

Crown Pastoral Land Tenure Review

Lease name : SANDY POINT

Lease number : PO 350

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.

February 05



Our Ref: Po350
LINZ Ref: 12590
(A9315)

Copied for purposes of CPL
tenure review due diligence from
file: P Vol 3
CONF/50213/C9/12590/A ZNO

LAND RESOURCES DIVISION

1 November 2000

Knight Frank House
41 - 43 Tarbert Street, Alexandra
Telephone: (03) 448 6935
Facsimile: (03) 448 9099

Crown Property Management
Land Information New Zealand
Private Bag 4721
CHRISTCHURCH

ATTENTION: BOB LYSAGHT

Dear Sir

RE: VALUATION REPORT - CONTACT ENERGY PURCHASE - PART SANDY POINT PASTORAL LEASE

(1) Instruction/Background:

This valuation is part of the ongoing purchase of land by Contact Energy (*previously Electricorp*) for future Hydro electric development in the Upper Clutha. Opus have been working on behalf of Contact Energy in this matter.

On 29 August 1992 the Commissioner of Crown Lands approved the surrender out of Sandy Point (*Po350*) of approximately 30 ha of land with the area being disposed of to Electricity Farm Holdings No 1 Limited with the purchase price to be determined by Landcorp (*now Knight Frank*).

On 28 April 1998 Knight Frank recommended that based on the valuation, Opus be advised of the Crown purchase price. This was approved under Case No 99/629.

Further representations were made to the CCL delegate on 11 November 1999 where the following recommendations were approved Case No 00/461, Submission A9315.

- (1) That Sandy Point transaction be dealt with independently of Long Gully.
- (2) That Knight Frank be instructed to value the area to be surrendered out of Sandy Point.

This valuation is a result of that approval.

Corporate Offices

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Japan
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Portugal
Singapore
South Africa
Spain
Sweden

Tanzania
The Netherlands
United Kingdom
United States
of America
Zimbabwe

Postal Address:

P O Box 27, Alexandra
Knight Frank (NZ) Limited
(An LPL Group Company)
INTERNATIONAL PROPERTY CONSULTANTS

This is a valuation of the lessor's interest in the land, the lessee's interest having already been negotiated for acquisition by Contact Energy.

(2) ***Inspection:***

The property was inspected on Friday 22 September 2000.

(3) ***Date of Valuation:***

The property was valued under the Land Act 1948 as at 22 September 2000.

(4) ***Legal Description:***

The area being valued is part of Sandy Point Pastoral Lease, Land Registry Folio Reference 13A/121 being a total of 1797.2619 hectares.

The actual area has been defined by survey as advised in the Opus letter of 20 September 2000. It comprises Sections 1, 4 and 5 on the plan provided in this letter which is yet to receive an SO number. The total area being 29.4685 hectares.

(5) ***Tenure:***

Currently pastoral lease under Section 66 Land Act 1948.

Term: 33 years from 1 January 1994.

Lessee: Douglas John Wilson and Maria Helen Wilson

(6) ***Special Conditions of Lease and Encumbrances:***

Although there are a number of encumbrances relevant to the pastoral lease I have assumed for the purpose of this valuation that the land is unencumbered and available for disposal by the Crown on freehold title. I have assumed that the Crown will however retain rights to minerals and the land will be subject to Part IV of the Conservation Act.

(7) ***RMA Matters and Zoning:***

The area is zoned Rural 1 under the Operative Vincent section of the Queenstown-Lakes District Plan.

The area is zoned Rural General under the proposed Queenstown-Lakes District Plan.

Currently on advice from QLDC (*Civic Corp*) the proposed Hydro Development would be Non-Complying under the Plan.

(8) *Description of Property:*

Sandy Point is located on the Luggate-Tarras Road State Highway 8A, approximately 18 kms from the township of Wanaka. The area being valued consists of three irregularly shaped sections between the Clutha River and this road. Section 1 is adjacent to the Clutha River, Section 4 is a small triangular area separated by two unformed roads (*now owned by Contact Energy*) and Section 1 is adjacent to the road.

On inspection cover was as follows (*estimates only*):

| | |
|----------------|--|
| 8.8 ha | Flat lucerne paddock |
| 3.0 ha | Medium steep hill and native grasses and briar |
| 2.0 ha | Cultivated paddock - ploughed |
| <u>15.6 ha</u> | Grass/unimproved/waste |
| 29.4 ha | Total Area |

These areas form parts of larger paddocks and as such are dissected by existing fencelines. There is a hay barn present on Section 1.

The property is currently run as a sheep and cattle grazing proposition and the subject land produces winter feed to complement the rest of the property. As such it is a valuable portion of a property that is restricted by its winter feed limitation.

Stocking has been assessed at around 200 su for the subject area but the effect on the whole property may be more like 300 su in total stocking.

The climate in the area is typical Central Otago with summer droughts and cold frosty winters. Rainfall is around 700 mm per annum.

Soils:

The subject land consist of Pigburn soils on the flat areas adjacent to the road. These are shallow sandy loams and silt loam of medium to high fertility and suitable for intensive farming. The steeper country is Koinga steepland soils. The bottom flat has speargrass soils both shallow fine sandy loams and sandy loams. These are of medium to high fertility and suitable for intensive farming but subject to occasional flooding. All the above soils are made up of a parent material of schist alluvium and have a natural vegetation of fescue and silver tussock and matagouri.

Having a south-westerly aspect we do not consider the area to be in demand for grape growing, that is seen on similar country on the other side of the Clutha River.

(9) Matters Affecting Value:

The Crown is providing an area of land for Hydro development. As such it is a subdivided area of land and must be valued accordingly. To this end sales of similar types of land have been used for comparable sales, rather than simply taking an apportionment of the whole property (*although this has been given some considerations as well*).

Some recognition has been given to the complementarity of this land to the rest of the property as well as the reasonably versatile soils on the flat areas of the land.

(10) Sales:

Although sales of large pastoral properties have been considered I believe that because of the more versatile nature of this land that smaller more similar properties are more appropriate when assessing value. To this end the following sales are considered comparable to the subject:

- (a) *Wanaka Road* - 145 ha mostly dry hills and ridges, sold 10/99 for \$165,000. This corresponds to a land value of \$150,000 being \$1,035 per ha.
- (b) *Tarras* - Part irrigated, part dryland flats on 154 ha, all deer fenced. Sold at public auction 9/99 for \$250,000. Estimated Land Sale Price \$200,000 or \$1,296 per ha.
- (c) *Wanaka Road* - 90 ha of stony flats between State Highway 6 and the Clutha River, sold 9/99 for \$395,000. Purchased for subdivision and future grape development. Estimated Land Sale Price \$275,000 or \$3,050 per ha.

The former sales are seen as more applicable to the subject with the latter having some potential for subdivision and grape development.

(11) Apportionment of Value:

| | <i>Improvements (non-structural)</i> | | <i>LEI</i> | | <i>Total/ha</i> |
|---------------------------|--|-----------------|---------------|-----------------|-----------------|
| | <i>Imps/ha</i> | <i>Total</i> | <i>LEI/ha</i> | <i>Total</i> | |
| 8.8 ha Lucerne | \$800 | \$ 7,040 | \$500 | \$ 4,400 | \$ 1,300 |
| 3 ha Native grasses/briar | \$100 | \$ 300 | \$100 | \$ 300 | \$ 200 |
| 2 ha Ploughed | \$500 | \$ 1,000 | \$500 | \$ 1,000 | \$ 1,000 |
| 15.6 ha Grass/river bank | \$200 | \$ 3,120 | \$200 | \$ 3,120 | \$ 400 |
| Total | | \$11,460 | | \$ 8,820 | |
| Say | | \$11,500 | | \$ 9,000 | |

Structural Improvements;

| | | |
|-------------------|-----------------------------|-----------------|
| Fences - Internal | 1500 metres @ \$3 per metre | \$ 4,500 |
| - Boundary | 320 metres @ \$1.50 metre | \$ 480 |
| Hay barn | | \$ 3,000 |
| Total | | \$ 7,980 |
| Say | | \$ 8,000 |

(12) *Valuation (under the Land Act 1998):*

| | |
|--------------------------------------|-----------|
| Value of Improvements | \$ 19,500 |
| Land Exclusive of Improvements | \$ 9,000 |
| Capital Value | \$ 28,500 |

For the purpose of this valuation the Crown's interest is considered to be the Land Exclusive of Improvements, which has been assessed at \$9,000 (*exclusive of GST*).

(13) *Asking Price:*

This is not a situation where the property is on the market and market evidence suggests that a premium is paid under these circumstances. This can be looked at in three ways:

- (i) Sales where the property is not on market and identified premiums is paid by purchaser.

In this respect we can advise:

- (a) Recent options to purchase land at Springvale Road, Alexandra for the possible construction of an international airport have been at twice current Government Valuation.
- (b) Gold mining proposals on the Earnsclough Flats have seen the company purchase a number of properties. Prices paid were between 133% to 200% of valuation depending on known gold reserves. Most were purchased at 150%.
- (c) Electricorp purchased properties at Beaumont for Hydro Development. They were purchased at valuation. However, there was no market at the time and Electricorp appeared the only buyer. Thus they created their own level of value. It is understood that some owners who held out then, would only get half the value if they sold now.

- (d) Site specific installations such as transmitter sites attract a considerable premium. Although the land area is small, they are valuable because of their location. The Crown has been getting around \$500/annum capitalised to a one-off payment of \$6,000 for many small sites. Often lessees will get a much larger payment for the lessee's interest.

The subject area is considerably larger, and potentially more valuable.

- (ii) The Crown should set a premium to allow for negotiation downwards. In that manner they would reflect the actions of a normal vendor, especially when the property is not being offered for sale.

To conclude I suggest the Crown should ask 200% the valuation of \$9,000, which would be \$18,000 and be prepared to go down to 150% or \$13,500. It is also important that the purchaser pay all Crown costs in this matter.

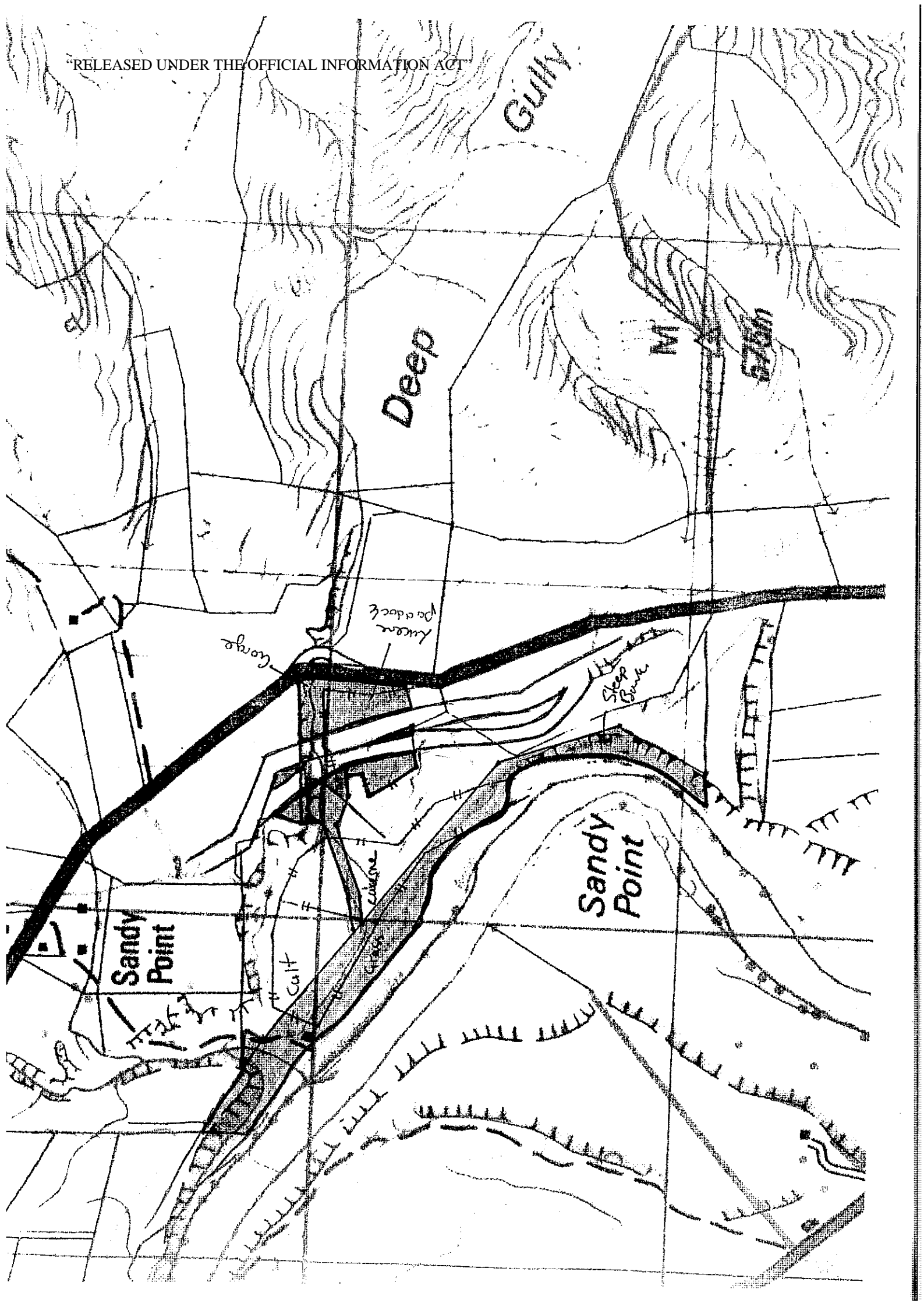
(14) Recommendations:

That Opus be advised that the Crown requires \$18,000 (*plus GST*) for the purchase of the lessor's interest in the 29.4685 ha of land being sought by Contact Energy.

Yours faithfully



T J Whittaker ANZIV
Registered Public Valuer
KNIGHT FRANK (NZ) LIMITED



1980, at 1100 o'clock

REGISTER

Not Registered under Land Transfer Act. --- Registered under Section 83, Land Act, 1948

[Signature]
Asst Land Registrar.

2013A/11211

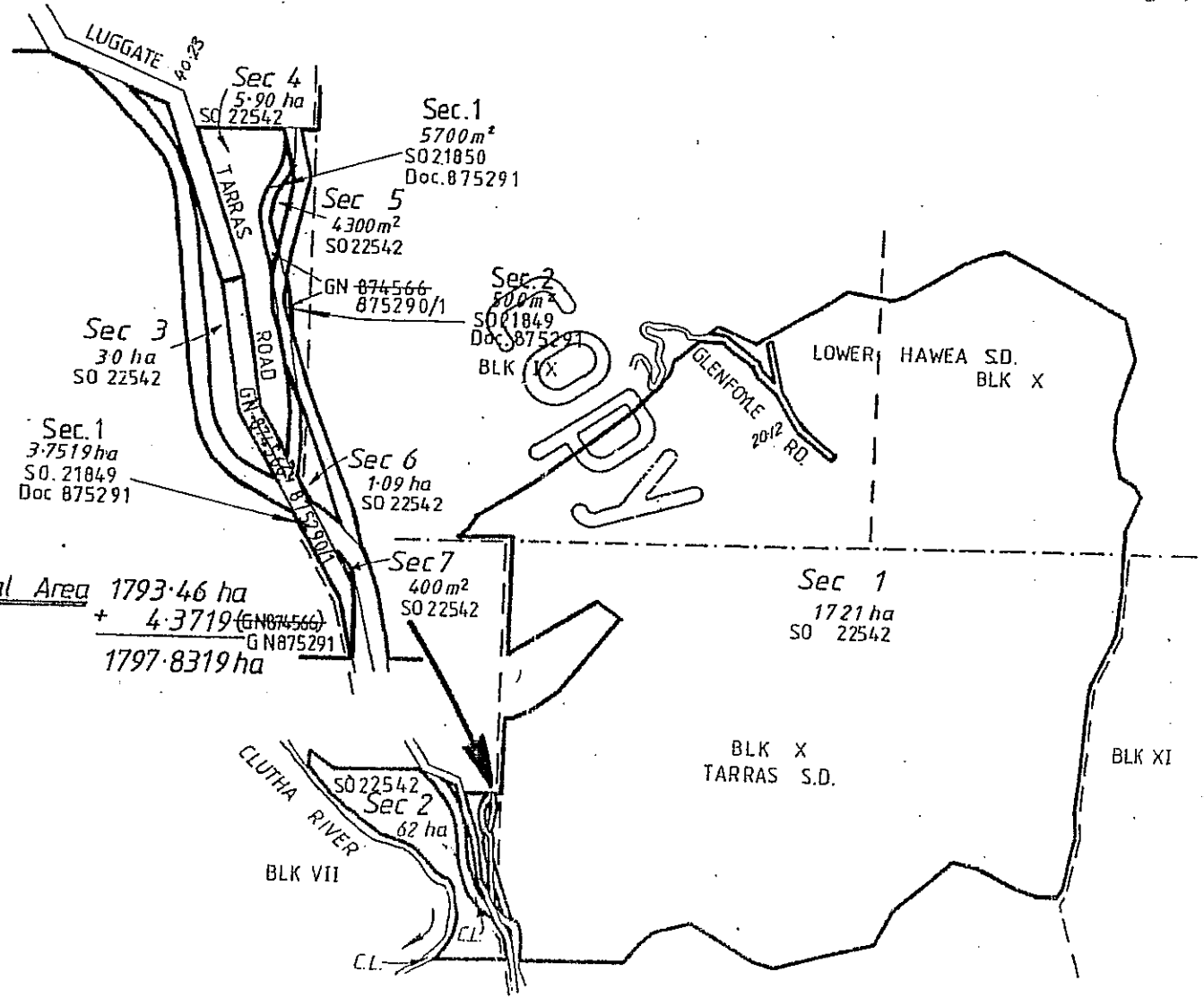
Pastoral Lease under the Land Act 1948

issued pursuant to Section 93 of the Land Act 1948 on the subdivision of P266

This Deed, made the 21st day of November 1983 between HER MAJESTY THE QUEEN (hereinafter referred to as "the Lessor") of the one part, and THE TRUSTEES EXECUTORS AND AGENCY COMPANY OF NEW ZEALAND LIMITED a company incorporated under the Joint Stock Companies Act 1860 and 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 1793.46 Hectares more or less, situated in the Land District of Otago, and being Sections 1 2 3 4 5 6 and 7 SO 22542

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



CERTIFICATE OF NON-REVOCAION OF POWER OF ATTORNEY

I, ROBERT PAUL WOODHOUSE of Dunedin, Property Officer

HEREBY CERTIFY -

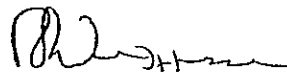
1. THAT by Deed dated the 11th day of June 1987 copies of which are deposited in the Land Registry Offices at -

- .AUCKLAND (North Auckland Registry) and there numbered B678573
- BLenheim (Marlborough Registry) and there numbered 136439
- CHRISTCHURCH (Canterbury Registry) and there numbered 686366/2
- DUNEDIN (Otago Registry) and there numbered 681189/1
- GISBORNE (Poverty Bay Registry) and there numbered 167089.2
- HAMILTON (South Auckland Registry) and there numbered H734777
- HOKITIKA (Westland Registry) and there numbered 076748
- INVERCARGILL (Southland Registry) and there numbered 141782
- NAPIER (Hawkes Bay Registry) and there numbered 478751.2
- NELSON (Nelson Registry) and there numbered 269962.1
- NEW PLYMOUTH (Taranaki Registry) and there numbered 341775
- WELLINGTON (Wellington Registry) and there numbered 860782.2

LAND CORPORATION LIMITED at Wellington carrying on the business of land management appointed me its Attorney on the terms and subject to the conditions set out in the said Deed.

- 2. THAT at the date hereof I was Property Officer of the said Corporation.
- 3. THAT at the date hereof I have not received any notice or information of the revocation of that appointment by the winding up or dissolution of the said LAND CORPORATION LIMITED or otherwise.

SIGNED at DUNEDIN
this 31st day of January
1990

)
)
)


its and appurtenances thereto belonging. TO HOLD the said premises intended to be hereby demised
~~RELEASED UNDER THE OFFICIAL INFORMATION ACT~~
 The Lessee for the term of 93 years commencing on the 1st day of January 1961 together
 in the period between the date of this lease and the aforesaid 1st day of 19 YIELDING
 and pay herefor for the first 11 years of the said term unto the Department of Lands and Survey at Land
 Corporal Limited at Dunedin the annual rent of \$128.00 payable without demand by equal half-
 yearly payments in advance on the 1st day of January and the 1st day of July in each and every year during
 the said period of 11 years; and for the next two successive periods of 11 years of the said term a rent deter-
 min in respect of each of those periods in the manner provided in Section 66 (4A) of the Land Act 1948.
 AND also paying in respect of the improvements specified in the Schedule hereto the sum of \$
 by a deposit of \$ (which has already been paid) and thereafter by half-yearly
 instalments of \$ on the 1st day of January and the 1st day of July in each and every year.

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

1. That without derogating from or restricting the covenants contained and implied in this lease and on the part of the Lessee to be performed or complied with the Lessee will not at any time during the said term depasture on the land hereby demised more than 1000 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:

HAT 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 there-unc 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

COPY

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.

SIGNED for and on behalf of
HER MAJESTY THE QUEEN pursuant to
Deed lodged with the District Land
Registrar as No. 681189/2 by
LAND CORPORATION LIMITED
by its Attorney
ROBERT PAUL WOODHOUSE
in the presence of

LAND CORPORATION LIMITED
by its Attorney

REGISTER

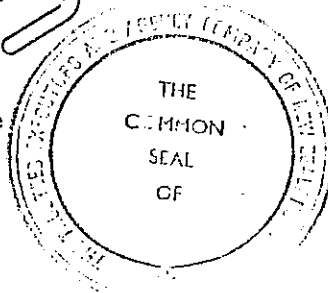
Witness: [Signature]

Occupation: Property Officer Landcorp

Address: Dunedin

SEARCHED

THE COMMON SEAL of THE TRUSTEES
EXECUTORS AND AGENCY COMPANY OF
NEW ZEALAND LIMITED was hereunto
affixed as Lessee in the presence
of:



[Signature]
AUTHORISED SIGNATORY

760512/2 Transfer to Douglas John
Wilson of Hakataramea farmer and
Maria Helen Wilson his wife -
8.8.1990 at 10.12 am

[Signature]
A.L.R.

217 Land Improvement Agreement
under Section 122(3) and 30A of the
Soil Conservation and Rivers Control
Act 1941 - 20.8.1990 at 1.31 pm

DISCHARGED (3)
25 NOV 1994
Shumway

SEARCHED

760512/3 Mortgage to Leslie John
Struthers and Lola June Struthers
8.8.1990 at 10.12 am

[Signature]
A.L.R.

149/1 Mortgage The Rural
Banking and Finance Corporation of
New Zealand - 15.11.1980 at 11.12 am

DISCHARGED
18 AUG 1990

[Signature]
A.L.R.

760512/4 Mortgage to Reid Farmers
Limited and Reid Farmers Finance
(Otago) Limited - 8.8.1990 at
10.12 am

[Signature]
A.L.R.

26 Land Improvement Agreement
under the Soil Conservation and Rivers
Control Act 1941 - 2.4.1980 at 9.26 am

DISCHARGED
27 NOV 1995
Bellwood

[Signature]
A.L.R.

764760 Transmission of Mortgage 760512/3
to The Trustees Executors and Agency
Company of New Zealand Limited --
5.10.1990 at 9.10 am

[Signature]
A.L.R.

-over-

814566 and Improvement Agreement under Section 10a of the Soil Conservation and Rivers Control Act 1941 - 21.9.1992 at 12.17pm

[Signature]
A.L.R.

884935 Memorandum renewing the term of the within lease for a further period of 33 years commencing on 1.1.1994 and fixing (for the first 11 years) the annual rent at \$1,800 calculated on a rental value of \$120,000 - 23.6.1995 at 9.05 am

[Signature]
A.L.R.

839935 Transfer of Mortgage 760512/3 to Lincoln University - 6.10.1993 at 9.25am

[Signature]
A.L.R.

886441 Variation of Mortgage 760512/3 - 7.7.1995 at 10.51am

[Signature]
A.L.R.

**
875291 Certificate of Alteration incorporating in the within lease Sections 1 and 2 SO Plan 21849 and Section 1 SO Plan 21850 (4.3719ha) - 8.2.1995 at 11.41am

[Signature]
A.L.R.

875290/1 Gazette Notice declaring:

- (i) that parts of the Crown Land adjoining the within land marked 'D' (9850m²) and 'F' (700m²) on SO Plan 21849 and 'I' on SO Plan 21850 (7340m²) to be set apart for road which shall form part of State Highway No. 8A and shall vest in the Crown on the 25th of November 1993 and
- (ii) that parts of the road adjoining the within land marked 'H' (5700m²) and 'N' (2.7694 ha) on SO Plan 21850 and 'A' (3.2619ha) 'E' (4900m²) and 'G' (500m²) on SO Plan 21849 to be stopped - 8.2.1995 at 11.40am

[Signature]
A.L.R.

COPY

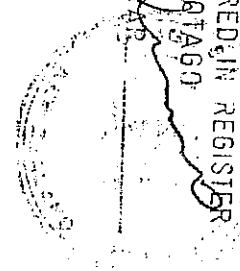
parts of the stopped road adjoining the within land formerly marked 'A', 'E' and 'G' on SO Plan 21849 are now known as Sections 1 (3.7519ha) and 2 (500m²) SO Plan 21849 - 8.2.1995 at 11.40am
See New Appellation 875290/2

[Signature]
A.L.R.

parts of the stopped road adjoining the within land formerly marked 'H' and 'N' on SO Plan 21850 are now known as Sections 1 (5700m²) and 2 (2.7694ha) SO Plan 21850 - 8.2.1995 at 11.40am
See New Appellation 875290/3

[Signature]
A.L.R.

11.04 07.FEB.90
PARTICULARS ENTERED IN REGISTER
LAND REGISTRY
ASST LAND REGISTRAR
A2/1206
747354/2
PL



"RELEASED UNDER THE OFFICIAL INFORMATION ACT"
20 September 2000

KNIGHT FRANK
ALEXANDRA
21 SEP 2000
RECEIVED



Tim Whittaker
Registered Public Valuer
Knight Frank
PO Box 27
ALEXANDRA

6NCE01.03 015YD

Dear Tim,

Valuation - Contact Energy Land - Sandy Point Pastoral Lease

I refer to your letter dated 25 July 2000, your ref Po 350.

As requested please find attached an advanced copy of the Survey plan for this property.

The area to be valued is as follows:

| | |
|-------|---------|
| Sec1 | 24.0534 |
| Sec 4 | 0.7573 |
| Sec 5 | 4.6578 |
| Total | 29.4685 |

You are correct in relation to the interest that is required to be valued. In this case only an assessment of the Lessors interest is required.

Please advise if you require any further information.

Yours sincerely

A handwritten signature in cursive script, appearing to read "Robin Whelan".

Robin Whelan
Manager, Property

Approvals
Signed for & on behalf of Her Majesty the Queen
owner, by Murray Robert Mackenzie, Manager
Crown Property Services, Land Information NZ.

I hereby certify that this plan was approved by the
CENTRAL OTAGO DISTRICT COUNCIL pursuant to
Section 223 of the Resource Management Act 1991
on the day of _____ 19____ subject to the granting
or reserving of the easements set out in the Memorandum
hereon and subject to the amalgamation condition set out
therein.

That Sections 1 and 2 hereon be held in the same
Certificate of Title; see (LRR _____).

Principal Administrative Officer/Authorised Officer
Pursuant to Section 224(c) of the Resource
Management Act 1991 I hereby certify that
all the conditions of the subdivision consent
of the
CENTRAL OTAGO DISTRICT COUNCIL
Dated this _____ day of _____ 19____

Authorised Officer

Notes:
All roads are legal.
At the time of lodgement this plan
is concurrent with DP's 21849,
21850 & 22542.

DATUM
CIRCUIT : GEODETIC 1949
COORDS IN TERMS OF LINDIS PEAK
700000mN 300000mE

Total Area
Comprised in Pt CL A2/1206 &

1. Steven Mark Copson
being a person entitled to practice as a Registered Surveyor, certify that -
(a) The surveys to which this dataset relates are accurate, and were
undertaken by me or under my direction in accordance with the
Survey Act 1986 and the Survey Regulations 1998.
(b) This dataset is accurate, and has been treated in accordance with
that Act and those Regulations.

Dated at Dunedin this _____ day of _____ 1999

Field Book P. Traverse Book P.
Reference Plans
Examined Correct

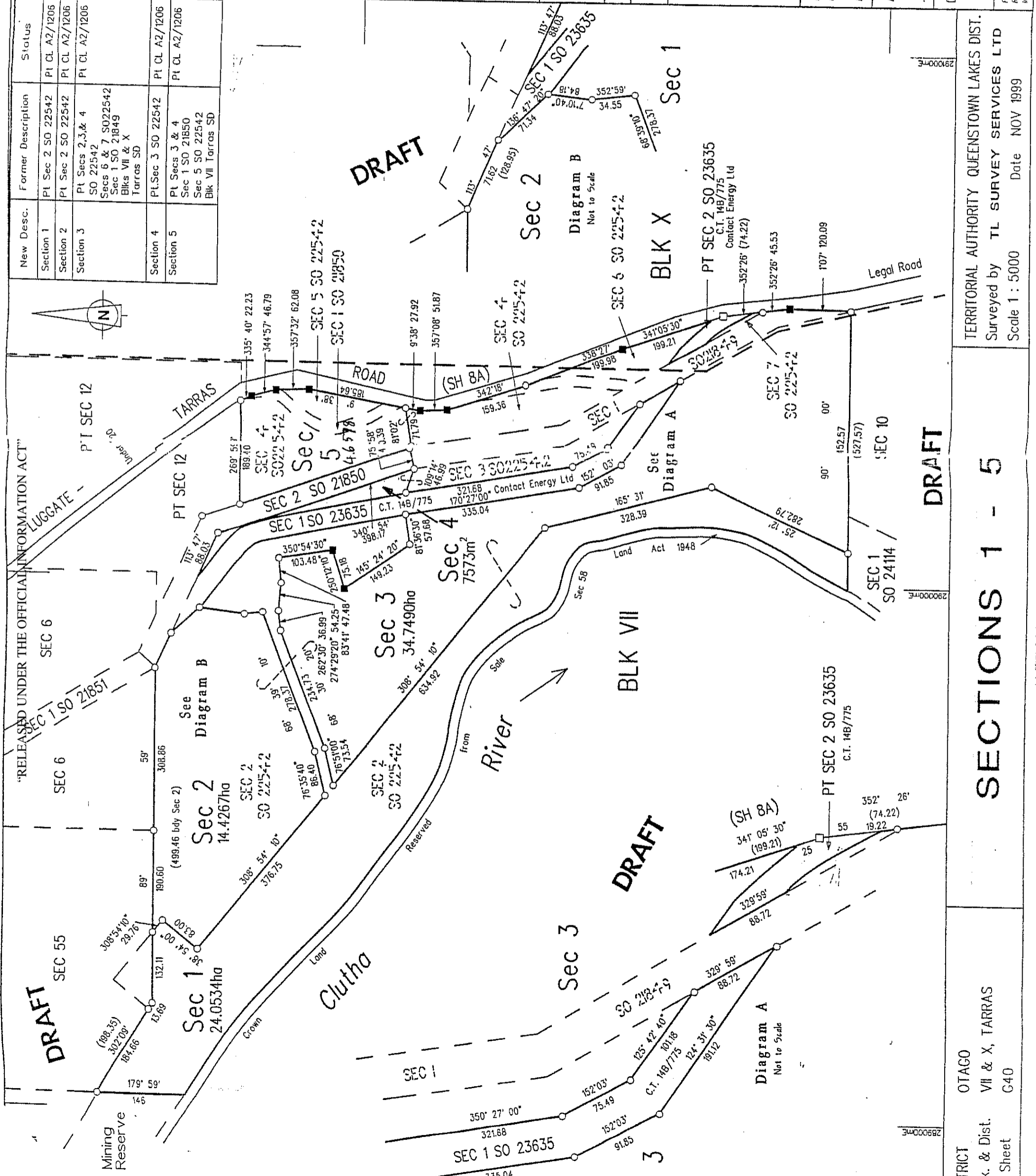
Approved as to Survey

..... / / Acting Chief Surveyor

Deposited this _____ day of _____ 19.....
for Registrar General of Land

File Received Instructions 990266
Tarras_12.gcd SO

| New Desc. | Former Description | Status |
|-----------|---|---------------|
| Section 1 | Pt Sec 2 SO 22542 | Pt CL A2/1206 |
| Section 2 | Pt Sec 2 SO 22542 | Pt CL A2/1206 |
| Section 3 | Pt Secs 2,3,& 4 SO 22542 Secs 6 & 7 SO 22542 Sec 1 SO 21849 Blks VII & X Tarras SD | Pt CL A2/1206 |
| Section 4 | Pt. Sec 3 SO 22542 | Pt CL A2/1206 |
| Section 5 | Pt Secs 3 & 4 Sec 1 SO 21850 Sec 5 SO 22542 Blk VII Tarras SD | Pt CL A2/1206 |



"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

20 September 2000

Tim Whittaker
Registered Public Valuer
Knight Frank
PO Box 27
ALEXANDRA



Copied for purposes of CPL
tenure review due diligence from
file: P Vol 2

CCN | 50213109 | 125 F O / A - 2 N O

6NCE01.03 015YD

Dear Tim,

Valuation - Contact Energy Land - Sandy Point Pastoral Lease

I refer to your letter dated 25 July 2000, your ref Po 350.

As requested please find attached an advanced copy of the Survey plan for this property.

The area to be valued is as follows:

| | |
|-------|---------|
| Sec1 | 24.0534 |
| Sec 4 | 0.7573 |
| Sec 5 | 4.6578 |
| Total | 29.4685 |

You are correct in relation to the interest that is required to be valued. In this case only an assessment of the Lessors interest is required.

Please advise if you require any further information.

Yours sincerely

Robin Whelan
Manager, Property

| New Desc. | Former Description | Status |
|-----------|--|---------------|
| Section 1 | Pt Sec 2 SO 22542 | Pt CL A2/1206 |
| Section 2 | Pt Sec 2 SO 22542 | Pt CL A2/1206 |
| Section 3 | Pt Secs 2,3,& 4 SO 22542 Secs 6 & 7 SO 22542 Sec 1 SO 21849 Blks VII & X Tarras SD | Pt CL A2/1206 |
| Section 4 | Pt Sec 3 SO 22542 | Pt CL A2/1206 |
| Section 5 | Pt Secs 3 & 4 Sec 1 SO 21850 Sec 5 SO 22542 Blk VII Tarras SD | Pt CL A2/1206 |

Approvals
Signed for & on behalf of Her Majesty the Queen as owner, by Murray Robert Mackenzie, Manager Crown Property Services, Land Information NZ.

I hereby certify that this plan was approved by the CENTRAL OTAGO DISTRICT COUNCIL pursuant to Section 223 of the Resource Management Act 1991 on the day of 19 subject to the granting or reserving of the easements set out in the Memorandum hereon and subject to the amalgamation condition set out hereon.

That Sections 1 and 2 hereon be held in the same Certificate of Title, see (LRR)

Principal Administrative Officer/Authorised Officer:
Pursuant to Section 224(c) of the Resource Management Act 1991 I hereby certify that all the conditions of the subdivision consent have been complied with to the satisfaction of the
CENTRAL OTAGO DISTRICT COUNCIL
Dated this day of 19

Authorised Officer

Notes:
All roads are legal.
At the time of lodgement this plan is concurrent with DP's 21849, 21850 & 22542.

DATUM : GEODETIC 1949
CIRCUIT : LINDIS PEAK
COORDS IN TERMS OF LINDIS PEAK : 700000mN 300000mE

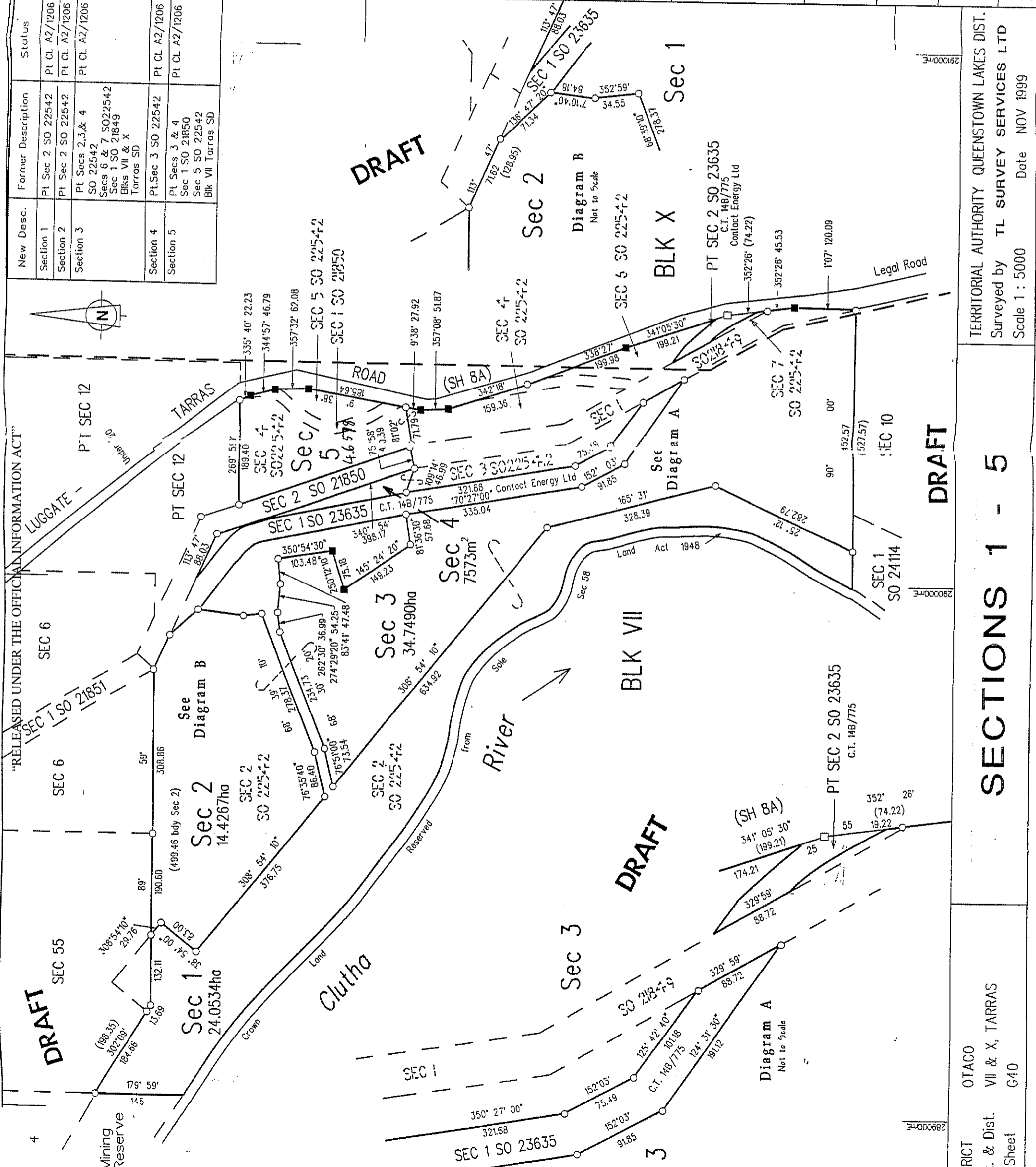
Total Area :
Comprised in Pt CL A2/1206 &

1. Steven Mark Copson
being a person entitled to practice as a Registered Surveyor, certify that -
(a) the surveys to which this dataset relates are accurate, and were undertaken by me or under my direction in accordance with the Survey Act 1986 and the Survey Regulations 1996.
(b) This dataset is accurate, and has been created in accordance with that Act and those Regulations.

Dated at Dunedin this day of 1999

Field Book P. Traverse Book P.
Reference Plans
Examined Correct
Approved as to Survey
/ / / Acting Chief Surveyor

Deposited this day of 19....
for Registrar General of Land
Tarras 12 gtd
Instructions 990606
SO





Our Ref: ~~Po055~~ Po350
(A9084, A9085)

Copied for purposes of CPL
tenure review due diligence from
file: P.350 Vol 3/51

16 August 1999

LAND RESOURCES DIVISION

Opus International Consultants
Private Bag 1913
DUNEDIN

Knight Frank House
41 - 43 Tarbert Street, Alexandra
Telephone: (03) 448 6935
Facsimile: (03) 448 9099

ATTENTION: J R WHELAN

Dear Sir

RE: PASTORAL LEASE - CONTACT ENERGY - SANDY POINT & LONG GULLY

I refer to your letter received on 11 March 1999. You have asked for confirmation that prior approval from the Commissioner of Crown Lands is still current and that \$3,000 for the area of Po350 is acceptable. You also wish to be advised of the assessed lessor's interest in Po055 Long Gully.

The Commissioner of Crown Lands approved certain recommendations on 29 August 1992. The particular recommendations which he approved were:

- (1) That you accept surrender of 81 ha approximately from Po055 "Long Gully" and 30 ha approximately from Po350 "Sandy Point".
- (2) That you dispose of the above areas on freehold title to Electricity Farm Holdings No 1 Limited, the purchase price yet to be determined by Landcorp.
- (3) The above transaction be subject to the following:
 - (a) Electricorp obtaining consent of the relevant District Council to the subdivisions and providing evidence of such consent to Landcorp.
 - (b) Agreement being reached with Department of Conservation regarding protection of natural values within the area on Po055 "Long Gully".
 - (c) No adjustment to the base stock limits or current rentals of the pastoral leases.
 - (d) Electricorp meet all survey legal and consent costs in relation to the above proposals.

| | | |
|---|---|---|
| <p>Corporate Offices</p> <p>Auckland Wellington Christchurch</p> <p>13 Offices Nationwide</p> | <p>International</p> <p>Australia Belgium Botswana China France Germany</p> <p>Hong Kong India Italy Japan Malawi Monaco</p> <p>Nigeria Portugal Singapore South Africa Spain Sweden</p> <p>Tanzania The Netherlands United Kingdom United States of America Zimbabwe</p> | <p>Postal Address:</p> <p>P O Box 27, Alexandra</p> <p>Knight Frank (NZ) Limited (An LPL Group Company)</p> <p>INTERNATIONAL PROPERTY CONSULTANTS</p> |
|---|---|---|

Further to this previous consent (which has being re-affirmed the Commissioner of Crown Lands) in order for the Commissioner's approval to be actioned, agreement with DoC must be advised.

Once DoC's agreement has been advised Knight Frank will be instructed to undertake further valuations of the lessor's interest in both Po055 "Long Gully" and Po350 "Sandy Point". Based on these valuations Opus will be advised of the Crown's purchase price.

Please note that under provisions of Section 17 of the Land Act 1948 you have the right to apply for a rehearing of the Commissioner's decision Section 17 (1) states:

17. Application for rehearing - (1) Any person aggrieved by any decision of the Commissioner or any determination of an administrative nature by the Commissioner may, within 21 days after being notified of that decision or determination, apply to the Commissioner for a rehearing, and the Commissioner may, at any time within one month after receiving the application, grant a rehearing of the case if he/she thinks that justice requires it, and on the rehearing may reverse, alter, modify, or confirm the previous decision or determination in the same case:

Provided that the Commissioner shall not grant a rehearing where the decision or determination relates to the allotment of land to any person other than the person aggrieved unless that land has been allotted by the Commissioner pursuant to the powers conferred on him/her by section 54 of this Act.

If you wish to apply for a rehearing, please notify this office within 21 days of the date of this letter. Your application should clearly state the grounds on which you wish to apply for a rehearing.

Yours faithfully
KNIGHT FRANK (NZ) LIMITED



T J Whittaker
Consultant

P0055

"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

Facsimile



To: Ken Taylor

Company: Knight Frank (NZ) Limited
Alexandra

Fax No: (03) 448-9099

From: Mike Todd
Crown Property Contracts

Date: 9 August 1999

Page 1 of: 1

Our Ref:

Your Ref:

KNIGHT FRANK
ALEXANDRA
- 9 AUG 1999
RECEIVED

Christchurch Regional Office
Torrens House
195 Hereford Street
Private Bag 4721
DX WP20033
Christchurch
New Zealand
Tel 64-3-379 9793
Fax 64-3-366 6422
DDI 64-3-364 59#
E-mail
#@linz.govt.nz
Internet
http://www.linz.govt.nz

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Subject: PASTORAL SUBMISSIONS

The recommendations in the following submissions have been approved.

| Property or Applicant | Subm'n No. | Approved | Case No. | Subject |
|------------------------|------------|----------|----------|-------------------|
| Long Gully | A9084 | 9/8/99 | 99/629 ✓ | Partial Surrender |
| Sandy Point | A9085 | 9/8/99 | 99/628 ✓ | Partial Surrender |
| Sandy Point | A9076 | 9/8/99 | 99/698 ✓ | Burning |

Long Gully
Sandy Point

Note: The burning consent for Sandy Point - I have extended the term of the consent to 30 September 2004. Recommendation 2 has been deleted and I have included a recommendation 4 "Burning must be carried out under damp conditions." This had been included in the body of the submission but had not been carried down as a recommendation.

Mike Todd

Noted
[Signature]

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"OFFICIAL INFORMATION ACT" diligence from
Re P 350 113/46



SUBMISSION TO COMMISSIONER OF CROWN LANDS

LAND RESOURCES DIVISION

Contact Energy - Long Gully & Sandy Point

(Submission No A9084, A9085)

Knight Frank House
41 - 43 Tarbert Street, Alexandra
Telephone: (03) 448 6935
Facsimile: (03) 448 9099

KF REF: ~~Po055~~ Po350 **CCL REF:** **CASE NO:**

A letter was received from Opus on behalf of Contact Energy dated March 1999. It appears that Opus are acting on behalf of the Crown (*Treasury*) to finalise outstanding matters with regard to the purchase of areas from Sandy Point and Long Gully Pastoral Leases. Our last correspondence on this was dated 27 October 1992.

Opus are now requesting that we confirm that the Commissioner of Crown Lands consent on this matter is still current and that prices negotiated before for Sandy Point are still acceptable. They also wish to know what the lessor's interest in Long Gully would be.

Background:

On 13 May 1992 Knight Frank (*then Landcorp*) prepared a submission for the Commissioner of Crown Lands outlining the proposed disposal of parts of four pastoral leases to Electricity Farm Holdings No 1 Limited (*Electricorp*).

Electricorp had negotiated the purchase of significant areas of freehold land in anticipation of future hydro electric development at Luggate and Queensberry in the Upper Clutha. They had also negotiated the purchase of the lessee's interest in part of four pastoral leases and now seek the Crown's consent to subdivision and transfer (*or freeholding*) of these areas.

As part of these proposals 81 ha was to be purchased from Long Gully and approximately 30 ha from Sandy Point.

On 29 August 1992 the Commissioner of Crown Lands (*Mr Edmonds*) approved recommendations with regard to Long Gully and Sandy Point. The approved recommendations were:

- (1) That you accept surrender of 81.0 ha (*approximately*) from Po055 "Long Gully" and 30.0 ha (*approximately*) from Po350 "Sandy Point".
- (2) That you dispose of the above areas on freehold title to Electricity Farm Holdings No 1 Limited the purchase price yet to be determined by Landcorp.

| | | | | | |
|--------------------------|-----------|----------------------|--------------|-----------------|---|
| Corporate Offices | | International | | | Postal Address: |
| Auckland | Australia | Hong Kong | Nigeria | Tanzania | P O Box 27, Alexandra |
| Wellington | Belgium | India | Portugal | The Netherlands | Knight Frank (NZ) Limited |
| Christchurch | Botswana | Italy | Singapore | United Kingdom | (An LPL Group Company) |
| | China | Japan | South Africa | United States | |
| | France | Malawi | Spain | of America | INTERNATIONAL PROPERTY CONSULTANTS |
| 13 Offices Nationwide | Germany | Monaco | Sweden | Zimbabwe | |

- (3) That the above transactions be subject to the following:
 - (a) Electricorp obtaining the consent of the relevant District Councils to the subdivisions and providing evidence of such consent to Landcorp.
 - (b) Agreement being reached with DoC regards protection of natural values within the area on Po055 "Long Gully".
 - (d) No adjustment to the base stock limits or current rentals on the pastoral leases.
 - (e) Electricorp meet all survey legal and consent cost in relation to the above proposals.

The Commissioner of Crown Lands also provided a copy of the reply from the Ngai Tahu Maori Trust Board in respect to his consultation with the Board (*letter enclosed dated 3 August 1992*).

The decisions were relayed to Opus (*then Works Consultancy Services*) on 27 October 1992. Subsequent to this a meeting was held between Robin Whelan of Works Consultancy and Ken Taylor of Landcorp on 5 February 1993. Mr Whelan had some difficulty with the level of values being promoted by Landcorp and discussions took place as to the relevant level of value. It appears that the following was determined.

| <i>Lease</i> | <i>Current Valuation</i> | <i>Offer</i> |
|--------------|--------------------------|--------------------|
| Po055 | \$ 14,000 | \$7,000 - \$14,000 |
| Po350 | \$ 5,000 | \$3,000 - \$5,000 |

Current Situation:

With regard to the Commissioner of Crown Lands consents it appears Opus have got the appropriate Resource Consents underway and they advise they are discussing issues of the RAP area (*the area of DoC interest*) with the Department of Conservation.

I contacted the Department of Conservation on 23 March 1999, to ask what progress had been made with Opus and negotiating this matter. Dave Gage on behalf of the Department of Conservation replied on 30 March 1999. It appears that the proposed works would destroy part of the RAP area. They want by preference for Contact Energy to purchase another significant part of the RAP. However, it appears that previously Contact Energy had been reluctant to do this and there the matter had rested for some 12 months. It appears there has been no recent approach to the Department of Conservation on this matter.

Discussion:

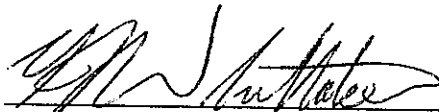
We assume the Commissioner of Crown Lands consent is still current. However, the values taken about with regard the Po350 and Po055 will no longer be current and we believe that new valuations would be required.

With regard to the Department of Conservation interest there is little point in proceeding unless some agreement can be reached between the Crown and Contact Energy and we believe other matters should await advice from DoC that the matter has reached some reasonable level of agreement.

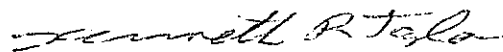
RECOMMENDATION:

- (1) That the Commissioner of Crown Land's previous decision be re-affirmed and advice to Opus.
- (2) That Opus be advised in that in order for the Commissioner's approval to be actioned agreement with DoC must be advised.
- (3) That once (2) above is advised Knight Frank be instructed to undertake further valuations of the lessor's interest in both Po055 Long Gully and Po350 Sandy Point. Based on these valuations Opus will be advised of the Crown's purchase price.
- (4) Based on the above valuations Opus to be advised of the Crown's purchase price.

Signed for Knight Frank (NZ) Limited



Consultant 21 14 199.



Manager 28 14 1998

G Holgate / /

Approved/Declined

Commissioner of Crown Lands / /

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entire review due diligence from
file: P350 Vol 3/6

6

r Ref: P55, P253
P246, P350
Your Ref: 92/12/93/6/3
92/12/94/6/8
92/12/94/6/9
93/12/93/6/14

THIS
COPY



27 October 1992

Manager
Works Consultancy Services
Private Bag
DUNEDIN

ATTENTION: J R WHELAN

Dear Sir

PROPOSED PURCHASE OF PART PASTORAL LEASES - UPPER CLUTHA

I refer to past correspondence and in particular my letter of 13 May 1992.

I am pleased to advise that the Commissioner of Crown Lands has approved the following:

1. The surrender of:

- 81.0 hectares (approx) from Po 55 "Long Gully"
- 298.2 hectares from Po 253 "Queensberry Hills"
- 137.5 hectares from Po 346 "Locharburn"
- 30.0 hectares (approx) from Po 350 "Sandy Point"
- 546.7 hectares TOTAL

2. The disposal of the above areas on freehold title to Electricity Farm Holdings No 1 Ltd at a purchase price of the lessors interest yet to be determined by Landcorp Property for Po55 and Po350 and at a price of \$67,000 for Po353 and \$37,000 for Po345.

3. The above transactions are subject to the following:

- (a) Electriccorp obtaining the consent of the relevant District Councils to the subdivisions and providing evidence of such consent to Landcorp.

ALEXANDRA OFFICE
4 LIMERICK STREET
PO BOX 27
ALEXANDRA NZ
PHONE 0 3 448 6935
FAX 0 3 448 9099



- (b) Agreement being reached with DOC regards protection of natural values within the area on Po55 "Long Gully".
- (c) No adjustment to the base stock limits or current rentals on the pastoral leases.
- (d) Electricorp meeting all survey, legal and consent costs in relation to the above proposals.

I have now requested valuations for the areas from Po55 and Po350 and will advise you when these have been received.

Please advise at your earliest convenience your acceptance of this offer and survey details for Po55 and Po350.

Yours faithfully

K R Taylor
Manager, Alexandra
LANDCORP PROPERTY LIMITED

"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

Our reference: P 55, P 253, P 346, P 350

Your reference: 92/12/93/6/3, 92/12/94/6/8
92/12/94/6/9, 93/12/93/6/14



13 May 1992

Manager
Works Consultancy Services
Private Bag
DUNEDIN

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tenure review due diligence from
file: P 350 Vol 2/145

Attention: J R Whelan

Dear Sir

PROPOSED PURCHASE OF PART PASTORAL LEASES - UPPER CLUTHA

I refer to your letters of 22 November 1991 and 5 February 1992.

I have made a submission to the Commissioner of Crown lands in connection with the proposals for Fastier, Brown, Young and Wilson. I expect a response from him by the end of the month. I anticipate that he may prefer the freehold option and will require consultation with the Ngai Tahu and DOC. I therefore recommend that you continue your efforts with the Ngai Tahu Trust Board. DOC have expressed a specific interest in the area on the Young property and negotiations between Electricorp, DOC and the lessee should be undertaken at an early date to establish the extent of this interest and appropriate conservation management.

Incidentally I have recommended to the Commissioner an interim arrangement which if agreed to should allow Electricorp to settle with the lessees.

With regard to my letter of 30 October 1989 I regret to advise that freeholding of the 300 hectare area cannot now proceed other than through the process above.

You have also requested advice as to our assessment of the lessors interest in the areas. We have not yet undertaken an assessment of the Young and Wilson areas. I have recommended to the Commissioner that he accept \$37,000 for the Brown area (137.5 ha) and \$67,000 for the two Fastier areas (298.2 ha).

I will advise you further when a response has been received from the Commissioner.

Yours faithfully

K R Taylor
Manager

INCORPORATING LANDCORP INVESTMENTS LIMITED & LANDCORP MANAGEMENT SERVICES LIMITED
LANDCORP MANAGEMENT SERVICES LTD

Alexandra Branch Office
4 Lennox Street
P.O. Box 27
ALEXANDRIA 912
Tel: (01) 418 6935
Fax: (01) 418 9999

"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

Regional Conservator
Department of Conservation
P O Box 5422
DUNEDIN

Attention: Tony Perrett

Dear Sir

Copy for your information.

Please note the follow up action to your letter of 19 December 1989 (P 55). I have also been advised (informally) that Mr Young has sold the property to a party by the name of Nyon.

Please advise of any other specific values within the areas identified, other than matters of Maori significance which are being considered separately. Please note that I am not treating this as an assessment of the total pastoral leases, only those parts required for hydro development.

I await your further advice.

Yours faithfully



K R Taylor
Manager
LANDCORP MANAGEMENT SERVICES LTD



Our Reference: P 55, P 253, P 346, P 350
Your Reference: LANDS 11/5

13 May 1992

Commissioner of Crown Lands
Office of Crown Lands
Department of Survey and Land Information
CPO Box 170
WELLINGTON

Dear Sir

ELECTRICORP: PROPOSED PURCHASE OF PASTORAL LEASEHOLD LAND

Please find attached submission in relation to the above.

Yours faithfully

K R Taylor
Manager
LANDCORP MANAGEMENT SERVICES LTD

JBMISSION TO THE COMMISSIONER OF CROWN LANDS

Our reference: Po 55
Po 253
Po 346
Po 350

Your reference: LANDS 11/5

13 May 1992

Proposal:

To dispose of parts of four pastoral leases to Electricity Farm Land Holdings No 1 Ltd.

Background:

This matter has been under review since late 1989 and I refer to your letter of 11 January 1990.

Electricorp has negotiated the purchase of significant areas of freehold land in anticipation of future hydro electric development at Luggate and Queensberry in the Upper Clutha. They have also negotiated the purchase of the lessees interest in parts of four pastoral leases and now seek the Crown's consent to the subdivision and transfer (or freeholding) of these areas.

Properties:

Po 55 "Long Gully"

Lessee: M W Young (subject to a proposal for transfer, details unknown).

Area: 1703.1282 hectares

Term: 33 years from 1 July 1985

Rental Value: \$200,000.00

Annual Rent: \$3,000.00 (first 11 years)

Stock Limitation in Lease: 1166 sheep

Personal Stock Limitation: January 1991
4000 Sheep (including not more than 3200 breeding ewes)
50 Cattle
Subject to block limitations

Area proposed for purchase: 81 hectares (subject to survey)

Po 253 "Queensberry Hills"

Lessee: Electricity Farm Holdings No 1 Ltd and Mrs E R Fastier.

Area: 3375.6456 hectares

Term: 33 years from 1 July 1960

Annual Rent: \$333.10

Stock Limitation in Lease:

1760 sheep (including not more than 600 breeding ewes)

Personal Stock Limitation: August 1989

3150 Sheep (including not more than 2150 breeding ewes)

40 Cattle (including not more than 30 breeding cows)

Area proposed for purchase: 298.2 hectares

Po 346 "Locharburn"

Lessee: G R & J M Brown

Area: 2499.8646 hectares

Term: 33 years from 1 July 1960

Annual Rent: \$300.00

Stock Limitation in Lease:

2000 sheep (including not more than 940 breeding ewes)
35 cattle

Personal Stock Limitation: March 1989

5000 Sheep (including not more than 1500 wethers)

260 Cattle (including not more than 150 breeding cows)

400 wether goats (marked and confined)

Subject to block limits

Area proposed for purchase: 137.5 hectares

Po 350 "Sandy Point"

Lessee: D J Wilson

Area: 1793.46 hectares

Term: 33 years from 1 January 1961

Annual Rent: \$128.00

Stock Limitation in Lease: 1000 sheep

Personal Stock Limitation: December 1984

3000 Sheep (including not more than 2200 breeding ewes)

125 Cattle (including not more than 65 breeding cows)

Area proposed for purchase: 30 hectares (subject to survey)

Discussion:

Electricorp can no longer use the Public Works Act to acquire land for establishing electricity generation facilities. Acting through its agents (Works Consultancy), Electricorp has negotiated the purchase of the lessees interest in portions of the four pastoral leases.

We had communication with both your office and your Dunedin office in 1989/90 and it was agreed that freeholding could be investigated subject to an investigation of Wahi Tapu and conservation interests. DOC have advised of a direct interest in the area on Po 55 and an extension of this. Negotiations will be proceeding with the lessee and Electricorp regards this area. Delays have been encountered establishing the appropriate negotiations with the Ngai Tahu.

The lessees are now requiring urgent settlement of their interest. Electricorp cannot undertake this until agreement is reached with the Crown regards subdivision and title.

The effect on Po 55 and Po 350 of a partial surrender will be minimal as the area is relatively small. Po 253 and Po 346 are moderately affected but will continue to be viable. In all cases the land will be leased back to the current occupiers until work on the power projects commences.

Options:

There are three options available:

1. Subdivide the pastoral leases and transfer the areas referred to to Electricorp. *Pastoral lease is not an appropriate stand alone tenure for the areas referred to.*
2. Accept the surrender of the areas referred to and grant special leases to Electricorp pending completion of the investigations to freehold. *This appears to be an unnecessary administrative step.*
3. Accept the surrender of the areas referred to and grant freehold title to Electricorp subject to a "buy back" provision in relation to Maori interests. *This option covers the major concern with the proposal and appears best. As part of obtaining use consents in the future a full Wahi Tapu investigation will be required for both leasehold and freehold lands anyway.*

Valuations:

These have not been completed for Po 55 and Po 350 as the areas are not yet finalised. The Crown interest in 298.2 hectares of Po 253 has been assessed by Landcorp at \$67,000 and in 137.5 hectares of Po 345 at \$37,000.

Conclusion:

It is most desirable that Electricorp be given some definite direction on this proposal as soon as possible. Freehold with a "buy back" provision relating to Maori interests appears the best option to achieve this.

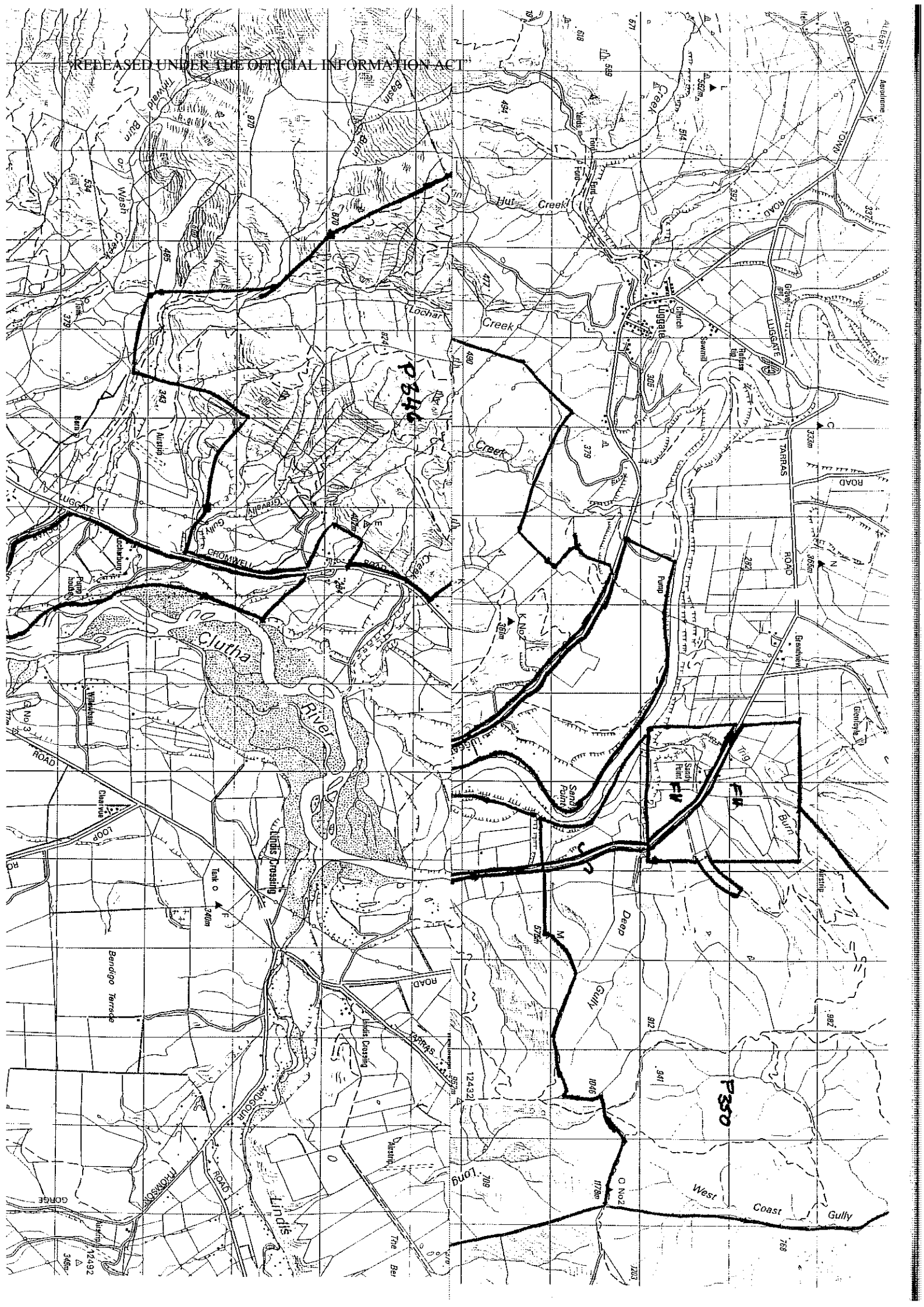
Recommendations:

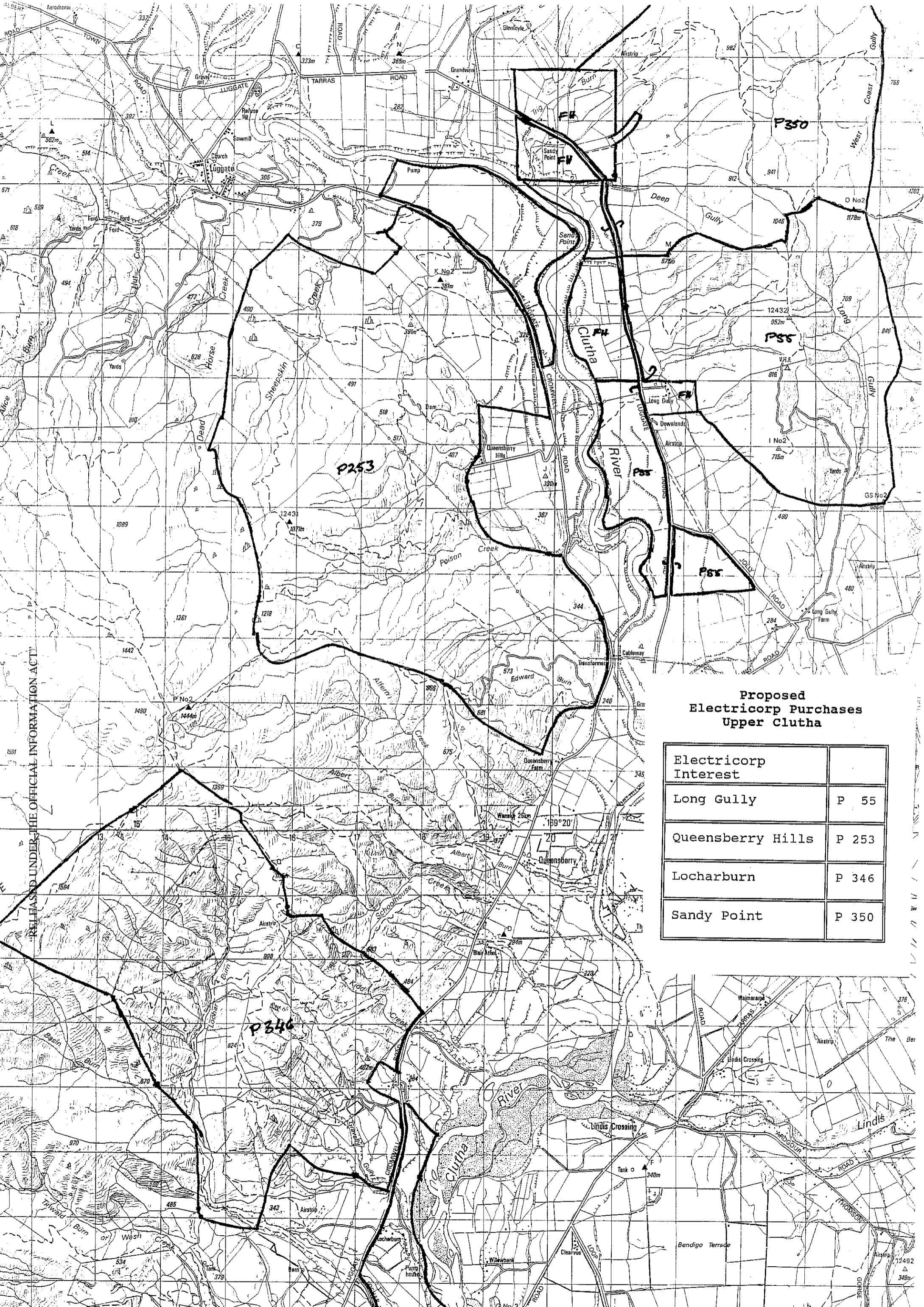
1. That you accept the surrender of:
 - 81.0 hectares (approx) from Po 55 "Long Gully"
 - 298.2 hectares from Po 253 "Queensberry Hills"
 - 137.5 hectares from Po 346 "Locharburn"
 - 30.0 hectares (approx) from Po 350 "Sandy Point"

546.7 hectares TOTAL
2. That you dispose of the above areas on freehold title to Electricity Farm Land Holdings No 1 Ltd at a purchase price yet to be determined by Landcorp.
3. That the above transactions be subject to the following:
 - a. Electricorp obtaining the consent of the relevant District Councils to the subdivisions and providing evidence of such consent to Landcorp.
 - b. Agreement being reached with DOC regards protection of natural values within the area on Po 55 "Long Gully".
 - c. The freehold titles being subject to a "buy back" provision should areas of significance to Ngai Tahu be identified.
 - d. No adjustment to the base stock limits or current rentals on the pastoral leases.
 - e. Electricorp meeting all survey, legal and consent costs in relation to the above proposals.

Prepared by:

K R Taylor
Manager Alexandra
LANDCORP MANAGEMENT SERVICES LTD





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**Proposed
Electricorp Purchases
Upper Clutha**

| | |
|----------------------|-------|
| Electricorp Interest | |
| Long Gully | P 55 |
| Queensberry Hills | P 253 |
| Locharburn | P 346 |
| Sandy Point | P 350 |

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Copied for purposes of CPL
tenure review due diligence from
file: P Vol 35

CONF0213/09/12590/A-2NO



Our Ref: Po 350
LINZ Ref: 12590

LAND RESOURCES DIVISION

1 August 2001

Knight Frank House
41 - 43 Tarbert Street, Alexandra
Telephone: (03) 448 6935
Facsimile: (03) 448 9099

Crown Property Management
Land Information New Zealand
Private Bag 4721
CHRISTCHURCH

ATTENTION: MURRAY MACKENZIE

Dear Sir

RE: TENURE REVIEW INVITATION - SANDY POINT

Please find attached an invitation from the holders of Sandy Point Pastoral Lease for the Commissioner of Crown Lands to undertake a review of the lease.

The invitation has been checked and acknowledged in accordance with CPL Standard 7, Section 6.2.2.

Please advise any further instructions in this matter.

Yours faithfully
KNIGHT FRANK (NZ) LIMITED

K R Taylor
Manager, Alexandra

cc Geoff Holgate
Knight Frank (NZ) Limited
P O Box 142
CHRISTCHURCH

Corporate Offices

Auckland
Wellington
Christchurch

13 Offices Nationwide

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Botswana
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Japan
Malawi
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Nigeria
Portugal
Singapore
South Africa
Spain
Sweden

Tanzania
The Netherlands
United Kingdom
United States
of America
Zimbabwe

Postal Address:

P O Box 27, Alexandra
Knight Frank (NZ) Limited
(An LPL Group Company)

INTERNATIONAL PROPERTY CONSULTANTS



LAND RESOURCES DIVISION

Our Ref: Po350

Knight Frank House
41 - 43 Tarbert Street, Alexandra
Telephone: (03) 448 6935
Facsimile: (03) 448 9099

1 August 2001

D J Wilson, M H Wilson & R W Ibbotson
Sandy Point Station
C/- Macalister Todd Phillips Bodkins
Barristers Solicitors Notaries
P O Box 268
ALEXANDRA

Attention: E J Thomson

Dear Sir

RE: TENURE REVIEW INVITATION - SANDY POINT

I acknowledge receipt of your invitation to the Commissioner of Crown Lands to undertake a review of the Sandy Point Pastoral Lease in accordance with Part 2 of the Crown Pastoral Land Act 1998.

I have referred the invitation to the Commissioner for his consideration having regard to Section 32 of the Crown Pastoral Land Act. You will be advised of this decision in due course.

Yours faithfully
KNIGHT FRANK (NZ) LIMITED

K R Taylor
Manager, Alexandra

Corporate Offices

Auckland
Wellington
Christchurch

13 Offices Nationwide

International

| | | | |
|-----------|-----------|--------------|-----------------|
| Australia | Hong Kong | Nigeria | Tanzania |
| Belgium | India | Portugal | The Netherlands |
| Botswana | Italy | Singapore | United Kingdom |
| China | Japan | South Africa | United States |
| France | Malawi | Spain | of America |
| Germany | Monaco | Sweden | Zimbabwe |

Postal Address:

P O Box 27, Alexandra
Knight Frank (NZ) Limited
(An LPL Group Company)
INTERNATIONAL PROPERTY CONSULTANTS

MACALISTER TODD PHILLIPS BODKINS
BARRISTERS • SOLICITORS • NOTARIES

Principals: Eric J. Thomson, Graeme M. Todd, Kevin J. Phillips, John W. Troon.
Consultants: Alan P. M. Macalister, Clifford C. Brunton. Associates: Bryce Jack, Kieran E. Tohill.

13 July 2001

Knight Frank
41-43 Tarbert Street
ALEXANDRA

ALEXANDRA:
TEL 03 448-8109 FAX 03 448-6079
Website: www.mactodd.co.nz
Email: maildesk@mactodd.co.nz
18 LIMERICK STREET • P.O. BOX 268
ALEXANDRA, NEW ZEALAND DXZP96009
Trust Account No. BNZ020916-0003498-00
also practising at QUEENSTOWN

Attention: K R Taylor

KNIGHT FRANK
ALEXANDRA
16 JUL 2001
RECEIVED

Dear Sir

D J & M H WILSON FAMILY TRUST (Our Ref: 219103)

Further to your letter of 29th June we enclose Invitation to Under Tenure Review duly signed by all the parties. We would be obliged if you could now process this as soon as possible.

Yours faithfully
MACALISTER TODD PHILLIPS BODKINS


EJ Thomson
Partner

Invitation to Undertake Tenure Review Section 27 Crown Pastoral Land Act

FRIGHT FRANKS
ALEXANDRIA
16 JUL 2001
RECEIVED

Douglas John WILSON, Maria Helen WILSON and
Russell Warren IBBOTSON _____ [state name of
holder of pastoral lease, and where more than one, insert the names of all holders]
invites the Commissioner of Crown Lands to undertake a tenure review of all the land
for the time being held under pastoral lease no Po350
(the pastoral lease) pursuant to section 27 of the Crown Pastoral Land Act 1998.

In making this invitation I/we understand that the Commissioner of Crown Lands is not
obliged to undertake a tenure review of the pastoral lease, but will decide whether to
undertake tenure review with regard to the matters set out in section 32 of the Crown
Pastoral Land Act.

Signed by:

Rw Ibbotson
(signature)

Russell Warren IBBOTSON
(name of signatory and authority to sign)

DJ Wilson
(signature)

Douglas John WILSON
(name of signatory and authority to sign)

M.H. Wilson
(signature)

Maria Helen WILSON
(name of signatory and authority to sign)

(signature)

(name of signatory and authority to sign)

as holder(s) of the pastoral lease

Dated 11-7-01



COMPUTER INTEREST REGISTER UNDER LAND TRANSFER ACT 1952



Historical Search Copy

R. W. Muir
Registrar-General
of Land

Identifier OT13A/121
Land Registration District Otago
Date Registered 07 February 1990 11:04 am

Prior References
OTA2/1206

| Type | Area | Term |
|-------------------------------|---------------------------------|---|
| Lease under s82 Land Act 1948 | 1797.8319 hectares more or less | 33 years commencing on 1st January 1961 and renewing the term for a further period of 33 years commencing on 1.1.1994 |

Legal Description Section 1-7 Survey Office Plan 22542,
Section 1-2 Survey Office Plan 21849 and
Section 1 Survey Office Plan 21850

Original Proprietors
Douglas John Wilson and Maria Helen Wilson

Interests

- 760512.3 Mortgage to Lincoln University - 8.8.1990 at 10.12 am
- 760512.4 Mortgage to Reid Farmers Limited and Reid Farmers Finance (Otago) Limited - 8.8.1990 at 10.12 am
- 814566 Land Improvement Agreement under Section 30A Soil Conservation and Rivers Control Act 1941 - 21.9.1992 at 12.17 pm
- 884935 Memorandum renewing the term of the within lease and fixing (for the first 11 years) the annual rent at \$1,800 calculated on a rental value of \$120,000 - 23.6.1995 at 9.05 am
- 886441 Variation of Mortgage 760512.3 - 7.7.1995 at 10.51 am
- 976890 Variation of Mortgage 760512.3 - 18.10.1999 at 3.40 pm
- 5063831.1 Transfer to Douglas John Wilson, Maria Helen Wilson and Russell Warren Ibbotson - 25.7.2001 at 10:16 am

25th day of February 1980

No. 13A/121

S. Ref. No. P350

1980, at 1104 o'clock

Not Registered in the Land Transfer Act 1948 under Section 83, 1948 Act. 1948

REGISTER

[Signature]
 Asst Land Registrar.

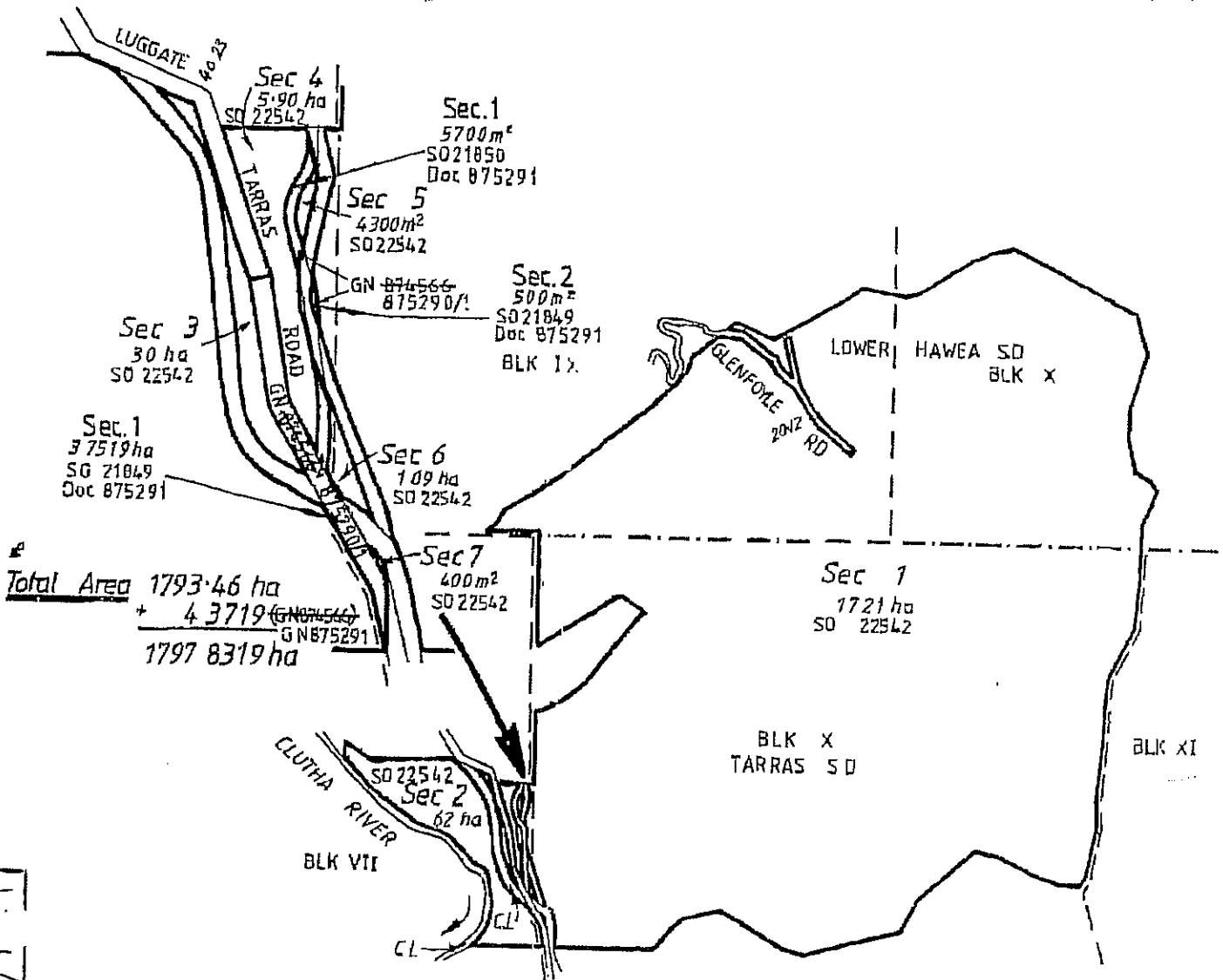
Pastoral Lease under the Land Act 1948

issued pursuant to Section 93 of the Land Act 1948 in the subdivision of P266

This Deed, made the 21st day of November 1983 between HER MAJESTY THE QUEEN (hereinafter referred to as "the Lessor") of the one part, and THE TRUSTEES EXECUTORS AND AGENCY COMPANY OF NEW ZEALAND LIMITED a company incorporated under the Joint Stock Companies Act 1860 and having its registered office at Ouedin

(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 1793.46 Hectares more or less, situated in the Land District of Otago and being Sections 1 2 3 4 5 6

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



No. 13A/121

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

I, ROBERT PAUL WOODHOUSE of Dunedin, Property Officer

HEREBY CERTIFY -

1. THAT by Deed dated the 12th day of June 1987 copies of which are deposited in the Land Registry Offices at -

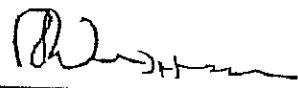
- AUCKLAND (North Auckland Registry) and there numbered B678573
- BLenheim (Marlborough Registry) and there numbered 136439
- CHRISTCHURCH (Canterbury Registry) and there numbered 686366/2
- DUNEDIN (Otago Registry) and there numbered 681189/1
- GISBORNE (Poverty Bay Registry) and there numbered 167089.2
- HAMILTON (South Auckland Registry) and there numbered H734177
- HOKITIKA (Westland Registry) and there numbered 076748
- INVERCARGILL (Southland Registry) and there numbered 141782
- NAPIER (Hawkes Bay Registry) and there numbered 478751.2
- NELSON (Nelson Registry) and there numbered 269962.1
- NEW PLYMOUTH (Taranaki Registry) and there numbered 3A1775
- WELLINGTON (Wellington Registry) and there numbered 860782.2

LAND CORPORATION LIMITED at Wellington carrying on the business of land management appointed me its Attorney on the terms and subject to the conditions set out in the said Deed.

2. THAT at the date hereof I was Property Officer of the said Corporation.

3. THAT at the date hereof I have not received any notice or information of the revocation of that appointment by the winding up or dissolution of the said LAND CORPORATION LIMITED or otherwise.

SIGNED at DUNEDIN
this 31st day of January
1986

)
)
) 

~~easements, and appurtenances thereto belonging TO HOLD the said premises intended to be hereby demised
 UNRELEASABLE UNDER THE OFFICIAL INFORMATION ACT for the term of 11 years, commencing on the 1st day of January 19 61, together
 with the period between the date of this lease and the aforesaid 1st day of 19 , YIELDING
 and paying therefor for the first 11 years of the said term into the Department of Lands and Survey at Land
 Corporation Limited at Oxnedia the annual rent of \$128.00 payable without demand by equal half-
 yearly payments in advance on the 1st day of January and the 1st day of July in each and every year during
 the said period of 11 years and for the next two successive periods of 11 years of the said term a rent deter-
 mined in respect of each of those periods in the manner provided in Section 66 (4A) of the Land Act 1948.
 AND also paying in respect of the improvements specified in the Schedule hereto the sum of \$
 by a deposit of \$ (which has already been paid) and thereafter by half-yearly
 instalments of \$ on the 1st day of January and the 1st day of July in each and every year.~~

REGISTER

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 1000 sheep which number shall not include more than breeding ewes nor more than ~~one~~ ^{one} ~~breeding~~ ^{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 there-
 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

B2274J-88PTK

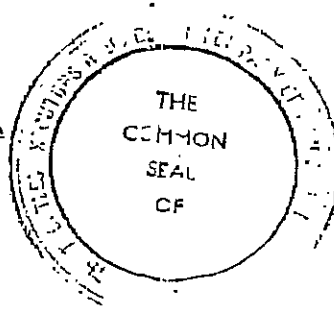
SIGNED for and on behalf of
HER MAJESTY THE QUEEN pursuant to
a Deed lodged with the District Land
Registrar as No. 681189/2 by
LAND CORPORATION LIMITED
by its Attorney
ROBERT PAUL WOODHOUSE
in the presence of

LAND CORPORATION LIMITED
by its Attorney

REGISTER

Witness: [Signature]
Occupation: Property Officer, The Bankcorp
Address: Dunedin

THE COMMON SEAL of THE TRUSTEES
EXECUTORS AND AGENCY COMPANY OF
NEW ZEALAND LIMITED was hereunto
affixed as Lessee in the presence
of:



[Signature]
AUTHORISED SIGNATORY

428217 Land Improvement Agreement
under Section 250 and 30A of the
Soil Conservation and Rivers Control
Act 1941 - 29.8.1990 at 1.31 pm

DISCHARGED (3)
25 NOV 1994
[Signature]

760512/2 Transfer to Douglas John
Wilson of Hakataramea farmer and
Maria Helen Wilson his wife -
8.8.1990 at 10.12 am

[Signature]
A.L.R.

760512/3 Mortgage to Leslie John
Struthers and Lola June Struthers
- 8.8.1990 at 10.12 am

[Signature]
A.L.R.

535149/1 Mortgage to The Rural
Banking and Finance Corporation of
New Zealand - 15.10.1990 at 11.12 am

[Signature]
A.L.R.

760512/4 Mortgage to Reid Farmers
Limited and Reid Farmers Finance
(Otago) Limited - 8.8.1990 at
10.12 am

[Signature]
A.L.R.

53306 Land Improvement Agreement
under the Soil Conservation and Rivers
Control Act 1941 - 24.10.1990 at 11.26 am

27 NOV 1995
[Signature]

764760 Transmission of Mortgage 760512/3
to The Trustees Executors and Agency
Company of New Zealand Limited --
5.10.1990 at 9.10 am

[Signature]
A.L.R.

[Signature]
A.L.R.

-over-

"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

814566 Land Improvement Agreement under Sect 10a of the Soil Conservation and Rivers Control Act 1941 - 21.9.1992 at 12.17pm

[Handwritten signature]
A.L.R.

839935 Transfer of Mortgage 760512/3 to Lincoln University - 6.10.1993 at 9.25am

[Handwritten signature]
A.L.R.

884935 Memorandum renewing the term of the within lease for a further period of 33 years commencing on 1.1.1994 and fixing (for the first 11 years) the annual rent at \$1,800 calculated on a rental value of \$120,000 - 23.6.1995 at 9:05 am

[Handwritten signature]
A.L.R.

875291 Certificate of Alteration incorporating in the within lease Sections 1 and 2 SO Plan 21849 and Section 1 SO Plan 21850 (4.3719ha) - 8.2.1995 at 11.41am

[Handwritten signature]
A.L.R.

886441 Variation of Mortgage 760512/3 - 7.7.1995 at 10.51am

[Handwritten signature]
A.L.R.

976890 Variation of Mortgage 760512.3 18.10.1999 at 3.40

[Handwritten signature]
for RGL

875290/1 Gazette Notice declaring:

- (1) that parts of the Crown Land adjoining the within land marked 'D' (9850m²) and 'F' (700m²) on SO Plan 21849 and 'I' on SO Plan 21850 (7340m²) to be set apart for road which shall form part of State Highway No. 8A and shall vest in the Crown on the 25th of November 1993 and
- (2) that parts of the road adjoining the within land marked 'H' (5700m²) and 'N' (2.7694 ha) on SO Plan 21850 and 'A' (3.2619ha) 'E' (4900m²) and 'G' (500m²) on SO Plan 21849 to be stopped - 8.2.1995 at 11.40am

[Handwritten signature]
A.L.R.

parts of the stopped road adjoining the within land formerly marked 'A', 'E' and 'G' on SO Plan 21849 are now known as Sections 1 (3.7519ha) and 2 (500m²) SO Plan 21849 - 8.2.1995 at 11.40am
See New Appellation 875290/2

[Handwritten signature]
A.L.R.

Parts of the stopped road adjoining the within land formerly marked 'E' and 'N' on SO Plan 21850 are now known as Sections 1 (5700m²) and 2 (2.7694ha) SO Plan 21850 - 8.2.1995 at 11.40am
See New Appellation 875290/3

[Handwritten signature]
A.L.R.

11/04 07/1999 PL
PARTICULARS IN REPLY TO REQUEST FOR INFORMATION
AS/1200G
A.L.R.

