

# Milldale Fast Tract Referral Summary of Interests

No.	Appellation	Landowner Name(s)	Area (hectares)	Interest	Comment
1	<i>Lot 4 Deposited Plan 353309</i>	Fulton Hogan Land Development Limited	10.4451 ha	Appurtenant hereto is a right of way created by Easement Instrument 6527704.9 - 9.8.2005 at 9:00 am	<p>This refers to a Right of Way easement with Lot 4 (being the dominant tenement) to go through Lot 1 DP 589819 (being the servient tenement), to use the accessway northeast off Lysnar Road.</p> <p>Surrender clause applies if alternative access is provided. This will be accounted for within the detailed design.</p>
2	<i>Lot 1 Deposited Plan 589819</i>	Paul John Wigglesworth and Hibiscus Independent Trustees Limited <i>Unconditional contract in place for FHLD to purchase - see discussion that follows.</i>	7.4370 ha	12754529.5 CAVEAT BY FULTON HOGAN LAND DEVELOPMENT LIMITED - 22.1.2025 at 10:10 am	<p>This interest relates to an agreement for Sale and Purchase dated 11/04/2023 between the Registered Owners Paul John Wigglesworth and Hibiscus Independent Trustees Limited as vendor and the Caveator Fulton Hogan Land Development Limited as purchaser.</p> <p>This forbids the registration of any instrument, or the recording of any matter in the register that transfers, charges, or prejudicially affects the estate or interest protected by this caveat until this caveat is withdrawn by the Caveator, removed by order of the High Court, or until the same has lapsed under the provisions of section 143 of the Land Transfer Act 2017.</p> <p>This will not affect development given the Caveator is Fulton Hogan Land Development Limited who intend to purchase and develop the land in future.</p>

				<p>12754529.4 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 22.1.2025 at 10:10 am</p>	<p>This consent notice registered Condition 3 on the subject lot which comprises the following:</p> <p><b>No buildings while Future Urban Zone</b></p> <ul style="list-style-type: none"> <li>No buildings/dwellings shall be built on Lot 1 until such time as it is rezoned from Future Urban Zone to a residential, business, special purpose or equivalent urban zone in the District Plan. Where only part of the lot 1 is rezoned in this manner, then this restriction will continue to apply only to the balance Future Urban zoned area.</li> </ul> <p><b>Provision for power and phone</b></p> <ul style="list-style-type: none"> <li>Future owners of Lot 1 are advised that a physical telecommunication and power connection has not been provided to Lot 1 and if such services are required, the full cost of providing and maintaining these services will be met by the owners. This cost may include the installation of equipment to the utility providers and Council requirements and any growth or other applicable charges.</li> </ul> <p>It is noted that the applicant will apply to remove this consent notice in future.</p>
				<p>Land Covenant in Easement Instrument 11320139.2 - 17.12.2018 at 4:03 pm</p>	<p>This land covenant restricts development within Area H on DP 466276 which does not relate to the subject lot area and therefore does not restrict development on Lot 1 DP 589819.</p>

				Subject to Section 5 Coal Mines Act 1979 (affects part formerly Allotment 700 Parish of Waiwera contained in RT 851382)	This land has specific restrictions related to coal mining. This act has been superseded by newer legislation, but the historical restrictions are noted. This does not affect the application given coal mining is not proposed.
				Subject to Section 8 Mining Act 1971 (affects part formerly Allotment 700 Parish of Waiwera contained in RT 851382)	There were specific restrictions under this act concerning the mining of minerals on this land specifically that the ownership of most minerals on or under the land is reserved for the Crown along with the right to grant mining access. This act has since been replaced by the Crown Minerals Act 1991, which continues to govern mining activities in New Zealand. This does not affect the application given mining is not proposed.
3	9 Cemetery Road Wainui 0992 <i>Lot 3 Deposited Plan 130515</i>	Whitebait Trader Limited <i>Subsidiary of FHLD – see discussion that follows.</i>	6.5350 ha	N/A.	N/A.
4	597 Wainui Road, Wainui, Auckland <i>Lot 2 Deposited Plan 130515</i>	Fulton Hogan Land Development Limited	7.0250 ha	N/A.	N/A.
5	555 and 569 Wainui Road, Wainui, Auckland <i>Lot 1 Deposited Plan 130515 and Allotment 549 Parish of Waiwera</i>	Fulton Hogan Land Development Limited	2.2800 ha	Subject to Section 59 Land Act 1948	This act was repealed by the Mining Act 1971 which has since been replaced by the Crown Minerals Act 1991. It previously reserved minerals to the Crown, however, no longer has legal effect. This does not affect the application given mining is not proposed.

6	<i>Lot 6 Deposited Plan 198205</i>	Fulton Hogan Land Development Limited	4.3640 ha	N/A.	N/A.
7	<i>Lot 7 and Lot 14 Deposited Plan 198205</i>	Fulton Hogan Land Development Limited	11.5205 ha	Subject to Section 241(2) Resource Management Act 1991	This section of the act prohibits individual disposal (transferring of ownership) of one parcel without the other (referring to Lot 7 and Lot 14 which are held together by this Record of Title) except with the approval of the territorial authority. This does not affect the application given disposal of land is not proposed.
8	602 Wainui Road, Wainui, Auckland <i>Lot 5 Deposited Plan 198205</i>	Fulton Hogan Land Development Limited	9.8550 ha	N/A.	N/A.
9	<i>Lot 8 Deposited Plan 198205</i>	Fulton Hogan Land Development Limited	12.3920 ha	N/A.	N/A.
10	522 Wainui Road, Wainui, Auckland <i>Lot 9 Deposited Plan 198205</i>	Fulton Hogan Land Development Limited	11.2850 ha	N/A.	N/A.
11	500 Wainui Road, Wainui, Auckland <i>Lot 10 Deposited Plan 198205</i>	Fulton Hogan Land Development Limited	12.2650 ha	N/A.	N/A.
12	480 Wainui Road, Wainui, Auckland <i>Lot 11 Deposited Plan 198205</i>	Fulton Hogan Land Development Limited	5.8935 ha	N/A.	N/A.
13	<i>Lot 12 Deposited Plan 198205</i>	Fulton Hogan Land Development Limited	10.1050 ha	N/A.	N/A.
14	231 Upper Orewa Road Upper Orewa	Fulton Hogan Land Development Limited	56.9203 ha	Appurtenant hereto is a right of way created by Transfer 597601	Refers to a right of way where the servient and dominant tenement are both Fulton Hogan Land Development Limited. Surrender clause applies if alternative

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	<i>Part Allotment 74 and Part Allotment 182 Parish of Waiwera</i>					access is provided. This will be accounted for within the detailed design.
15	<i>Allotment 210 and Allotment 216 Parish of Waiwera</i>	Fulton Hogan Land Development Limited	24.2811 ha	N/A.		N/A.
16	<i>Allotment 549 Parish of Waiwera</i>	Fulton Hogan Land Development Limited	4.2720 ha	Subject to Section 59 Land Act 1948		This act was repealed by the Mining Act 1971 which has since been replaced by the Crown Minerals Act 1991. It previously reserved minerals to the Crown, however, no longer has legal effect. This does not affect the application given mining is not proposed.
17	173 Upper Orewa Road, Wainui, Auckland <i>Part Allotment 74 Parish of Waiwera</i>	Fulton Hogan Land Development Limited	28.5857 ha	Appurtenant hereto is a right of way created by Transfer 597601		Refers to a right of way where the servient and dominant tenement are both Fulton Hogan Land Development Limited. Surrender clause applies if alternative access is provided. This will be accounted for within the detailed design.