.L. and its grazing value plays a very minor part of the area proposed to be renewed as a Pastoral Lease.

There is still a sum of £200 owing to the Crown for fencing. Lessee will purchase for cash at this figure which is considered fair and reasonable. I concur with the P.L.O.'s recommendation.

RABBIT
DESTRUCTION:

In a covering memorandum P.L.O. Wilson states "The rabbits which the Marlborough Rabbit Board are concerned about are outside the Board's district but they have come from the Board's land into this pocket. Slape estimates there would be 200 rabbits there. They are the only rabbits outside the Board's area in this valley and should be cleaned up promptly.

The rabbit rates are fairly heavy on this property, £176, and the income is still low. I suggest that you make a remission of £20 per annum for 2 years to assist Slape to exterminate this patch of rabbits."

VALUATION AND
RENEWAL
ASSESSMENT:

(1) Roll valuation dated 1-3-1962.
D.V. £1,880 Impts. £2,200 E.V. £4,080

(2) P.L.O. Wilson on 9-10-61 recommends Pastoral Occupation Licence over approximately 9,150 acres at an annual rent of £10-0-0 and a Pastoral Lease over approximately 4,350 acres at an annual rent of £30 based on the following stock:

800 breeding ewes = 600 E.E.
725 wethers = 360 E.E.
225 hoggets = 150 E.E.
1550 = 1110 E.E. @ £100 per 1000.

Say 1100 = £110
Less stock carried on new P.O.L. 10
£100

Less own work in fencing subdivision 10

Rent £ 90 per annum.

RECOMMENDATION:

- (1) That pursuant to s.145 Land Act 1945 the surrender of P.O. Licence No. 13 be accepted as at 31 December 1962
- (2) That pursuant to s.109(1) Land Act 1948 Run 110 be let on pastoral lease as to 4,350 acres and pastoral occupation licence as to 9,150 acres.
- (3) That pursuant to s.54 (1)(f) and 66(3)(4) and (5) Thomas Henry Slape be offered a Pastoral Lease over 4,350 acres and a Pastoral Occupation Licence over 9,150 acres for terms of:
 - (a) Pastoral Lease - 33 years.
 - (b) Pastoral Occupation Licence - 10 years at annual rentals of: (i) £90-0-0.
(ii) £10-0-0.
- (4) That pursuant to s.66 (2) Land Act 1948 the maximum carrying capacity for the combined properties be 1550

L. & S.—C. 5

ACTION SHEET

519

New File No. P 24
 Old File No. 0 13
 H.O. File No. 8/6/49
 J. 13 No. 760

Approved by L.D.B. Case No. 7003 Date: 6/2/63

NAME: Thomas Henry Slope

ADDRESS: Havelock OCCUPATION: Sheepfarmer
 POSTAL ADDRESS: Lawrence St
Havelock
 Tenure: Pastoral Lease
 Rent/interest commences: 1/1/63
 Term: 33 Years from 1-1-63
 Expires: 31/12/95

AREA: 4930 acres DESCRIPTION: Section 2, Block XXIV, Avon Survey District

Issued under: 54 (1) (f) & 66 (1) (f) Land Act 1968 Former Title Ref.: 46/185
 Classification: Pastoral Rating authorities: Northam County Council
 Status: Brown Land Walsby & White Road

Rental value: Based on carrying capacity
 Annual rental: £ on £ U.V.
 £ on £ C./impt.
 Total: £90-0-0 on £ payable
£45-0-0 half yearly in advance

Details of Crown improvements included in R./value:
Brown Impts valued at £200 purchased for cash.

P./price / Improvement loading £
 Deposit £
 Balance £
 Payable over years
 H./yearly instalments £
 Rebate:
 Improvements in P./price: / Impt./loading comprise:

Ex-servicemen concessions: Yes/No
 Rent/interest payable
 1st year: 2% on £ ; £
 2nd year: 3% on £ ; £
 Term: years from
 Authorising para.

PAYMENTS REQUIRED:

Survey costs £ paid 1/1/63
 Fees £ 5-0-0 paid 2/2/63
 B/P rent or interest £ paid 1/1/63
 Rent for half-year or term £ 45-0-0 paid 2/2/63
 Deposit on D.P./impt. loading £ paid 1/1/63
 Purchase price 4 Impts £ 200-0-0 paid 4/2/63

Basis of Valuation or P./price: rent carrying capacity
 2-value: Present-day value: Amount in lease: Computed price:

SPECIAL CONDITIONS: (Continue on reverse side if necessary)

Stock limitation - 1550 sheep and not more than 600
ewes on this property and Run 228, Avon & Hadder
S. O's - area 1400 acres - combined (12,230 =)

REMARKS:

Prepared by J.D. Quill 8/3/63. Checked Adkins 14/3/63.

ACTION REQUIRED:

GENERAL LANDS SEC.: ACCOUNTS DIV.: TITLES SEC.: RECORDS SEC.:

"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

APPENDIX 3



Department of Conservation
Te Papa Atawhai

RECEIVED

21 FEB 2000

FILE: LEA 2014

15 February 2000

Simon Bamford
Knight Frank (NZ) Limited
C/- 16A Fyffe Street
BLLENHEIM

Dear Simon

[RAMSHEAD DISCRETIONARY CONSENT PROPOSAL]

SUBMISSION OF VIEWS ON A RECREATION PERMIT APPLICATION/REQUEST
DATED 14 FEBRUARY 2000 ON RAMSHEAD PASTORAL LEASE

This response to your request is made under delegated authority from the Director-General of Conservation and applies to the following activity(s):

Granting a Recreation permit for the operation of a tramping track with unguided walks.

In my opinion it is desirable to protect (for conservation reasons) a number of inherent values which occur in the area affected by the proposed discretionary action(s). These values are outlined in the attachment to this letter.

The likely adverse effects of the proposed discretionary action(s) are also shown in the attachment.

- (a) I consider the following condition (in any consent to the discretionary action) would be reasonable and, if made by the CCL, will avoid, remedy or mitigate all the adverse effects.

- Ensure that within the covenanted area(s), trampers are confined to existing ground track/trail(s).

At the time of writing this letter the Department only had available the following information about inherent values:

- the application/request dated 14 February 2000
- the standard information provided under s.53 Conservation Act
- previous correspondence relating this activity within the covenanted area

Please convey these views to the Commissioner so that they may be taken into account in the decision-making process.

Yours faithfully,



Robin Blackmore

SOUTH MARLBOROUGH AREA MANAGER

Pursuant to a delegation from the Director-General of Conservation

Attachment A

Resource	Attribute/Characteristic (cultural, ecological, historical, scientific)	Inherent Values (Conservation)	Adverse Effects (quantify and number sequentially)
Indigenous plant and animal populations			
Natural Ecosystems	Covenanted Area (see attached map)	Largest continuous stand of <i>Olearia paniculata</i> in the Waihopai Ecological District. Lowland coastal plants and a variety of Marlborough Endemics that appear to occur at their northern most limit	Possible trampling and vegetation damage
Natural Landscapes			
Landform			
Geological Features			
Soils			
Archaeological Sites			

RPL 105

RPI

Grange
Parc

28

St. Mary's

St. Mary's
1581