

## **Crown Pastoral Land Tenure Review**

**Lease name : STONY CREEK**

**Lease number : PT 117**

### **Due Diligence Report (including Status Report)**

This report and attachments results from a pre-Tenure Review assessment of the pastoral lease for the purpose of confirming land available for Tenure Review and any issues, rights or obligations attaching to it. The information is gathered from files and other sources available to the LINZ contractor.

Part of the information relates to research on the status of the land, resulting in a Status Report that is signed off by a LINZ approving officer. The remainder of the information is not analysed for relevancy or possible action until required, and LINZ does not guarantee its accuracy or completeness as presented.

The report attached is released under the Official Information Act 1982.

**August**

**06**

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

**STONY CREEK**

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File Ref: CON/50213/09/12724/A Report No: CH0151 Report Date: 17/6/2002

Office of Agent: Christchurch LINZ Case No: Date sent to LINZ: 17/6/2002

TR02163Z

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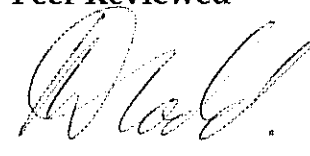
**RECOMMENDATIONS**

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 that have been identified which require action by the Manager Crown Property Contracts *[or other party]*:
  - There is no evidence on file that Section 24(2A) of the Conservation Act 1987 was complied with at the time of renewal of the lease.
  - The topographical plan for this property shows a meteorological station near the northern boundary of the property. It appears that this is operated by Environment Canterbury but no specific approval for the placement or operation of this station was found on file.

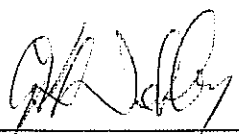
**Signed by Opus:**

**Peer Reviewed**

  
\_\_\_\_\_  
JM Coffey  
Property Consultant

  
\_\_\_\_\_  
Mike Todd  
Property Consultant

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

  
\_\_\_\_\_  
Name: GRANT KASPER WEBLEY  
Date of decision: 19/6/02

**1. Details of lease:**

Lease Name: Stony Creek  
 Location: Lake Benmore.  
 Lessee: Janet Mary Innes as to a ¼ share, Peter Allan Innes, William Woodhouse Lee and Peter William Hutt as to a ½ share and Peter Allan Innes as to a ¼ share.  
 Tenure: Pastoral Lease  
 Term: 33 years from 1 July 1965 renewed for a further term of 33 years  
 Annual Rent: \$1,575.00  
 Rental Value: \$105,000.00  
 Date of Next Review: 1 July 2009  
 Land Registry Folio Ref: CB6B/334  
 Legal Description: Run 317, Blocks XV and XVI, Gladstone Survey District, XIII and XIV, Mackenzie Survey District, III, IV and VIII, Hewlings Survey District and I and II, Dalzell Survey District.  
 Area: 7640 hectares

**2. File Search**

**Files held by Agent on behalf of LINZ:**

File Reference	Volume	Date	Last Folio Number	Date
CON/50269/09/12724/A-ZNO	1	-	-	-

**Other relevant files held by LINZ:**

File Reference	Volume	First Folio Number	Date	Last Folio Number	Date
Pt/118-SCH-01	1	-	12/11/95	378	17/5/65
Pt/117-SCH-02	2	112	15/6/65	231	4/9/81
Pt/117-SCH-03	3	261	14/3/83	-	10/5/00
Pt/117-SCH-04	4	231	25/1/56	-	3/11/87
CON/50213/09/12724/A-ZNO	-	-	1/7/00	-	Present

**3. Summary of lease document:**

**Terms of lease**

Pastoral lease under the Land Act 1948 issued for 33 years from 1 July 1965 and renewed for a further term of 33 years in 1999 (by variation and renewal registered A415866.1). The lease has a base stock limit of 3,600 sheep (1,250 breeding ewes) and 60 cattle (50 breeding cows). The current personal

exemption to this limit is 10,000 sheep (5,100 breeding ewes), 230 cattle (100 breeding cows) and 250 goats (this limit is for the property run in conjunction with Black Forest).

The lease was altered in 1976 by increasing the area to 7640 hectares by certificate of alteration 101658.1 registered 14 October 1976.

### Area adjustments

AS noted above the area of the lease was increased from 7,490.7312 hectares to 7640 hectares by certificate of alteration 101658.1 registered 14 October 1976.

### Registered interests

- A973.1 Land Improvement Agreement dated 23 June 1992  
*Recording the terms and conditions of an agreement entered into between the lessee and the Canterbury Regional Council for the development of parts of the lease.*
- 914141 Electricity Agreement registered 12 June 1973.  
*An agreement with the South Canterbury Electric Power Board for the supply of electricity to the property conditional upon payment by the owner of \$500 pa for a period of 19 years from the commencement of supply. Although commencement of supply is not known it is assumed this agreement has expired.*
- 101658.1 Certificate of alteration registered 14 October 1976.  
*149.2688 hectares incorporated into the lease.*
- 640019.1 Land Improvement Agreement registered 12 September 1986.  
*Recording the terms and conditions of an agreement entered into by the lessee and the Waitaki Catchment Commission for the development of parts of the lease.*
- 947892.8 Mortgage registered 2 August 1991.  
*First mortgage to the Bank of New Zealand*
- A415866.1 Variation of Lease registered 16 July 1999.  
*Renewing the lease for a further term of 33 years and varying it by replacing the covenant to pay rent.*

## Unregistered interests

There are no unregistered interests recorded on the file.

There is correspondence on the file regarding a proposal to place a heritage covenant over a boundary keepers hut on the property, however there is no evidence on file that this was ever approved.

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

Two land improvement agreements are registered against the lease. Both of these agreements are still current and impose and future obligations on the landowner in respect to maintenance of works.

### **5. Summary of Land Status Report:**

The status check noted the following points:

- A field inspection may be required to ascertain if streams within this pastoral lease could be subject to section 24 of the Conservation Act 1987. No evidence has been found that this aspect was considered or recorded on a plan held in the Chief Surveyors Office on renewal of this lease on 1 July 1998.

*This refers to advice given by the chief surveyor at the time that a field inspection of the lease land would be required to determine which if any stream marginal strips would apply to. It is not considered relevant in the context of tenure review. It is noted however that there is no evidence on file that Section 24(2A) of the Conservation Act 1987 was complied with at the time of renewal of the lease.*

- File information shows New Zealand Historic Places Trust are entering into a provisional agreement with the lessees to get a heritage covenant over the Stony Creek boundary keepers hut.

*Addressed under heading – unregistered interests – above*

- Topographic information indicates that there is a meteorological station located on this lease. No evidence has been found that any agreement with the Crown has been entered to formalise this occupation.

*Addressed under heading – Review of topographical and cadastral data – below*

**6. Review of topographical and cadastral data:**

The historic building noted above is shown on the topographical plans for this property. Also shown is a meteorological station near the northern boundary of the property. It appears that this is operated by Environment Canterbury but no specific approval for the placement or operation of this station was found on file. Relevant information is attached as appendix 1.

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

This lease adjoins the Kirkliston, Black Forest and Waitangi retirement areas, which are currently Crown land but in the process of being gazetted as Conservation area.

The lease also adjoins the Black Forest (run in conjunction with this lease), Streamlands and Kirkliston pastoral leases.

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

There is no evidence on file that Section 24(2A) of the Conservation Act 1987 was complied with at the time of renewal of the lease.

The topographical plan for this property shows a meteorological station near the northern boundary of the property. It appears that this is operated by Environment Canterbury but no specific approval for the placement or operation of this station was found on file.

**Appendices**

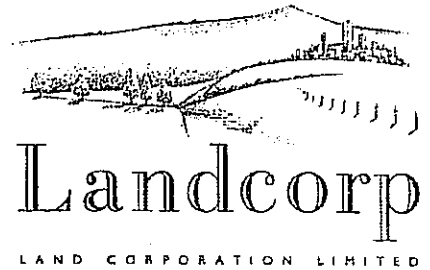
Appendix 1 – Folios relating to meteorological station on the lease

Appendix 2 – Land Status Check and Plan.

Appendix 1 – Folios relating to meteorological station on the lease

Our Ref: P117/1

3 November 1987



The General Manager  
 Waitaki Catchment Commission  
 P.O. Box 110  
 KUREW

Dear Mr Pullar

OPERATION OF STONY CREEK METEOROLOGICAL STATION

Your letter of 8 October 1987 has been considered and my response is as follows:

- (a) I accept your proposal that the records will be processed on a three-monthly cycle, that the updated results will be supplied to the Corporation at that time and that at the same time you will bill the Corporation a quarter of the annual fee of
- (b) I note that the Sato thermograph servicing cost has not been included in the quoted price. In this regard the Corporation acknowledges responsibility for meeting the cost of repairs to this instrument provided I am satisfied the repair of the instrument is justified. It follows that the matter should be cleared with me before any servicing is carried out.

I am pleased that the Corporation and the Commission have this opportunity to co-operate.

If we are now in agreement I suggest that you send me the duplicate copy of my letter of 25 June 1987 (sent to you earlier) endorsed as "Accepted as modified by subsequent correspondence:

<u>Commission</u>	<u>Landcorp</u>
3.07.87	25.09.87
8.10.87	03.11.87."

Yours faithfully

*[Signature]*  
 L.M. Kenworthy  
 Branch Manager

*[Handwritten initials]*

cc / Asst Property Manager  
TIMARU

Scientist in Charge  
 Range Management  
 P.O. Box 56  
 LINCOLN COLLEGE

Christchurch Branch  
 Property House  
 204 Hereford Street  
 Private Bag  
 Christchurch  
 New Zealand  
 Telephone (03) 799787  
 Telegraphic Code - Landcorp



Appendix 2 – Land Status Check and Plan.

**OPUS INTERNATIONAL CONSULTANTS LIMITED APPENDIX A  
DUNEDIN OFFICE**

Project Number 6NLITR.02/386YC



This report has been prepared on the instruction of Land Information New Zealand in terms of Contract No: 50269 dated September 2001 and is undertaken for the purposes of Tenure Review in terms the Crown Pastoral Land Act 1998.

<b>LAND STATUS REPORT for Stony Creek</b>				LIPS Ref 12724
Property	1	of	1	

<b>Land District</b>	Canterbury
<b>Legal Description</b>	Run 317 situated in Blocks XV and XVI Gladstone Survey District, Blocks I and II Dalzell Survey District, Blocks XIII and XIV Mackenzie Survey District, Blocks III, IV and VIII Hewlings Survey District.
<b>Area</b>	7640 hectares
<b>Status</b>	Crown Land subject to Pastoral Lease P.117
<b>Instrument of title / lease</b>	Pastoral Lease CB 6B/334 pursuant to Section 66 and registered under Section 83 of the Land Act 1948 as varied by Memorandum of Renewal A 415866.1
<b>Encumbrances</b>	Subject to: - <ul style="list-style-type: none"> <li>• A973.1 Land Improvement Agreement pursuant to Section 30A Soil Conservation and Rivers Control Act 1941.</li> <li>• 914141 Electricity Agreement pursuant to Section 50 Electricity Act 1968.</li> <li>• 640019.1 Land Improvement Agreement pursuant to Section 30 A Soil Conservation and Rivers Control Act 1941.</li> <li>• Part IVA Conservation Act 1986</li> </ul>
<b>Mineral Ownership</b>	Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1848 Kemp Purchase
<b>Statute</b>	Land Act 1948 and Crown Pastoral Land Act 1998

<b>Data Correct as at</b>	7 June 2002
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<b>Prepared by</b>	John Kirk
<b>Crown Accredited Supplier</b>	Opus International Consultants Ltd, Dunedin

Peer reviewed .....  
 Garry Patrick 7 June 2002

<b>LAND STATUS REPORT for Stony Creek</b>				<b>LIPS Ref 12724</b>
<b>Prop</b>	<b>1</b>	<b>of</b>	<b>1</b>	

**Notes: This information does not affect the status of the land but was identified as possibly requiring further investigation at the due diligence stage: See Crown Pastoral Standard 6 paragraph 6.**

- A field inspection may be required to ascertain if streams within this pastoral lease could be subject to Section 24 of the Conservation Act 1987. No evidence has been found that this aspect was considered or recorded on a plan held in the Chief Surveyors Office on renewal of this lease on 1 July 1998.
- File information shows New Zealand Historic Places Trust are entering into a provisional agreement with the lessees to get a heritage covenant over the Stony Creek boundary keepers hut.
- Topographic information indicates that there is a meteorological station located on this lease. No evidence has been found that any agreement with the Crown has been entered into to formalise this occupation.

<b>LAND STATUS REPORT for Stony Creek</b>			LIPS Ref 12724
Prop	1	of	1

**Research Data:** Some Items may be not applicable

SDI Print Obtained	Yes
NZMS 261 Ref	I39
Local Authority	Mackenzie & Waimate District Councils
Crown Acquisition Map	Kemp Purchase
SO Plan	<p>SO 14112- Plan of Run 72B situated in Mackenzie, Gladstone &amp; Dalzell Survey Districts [August 1976] adjoining Stream lands pastoral lease.</p> <p>SO 14111- Plan of Run 317 situated in Gladstone, Dalzell, Mackenzie and Hewlings Survey District. [September 1976]</p> <p>SO 14076- Plan of Runs 329A &amp; 329 situated in Hewlings, Mackenzie &amp; Dalzell Survey Districts [August 1976] adjoining Kirkliston pastoral lease</p> <p>SO 14043- Plan of Runs 328 (Black Forest) &amp; Run 328A situated in Hewlings Survey District. [July 1976] adjoining pastoral lease.</p> <p>SO 17108- I39 - Plan of allocations to the Department of Conservation pursuant to Section 62 of the Conservation Act 1987. [April 1987]</p> <p>SO 4463- Plan of Section 33976, Block I, Dalzell Survey District [March 1887] adjoining section.</p> <p>SO 2947-Plan of parts of Block XII Gladstone Survey District [February 1882] adjacent land.</p> <p>SO 1080- Plan of Road near Haldon Station [October 1889] situated in Blocks XVI &amp; XV Gladstone Survey District.</p> <p>SO 99- Plan of Runs 72, 72A &amp; 72B situated in Gladstone, Mackenzie &amp; Dalzell survey Districts [November 1910]</p> <p>SO 98- Plan of Run 317 (formerly Run 70) Runs 329 &amp; 329A (formerly Run 70A) situated in Gladstone, Mackenzie Hewlings &amp; Dalzell Survey Districts. [November 1910]</p>
Relevant Gazette Notices and / or Computer interest register.	Searched no relevant Gazettes or Computer interests found

Opus International Consultants Limited

<b>LAND STATUS REPORT for Stony Creek</b>		<b>LIPS Ref 12724</b>
<b>Prop</b>	<b>1</b>	<b>of 1</b>

CT Ref / Lease Ref	Pastoral Lease CB 6B/334 pursuant to Section 66 and registered under Section 83 of the Land Act 1948 as varied by Memorandum of Renewal A 415866.1 Pastoral Occupation Licence CB529/220 of Pastoral Land [Cancelled]
Plan Index	Plans as shown above
Legalisation Cards	Searched nothing found
Statutory Actions (Landonline)	Searched nothing found
CLR	Supports Pastoral Status
Allocation Maps (if applicable)	DOC & SOE maps searched, no allocations within lease area.
VNZ Ref - if known	25170 11900 & 25300 08000
Crown Grant Maps	Not applicable
If Subject land Marginal Strip: a) Type [Sec 24(9) or Sec 58]  b) Date Created  c) Plan Reference	Sec 24(9)  Not renewal of this pastoral lease 1 July 1998  SO 14111 doesn't define nor show the extent of any rivers or streams over 3 meters wide. The diagram for this pastoral lease states " pursuant to section 58 of the Land Act 1948 a strip of land one chain in width along the banks of all rivers and streams which have an average width of not less than ten feet is excluded from the within lease." It is not known which streams or river fall into these criteria.
If Crown land – Check Irrigation Maps.	Not applicable
Mining Maps	No licences registered.
If Road a) Is it created on a Block Plan – Section 43(1)(d) Transit NZ Act 1989  b) By Proc	a) SO Plan Not applicable  b) Proc Plan

<b>LAND STATUS REPORT for Stony Creek</b>		<b>LIPS Ref 12724</b>
Prop	1	of 1

	c) Gazette Ref
<p>Other Relevant Information</p> <p>a) Concessions – Advice from DOC or Knight Frank.</p> <p>b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998</p> <p>c) Mineral Ownership</p> <p>d) Other Info</p>	<p>a) The Department of Conservation has been consulted and no Conservation area status land has been identified within the boundary of this property other than marginal strips.</p> <p>b) Nothing found</p> <p>c)</p> <p>The Crown owns mines and Minerals because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1848 Kemp Purchase.</p> <p>d)</p>

RELEASED UNDER THE OFFICIAL INFORMATION ACT  
**OPUS INTERNATIONAL CONSULTANTS LIMITED APPENDIX B**  
**CHRISTCHURCH OFFICE**

Project Number 6NLITR.02/386YC

This report has been prepared on the instruction of Land Information New Zealand in terms of Contract No: 50269 dated September 2001 and is undertaken for the purposes of Tenure Review in terms the Crown Pastoral Land Act 1998.



<b>LAND STATUS REPORT for Stony Creek</b>				LIPS Ref 12724
Property	1	of	1	

<b>Land District</b>	Canterbury
<b>Legal Description</b>	Run 317 situated in Blocks XV and XVI Gladstone Survey District, Blocks I and II Dalzell Survey District, Blocks XIII and XIV Mackenzie Survey District, Blocks III, IV and VIII Hewlings Survey District.
<b>Area</b>	7640 hectares
<b>Status</b>	Crown Land subject to the Land Act 1948
<b>Instrument of title / lease</b>	Pastoral Lease CB 6B/334 pursuant to Section 66 and registered under Section 83 of the Land Act 1948 as varied by Memorandum of Renewal A 415866.1
<b>Encumbrances</b>	Subject to: - <ul style="list-style-type: none"> <li>• A973.1 Land Improvement Agreement pursuant to Section 30A Soil Conservation and Rivers Control Act 1941.</li> <li>• 914141 Electricity Agreement pursuant to Section 50 Electricity Act 1968.</li> <li>• 640019.1 Land Improvement Agreement pursuant to Section 30 A Soil Conservation and Rivers Control Act 1941.</li> <li>• Part IVA Conservation Act 1987</li> </ul>
<b>Mineral Ownership</b>	Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1848 Kemp Purchase
<b>Statute</b>	Land Act 1948 and Crown Pastoral Land Act 1998

<b>Data Correct as at</b>	7 June 2002
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<b>Prepared by</b>	Mike Todd <i>Mike Todd 18/6/2002</i>
<b>Crown Accredited Supplier</b>	Opus International Consultants Ltd, Christchurch

Approved/Declined

**G K Webley**  
**Portfolio Manager**  
**Land Information New Zealand**

1516 12002



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



Search Copy

R. W. Muir  
Registrar-General  
of Land

Identifier **CB6B/334**  
Land Registration District **Canterbury**  
Date Registered 04 May 1966 09:35 am

**Prior References**  
CB529/220

Type	Area	Term
Lease under s83 Land Act 1948	7490.7312 hectares more or less	33 years commencing on the 1st day of July 1965 and extended to 1.7.2031

**Legal Description** Run 317

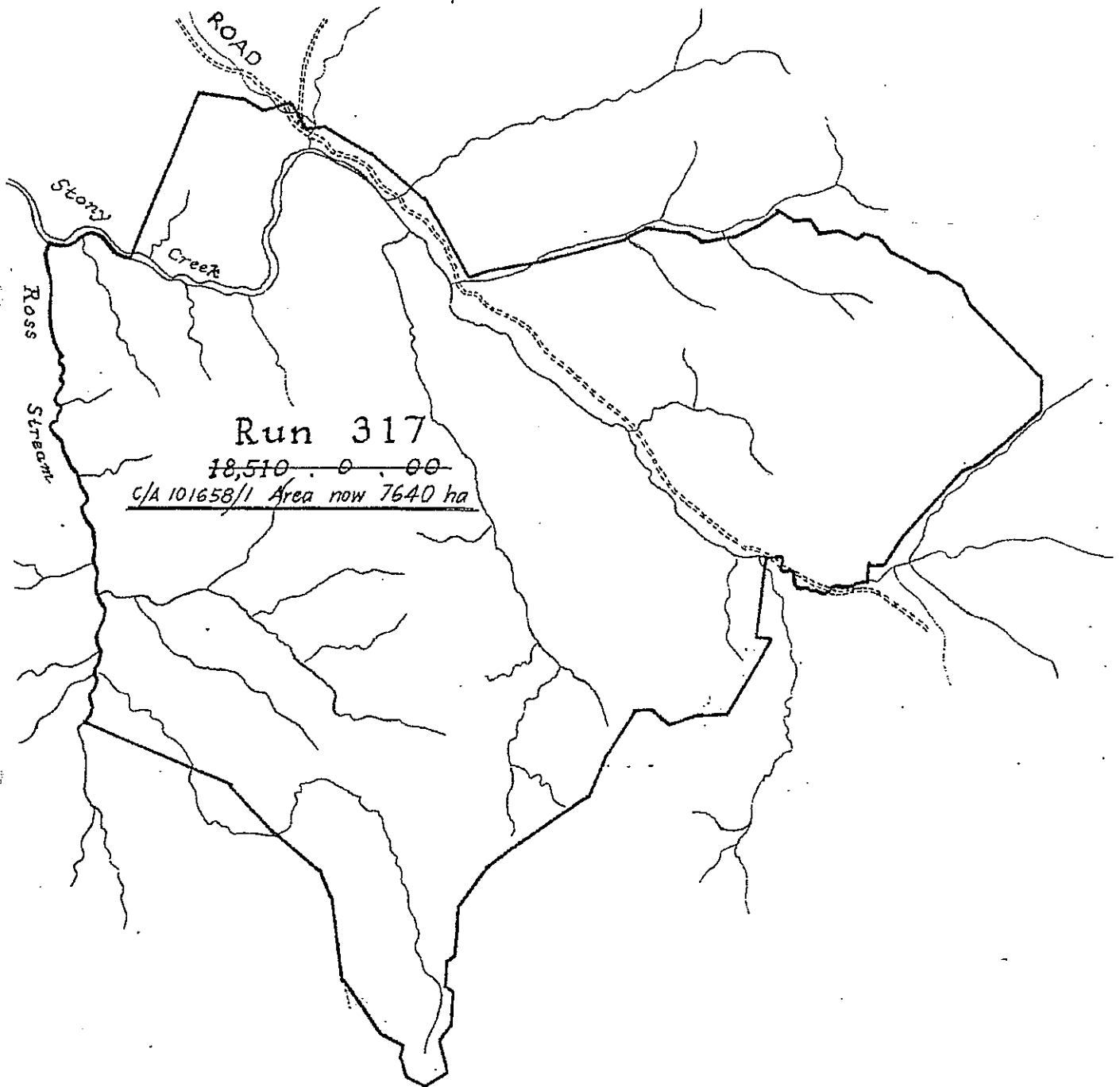
**Proprietors**

Janet Mary Innes as to a 1/4 share  
Peter Allan Innes, William Woodhouse Lee and Peter William Hutt as to a 1/2 share  
Peter Allan Innes as to a 1/4 share

**Interests**

A973.1 Land Improvement Agreement pursuant to Section 30A Soil Conservation and Rivers Control Act 1941 Pursuant to Section 58 of the Land Act 1948 a strip of land one chain in width along the banks of all rivers and streams which have an average width of not less than ten feet is excluded from the within lease.  
914141 Electricity Agreement pursuant to Section 50 Electricity Act 1968 - 12.6.1973 at 11.25 am  
101658.1 Certificate of Alteration whereby the area of the within lease is increased to 7640 hectares - 14.10.1976 at 9.03 am  
640019.1 Land Improvement Agreement pursuant to Section 30A Soil Conservation and Rivers Control Act 1941 - 14.10.1976 at 9.03 am  
947892.8 Mortgage to The Rural Bank Limited - 2.8.1991 at 11.48 am  
A415866.1 Variation of lease and extension of term to 1.7.2031 - 16.7.1999 at 9.00 am







COMPUTER INTEREST REGISTER  
UNDER LAND TRANSFER ACT 1952



Historical Search Copy

R. W. Muir  
Registrar-General  
of Land

Identifier **CB6B/334**  
Land Registration District **Canterbury**  
Date Registered 04 May 1966 09:35 am

**Prior References**  
CB529/220

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<b>Type</b>	Lease under s83 Land Act 1948		
<b>Area</b>	7490.7312 hectares more or less	<b>Term</b>	33 years commencing on the 1st day of July 1965 and extended to 1.7.2031

**Légal Description** Run 317

**Original Proprietors**

Janet Mary Innes as to a 1/4 share  
Peter Allan Innes, William Woodhouse Lee and Peter William Hutt as to a 1/2 share  
Peter Allan Innes as to a 1/4 share

**Interests**

A973.1 Land Improvement Agreement pursuant to Section 30A Soil Conservation and Rivers Control Act 1941 Pursuant to Section 58 of the Land Act 1948 a strip of land one chain in width along the banks of all rivers and streams which have an average width of not less than ten feet is excluded from the within lease.  
914141 Electricity Agreement pursuant to Section 50 Electricity Act 1968 - 12.6.1973 at 11.25 am  
101658.1 Certificate of Alteration whereby the area of the within lease is increased to 7640 hectares - 14.10.1976 at 9.03 am  
640019.1 Land Improvement Agreement pursuant to Section 30A Soil Conservation and Rivers Control Act 1941 - 14.10.1976 at 9.03 am  
947892.8 Mortgage to The Rural Bank Limited - 2.8.1991 at 11.48 am  
A415866.1 Variation of lease and extension of term to 1.7.2031 - 16.7.1999 at 9.00 am

L. & S.—B. 4

Entered in the Register-book, the

No. 6B/334

Forr - Ref. Vol 529 fol. 220

NEW ZEALAND REGISTER

4th day of May

L. & S. Ref. No. P.117

1966



NOT REGISTERED UNDER THE LAND TRANSFER ACT  
REGISTERED UNDER SECTION 83 LAND ACT 1948

Pastoral Lease under the Land Act 1948

This Deed, made the 1st day of July 1965 between HER MAJESTY THE QUEEN. (hereinafter referred to as "the Lessor") of the one part, and ALLAN ARTHUR INNES of Fairlie, 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 18,510 acres more or less, situated in the Land District of Canterbury, and being Run 317 "Stony Creek" situated in Blocks XV and XVI Gladstone Survey District; XIII and XIV Mackenzie Survey District; III, IV and VIII Hewlings Survey District and I and II Dalzell Survey District Mackenzie and Waitate Counties as the same is more particularly delineated with bold black lines on the plan hereon; together with the rights,

Mortgage 624479 to (now) James Ian Innes, George Rhoads Innes, Allan Arthur Innes, John Williams Rolleston - 25.5.1984 at 10.58 a.m. (as varied by memoranda and variation registered subsequently)

Mortgage 359060/1 to The Rural Banking and Finance Corporation - 28.12.1981 at 10.02 a.m.

Mortgage 359060/2 to The Rural Banking and Finance Corporation - 28.12.1981 at 10.02 a.m.

Transfer of a one-half share of 879213 to Hamish George Innes of Fairlie Farmer - 29/8/1972 at 2.30 p.m.

Variation of Mortgage 359060/2 - 23-3-1983 at 11.11a.m.

No. 914141 Electricity Agreement under Section 50 of the Electricity Act 1968 - 12/6/1973 at 11.25 a.m.

Variation of Mortgage 359060/1 - 24.12.1984 at 11.46a.m.

Mortgage 63280/2 to The Rural Banking and Finance Corporation of New Zealand - 17.12.1975 at 10.06 a.m.

Variation of Mortgage 359060/1 - 19.9.1985 at 11.03a.m.

No. 101658/1 Certificate of Alteration whereby the area of the within Lease is increased to 7640 hectares (by re definition) 14.10.1976 at 9.03 a.m.

Variation of Mortgage 359060/1 - 16.12.1985 at 10.55a.m.

Transfer of his share to Peter Allan Innes of Fairlie, Farmer - 3.5.1978 at 10.45 a.m.

No. 640019/1 Land Improvement Agreement pursuant to Section 30 The Soil Conservation and Rivers Control Act 1941 - 12.9.1986 at 9.29a.m.

Variation of Mortgage 63280/2 - 20-7-1978 at 11.39a.m.

Transfer 706677/1 of 1/2 of his share Peter Allan Innes to Janet Mary Innes of Fairlie, Married Woman - 13.10.1987 at 10.59am

OVER..

No. 6B/334

No. 228

easements, and appurtenances thereto belonging. TO HOLD the said premises intended to be hereby demised unto Lessee for the term of 33 years, commencing on the 1st day of July 1965, together with the period between the date of this lease and the aforesaid 1st day of July 1965, YIELDING and paying therefor unto the Department of Lands and Survey at Christchurch the annual rent of £ 370.0.0 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 £ 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 3600 sheep which number shall not include more than 1250 breeding ewes nor more than 60 cattle which number shall not include more than 50 breeding cows PROVIDED HOWEVER that the Lessee may with the prior written consent of the Land Settlement Board carry such additional stock on such terms and conditions as may therein be specified subject nevertheless to the right of the Land Settlement Board to revoke or vary such consent at any time.

1. (a) See below.

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.

1. (a) While this property is being run in conjunction with Run 68 "Black Forest" there will be no objection to the stock carried being 7600 sheep (including 2650 breeding ewes) and 120 cattle (including 100 breeding cows).

~~SCHEDULE OF IMPROVEMENTS BELONGING TO THE CROWN~~

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: G. A. Sloane  
Occupation: Clerk, Lands + Survey Dept.  
Address: Christchurch

[Signature]  
ASSISTANT Commissioner of Crown Lands.

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

Witness: [Signature]  
Occupation: Solicitor  
Address: Timaru

[Signature]  
Lessee.

6B/334

Mortgage 947892/8 to The Rural Bank Limited  
- 2.8.1991 at 11.48am

*[Signature]*  
A.L.R.

No. A973/1 Land Improvement Agreement  
pursuant to Section 30A Soil Conservation  
and Rivers Control Act 1941

*[Signature]*  
A.L.R.  
A415866.1 Variation and extension of the  
term to 1.7.2031 - 16.7.1999 at 9.00

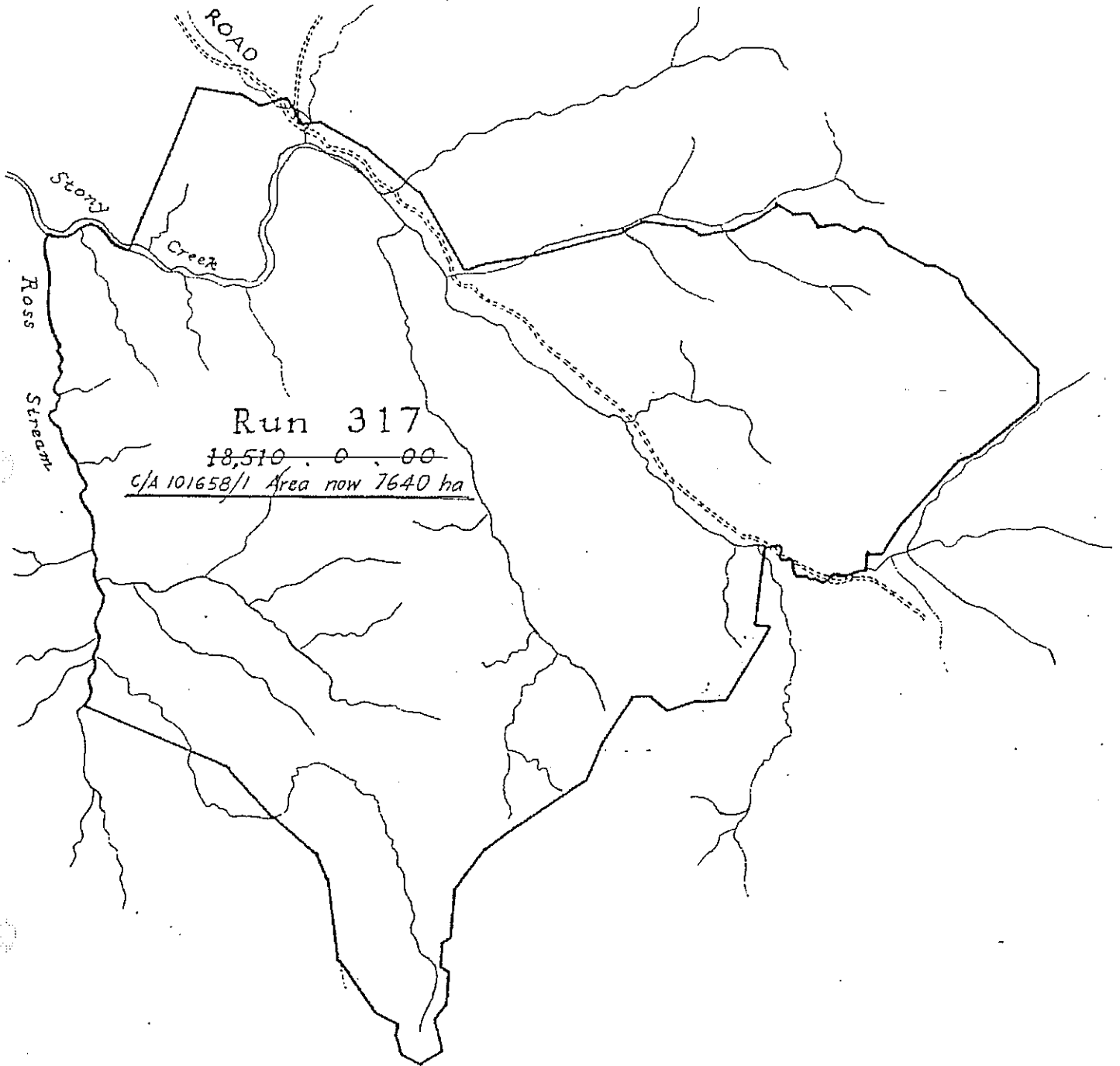
*[Signature]*  
for RGL

A453815.1 Transfer of the 1/2 share of  
Allan Arthur Innes to Peter Allan Innes,  
William Woodhouse Lee and Peter William  
Hutt - 11.4.2000 at 9.00

*[Signature]*  
for RGL

LAND & DEEDS	
Nature:	<i>Lease</i>
Firm:	<i>B.L. Lands</i>
MAY 1966	
Time:	<i>9.35am</i>
Fee: £	<i>1 :- :-</i>
Abstract No.	<i>2494</i>





Scale: 80 chains to an inch

S.O. 984

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