

## **Crown Pastoral Land Tenure Review**

**Lease name : WAIRUA DOWNS**

**Lease number : PT 056**

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

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

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

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

**July 09**

**DUE DILIGENCE REPORT**

**for  
Tenure Review**

**WAIRUA DOWNS**

**Prepared by Don McGregor McGregor Property Services  
for and on behalf of Q.V.Valuations**

**December 2001**

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

**File Ref:** CON 50272/09/12694/A-ZNO

**Report No:** QVV 217

**Report Date:** 18/12/2001

**Office of Agent:** CHRISTCHURCH

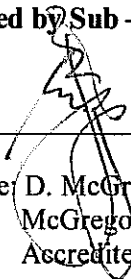
**LINZ Case No:** 02/

**Date sent to LINZ:** 19/12/2001

**RECOMMENDATIONS**

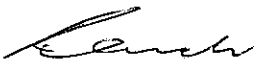
1. That the Commissioner of Crown Lands or his delegate **note** this Due Diligence Report which has been prepared in accordance with the Pre Tenure Review Assessment Standard;
2. That the Commissioner of Crown Lands or his delegate **note** that there are no incomplete actions;
3. That the Commissioner of Crown Lands or his delegate **note** that no potential liabilities have been identified as a result of the file search.
4. That the Commissioner or his delegate **notes** that:
  - a) The adjoining RS 42257 surrendered from the lease in 1989 (DoC stewardship land) is still to be declared Conservation land under the Conservation Act 1987.
  - b) A gully area in the south western sector of the lease appears to have been fenced into the adjoining Pentland Hills Pastoral lease.

**Signed by Sub – Contractor:**




Name: D. McGregor  
McGregor Property Services Limited  
Accredited Supplier

**Signed by Contractor**



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

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



Name: GRANT KASPER WEBLEY  
Date of Decision: 15/1/02

**1. Details of Lease**

**Lease Name:** Wairua Downs.

**Location:** Off Menzies Road approximately 37 kilometres North East of Kurow.

**Lessees:** Ian Robert McGREGOR (as to a one half share) and Janet Elizabeth McGREGOR (as to a one half share). – Purchase by Transfer A300600/3 dated 4 June 1997.

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

**Term:** 33 years from 1 July 1988 (expires 30 June 2021).

**Annual Rent:** \$1507.50.

**Rental Value:** \$67,000.

**Date of Next Review:** 30 June 2010.

**Land Registry Folio Ref:** C.L. CB41A/26 (Canterbury Registry).

**Legal Description:** Section 2, S.O. 18590.

**Area:** 2840.0000 hectares.

**2. File Search**

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

File Reference	Volume	First Folio Number	Date	Last Folio Number	Date
<i>Pt 056-SCH-01</i>	<i>1</i>	<i>173</i>	<i>26/11/1953</i>	<i>312</i>	<i>12/01/1981</i>
<i>Pt 056-SCH-02</i>	<i>2</i>	<i>313</i>	<i>03/03/1981</i>	<i>-</i>	<i>23/01/1990</i>
<i>Pt 056-SCH-03</i>	<i>3</i>	<i>-</i>	<i>18/11/1988</i>	<i>-</i>	<i>01/08/1994</i>
<i>Pt 056-SCH-04</i>	<i>4</i>	<i>-</i>	<i>19/08/1994</i>	<i>-</i>	<i>07/12/1999</i>
<i>Pt 056-SCH-05</i>	<i>5</i>	<i>-</i>	<i>10/05/1954</i>	<i>-</i>	<i>22/03/1989</i>
<i>Pt 056A – Plans only</i>	<i>-</i>	<i>-</i>	<i>01/01/1980</i>	<i>-</i>	<i>Current</i>
<i>CON/50213/09/12694/A-ZNO</i>	<i>1</i>	<i>-</i>	<i>01/07/2000</i>	<i>-</i>	<i>Current</i>

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

File Reference: CON/50272/09/12694/A-ZNO-01  
 Volume: 1  
 First folio: 1  
 Date: August 2001.  
 Last folio note: –  
 Date: Current

**3. Summary of Lease document:** (Copy of CL CB41A/26 attached as *Appendix I*).

**3.1 Terms of Lease**

A 33 year term from 1 July 1988 at the Annual rental of \$1507.50 based on the Rental Value of \$67,000 (Rent reviewed 30 June 1999).

*Stock limitation in Lease:*

1800 sheep (including not more than 900 breeding ewes).

*Commencement Date:*

1 July 1988, being a renewal of the original Wairua Downs Pastoral lease issued as at 1 July 1955 and effected by Memorandum of Renewal of Lease No. 840403/5 (registered on 29 November 1989).

Following surrender of the original balance "Wairua Downs" Pastoral lease (Surrender registered as A189870/4 on 21 August 1995) and to facilitate a subdivision two new Pastoral leases were issued in substitution. The new leases issued over the subdivided "Wairua Downs" Pastoral lease (the subject property) and the Asher Ridge Pastoral Lease (C.L. CB41A/27) for the balance term at equivalent Annual Rentals (\$930) based on the Rental Values of \$62,000 and Stock limitations of 1800 sheep (including not more than 900 breeding ewes).

Rental review was deemed to have been accepted by the lessees and the new Rental value (\$67,000) and Annual Rental (\$1507.50) took effect from 1 July 1999.

*Other Provisions:*

Part IVA of the Conservation Act 1987.

**3.2 Area adjustments**

There are no area discrepancies.

**3.3 Registered Interests**

*Mortgage*

A300600.4 to Wrightson Farmers Finance Limited (registered 4 June 1997).

*Easement*

Deed of Grant of Easement CB41A/25 (registered as Document No. A189870 pursuant to Section 60 of the Land Act 1948) between HMQ (Acting through the CCL as Grantor and the Minister of Conservation as Grantee) and the lessees granting a Right of Way (on foot only) over that part of the lease shown "H" on S.O. 18590 in favour of the Grantee.

*Land Improvement Agreement*

Land Improvement Agreement 266418/1 (registered 17 March 1980) and Variation (registered in 1982).

**3.4 Unregistered Interests**

*Recreation Permits*

A search of available records did not reveal the existence of any current Recreation permits.

*Unregistered Mortgages / debts*

None known.

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

A Land Improvement Agreement is registered as Document No. 266418/1 and secures a SWC Plan over the original Wairua Downs property (Run 347) executed on 7 March 1980 between the then lessee the South Canterbury Catchment Board. The works included retirement fencing, oversowing and topdressing, offsite control erosion control and cattleproof fencing with the objective of retirement from grazing and surrender of 1887 ha approximately from the lease following the provision of off-site grazing.

On 12 August 1982 a variation to the Land Improvement Agreement was executed by the then lessees and the Board in respect of additional erosion control works.

The surrender of the retirement area has been undertaken (this is now RS 42257 – DoC stewardship land).

The Agreement and variation term is for 999 years from 7 March 1980.

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

A Land Status Report undertaken by McGregor Property Services Limited for and on behalf of Q V Valuations on 5 December 2001, confirms the status of the land as Crown Land, leased pursuant to Section 66 of the Land Act 1948, and registered under Section 83 of the same Act.

The land is subject to the registered interests included in *Clause 3.3* above and Part IVA of the Conservation Act 1987.

The minerals remain with the Crown as the land has never been alienated since its acquisition from the original Maori owners under the Kemp Purchase.

The report notes that the adjoining R.S. 42257 was surrendered from the lease, prior to the subdivision of Run 347 (the original Wairua Downs) in 1989 (by C840403.6), and allocated to DoC as stewardship land under Section 62 of the Conservation Act 1987. No action has yet been undertaken to formally declare this land as Conservation land under Section 7(1) of the Conservation Act 1987).

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

**6. Review of Topographical and Cadastral data:**

The topographical map attached to the Land Status Report shows there are no known huts, transmission or local power lines, telecommunication or other hilltop installations, airstrips, dams, water races or historic sites on the property.

**6.1 Legal Roads – formed and paper**

The Land Status Report indicates that the roads adjoining are defined on S.O.'s 2703, 3205 and 3207 and are legal as depicted by notation on S.O. 14163 by virtue of Section 110A of the Public Works Act 1928.

**6.2 Fenced Boundaries v Legal Boundaries (peripheral):**

The current lease boundaries constitute a 'subdivision' of the balance area of the original "Wairua Downs" Pastoral lease.

The fenced boundaries generally confer with the legal boundaries. However it appears that a fence along the ridgeline on the south eastern boundary excludes a gully which runs into the adjoining "Pentland Hills" Pastoral Lease (Pt Run 47A).

**7. Details of any neighbouring Crown or Conservation land:**

Northern Boundary	R.S 42257 – Stewardship land held by DoC pursuant to Section 62 of the Conservation Act 1987.
North Eastern Boundary	Run 293 – Grange Hill Pastoral lease.
Southern Boundary	Run 47A – Pentland Hills Pastoral lease.

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

There are no incomplete actions actions relative to the Pastoral lease.

**Schedule A – Land Status Report.**

**APPENDICES**

**1. Copy of Lease Document.**

## **Schedule A**



**LAND STATUS REPORT**

**for  
Tenure Review**

**WAIRUA DOWNS**

**Prepared by Don McGregor, McGregor Property Services Limited  
for and on behalf of Q.V. Valuations**

**December 2001**

## **CONTENTS**

### **APPENDIX A LAND STATUS REPORTS (and supporting plans)**

- **SO Plans (Additional)**
- **Extract of CLR**
- **Extracts of Allocation maps**
- **DOC Consultation**
- **Information supporting Mineral investigation**
- **Other Information**

### **APPENDIX B LAND STATUS REPORT (Certified Correct by Chief Surveyor)**

**APPENDIX A – LAND STATUS REPORT  
(and supporting plans)**

**Q V VALUATIONS  
CHRISTCHURCH OFFICE**

**APPENDIX A**

**Project Number QVV 216**

This report has been prepared on the instruction of Land information New Zealand in terms of **Contract No. 50272 (as yet undated)** and is undertaken for the purposes of the Crown Pastoral Land Act 1998.

<b>LAND STATUS REPORT for Wairua Downs Tenure Review</b>	LIPS Ref: 12694
<b>Property 1 of 1</b>	

<b>Land District</b>	Canterbury.
<b>Legal Description</b>	Section 2, S.O. 18590.
<b>Area</b>	2840.0000 hectares.
<b>Status</b>	Crown land subject to the Land Act 1948.
<b>Instrument of title / lease</b>	Pastoral Lease CL CB41A/26 pursuant to Section 66 and registered under Section 83 of the Land Act 1948.
<b>Encumbrances</b>	Subject to:  <ol style="list-style-type: none"> <li>1. Part IVA of the Conservation Act 1987.</li> <li>2. 266418.1 Land Improvement Agreement pursuant to Section 30A of the Soil Conservation and Rivers Control Act 1941 and Variation.</li> <li>3. Deed of Grant of Easement CB41A/25 granting Right of Way (on foot only) shown "H" on S.O. 18590 in favour of Her Majesty the Queen.</li> </ol>
<b>Mineral Ownership</b>	The Mines and Minerals are owned by the Crown over a significant part of the land because it has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1848 Kemp Deed of Purchase.
<b>Statute</b>	Land Act 1948 and Crown Pastoral Land Act 1998.

<b>Data Correct as at</b>	5 December 2001.
<b>[Certification Attached]</b>	Yes.

<b>Prepared by Crown Accredited Supplier</b>	Don McGregor, McGregor Property Services Limited, Christchurch For and on behalf of QV Valuations
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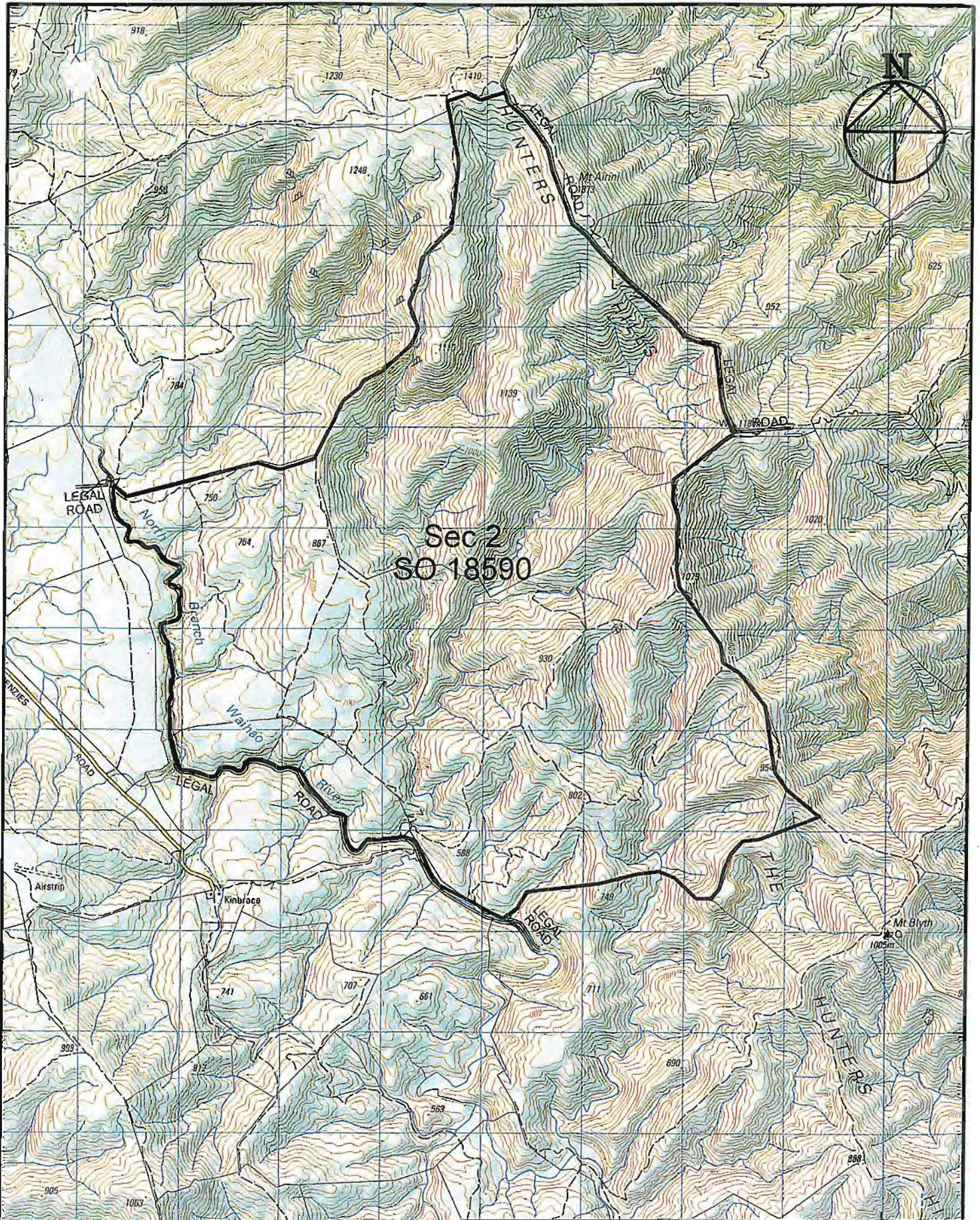
<b>LAND STATUS REPORT for Wairua Downs Tenure Review</b>	<b>LIPS Ref: 12694</b>
<b>Property 1 of 1</b>	

<b>NOTES: This information does not affect the status of the land but was identified as possible requiring further investigation at the due diligence stage: See Crown Pastoral Standard 6</b>	The adjoining R.S 42257 was surrendered from the lease, prior to the subdivision of Run 347 in 1989 (by C 840403.6) and allocated to DoC as stewardship land under Section 62 of the Conservation Act 1987. No action has yet been undertaken to formally declare this land as Conservation land under Section 7(1) of the Conservation Act 1987.
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<b>LAND STATUS REPORT for Wairua Downs Tenure Review</b>		LIPS Ref: 12694
Property 1 of 1		
Research Data: <u>Some Items may not be applicable</u>		
SDI Print Obtained	Yes.	
NZMS 261 Ref	J.39.	
Local Authority	Waimate District Council.	
Crown Acquisition Map	Kemp Deed of Purchase.	
SO Plans	<p>SO 3771 – Plan of R.S. 34138, Block V, Nimrod Survey District (1880).</p> <p>SO 11424 – Plan of Pt Run 44, Block V, Nimrod survey District (30 June 1970).</p> <p>SO 14163 – Plan of Run 347" Wairua Downs (30 November 1976).</p> <p>SO 16821 – Plan of R.S. 42257 (Approved 29 August 1986).</p> <p>SO 17116 – DoC Allocation plan.</p> <p>SO 18590 – Plan of Sections 1, 2, 3, and 4 (Approved 11 July 1991).</p>	
Relevant Gazette Notices	Not applicable.	
Lease Ref	CL CB41A/26 pursuant to Section 66 and registered under Section 83 of the Land Act 1948.	
Legalisation Cards	S.O. 18590 – but not affected by legalisation action. Two subdivisional Pastoral leases issued.	
CLR	Confirms Pastoral Lease tenure over the original "Wairua Downs" (Run 347). That lease has since been subdivided into two Pastoral leases "Wairua Downs" (Section 2, S.O. 18590) and "Asheridge" (Sections 1, 3 and 4, S.O. 18590 (CL CB41A/27).	
And	<p>There are no allocations within the periphery of the lease. However the adjoining land (now R.S. 42257) is shown on the DoC Allocation Schedule as Allocation J39/K39.16 and this and the supporting Allocation plan (S.O.17116) is attached.</p> <p>No SOE Allocations within the periphery of or adjoining the lease.</p>	
VNZ Ref – if known	VR 25120/14200.	
Crown Grant Maps	Not applicable.	
<b>Subject Land Marginal Strip:</b>		
a) Type [Sec 24(9) or Sec 58]	a) Lease subject to Part IV of the Conservation Act 1987. No specific provision made on individual rivers and streams.	
b) Date Created	b) Not applicable.	
c) Plan Reference	c) Not applicable.	

<b>LA STATUS REPORT for Wairua Downs Tenure Review</b>		LIPS Ref: 126942
<b>Property 1 of 1</b>		
If Crown land – Check Irrigation Maps	Searched – Not applicable.	
Mining Maps	Searched – Not applicable.	
<b>If Road</b> a) Is it created on a Block Plan – Section 43(1)(d) Transit NZ 1989  b) By Proc	a) Roads adjoining this parcels are defined on S.O.'s 2703, 3205 and 3207 and are legal as depicted by notation on S.O. 14163 by virtue of Section 110A of the Public Works Act 1928.  b) Proc Plan Not applicable.  c) Gazette Ref Not applicable.	
<b>Other relevant information</b> a) Concessions – Advice from DOC or Knight Frank.  b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998  c) Mineral Ownership          d) Other Info	a) No current DOC concessions. The only DOC interests are in any Marginal Strips yet to be created.  No concessions are administered by Knight Frank (NZ) Limited on the property.  b) Part 9 of the Ngai Tahu Claims Settlement Act 1998.  c) <input type="checkbox"/> Mines and Minerals are owned by the Crown in respect of parts of the current lease because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1848 Kemp Deed of Purchase.  This property was formerly part of "Bluecliffs" Run (Run 44) on held on Pastoral Run licence. A freehold area (R.S. 34138) surrounded by the Run was acquired by the Crown and added to the lease in 1970. The former R.S. 34138 is not underlying the land now in Section 1, S.O. 18590.  d) Not applicable.	





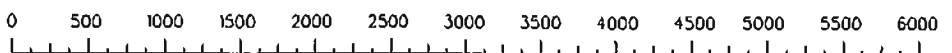
Sec 2  
SO 18590

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

Version	1	2	3	4	5
Canterbury Land District	Sheet 1 of 1				
Topographic Map 260 - J39	Date 09/11/01				

### Wairua Downs

Scale 1:50000





**APPENDIX B – LAND STATUS REPORT  
(Certified Correct by Chief Surveyor)**

**Q.V. VALUATIONS  
CHRISTCHURCH OFFICE**

Project Number : QVV 214

This report has been prepared on the instruction of Land Information New Zealand in terms of Contract No : 50272 (as yet undated) and is undertaken for the purposes of the Crown Pastoral Land Act 1998.

<b>LAND STATUS REPORT for Wairua Downs Tenure Review</b>				LIPS Ref: 12694
Property	1	of	1	

<b>Land District</b>	Canterbury
<b>Legal Description</b>	Section 2, S.O.18590.
<b>Area</b>	2840.0000 hectares.
<b>Status</b>	Crown land subject to the Land Act 1948.
<b>Instrument of title / lease</b>	Pastoral Lease CL CB41A/26 pursuant to Section 66 and registered under Section 83 of the Land Act 1948.
<b>Encumbrances</b>	Subject to:  1) Part IVA of the Conservation Act 1987.  2) 266418.1 Land Improvement Agreement pursuant to Section 30A of the Soil Conservation and Rivers Control Act 1941 and Variation.  3) Deed of Grant of Easement CB41A/25 granting Right of Way (on foot only) shown "H" on S.O. 18590 in favour of Her Majesty the Queen.
<b>Statute</b>	Land Act 1948 and Crown Pastoral Land Act 1998.

<b>Data Correct as at</b>	9 November 2001.
<b>[Certification Attached]</b>	Yes

<b>Prepared by</b>	Don McGregor
<b>Crown Accredited Supplier</b>	McGregor Property Services Limited, Christchurch for and on behalf of Q.V. Valuations

**Certification:**

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

*E.H. Atkinson*  
 E.H. Atkinson  
 Deputy C.S.

*R Moulton*  
 R Moulton, Chief Surveyor  
 Land Information New Zealand, Christchurch

Date: 22/11/2001

## CERTIFICATION

**Report to the Chief Surveyor, Christchurch, for certification of a Status Investigation for the WAIRUA DOWNS Pastoral Lease Tenure Review.**

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



D McGregor  
McGregor Property Services Limited  
Accredited Supplier  
9 November 2001

**APPENDIX 1**



COMPUTER INTEREST REGISTER  
UNDER LAND TRANSFER ACT 1952



R. W. Muir  
Registrar-General  
of Land

Historical Search Copy

Identifier **CB41A/26**  
Land Registration District **Canterbury**  
Date Registered 21 August 1995 10:45 am

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Type	Lease under s83 Land Act 1948	Term	33 years commencing on the 1st day of July 1988
Area	2840.0000 hectares more or less		

**Legal Description** Section 2 Survey Office Plan 18590

**Original Proprietors**

Ian Robert McGregor as to a 1/2 share  
Janet Elizabeth McGregor as to a 1/2 share

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**Interests**

Subject to Part IV A Conservation Act 1987

266418.1 Land Improvement Agreement pursuant to Section 30A Soil Conservation and Rivers Control Act 1941 - 17.3.1980 at 9.07 am (varied once subsequently)

41A/25 Deed of Easement in gross - 21.8.1995 at 10.45 am

Type	Servient Tenement	Easement Area	Grantee
Right of way on foot only	Section 2 Survey Office Plan 18590 - herein	H SO 18590	Her Majesty The Queen

A300600.4 Mortgage to Wrightson Farmers Finance Limited - 4.6.1997 at 9.56 am

L. & S.—B. 4

NEW ZEALAND

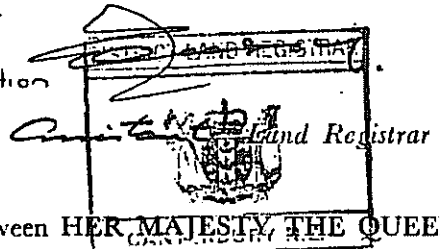
Former Ref. Vol. fol.

21st day of August

L. & S. Ref. No.

1995, at 10.45 o'clock.

Not Registered under  
Land Transfer Act —  
Registered under Section  
83 Land Act 1948



Pastoral Lease under the Land Act 1948

**This Deed**, made the 7<sup>th</sup> day of October 1995 between HER MAJESTY THE QUEEN (hereinafter referred to as "the Lessor") of the one part, and STEWART JOHN COCHRANE of Hakataramea, Farmer, as to an undivided one-quarter share, MERYLYN ROSALIE COCHRANE of Hakataramea, Married Woman, as to an undivided one-quarter share and JAMES STEWART COCHRANE of Hakataramea, Farmer, as to an undivided one-half share (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 2840.0 hectares more or less, situated in the Land District of Canterbury, and being Section 2 on SO 18590, "Wairua Downs".

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

Subject to:

Encumbrance 833787 to J. S. Deila & Younger  
Cochrane - 14.6.1971 at 11.43am

DISCHARGED

No. 266418/1 Land Improvement Agreement  
under Section 30A of the Soil Conservation  
and Rivers Control Act 1941 - 17.3.1980 at  
9.07am  
(varied once subsequently)

Part IVA Conservation Act 1987

Deed of Grant of Easement 41A/25 granting a  
right of way on foot only in gross over  
part herein marked H on SO 18590 in favour  
of Her Majesty The Queen - 21.8.1995 at  
10.45am

Mortgage A189870/9 to Wrightson Farmers  
Finance Limited - 4.6.1997 at 10.45am

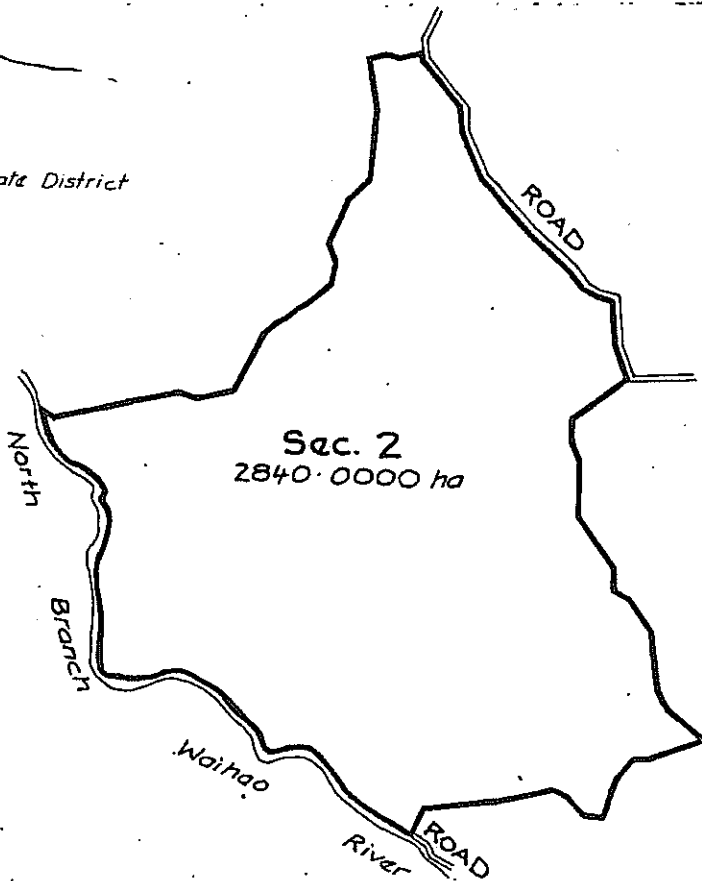
DISCHARGED

Transfer A300600/3 to Ian Robert  
McGregor, Farmer and Janet Elizabeth  
McGregor, Primary School Principal,  
both of Hakataramea as tenants in  
common in equal shares - 4.6.1997 at  
9.56am

Mortgage A300600/4 to Wrightson Farmers  
Finance Limited - 4.6.1997 at 9.56am

for A.L.R.

Waimate District



For dimensions see S.O. 18590

**"RELEASED UNDER THE OFFICIAL INFORMATION ACT"**

casements, and appurtenances thereto belonging. TO HOLD the said premises intended to be hereby demised unto the Lessee for the term of 33 years, commencing on the 1st day of July 19 88, together with the period between the date of this lease and the aforesaid 1st day of July 19 88, YIELDING and paying therefor unto ~~the Department of Lands and Survey at Landcorp at Christchurch~~ the annual rent of \$ 930.00 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 term. AND also paying in respect of the improvements specified in the Schedule hereto the sum of \$ \_\_\_\_\_ by a deposit of \$ \_\_\_\_\_ (which has already been paid) and thereafter by \_\_\_\_\_ half-yearly instalments of \$ \_\_\_\_\_ on the 1st day of January and the 1st day of July in each and every year.

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

- 1. THAT without derogating from or restricting the covenants contained and implied in this lease and on the part of the Lessee to be performed or complied with the Lessee will not at any time during the said term depasture on the land hereby demised more than 1800 sheep which number shall not include more than 900 breeding ewes nor more than \_\_\_\_\_ cattle which number shall not include more than \_\_\_\_\_ breeding cows PROVIDED HOWEVER that the Lessee may with the prior written consent of the Land Settlement Board carry such additional stock on such terms and conditions as may therein be specified subject nevertheless to the right of the Land Settlement Board to revoke or vary such consent at any time.
- 2. THAT the Lessee will at all times farm the land hereby demised in a manner to promote soil conservation and prevent erosion and will comply with the provisions of the Soil Conservation and Rivers Control Act 1941.

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

THAT pursuant to the provisions of the Noxious Animals Act 1956 officers and employees of the New Zealand Forest Service and other authorised persons shall at all times have a right of ingress, egress and regress over the land comprised in this lease for the purpose of determining whether such land or any adjoining land is infested with deer, wild goats, wild pigs, opossums or other animals which the said Service is charged with the duty of exterminating or controlling, or for the purpose of destroying any such animals; Provided that such officers, employees and other authorised persons in the performance of the said duties shall at all times avoid undue disturbance of the Lessee's stock.

AND it is hereby declared and agreed that these presents are intended to take effect as a Pastoral Lease of pastoral land under section 66 of the Land Act 1948, and the provisions of the said Act and of the regulations made thereunder applicable to such leases shall be binding in all respects upon the parties hereto in the same manner as if such provisions had been fully set out herein.

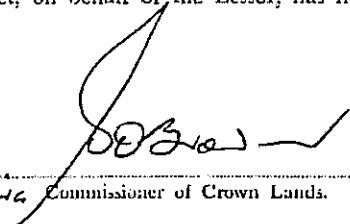
- SUBJECT TO ~~XX~~
- (2) Encumbrance 833787 to ISABELLA YOUNGER COCHRANE
  - (3) No. 2664.18/1 Land Improvement Agreement under Section 30A of the Soil Conservation and Rivers Control Act 1941
  - (4) Part IV Conservation Act 1987
  - (5) Easement granting Right of Way shown "H" on SO 18590 in favour of HER MAJESTY THE QUEEN

SCHEDULE OF IMPROVEMENTS BELONGING TO THE CROWN

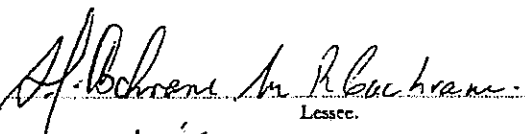

NIL

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: Bullen  
Occupation: Pastoral Administration Officer  
Department of Survey and Land Information  
Address: Wellington

  
7/10/83  
AC.L.G. Commissioner of Crown Lands.

Signed by the above-named Lessee, in the presence of—  
Witness: Wasson  
Occupation: Solicitor  
Daman  
Address: \_\_\_\_\_

  
Lessee.  




**DUE DILIGENCE**

**WAIRUA DOWNS**

**SUPPORTING FILE SUMMARY**



File Summary – Wairua Downs

Pt 056 – SCH – 01 (26.11.1953 – 12.01.1981) - Volume: 1 (Folios 173 - 312 )

FOLIO	DATE	TO	FROM	DETAILS
175	10.3.1954	CCL	LSB	Case No 4086 of 3.3.1954 approved Run 44 (Bluecliffs) be held on PL (Pastoral Lease) and allotted to Cochranes, AR \$490 based on stock limitation of 3800 sheep + 10% [Lease deemed to have been accepted and Lease registered 5.4.1955 as CL 529/55] <b>ACTION COMPLETED</b>
208	12.01.1968	-	CCL	By Case No 68/9 of 12.01.1968 approved transfer JH to SJ and GJ Cochrane (registered 18.04.1969 – T762854) <b>ACTION COMPLETED</b>
211	25.6.1968	CCL	LSB	Case No 68/321 of 21.6.1968 approved partial surrender of 18ha part Run 44 & incorporation thereof into Highland Farm Settlement. [Memo of Partial Surrender 42992/1 registered – 17/05/1975]. <b>ACTION COMPLETED</b>
222	6.1.1970	-	CCL	Action sheet sheet incorporating RS 34138 – 26 acres (Freehold land acquired by HMQ by Transfer 762869 on 18 /04/1969). [Incorporation registered as Certificate of Alteration 789433 dated 02/03/1970]. <b>ACTION COMPLETED</b>
240	11.12.1972	CCL	SFO	Revised conservation programme – first SWCP approved 1962 f294 In 1999 the Dept supported run plan proposals including inc 1877ha to be retired and surrendered from the lease. f296 Soilcon approved SWCP “Wairua”. [Land Improvement Agreement dated 07/03/1980 registered as Document No. 266418/1]. <b>RUN PLAN STILL LIVE – 999 year term</b>
280	2.12.1976	CCL	CSD	Action sheet for change of appellation & area – SO 14163 to Run 347 “Wairua Downs” - 6840ha. [Cert of alteration 111993/1 registered 11.1.1977]. <b>ACTION COMPLETED</b>

Pt 056 – SCH – 02 (03.03.1981 – 23.01.1990) - Volume: 2 (Folios 313 - ? )

321	11.5.1981	CCL	LSB	<p>Case No. 81/129 of 7.5.1981 approved partial surrender of 1877 ha of Run 347 and issue of POL (Pastoral Occupation Licence) to Cochranes. If offsite benefits completed on expiry, POL to become UCL subject to Crown Land Mgmt area.</p> <p>[Survey completed (SO 16841) for area to be surrendered 29 August 1986 (R.S. 42257) – 1790 ha with balance Run being 5050 ha.</p> <p>RS 42257 surrendered by Memo of Partial Surrender 840403/5 registered 29/11/1989].</p> <p><b>ACTION IN CONJUNCTION WITH RENEWAL &amp; SUBDIVISION</b></p>
330	31.7.1981	CCL	Solr's	<p>Application for subdivision and transfer of lease in conjunction with subdivision of freehold.</p> <p>f332 - F/O report recommends subdivision transfer be declined</p> <p>f333 - CCL advises LSB likely to decline application.</p> <p>f365 - CCL has no objection to property being run as two separate units.</p> <p>f388 - F/O suggests if subdivision acceptable it take effect at renewal.</p> <p>f389 - (under) plan of proposed subdivision of Run 347.</p> <p>f413 - SCCBd supports subdivision for Run 347 provided areas B1 &amp; A1 retired from lease.</p> <p>f418A - Intended subdivision be implemented in conjunction with renewal</p> <p>f434 – Federation Mountain Clubs seek foot access easement to retired lands to be surrendered.</p> <p><b>EASEMENT ACTION UNDERTAKEN IN CONJUNCTION WITH RENEWAL AND SUBDIVISION</b></p>
426	13.6.1988	CCL	Lessee	<p>Lessee elects to accept renewal offer (renewal lease for 33 years from 1.7.1988 AR \$1860 RV \$124,000 area 5050ha).</p> <p>[Memo of Renewal C840403/5 registered but new substitute leases issued 21//08/1995 following subsequent surrender of the lease].</p> <p><b>ACTION COMPLETED</b></p>

File Summary – Wairua Downs

Pt 056 – SCH – 03 (18.11.1988 – 01.08.1994) - Volume: 3 (Folios ? )				
	22.12.1988	CCL	FO	<p>Copy of f 410 F/O's report on lease renewal and subdivision etc 23.11.1990 (under) history of subdivision application, lease renewal to coincide with subdivision and transfer.</p> <p>[CCL by Case No 91/8 dated 19/02/1991 approved surrender and subdivision of Wairua Downs as proposed.</p> <p>Survey completed 11/07/1991 (SO 18590).</p> <p>Surrender of lease registered by Memo of Surrender A189870/4 contemporaneously with issue of two new substitute subdivisional Pastoral leases on 21 August 1995 (CL CB41A/26- "Wairua Downs" and CL CB41A/27 – "Asher Ridge"</p> <p><b>SUBDIVISION RENEWAL AND TRANSFERS COMPLETED AS A CONSEQUENCE OF REGISTRATION OF LEASES</b></p>
	31.5.1990	CS	Landcorp	<p>Specifications for ROW easement (&amp; plan). Survey defining Easement (S.O. 18590) approved 11 July 1991.</p> <p>[Easement in favour of DoC registered as A189870 (CB41A/25) on 21/08/95 contemporaneously with surrender and registration of substitute leases – see above].</p>
Pt 056 – SCH – 04 (19.08.1994 – 01.07.2000) - Volume: 4				
	20.1.1997	KF Ltd	Solr's	<p>Application to transfer</p> <p>By Case No 97/197 of 20.2.1997 CCL approved transfer to IR &amp; JE McGregor [Transfer A 300600/3 registered 04/06/1997].</p> <p><b>ACTION COMPLETED</b></p>
	01.07 1998	KF Ltd	Lessee	<p>Rental Review offer made (Rental Value \$67,000 and Annual Rental \$1507.50). Acknowledged by lessee and deemed to have been accepted.</p> <p><b>ACTION COMPLETED</b></p>

**Pt 056 – SCH – 05 (10/05/1954 – 22/03/1989) - Volume: 5**

No relevant folios. This file is a KFL Timaru file and a duplication of the main files.

**Pt 056A – SCH – Plans only**

No relevant information

**CON/50272/09/12694A-ZNO-01 (01/07/2000 - Current) - Volume: 1)**

No relevant folios