

Oakland Estates Fast Tack Referral Summary of Interests

Interest	Comment
Water rights created by Transfer 24549.	Existing water rights over and benefitting the land. These are noted and are not anticipated to affect the proposal.
Subject to several right of way easements, including those created by: • Transfer 197296.9 – right of way • Easement Certificate 397416.5 - right to convey water, transmit electricity and telephonic communications and a right to drain water and sewage • Easement Instrument 9398550.1 - right to convey electricity, telecommunications and computer media (in gross) • Easement Instrument 10719551.6 - right of way and a right to convey water, electricity, telecommunications and computer media and a right to drain water and sewage • Easement Instrument 10738970.4 - right to emit noise from authorised farming activities, right to emit odour from authorised farming activities and right to emit drift from agricultural herbicide sprays • Easement Instrument 12122719.4 – right of way • Easement Instrument 12122719.5 – right to convey and drain water in favour of Nelson City Council • Easement Instrument 12122719.6 – right to drain water • Easement Instrument 12274501.15 - right to emit noise from authorised farming activities, right to emit odour from authorised farming activities and right to emit drift from agricultural herbicide sprays	Existing easements over and benefitting the land. These are noted and will be varied where required separate to the fast-track referral application.

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Easement Instrument 12274501.17 – right to drain water	
224733.1 and 234596.1 Compensation Certificate pursuant to Section 19 Public Works Act 1981 - 20.7.1982 at 9.28 am (Affects part Lots 1 & 2 DP 6053 and Lot 4 DP 13154 respectively)	This relates to a compensation certificate under the Public Works Act. This interest is not anticipated to affect the proposal.
9172311.1 Notice pursuant to Section 195(2) Climate Change Response Act 2002 - 14.9.2012 at 12:15 pm (Affects part Lot 9 DP 527984 formerly Lot 1 DP 6053)	Section 195(2) of the Climate Change Response Act related to the notification of status of forest land. This interest is not anticipated to affect the proposal.
Land Covenant in Easement Instrument 10738970.5 - 10.4.2017 at 4:16 pm	This covenant (Instrument 10738970.5) is a restriction on the “burdened land” given in favour of Summerset Villages (Richmond) Limited, intended to protect/enable Summerset’s ability to develop and operate a retirement village (and related future development) on the covenantee’s land by limiting objections/interference from the covenantor and future owners/occupiers of the burdened land (including restrictions on taking RMA/planning steps that could hinder the retirement village, and a time-limited restriction on enabling a competing retirement village). Section 28 of the Commerce Act 1986 prohibits the enforceability of covenants or provisions that have the purpose, effect, or likely effect of substantially lessening competition in a relevant market. Accordingly, any such anti-competitive aspect would be un-enforceable, and the covenant will not affect (or constrain) the proposal.
11808810.1 CERTIFICATE PURSUANT TO SECTION 77 BUILDING ACT 2004 THAT THIS RECORD OF TITLE IS SUBJECT TO THE CONDITION IMPOSED UNDER SECTION 75(2) (AFFECTS LOT 4 DP 13154 AND PART LOT 9 DP 527984 FORMERLY PART LOT 1 DP 6053) - 23.7.2020 at 7:00 am	Relates to the construction of a building on 2 or more allotments. This interest is not anticipated to affect the proposal.
Subject to Section 241(2) Resource Management Act 1991 (affects DP 527984)	Relates to the amalgamation of allotments.
Land Covenant (in gross) in favour of Summerset Villages (Number 42) Limited and Summerset Villages (Richmond)	This covenant (Instrument 12274501.14) is a restriction on the “burdened land” given in favour of Summerset Villages, intended to protect/enable Summerset’s retirement village (and related future development) on the covenantees’ land by limiting objections

Limited created by Covenant Instrument 12274501.14 - 17.12.2021 at 2:09 pm	from the covenantor and future owners/occupiers of the burdened land. This covenant is not anticipated to affect the proposal.
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