



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R.W. Muir
Registrar-General
of Land

Identifier **SA60C/336**
Land Registration District **South Auckland**
Date Issued 19 March 1999

Prior References
SA66B/210

Estate Fee Simple
Area 73.1670 hectares more or less
Legal Description Lot 1 Deposited Plan South Auckland
84715 and Lot 4 Deposited Plan South
Auckland 59241

Registered Owners
Chinamans Hill Limited

Interests

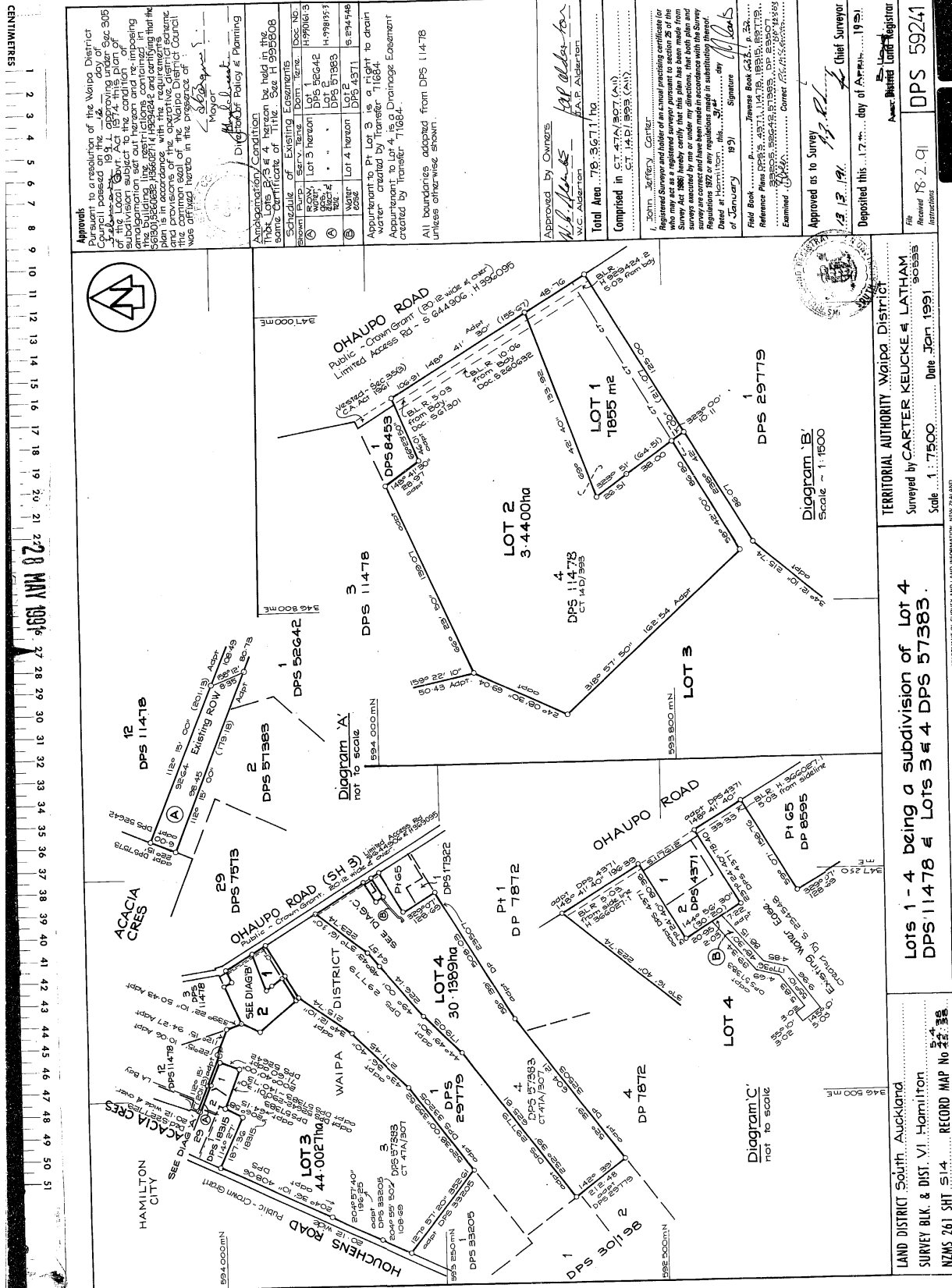
H366027.1 Building Line Restriction
H929424.2 Building Line Restriction
Subject to Section 308 (4) and (5) Local Government Act 1974
Appurtenant hereto are drainage rights created by Transfer 71684 (affects part Lot 1 DPS 84715 and Lot 4 DPS 59241)
S61301 Building Line Restriction
Subject to a water right over part created by Transfer S234548 - 11.6.1962 at 11.52 am (affects part Lot 4 DPS 59241)
S260632 Building Line Restriction
S644906 Gazette Notice declaring State Highway 3 fronting Lot 4 DPS 59241 to be a limited access road - 11.2.1974 at 10.28 am
H396095 Gazette Notice declaring State Highway 3 fronting Lot 4 DPS 59241 to be a limited access road - 19.3.1982 at 9.22 am
B015226.1 Building Line Restriction
Subject to a right to convey water over part marked B on DPS 76077 specified in Easement Certificate B533447.3 - 19.3.1999 at 2.42 pm
Appurtenant hereto is a right to convey water specified in Easement Certificate B533447.3 - 19.3.1999 at 2.42 pm
B549835.1 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 16.6.1999 at 9.31 am
6067284.1 Compensation Certificate pursuant to Section 19 Public Works Act 1981 by Her Majesty the Queen - 6.7.2004 at 9:00 am
Subject to a right of way, right to convey water, transmit electricity and telecommunications over part Lot 1 DPS 84715 marked A on DPS 76077 created by Easement Instrument 9967798.1 - 3.3.2015 at 9:04 am
Some of the easements created by Easement Instrument 9967798.1 are subject to Section 243 (a) Resource Management Act 1991
Land Covenant in Covenant Instrument 12463631.4 - 1.7.2022 at 4:56 pm

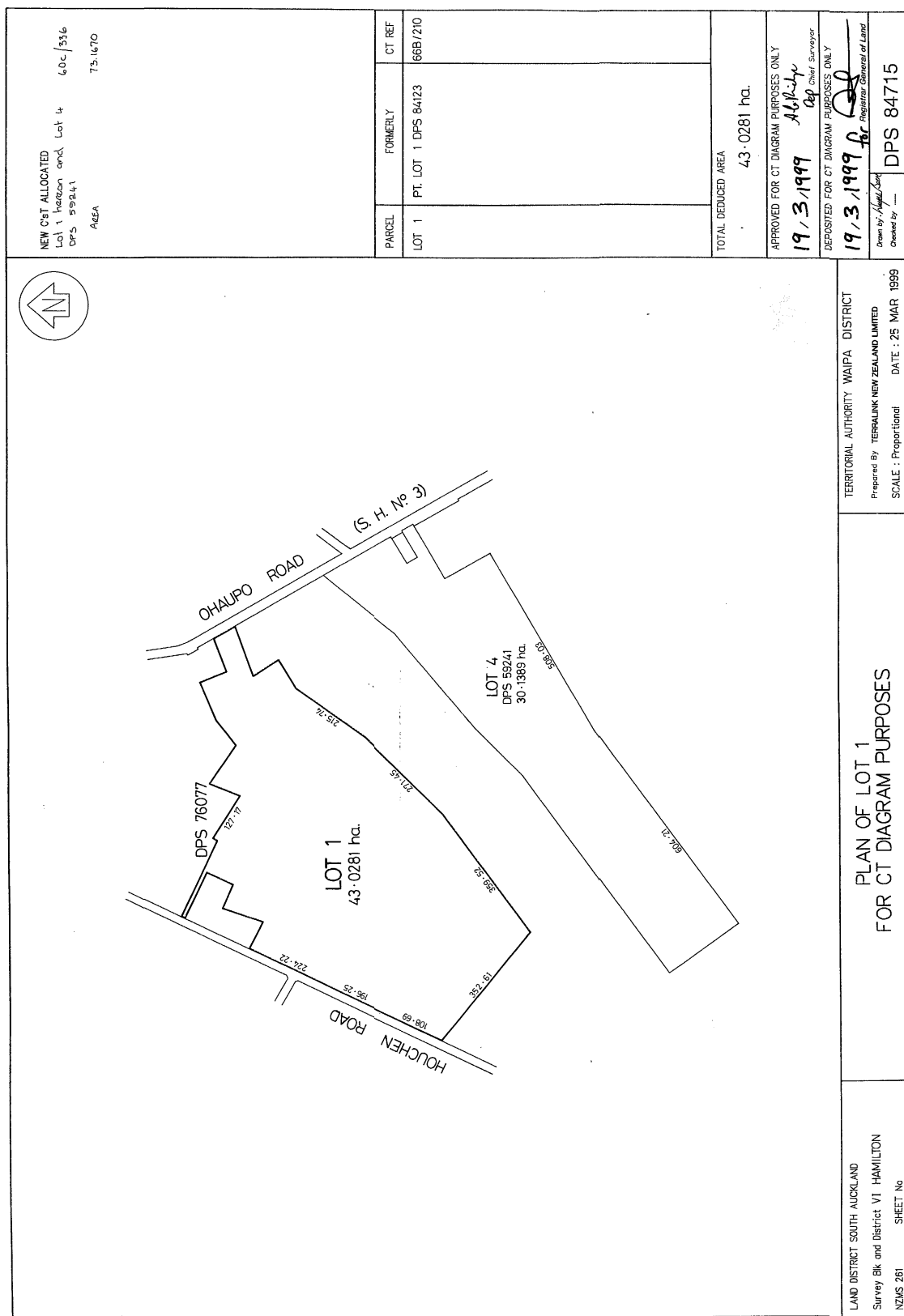
12463631.5 Variation of the conditions of the easement specified in/created by Easement Certificate B533447.3 - 1.7.2022 at 4:56 pm

12463631.6 Variation of the conditions of the easement specified in/created by Easement Instrument 9967798.1 - 1.7.2022 at 4:56 pm

Subject to a right to convey gas, electricity, telecommunications and to drain sewage over Part Lot 1 DPS 84715 marked A on DPS 76077 created by Easement Instrument 12463631.7 - 1.7.2022 at 4:56 pm

12463631.10 Mortgage to ANZ Bank New Zealand Limited - 1.7.2022 at 4:56 pm







RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
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Search Copy




R.W. Muir
Registrar-General
of Land

Identifier **SA27B/739**
Land Registration District **South Auckland**
Date Issued 18 September 1981

Prior References
SA11D/1324

Estate Fee Simple
Area 29.3250 hectares more or less
Legal Description Lot 1 Deposited Plan South Auckland
29779

Registered Owners
Chinamans Hill Limited

Interests

H366027.1 Building Line Restriction

Appurtenant hereto is a drainage right created by Transfer 71684

H396095 Gazette Notice declaring State Highway No 3 fronting the within land to be a limited access road - 19.3.1982 at 9.22 am

12463631.10 Mortgage to ANZ Bank New Zealand Limited - 1.7.2022 at 4:56 pm





RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R.W. Muir
Registrar-General
of Land

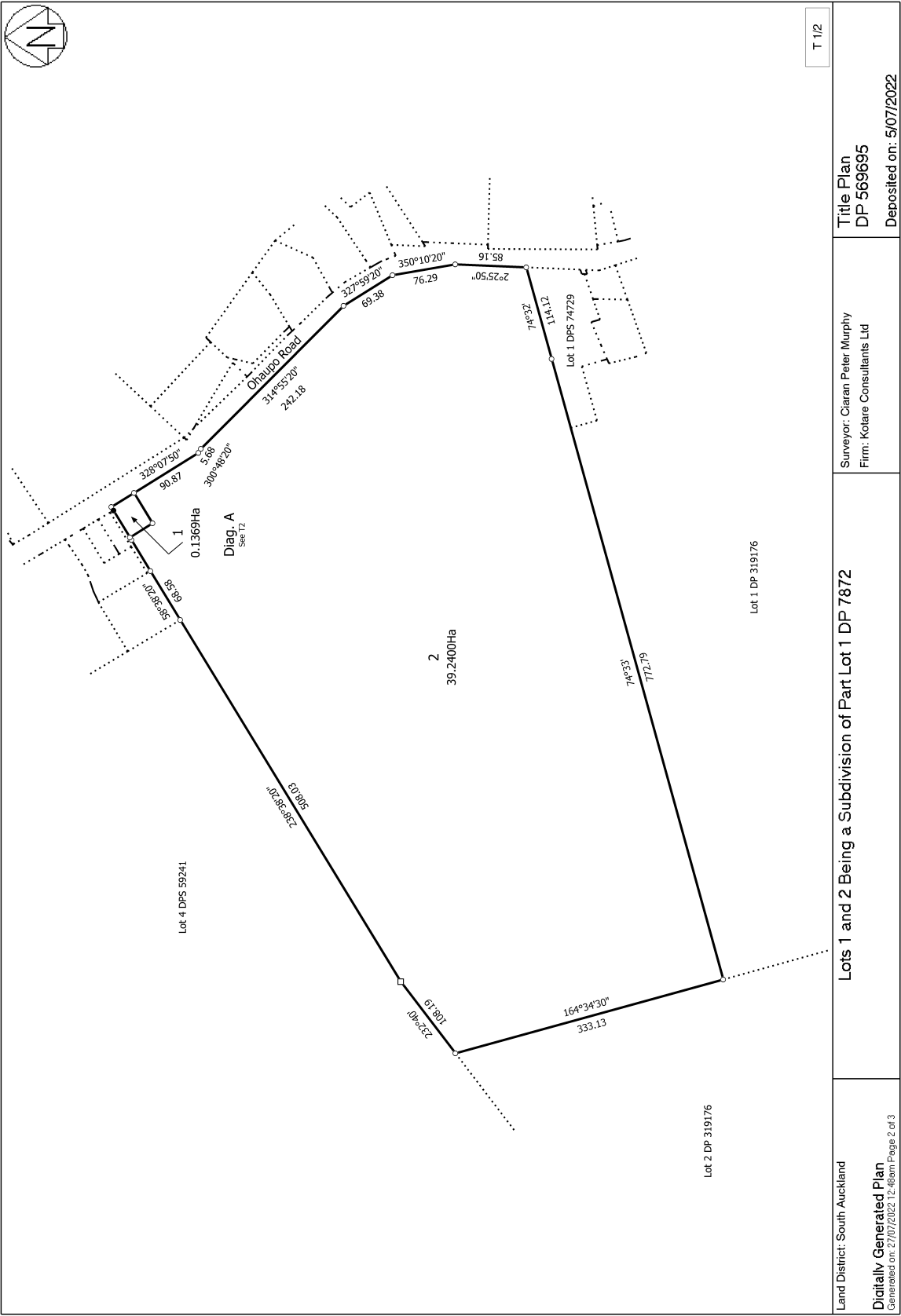
Identifier **1027747**
Land Registration District **South Auckland**
Date Issued 05 July 2022

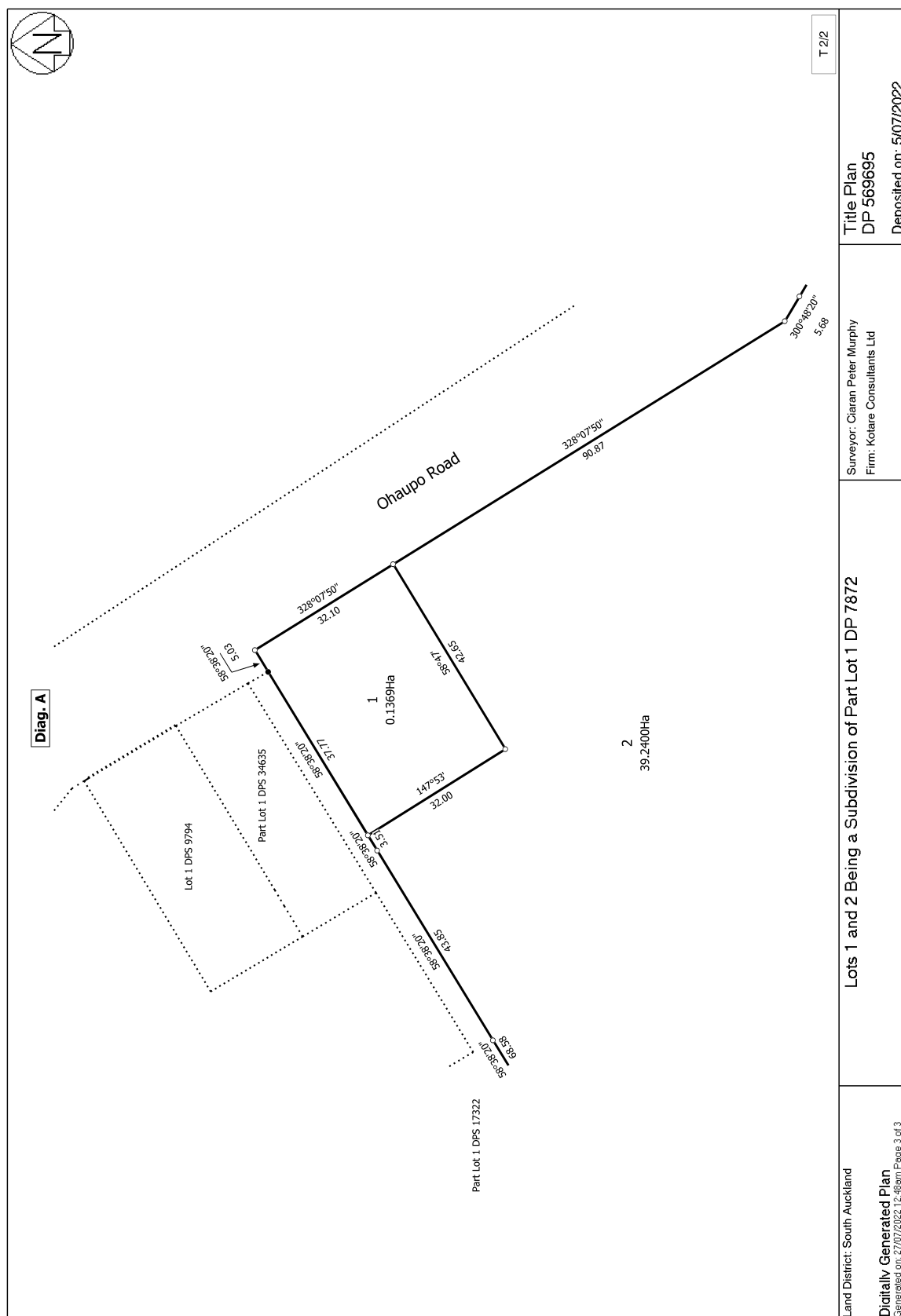
Prior References
SA439/184

Estate Fee Simple
Area 39.2400 hectares more or less
Legal Description Lot 2 Deposited Plan 569695
Registered Owners
Ohaupo Land Limited Partnership

Interests

S644906 Gazette Notice declaring the adjoining State Highway No. 3 Hamilton to Woodville via New Plymouth to be a limited access road - 11.2.1974 at 10:28 am
12223663.2 Mortgage to Bank of New Zealand - 20.8.2021 at 3:30 pm
12326823.1 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 5.7.2022 at 8:03 am
Land Covenant in Covenant Instrument 12326823.3 - 5.7.2022 at 8:03 am
Land Covenant (in gross) in favour of Ohaupo Land Limited Partnership created by Covenant Instrument 12326823.3 - 5.7.2022 at 8:03 am





B015226.1 BLR

That pursuant to the provisions of Section 279 of the Local Government Act 1974, the Waipa District Council approves the subdivision of W C & JAP Alderton, Lots 3 & 4 DPS 57383 and Lot 4 DPS 11478 shown on the scheme plan of subdivision SP1292 subject to the following condition:

That pursuant to the provisions of Section 327(8) of the Local Government Act 1974, Council reimposes the Building Line Restrictions contained in S61301, S260632, H366027.1 and H929424..2.

This is to certify that the above is an authenticated copy of a resolution passed by the Council's Management Committee at its meeting on 9 January 1991.

Jim B Mylchreest...

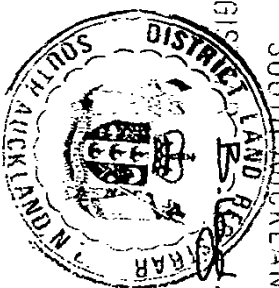
Jim B Mylchreest
DIRECTOR PLANNING & POLICY

15 April 1991



2.15.17.APR91 B 015226.1

PARTICULARS ENTERED IN REGISTER
LAND REGISTRY SOUTH AUCKLAND
ASST. LAND REGISTRAR



561301
BLR

W.A.J.

File 5/2939

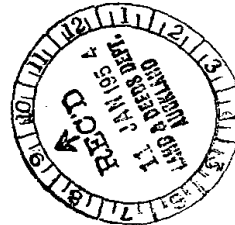
Chief Surveyor's Office,
Box 2206, AUCKLAND. Cl.

1.NL
8773

7.1.54.

MEMORANDUM for:

The District Land Registrar,
Box 2207,
AUCKLAND. Cl.



Scheme Plan No. 2939

Town of Hamilton Det. N° 307

Owner L.M. & E.G. Boucher

Attached is a copy of the above-mentioned scheme plan for your record; also a copy of a Notice imposing a Building Line Restriction in pursuance of Section 5 of the Land Subdivision in Counties Act, 1946, for registration in compliance with Section 5 (4) of that Act.

Kindly inform me when registration has been completed.

*This scheme plan cancels lots 9-22
in prior scheme plan 906 Town of
Hamilton Det. N° 32.*

T.S. Pce.
T.S. Pce,
CHIEF SURVEYOR.

ENCLOS.

Copy of Scheme Plan. 2939
Copy of notice. N° 459

CONDITIONS OF BUILDING LINE.

SECTION 5 LAND SUBDIVISION IN COUNTIES
ACT, 1946.

PURSUANT to the provisions of Section 5 (4)
of the Land Subdivision in Counties Act, 1946, I,
CHARLES ARNOLD LAWN, Assistant Chief Surveyor,
South Auckland Land District, HEREBY GIVE
NOTICE that Lot 20, more particularly
delineated in the Scheme Plan of the Town of
Hamilton Extension No. 309 being a subdivision
of Part Land on D.P. 7975, being Allotments 62
& 63 and parts Allotments 61 & 64, Te Rapa Parish,
comprised in Certificate of Title Volume 305
folio 293, Auckland Land Registry, is subject
to a condition that no buildings or hoardings
shall be erected on the said Lot within 25 links
of the Hamilton-Te Kuiti State Highway No.8,
as shown in the aforementioned scheme plan.

GIVEN under my hand this 7th
day of January, 1954.

Signed : C.A.Lawn,
ASSISTANT CHIEF SURVEYOR.

SOUTH AUCKLAND LAND DISTRICT.

I, CHARLES ARNOLD LAWN, Hereby Certify that
this is a copy of a Notice issued in accordance
with the Land Subdivision in Counties Act, 1946.

C.A.Lawn
ASSISTANT CHIEF SURVEYOR.

LAND DISTRICT.

Occupation License issued on the Purchase on Deferred Payments of any Land under Sections 2 and 3 of the Land Laws Amendment Act, 1926.

This Deed, made the
one part, and

and assigns, is hereinafter referred to as "the licensee"), of the other part:

day of , 19 , between His Majesty the King, of the
(who, with his executors, administrators,

Whereas the allotment of land described in the Schedule hereto was acquired by the licensee

on the day of , 19 , in pursuance and
exercise of the provisions of sections 2 and 3 of the Land Laws Amendment Act, 1926 :

And whereas the price of the land is

And whereas the licensee has, in pursuance of the said enactment, paid a deposit of
£ , being per centum of the said price :

Now this deed witnesseth that His Majesty the King, in consideration of the premises and
of the covenants hereinafter expressed on the part of the licensee, and in pursuance of the
provisions of the hereinbefore-mentioned enactments and the regulations made in respect thereof,
doth hereby grant to the licensee an exclusive license to occupy all that piece of land, containing
by admeasurement acres roads

perches, be the same a little more or less, situated in the Land District of
and being Section numbered , Block ,

; as the same is delineated on the plan drawn hereon
and thereon coloured red in outline; ~~To hold~~ the same unto the licensee, under and subject to
the covenants and conditions hereinafter expressed, for the term of thirty-four and one-half years
from the day of , 19 , or until the said land is
sooner granted in fee-simple to the licensee. And the licensee doth hereby covenant with His
Majesty the King in manner following :—

1. The licensee will pay to His Majesty the balance of the aforesaid price of the said land,
together with interest thereon at the rate of five and one-half per centum per annum from the
first day of , 19 , by sixty-nine instalments each of £
payable on the thirtieth day of June and the thirty-first day of December in each year during the
term aforesaid.

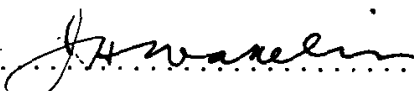
The first such instalment of purchase-money and interest, and also the interest on the
balance of purchase-money from the day of
19 , to the day of , 19 , shall be payable
on the day of , 19 :

Re LTS 52642

Scheme Plan No. 1657. W.C. & J.A.P. Alderton, Acacia Crescent, Rukuhia Riding.

That the approval of Scheme Plan No. 1657 granted to W.C. and J.A.P. Alderton on 23.1.89 (M.B. 4) and as subsequently amended on 17.4.89 (M.B. 333) be further amended by the reimposition of the building Line restriction S. 61301 in respect of the access strip from S.H. 3 to the new Lot 2 and that the Survey Plan approval granted 17.4.89 (M.B. 150.) be confirmed in the light of those subsequent amendments.

I HEREBY CERTIFY that the above is a true and correct extract from Minutes of a meeting of the Waipa County Council held on the 18th September, 1989.


.....
COUNTY CLERK.

WAIPA COUNTY COUNCIL.

accept

DUP

AL LHM
EDUCATION
IT

JB LT
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LT
LT
LT

APR 1990

160/dw/r S. 61301
10.25 31.JAN90 H-929484 2

PARTICULARS ENTERED IN REGISTER
LAND REGISTRY SOUTH ISLAND

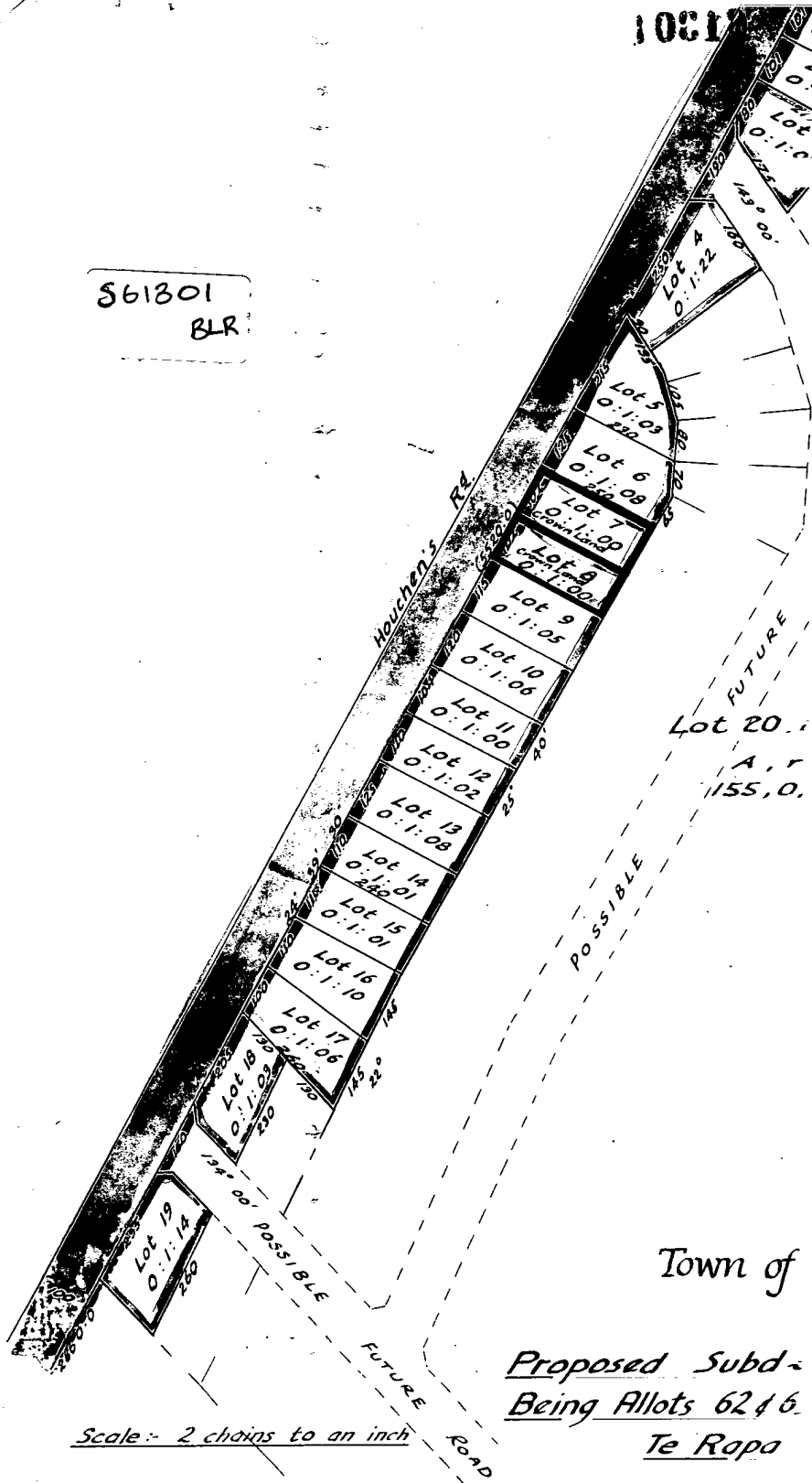


16C/1468

(2) BLR
40.

10017

S61301
BLR



Town of

Proposed Subd:-
Being Allots 62 & 6
Te Rapa

C.T. 305/293

<u>Areas.</u>		A, R, P
Lots 1-6, 9, 19, Residential.		4, 3, 18
Lots 7 & 8, Crown Land.		0, 2, 00
<u>Total</u>		<u>5, 1, 18</u>

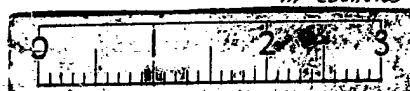
South Auckland L.D.

Waip

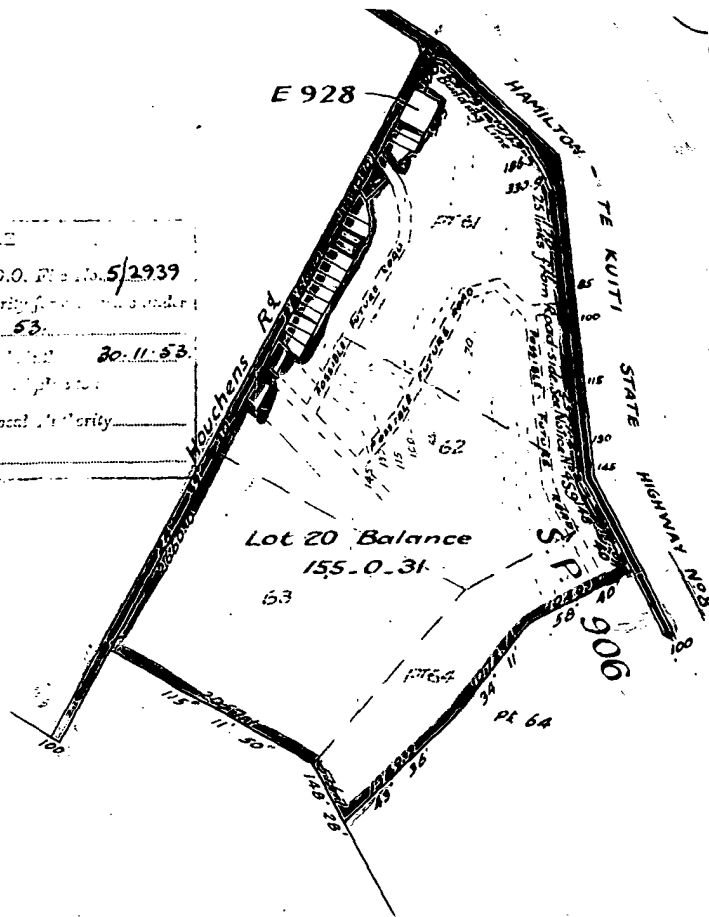
Thomson & Forrer, Regd.

I, Walter Norman Vautier,
that this Scheme Plan
accordance with the
in Counties Act, 1946

Rec. Sht. 6
J.M.S. 7.10.53



Date of receipt of plan **6.10.53** D.O. File No. **5/2939**
 Date of copy submitted to Local Authority from _____
 Date of receipt of plan from Local Authority No. **53**
 Date of receipt of copy of plan from _____ **20.11.53**
 Date of submission of copy of plan to _____
 Signature of _____ Local Authority _____
 Signature of _____



CHARLES ARNOLD LAWN

I, CHARLES ARNOLD LAWN hereby
 certify that this is a copy of
 a letter as recorded in record-
 book No. 100 of the
 National Archives and Records Act,
 1945.

ASST. CHIEF SURVEYOR

Approved

L. M. Hachen.

Edw. G. Houchens
Owners.

Recommended for Approval

Chief Surveyor

Recommended for Approval

Surveyor General

Approved

Minister of Lands.

of Pt Land on D.P. 7975
& Pt Allots 61 & 64
Parish

L.M. & E.G. Houchen

Hamilton S.D. Blk. VI

County_____

rejoins September 1953

Registered Surveyor, hereby declare
to have been prepared by me in . . .
of the Land Subdivision . . .

W. N. Carter

Registered Surveyor.

1930

61301

PARTICULARS ENTERED IN THE REGISTER-BOOK
VOL. 305 FOLIO 293

THE 12th DAY OF January, 1953
AT 10 O'CLOCK.

E. W. Arthur
DEPUTY LAND REGISTRAR
DUNEDIN

To L. T. S. 18.1.54
From L. T. S.



Advise *the above*
Advised 9.3.1954.

Recorded on DP 7975^M

B. Lloyd
ALR

H.9294242 Resolution by the Waipā
County Council Revoking the within
Building Line Restriction and imposing
a Building Line Restriction against
part lot 2 DPS 52642 5.029 metres
from the Sideline of State Highway
No. 3 - 31.1.1990 at 10.25 a.m.

B. Lloyd
ALR

B.015226.1 Resolution by the
Waipā District Council
re-imposing the within
Building Line Restriction
- 17.4.1991 at 2.15 p.m.

B. Lloyd
ALR



S260632 BLR
INL 8723

HAMILTON.

23

July

63

Messrs Swarbrick & Dixon,
Solicitors,
P. O. Box 10,
HAMILTON

B.L.R. S.260632. 2.7.1963.

WINDY COUNTRY COUNCIL.

The diagram is required showing the exact area affected by the Building Line Restriction as it does not affect all the land in the C.T., Section 34 is for some reason excluded. The diagram is also required to confirm whether the restriction of sixty-six feet from the centre line is correct.

31-624.

(W. E. Greig)

Per: *[Signature]*

Mr Dixon working on this 24.7.63.

WAIPA COUNTY COUNCIL

REFERENCE

County Office,

P.O. Box 12,

To Awamutu, N.Z.

SCHEME PLAN NO. 46, E.G. HOUGHEN:

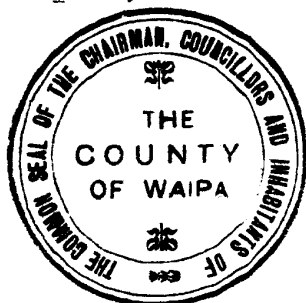
Pursuant to Section 22 of the Counties Amendment Act, 1961 the Waipa County Council hereby approves the Scheme Plan No. 46 of a proposed subdivision of part Allotment 62 Te Rapa Parish C.T. 1B/659 submitted by W.N. Vautier, Registered Surveyor on behalf of E.G. Houchen subject to the following conditions.

1. Payment in cash of £70/-/- reserve requirement.
2. Dedication of 25 link strip for highway widening (Lot 2 of 5.7 perches.)
3. That no buildings or hoardings are erected, or rebuilt or re-erected on Lots 1 and 3 within 66 feet of the middle line of Hamilton-Te Kuiti State Highway No. 3.

and authorises the County Clerk to authenticate this resolution by signing a Memorandum endorsed on the said scheme plan.
(Cr. Thomas - Cr. Cunningham.)

CARRIED.

WE HEREBY CERTIFY that the above is a true and correct copy of a Resolution passed by the Waipa County Council on 22nd April, 1963.



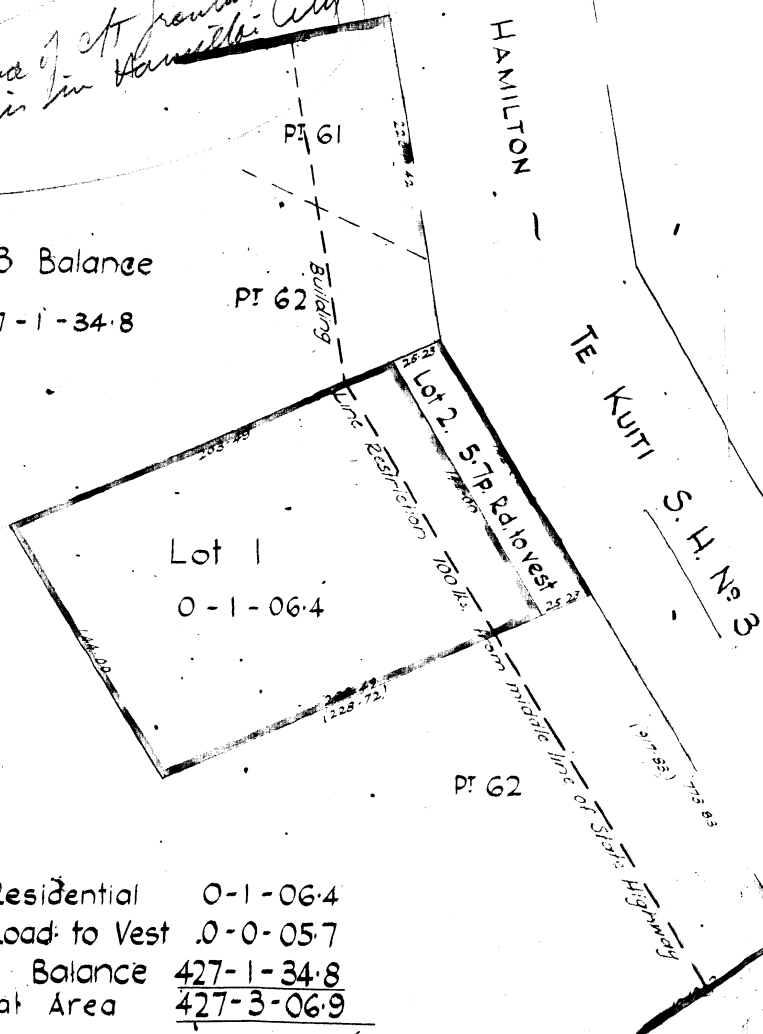
R. A. Hutchinson
.....COUNTY CHAIRMAN.

J. H. Hurland
.....COUNTY CLERK.

S260632 BLR

*Balance of Pt 62
S.H. in Hamilton City*

Lot 3 Balance
427-1-34.8



Lot 1	Residential	0-1-06.4
Lot 2	Road to Vest	0-0-05.7
Lot 3	Balance	427-1-34.8
Total Area		427-3-06.9

PROPOSED SUBDN. OF PT LAND ON D.P. 7975
BEING PT ALLOT. 62-TE RAPA PARISH
C.T. 1B/659 ~ E.G. HOUGHEN
Block VI Hamilton S.D. Waipa County
South Auckland Land District
Scale 50 links to an inch.

WAIPA COUNTY COUNCIL
Michael County Clerk
SCHEME PLAN 46.

*26/10/1963. Approved by the Waipa County Council
 subject to a condition that the road be 16 feet from
 the middle line of the Te Kuiti-Hamilton State
 Highway No. 3.
 2/ Red Book 25/10/63*

J.M. 18851525158771

TELEPHONE 12
TE AWAMUTU

REFERENCE

WAIPA COUNTY COUNCIL

*County Office
 P.O. Box 12
 Te Awamutu, N.Z.*

SURVEY PLAN S.P. 46, E.G. HOUGHEN:

Pursuant to Section 34 of the Counties Amendment Act 1961 the Waipa County Council approves the survey plan of a subdivision of Part Allotment 62 Te Rapa Parish Block VI Hamilton Survey District C.T. 1B/659 being the Survey Plan of a subdivision of which a Scheme Plan has been approved by Council as No. 46 and which is now before the Council subject to the following conditions.

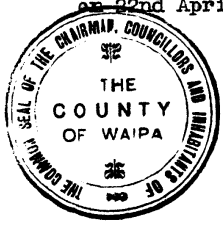
*See later
 resolution
 4.*

1. Payment in cash of £70,0.0. reserve requirement.
2. Dedication of Lot 2, 0 acres 0 roods 5.7 perches as a road.
3. That no buildings or hoardings are erected, or rebuilt, or re-erected on Lot 1 or on part Lots 61 and 62 Block VI Hamilton Survey District within 66 feet of the middle line of Hamilton - Te Kuiti State Highway No. 3.

and authorises the Common Seal of the Chairman, Councillors and Inhabitants of the County of Waipa to be affixed to the said Survey Plan. (Chairman - Cr. Mandeno.)

CARRIED.

WE HEREBY CERTIFY that the above is a true and correct copy of a Resolution passed by the Waipa County Council on 22nd April, 1963.



R.O. McIntosh
County Chairman.

Mr. Sherrard
County Clerk.

ORDER FOR NEW CERTIFICATE OF TITLE

No.

260632

B015226-1 Resolution by the Waipara District Council re-imposing the within Building Line Restriction - 17.4.1961 at 2.500c

B. 128.
AER.

Particulars entered on Register
18/659 The 29th day
of August 1963 at 2.500c.



*Deputy
Assistant Land
Registrar.*

*Traded
at 2.500c*

*Ref -
to diagram is required
showing the exact area affected as
this does not affect all land
C1, Section 14 of 1962 is also
included. The diagram is also
referred to in the certificate
in the certificate.*

LAND & DEEDS	
Vol. 101	Page 1
Date - 2 JUL 1963	
Time	
Folio	
Abstract No.	

Returned from Draughtsman, / 19

Referred to Draughtsman, / 19

Vol. Folio

REFERENCE

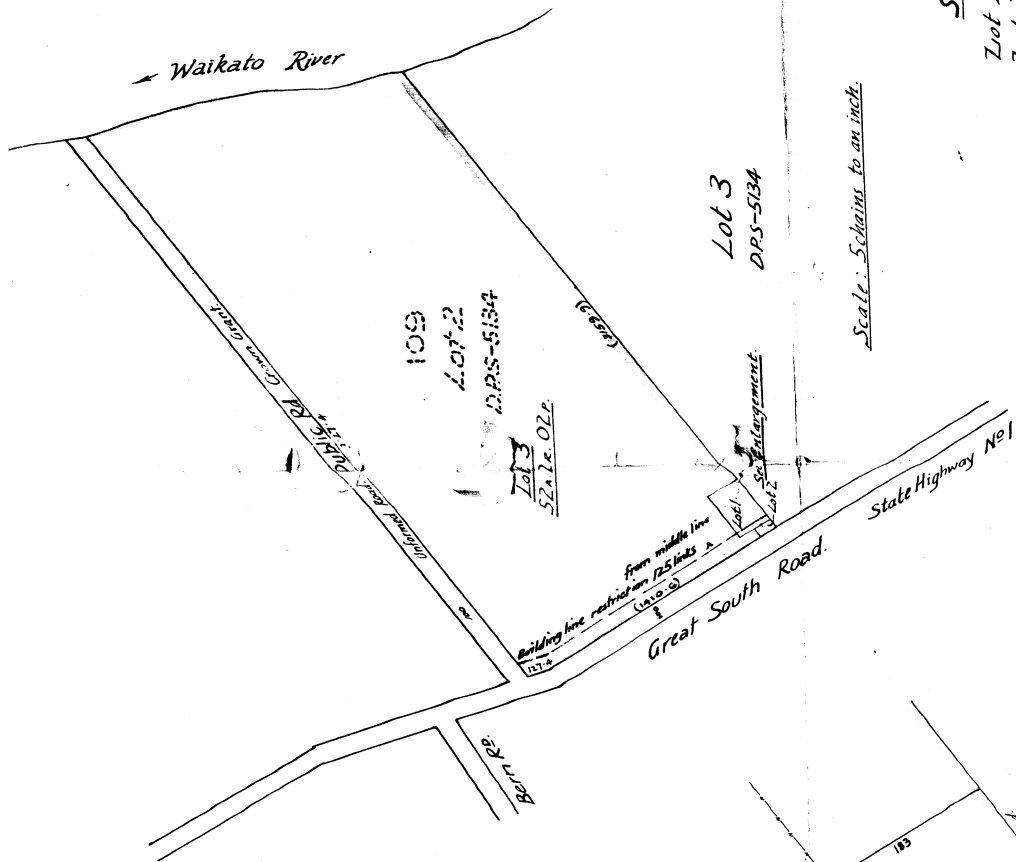
ORDER FOR NEW CERTIFICATE
OF TITLE

No.



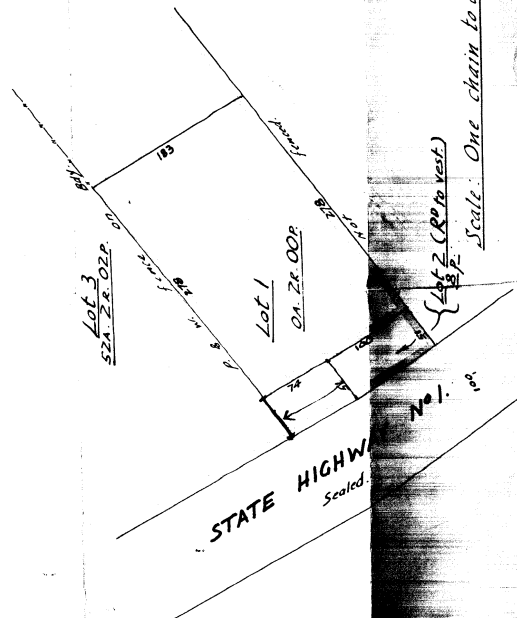
S258205 BLR

STH AUCKLAND L.D.
BLK. XII NEWCASTLE S.D.
WAIPA COUNTY



Schedule of Areas.

Lot 1.	Residential.	2c	00p
Lot 3	Balance	52a	2c 02p
Lot 2.	(Re to vest.)		8p
Total Area:		53a 0c 10p	



Approved: Registered Owner.

E. J. Rogers

Approved Waipa County Council.

PROPOSED SUBD. OF PT LOT 2 D.P.S-5134, BEING PT ALLOT 109, HOROTIU PARISH.

Comprised in C.T. 1426/21.

Prepared for: E. J. Rogers.

By: R. B. Hollinger.

September 1962.

I, Reginald Brian Hollinger, Registered Surveyor, hereby certify that this Scheme plan has been prepared by me in accordance with the provisions of Part II of the Counties Amendment Act 1961, and the First Schedule to that Act.

R. B. Hollinger Registered Surveyor.

11/9/62

MIR. HOUSTON. R. B.

TELEPHONE 12
TE AWAMUTU

103
WAIPA COUNTY COUNCIL

REFERENCE

County Office.

P.O. Box 12.

To Awamutu, N.Z.

26th April, 1962.

COPY OF RESOLUTION PASSED BY THE
WAIPA COUNTY COUNCIL ON 17TH
DECEMBER, 1963.

SURVEY PLAN E.J. ROGERS - S.P. NO. 15.

Pursuant to Section 34 of the Counties Amendment Act, 1961 the Council approves the survey plan of a subdivision of part Lot 2 D.P.S. 5134 being part Allotment 109 Horotiu Parish C.T. 1426/27 being the survey plan of a subdivision of which a scheme plan has been approved by Council as No. 15 and which is now before the Council subject to the following conditions.

1. Payment of £25. reserve requirement.
2. Building Line Restrictions in accordance with Section 31 of the above Act as follows:-

Lot 1, 125 links from Centre line of Great South Road S.H. No. 1.

Lot 3, 125 links from centre line of Great South Road S.H. No. 1.

3. The Dedication of a 50 link strip for road widening over the whole frontage of Lot 1.

and authorises the Common Seal of the Chairman, Councillors and Inhabitants of the County of Waipa to be affixed to the said survey plan (Cr. Reid - Cr. Knight.)

Carried.

WAIPA COUNTY COUNCIL

Diagram of Lot 3 required showing what land is affected

County Clerk

S 258205

S 11080
S 229
S 5734

SPECIAL RESOLUTION
PARTICULARS ENTERED IN THE REGISTER-BOOK
VOL. 1426 FOLIO 27 Nov. 90/119
THE 31st DAY OF May, 1963
AT 3:52 O'CLOCK.



Assistant Land Registrar,
SOUTH AUCKLAND

LAND & DEEDS	
Nature:	Special Resolution
Firm:	A.A. Havelle
31 MAY 1963	
Time:	3:52
File: &	N=16
Abstract No.	1473



H366027.1BLR

WAIPA COUNTY COUNCIL

CERTIFIED COPY OF RESOLUTION

That pursuant to Section 279 of the Local Government Act, 1974 Council approve the Scheme Plan No. 946 of the proposed subdivision of Lot 1 D.P. 32503 and Pt. land D.P. 32507 being Pt. Allotments 64, 65 and 366 Te Rapa Parish Blk. VI Hamilton S.D. submitted by MacPherson & Goodwin registered surveyors on behalf of J.A. BARRY FARMS LIMITED subject to:

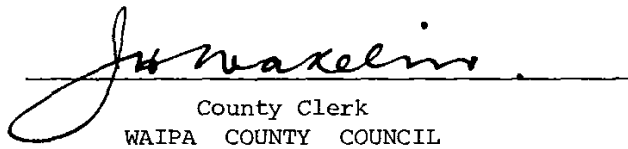
1. The existing farm gate C.P. 144 being relocated 120 metres from the northern boundary of Lot 1 and there be only one entrance to the lot. Earthworks will be required to be done on the Highway to construct the new entrance and close CP 144 and the Ministry of Works should be advised accordingly.
2. Entrances 146 and 147 to remain in their present location.
3. The building line restriction in S.110732 be reimposed.

and authorises the County Clerk to authenticate this resolution by signing a Memorandum endorsed on the said scheme plan.

(Cr. O'Regan - Chairman)

Carried

Certified pursuant to Section 252 of the Local Government Act 1974 that the above is a true and correct copy of a Resolution passed by the Waipa County Council on the 27th day of April 1981.


County Clerk
WAIPA COUNTY COUNCIL

H.981864.1 Resolution by the Waipa
District Council Re-imposing the
within Building Line Restriction
- 1.10.1990 at 2.48 o.c


ALR

B.015226.1 Resolution by the
Waipa District Council
re-imposing the within
Building Line Restriction
- 17.4.1991 at 2.150c

~~B.150c~~
ALR

H

3 6 6 0 2 7 . 1

17/1324

District Land Registry
Hamilton No.2

SEP 18 9 29 AM '81


ALR

① 12/1



View Instrument Details



Instrument No	12326823.1
Status	Registered
Date & Time Lodged	05 July 2022 08:03
Lodged By	MacLeod, Cassandra-Jane Ellison
Instrument Type	Consent Notice under s221(4)(a) Resource Management Act 1991



Toitū Te Whenua
Land Information
New Zealand

Affected Records of Title	Land District
SA439/184	South Auckland

Annexure Schedule Contains 2 Pages.

Signature

Signed by Tania Dale Jarden as Territorial Authority Representative on 04/07/2022 04:14 PM

***** End of Report *****

CONSENT NOTICE

IN THE MATTER AND	of the Land Transfer Act 2017
IN THE MATTER AND	of Section 221 of the Resource Management Act 1991
IN THE MATTER	of the Land in Record of Title SA439/184 (South Auckland Registry) and Plan No DP 569695

WHEREAS:

1. The **WAIPA DISTRICT COUNCIL** has pursuant to Sections 34A(1), 104, 104B, 104D and 108 of the Resource Management Act 1991 granted subdivision consent to **OHAUPO LAND LIMITED PARTNERSHIP** for the subdivision of Lot 1 DP 7872.
2. The subdivision to which consent has been given is shown on Plan No. DP 569695.
3. It was a condition of the said consent that pursuant to Section 108(2) of the Resource Management Act 1991 that:
 - (a) Subsequent development of Lot 2 DP 569695 (for which new record of title 1027747 has been allocated) (including change of use or soil disturbance activities) will require further assessment against the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ('NESC'S').

Reason: Lot 2 DP 569695 (for which new record of title 1027747 has been allocated) is considered a 'Piece of Land' under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ('NESC'S').
 - (b) Lot 2 DP 569695 (for which new record of title 1027747 has been allocated) shall not be subdivided further pursuant to Rule 15.4.2.39 – Subdivision of a surplus dwelling in the Rural Zone.

Reason: The above condition is required as the surplus dwelling subdivision entitlement under this provision has been utilised and no further entitlements remain in accordance with Rule 15.4.2.39.
 - (c) The registered owner of Lots 1 and 2 DP 569695 (for which new record of title 1027746 and 1027747 have been allocated) shall ensure that any new dwelling complies with Rule 15.4.2.23 of the Waipa District Plan (access to an adequate water supply for firefighting purposes, where water is not supplied by Council), or any rule enacted in variation or substitution of that rule.

- 2 -

Reason: *It is important that any prospective purchaser of Lots 1 and 2 DP 569695 (for which new record of title 1027746 and 1027747 have been allocated) are made aware of this requirement when undertaking building work on Lots 1 and 2 DP 569695 (for which new record of title 1027746 and 1027747 have been allocated). Rule 15.4.2.23 of the District Plan requires all lots to provide access to an adequate water supply for firefighting purposes where infrastructure services are not provided by Council.*

4. The said conditions are to be complied with pursuant to the provisions of Section 221 of the Resource Management Act 1991 on a continuing basis.

NOW PURSUANT TO Section 221 of the Resource Management Act 1991 the **WAIPA DISTRICT COUNCIL** **HEREBY CONSENTS** to the deposit of the Survey Plan of Subdivision under the Land Transfer Act 2017.

DATED at Cambridge this 8th day of April 2022

SIGNED by Waipa District Council



.....
Authorised Officer

Quentin Budd

.....
Name of Authorised Officer

56449069N

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Extract from *N.Z. Gazette*, 19 December 1973, No. 121, p. 2769

*National Roads Board—Notice Declaring State Highway to
be a Limited Access Road*

It is notified that the National Roads Board, by resolution dated 12 December 1973, and pursuant to section 4 of the Public Works Amendment Act 1963, hereby declares that part of No. 3 State Highway (Hamilton to Woodville via New Plymouth) from the southern boundary of Hamilton City to its junction with Ngahinapouri Road, Ohaupo, as more particularly shown on sheets 1 to 11 of plan M.O.W. 35749 and the accompanying schedule held in the office of the Resident Engineer, Ministry of Works, Hamilton, and there available for public inspection, to be a limited access road.

Dated at Wellington this 13th day of December 1973.

D. J. CHAPMAN, Secretary.

(P.W. 72/3/2B/5)

A. R. SEARER, Government Printer, Wellington, New Zealand.

SCHEDULE FOR LIMITED ACCESS ROAD DECLARATIONState Highway No. 3From Hamiltonto Ohaupo

RM.3.12-RM.10.42

Left hand side

GAZETTE INFORMATION				NOT FOR PUBLICATION	
Land in Sth Auck. Land District	Access particulars as at 31 May 1973			Registered Proprietor	Comments
	No.	Description	M.O.W. Ref.		
		Limited Access Road. Begins RM. 3.12			
	✓	Dixon Road			
Allot 406, Te Rapa Parish, Crown Land Proc.12008 10.2.47 Gaz. 1947/76 <i>AK</i>	2	Vehicular entrance Vehicular entrance	1 2	Department of Agriculture	
Lot 1 DP.S.6761 X C.T. 1770/33 <i>AK</i>	✓ 1	Farm entrance	3	Alex Shum	
Lot 1 DP.S.3544 X C.T. 1240/50 <i>AK</i>	1	Vehicular entrance	4	Brett Burney	
Lot 1 DP.S.7180 X C.T. 2011/53 <i>AK</i>	✓ 1	Farm entrance	5	Arthur Valentine	
Pt Allot 407 Te Rapa Parish C.T. 1A/44 <i>AK</i>	✓	No existing crossing Access practicable to side road		Harold Rupert Knudson	
Pt Allot 407 Te Rapa Parish X C.T. 1097/223 <i>AK</i>	✓	No existing crossing Access practicable to side road		Carl Hofstetter	
Allot 106A Te Rapa Parish X C.T. 537/327 <i>AK</i>	✓	No existing crossing Access practicable to side road		Murray Ernest Catley	
	✓	Halls Road			
Lot 1 DP.35991 X C.T. 927/36 <i>AK</i>	✓ 1	Vehicular entrance	6	Alexander and Mary Shum	
Pt Allot 101 Te Rapa Parish C.T. 11D/35 <i>AK</i>	✓ 3	Vehicular entrance Farm entrance Farm entrance	7 8 9	Sam Shing and Co. Ltd	
Lot 1 DP.S.10842 C.T. 10C/476 <i>AK</i>	✓ 1	No existing entrance Crossing place allocated	10	Jean Stuart Ltd	
Lot 2 DP.S.10842 C.T. 10C/477 <i>AK</i>	✓ 1	Vehicular entrance	11	Jean Stuart Ltd	

*As more particularly shown on Plan No. HR.1638, deposited in the office of the Minister of Works at Wellington.

SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

State Highway No. 3 From Hamilton to Ohaupo

RM.3.12 - RM.10.42 - Left hand side

GAZETTE INFORMATION				NOT FOR PUBLICATION	
Land in Sth Auck. Land District	Access particulars as at 31 May 1973			Registered Proprietor	Occupier
	No.	Description	M.O.W. Ref.		
Lot 3 DP.S.10842 C.T. 10C/478 <i>CR</i>	1	No existing entrance Crossing place allocated	12	Jean Stuart Ltd	
Lot 4 DP.S.10842 C.T. 10C/479 <i>CR</i>	1	Farm entrance	13	Jean Stuart Ltd	
Pt Allots 102 & 103 Te Rapa Parish X C.T. 559/59 <i>CR</i>	1	Vehicular entrance	14	Arthur Vaile and Faye Lorraine Reese	
Lot 1 DP.S.9212 C.T. 4A/188 <i>CR</i>	1	Vehicular entrance	15	Graham Chung	
Pt Allot 103 Te Rapa Parish X C.T. 559/62 <i>CR</i>	2	Vehicular entrance Vehicular entrance	16 17	Wilhelmina Ann Dresner	
Lot 1 DP.S.2265 X C.T. 1097/157 <i>CR</i>	1	Vehicular entrance	18	Francis Spencer & Frances Lillian Hughes	
Pt Lot 2 DP.S.2265 X C.T. 1201/230 <i>CR</i>	1	Vehicular entrance	19	Alan John and Elizabeth Fay Willoughby	
Pt Lot 2 DP.S.2265 X C.T. 1209/115 <i>CR</i>	1	Vehicular entrance	20	Ronald Winston Woolford	
Lot 5 DP.S.2265 C.T. 8A/418 <i>CR</i>	1	Farm entrance	21	Eoin Ward and Barbara Jean Barclay	
Pt Lot 3 DP.S.2265 CT. 8A/418 <i>CR</i>	1	Vehicular entrance	22	Eoin Ward and Barbara Jean Barclay	
Pt Lot 3 DP.S.2265 X C.T. 1232/99 <i>CR</i>	1	Vehicular entrance	23	John Henry Henderson	
Lot 7 DP.S.1006 X C.T. 1031/296 <i>CR</i>	3	Vehicular entrance Farm entrance Farm entrance	24 25 26	Malcolm and Patricia Johnsen	
Lot 8 DP.S.1006 X C.T. 1028/286 <i>CR</i>	1	No existing entrance Crossing place allocated	27	Sunfruit Orchards Ltd	
Pt land DP.14494 X C.T. 1097/293 <i>CR</i>	1	Farm entrance	28	Sunfruit Orchards Ltd	
Pt land DP.14494 X C.T. 1097/294 <i>CR</i>	2	Farm entrance Vehicular entrance	29 30	Darcy Edward Corbett	

*As more particularly shown on Plan No. HR.1638, deposited in
the office of the Minister of Works at Wellington.

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Sheet 3 of 16 sheets

SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

State Highway No. 3From Hamilton to Ohaupo

RM.3.12 - RM.10.42 - Left hand side

GAZETTE INFORMATION				NOT FOR PUBLICATION	
Land in Sth Auck. Land District	Access particulars as at 31 May 1973			Registered Proprietor	Occupier
	No.	Description	M.O.W. Ref.		
	✓	Raynes Road			
Lot 1 DP.S.5090 X C.T. 1431/77 <i>CR</i>	✓	No existing entrance Access practicable to side road		Alhol Norman Winger	
Pt Allot 143 ^{22A/126} Te Rapa Parish ¹²⁷ X C.T. (1431/76) <i>CR</i>	✓ 2	Vehicular entrance Vehicular entrance	31 32	Sunfruit Orchards Ltd	
Allot 458 ⁵³¹⁸⁶⁸⁸ Te Rapa Parish Reserve Gaz. 1965/909 Gaz. 1965/913 <i>CR</i>	2	Vehicular entrance Vehicular entrance	33 34	Ruakura Central Domain Board	
Lot 1 DP.S.10991 C.T. 8B/764 <i>CR</i>	✓ 1	Farm entrance	35	Charles Howard Black	
Lot 2 DP.S.10991 C.T. 8B/765 <i>CR</i>	✓ 1	Vehicular entrance	36	Charles Howard Black	
Lot 7 DP.S.10991 C.T. 8B/768 <i>CR</i>	✓ 1	No existing entrance Crossing place allocated	37	Charles Howard Black	
Lot 3 DP.S.10991 C.T. 8B/125 <i>CR</i>	✓ 1	Vehicular entrance	38	Charles Howard Black	
Lot 4 DP.S.10991 C.T. 8B/126 <i>CR</i>	✓ 2	Farm entrance Vehicular entrance	39 40	John Charlton & Nell Aubrey	
Lot 5 DP.S.10991 C.T. 8B/766 <i>CR</i>	✓ 2	Farm entrance Farm entrance	41 42	Charles Howard Black	
	✓	(Narrows Road) - Rukuhia - Tanahere Rd.			
Lot 1 DP.S.13667 C.T. 11D/901 <i>CR</i>	✓ 1	Farm entrance	43	N.Z. Insurance Co. Ltd	
Lot 10 DP.S.13667 C.T. 11D/910 <i>CR</i>	✓ 2	Farm entrance Vehicular entrance	44 45	N.Z. Insurance Co. Ltd	
Pt Allot 153 Te Rapa Parish X C.T. 32/243 <i>CR</i>	✓ 2	Vehicular entrance Farm entrance	46 47	Robert Bland	
Pt Allot 153 Te Rapa Parish X C.T. 32/43 <i>CR</i>	1	No existing entrance Crossing place allocated	48	Robert Bland	

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SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

State Highway No. 3 From Hamilton to Ohaupo
 RM.3.12 - RM.10.42 - Left hand side

GAZETTE INFORMATION				NOT FOR PUBLICATION	
Land in Sth Auckland District	Access particulars as at 31 May 1973			Registered Proprietor	Occupier
	No.	Description	M.O.W. Ref.		
Allot 456 Te Rapa Parish CT. 8A/1072 <i>AK</i>	1	Farm entrance	49	Hamilton Airport Authority	
	✓	A i r p o r t R o a d			
Pt Allot 166 <i>See 553/114</i> Te Rapa Parish <i>AK</i> CT. 553/114	6	Vehicular entrance	50	New Zealand Dairy Company	
		Vehicular entrance	51		
		Vehicular entrance	52		
		Vehicular entrance	53		
		Vehicular entrance	54		
		Vehicular entrance	55		
Allot 456 Te Rapa Parish CT. 8A/1072 <i>AK</i>	4	Vehicular entrance	56	Hamilton Airport Authority	
		Vehicular entrance	57		
		Vehicular entrance	58		
		Vehicular entrance	59		
Pt Allot 167 <i>See 553/114</i> Te Rapa Parish <i>AK</i> CT. 559/79 <i>Pro 11631</i>	1	Vehicular entrance	60	Department of Agriculture	
Pt Allot 168 <i>Pro 11631</i> Te Rapa Parish <i>See 553/114</i> Balance CT. 103/255 <i>AK</i>		No existing entrance Access practicable to side road		Department of Agriculture	
	✓	N o E x i t R o a d	Rukuhā	-kaipaki Rd.	
Allot 457 Te Rapa Parish CT. 8A/1072 <i>AK</i>		No existing entrance Access practicable to side road		Hamilton Airport Authority	
Pt Allot 169 & 171 Te Rapa Parish CT. 559/81 <i>16A/127A</i>	2	Farm entrance	61	Colin Herbert Smith	
		Vehicular entrance	62		
Pt Allot 170 Te Rapa Parish <i>AK</i> CT. 135/257 <i>16A/127A</i>	2	Farm entrance	63	Colin Herbert Smith	
		Farm entrance	64		
	✓	A i r p o r t A c c e s s R o a d			
Pt Allot 170 Te Rapa Parish CT. 135/257 <i>AK</i>	1	Farm entrance	65	Colin Herbert Smith	
Pt Allot 170 Te Rapa Parish <i>AK</i> CT. 135/256	2	Vehicular entrance	66	Alan Robert Wilkinson	
		Vehicular entrance	67		

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SCHEDULE FOR LIMITED ACCESS ROAD DECLARATIONState Highway No. 3From Hamilton to Ohaupo

RM.3.12 - RM.10.42 : Left hand side

GAZETTE INFORMATION				NOT FOR PUBLICATION	
Land in Sth Auck. Land District	Access particulars as at 31 May 1973			Registered Proprietor	Occupier
	No.	Description	M.O.W. Ref.		
Allot 312A Te Rapa Parish CT. 650/27 <i>CR</i>	1	No existing entrance Crossing place allocated	68	Leonard A.M. Thompson	
Allot 312 Te Rapa Parish C.T. 556/307 <i>CR</i>	1	Vehicular entrance	69	Leonard A.M. Thompson	
Allot 311 Te Rapa Parish CT. 704/334 <i>CR</i>	2	Farm entrance Vehicular entrance	70 71	Leonard A.M. Thompson	
Allot 308A Te Rapa Parish C.T. 38/74 <i>CR</i>	<i>Now</i> 1	<i>DP5 15874</i> No existing entrance Crossing place allocated	72	Leonard A.M. Thompson	
Pt Allot 308 Te Rapa Parish CT. 80/225 <i>CR</i>	2	Vehicular entrance Farm entrance	73 74	Paul Raymond and Sadie Alexander Best	
Lot 1 DP.S.11901 C.T. 8A/1313 <i>CR</i>	1	Vehicular entrance	75	Lucetta Teresa Rothwell	
Pt Allot 305 Te Rapa Parish C.T. 1228/74 <i>CR</i>	3	Farm entrance Vehicular entrance Farm entrance	76 77 78	Lochiel Farm Ltd	
Pt Allot 303 Te Rapa Parish C.T. 1228/74 <i>CR</i>	1	Vehicular entrance	79	Lochiel Farm Ltd	
Lot 1 DP.S.1778 C.T. 1068/135 <i>CR</i>	2	Vehicular entrance Farm entrance	80 81	Te Awamutu Pest Destruction Board	
Pt Allot 303, 302 & 301, Te Rapa Parish C.T. 1B/1500 <i>CR</i>	2	Farm Entrance Vehicular entrance	82 83	Vincent Arthur Karl	
Pt Allot 397 & 429 Te Rapa Parish CT. 1B/1499 <i>CR</i>	1	No existing crossing Access practicable to side road		Vincent Arthur Karl	
	1	Cambridge - Ohaupo Road			
Lot 1 & 2 DP.S.1732 C.T. 1797/55 <i>CR</i>	1	Vehicular entrance	84	Kenneth Malcolm Laffoley	

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SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

State Highway No. 3

From Hamilton to Ohaupo

RM.3.12 - RM.10.42 : Left hand side

GAZETTE INFORMATION				NOT FOR PUBLICATION	
Land in Sth Auck. Land District	Access particulars as at 31 May 1973			Registered Proprietor	Occupier
	No.	Description	M.O.W. Ref.		
Lot 7 DP.S.1732 C.T. 1C/938 <i>CR</i>	1	Vehicular entrance	85	Douglas and Edith Ruth Mitchell	
Lot 8 DP.S.1732 C.T. 1C/939 <i>CR</i>	1	Vehicular entrance	86	Mitchell Trans- port Ltd	
Lot 9 DP.S. 1732 CT. 7B/649 <i>CR</i>	1	No existing entrance Crossing place allocated	87	Philip Trelawney and Pamela Ann Reed	
Lot 10 DP.S.1732 C.T. 7B/650 <i>CR</i>	1	Vehicular entrance	88	Philip Trelawney and Pamela Ann Reed	
Lot 11 DP.S.1732 C.T. 6C/456 <i>CR</i>	1	Vehicular entrance	89	Lawrence John Richards	
Lot 12 DP.S. 1732 C.T. 1C/23 <i>CR</i>	1	No existing entrance Crossing place allocated	90	William Henry Pryce	
Lot 13 DP.S.1732 C.T. 4B/77 <i>CR</i>	1	Vehicular entrance	91	Moran Lockyre Taylor	
Lot 14 DP.S.1732 C.T. 1714/42 <i>CR</i>	1	Vehicular entrance	92	Neil James Mitchell	
Lot 15 DP.S.1732 C.T. 1C/413 <i>CR</i>	1	Vehicular entrance	93	Michael Stephen Frederick Field	
Lot 16 DP.S.1732 C.T. 10A/1465 <i>CR</i>	1	No existing entrance Crossing place allocated	94	Brian John Ward	
Lot 17 DP.S.1732 C.T. 9C/208 <i>CR</i>	1	Vehicular entrance	95	Douglas Bruce and Margaret Hilda Raines	
Lot 18 DP.S.1732 C.T. 9C/209 <i>CR</i>	1	Vehicular entrance	96	State Advances Corporation	
Lot 19 DP.S.1732 C.T. 9C/210 <i>CR</i>	1	Vehicular entrance	97	State Advances Corporation	
Pt Allot 430 Ngaroto Parish C.T. 1036/48 <i>CR</i>	1	No existing entrance Crossing place allocated	98	Roy Elwin West	
Lot 1 DP.36932 C.T. 1053/218 <i>CR</i>	1	Vehicular entrance	99	Samuel David West	

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SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

State Highway No. 3 From Hamilton to Ohaupo

RM.3.12 - RM.10.42 - Left hand side

GAZETTE INFORMATION				NOT FOR PUBLICATION	
Land in Sth Auck. Land District	Access particulars as at 31 May 1973			Registered Proprietor	Occupier
	No.	Description	M.C.W. Ref.		
Pt Allots 191 & 192A Ngaroto Parish CT. 1053/215 <i>CR</i>	✓	No existing entrance Access practicable to side road		Roy Elwin West	
	1	W e s t s R o a d			
Pt Allot 264 ⁵ 14/43 Ngaroto Parish CT. 57/244 <i>CR</i>	✓	No existing entrance Access practicable to side road		Raymond Cecil & Lorraine Merle Horscroft	
Pt Allot 264 Ngaroto Parish CT. 46/98 <i>CR</i>	1	Vehicular entrance	100	Margaret Anne Horscroft	
Pt Allot 264 Ngaroto Parish CT. 11B/957 <i>CR</i>	3	Farm entrance Vehicular entrance Vehicular entrance	101 102 103	John Anton & Beverley Eleanor Turnwald	
Lot 1 DP.36503 CT. 929/89 <i>CR</i>	1	No existing entrance Crossing place allocated	104	Marjorie Brenda Karl	
Lot 2 DP.S.13069 CT. 11B/957 <i>See above</i>	1	Farm entrance	105	John Anton and Beverley Eleanor Turnwald	
Lot 1 DP.S.13069 CT. 111/29 <i>CR</i>	3	Farm entrance Vehicular entrance Vehicular entrance	106 107 108	Charles Crispianus Robert	
Lot 1 DP. 34114 CT. 874/87 <i>CR</i>	1	Vehicular entrance	109	Charles Walter Woodhams	
Pt Allot 264 Ngaroto Parish CT. 874/88 <i>CR</i>	1	Farm entrance	110	Leslie James Turnwald	
Pt Allot 265 Ngaroto Parish CT. 218/298 <i>CR</i>	1	Vehicular entrance	111	Georg Burns Wait	
Pt Allot 265 Ngaroto Parish CT. 218/299 <i>CR</i>	1	Vehicular entrance	112	Maurice Patrick & Joan Phillippa Mildon	
Pt Allot 265 Ngaroto Parish CT. 268/72 <i>CR</i>	1	No existing entrance crossing place allocated	113	John Anton and Beverley Eleanor Turnwald	

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SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

State Highway No. 3

From Hamilton to Ohaupo

RM.3.12 - RM.10.42 : Left hand side

GAZETTE INFORMATION				NOT FOR PUBLICATION	
Land in Sth Auck. Land District	Access particulars as at 31 May 1973			Registered Proprietor	Occupier
	No.	Description	M.O.W. Ref.		
Pt Allot 265 Ngaroto Parish C.T. 708/82 <i>CR</i>	1	No existing entrance Crossing place allocated	114	John Anton & Beverley Eleanor Turnwald	
Pt Lot 1 DP.33642 C.T.973/219 <i>CR</i>	1	Vehicular entrance	115	Howard Cecil Devereau	
Lot 1 DP.S.1827 C.T. 1070/130 <i>CR</i>	1	No existing entrance Crossing place allocated	116	Noel George John Devereau	
Pt Lot 1 DP.33642 C.T. 1070/131 <i>CR</i>	1	Vehicular entrance	117	Michael & Sylvia Frances Wenham	
Lot 1 DP.S.3890 C.T.1244/49 <i>CR</i>	1	Vehicular entrance	118	Ewen Gregor and Mavis Ellen Buchanan	
Lot 2 DP.S.3890 C.T. 1269/44 <i>CR</i>	1	Vehicular entrance	119	Reginald James Kingsland	
Lot 3 DP.S.3890 C.T. 1269/45 <i>CR</i>	1	No existing entrance Crossing place allocated	120	Clive Alexander Chubb	
Lot 1 DP.S.7292 C.T. 1A/322 <i>CR</i>	1	Vehicular entrance	121	Herbert King and Phillis De verre Hagan	
Lot 2 DP.S. 7292 C.T. 1A/321 <i>CR</i>	1	Vehicular entrance	122	Kenneth and Doris Mary Kew	
Lot 1 DP.7280 C.T. 189/205 <i>CR</i>	1	Vehicular entrance	123	John Frederick & Dianne Frances Eastland	
Lot 1 DP.S.12193 C.T. 8C/273 <i>CR</i>	2	Vehicular entrance Vehicular entrance	124 125	Ronald James Beaumont	
Lot 1 DP.34984 <i>now 128/270</i> C.T. 8C/274 <i>now 128/270</i>	2	Vehicular entrance Vehicular entrance	126 127	Leslie James Turnwald	
Lot 2 DP.34984 C.T. 896/11 <i>CR</i>	1	Vehicular entrance	128	Miriama Ngahoe McKinnon	
Pt Allots 265 & 266 Ngaroto Parish <i>now 128/270</i> C.T. 402/163 <i>now 128/270</i>	3	Vehicular entrance Farm entrance Farm entrance	129 130 131	Leslie James Turnwald	
Pt Allot 266 Ngaroto Parish C.T. 394/101 <i>CR</i>	1	Vehicular entrance	132	Waikato Diocesan Trust Board	

*As more particularly shown on Plan No. HR 1638, deposited in the office of the Minister of Works at Wellington.

SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

State Highway No. 3 From Hamilton to Ohaupo

RM. 3.12 - RM.10.42 : Left hand side

GAZETTE INFORMATION				NOT FOR PUBLICATION	
Land in Sth Auck. Land District	Access particulars as at 31 May 1973			Registered Proprietor	Occupier
	No.	Description	M.O.W. Ref.		
Lot 1 DP. 37155 C.T. 966/139	1	Farm entrance	133	Emily Margaret Jenkinson	
Lot 2 DP. 37155 C.T. 966/139	1	Vehicular entrance	134	Emily Margaret Jenkinson	
Lot 3 DP. 37155 C.T. 966/139	1	No existing entrance Crossing place allocated	135	Emily Margaret Jenkinson	
Lot 4 DP. 37155 C.T. 966/138	1	No existing entrance Crossing place allocated	136	Huia David and Marjorie Beryl Jenkinson	
Pt Allot 266 Ngaroto Parish C.T. 98/37	✓	No existing entrance Access practicable to side road		Dennis Bernard and Mary Collett	
	✓	R o a d R e s e r v e			
		Limited Access Road Ends : RM.10.42			

*As more particularly shown on Plan No. _____, deposited in the office of the Minister of Works at Wellington.

SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

State Highway No. 3

From Hamilton to Ohaupo

RM.3.12 - RM.10.42 : Right Hand side

GAZETTE INFORMATION				NOT FOR PUBLICATION	
Land in Sth Auck. Land District	Access particulars as at 31 May 1973			Registered Proprietor	Occupier
	No.	Description	M.O.W. Ref.		
		LIMITED ACCESS ROAD BEGINS : RM.3.12			
Pt Lot 1 DP.S.11478 C.T. 14D/390 <i>SK</i>	1	No existing entrance Crossing place allocated	137	Edward Gillham Houchen	
Lot 6 DP.S.10889 C.T. 8C/178 <i>SK</i>	1	Vehicular entrance	138	Jiri and Drahomira Adam	
Lot 7 DP.S.10889 C.T. 8C/178 <i>SK</i>	1	Vehicular entrance	138	Jiri and Drahomira Adam	
Lot 8 DP.S.10889 C.T. 1795/44 <i>SK</i>	1	Vehicular entrance	138	Jiri Adam	
Lot 5 DP.S.10889 C.T. 1795/44 <i>SK</i>	1	Vehicular entrance	138	Jiri Adam	
Lot 4 DP.S.10889 C.T. 1795/44 <i>SK</i>	1	Vehicular entrance	138	Jiri Adam	
Lot 3 DP.S.10889 C.T. 13B/167 <i>SK</i>	1	Vehicular entrance	138	Jiri Adam	
Lot 2 DP.S.10889 C.T. 1795/44 <i>SK</i>	1	Vehicular entrance	138	Jiri Adam	
Lot 9 DP.S.10889 C.T. 7C/447 <i>SK</i>	1	Vehicular entrance	138	William Thompson Robertson	
Lot 1 DP.S.10889 C.T. 7C/448 <i>SK</i>	1	Vehicular entrance	138	William Thompson Robertson	
Lot 2 DP.S.11478 C.T. 14D/391 <i>SK</i>	1	No existing entrance crossing place allocated	139	Edward Gillham Houchen	
Lot 3 DP.S.11478 C.T. 14D/392 <i>SK</i>	1	Farm entrance	140	Edward Gillham Houchen	
Lot 1 DP.S.8453 C.T. 2B/501 <i>SK</i>	2	Vehicular entrance Vehicular entrance	141 142	Edward Gillham Houchen	
Lot 4 DP.S.11478 C.T. 14D/393 <i>SK</i>	1	Farm entrance	143	Edward Gillham Houchen	
Pt Allot 64 Te Rapa Parish C.T. 11D/1324 <i>SK</i>	1	Farm entrance	144	J.A. Barry Farms Ltd	

*As more particularly shown on Plan No. HR.1638, deposited in the office of the Minister of Works at Wellington.

SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

State Highway No. 3

From Hamilton to Ohaupo

RM. 3.12 - RM.10.42 : Right hand side

GAZETTE INFORMATION				NOT FOR PUBLICATION	
Land in Sth Auck. Land District	Access particulars as at 31 May 1973			Registered Proprietor	Occupier
	No.	Description	M.O.W. Ref.		
Pt Allot 65 Te Rapa Parish C.T. 11D/1324	3	Farm entrance Vehicular entrance Vehicular entrance	145 146 147	J.A. Barry Farms Ltd	
Lot 1 DP.S.4371 C.T. 2B/526	1	Vehicular entrance	148	Willem Johan Tuent	
Lot 2 DP.S.4371 C.T. (1267/74) 2874	1	Vehicular entrance	149	Graham Frederick & Margaret Rose Collins	
Pt Land DP.8595 C.T. 7C/858	1	Vehicular entrance	150	Thomas William Oldham Bennett	
Lot 1 DP.S.9794 C.T. 5B/814	1	No existing entrance Crossing place allocated	151	Michael Gillam Bennett	
Lot 1 DP.7872 C.T. 439/184	3	Vehicular entrance Vehicular entrance Farm entrance	152 153 154	Heather Alison King	
Pt Lot 1 DP.11691 C.T. 6C/833	1	Farm entrance	155	Daniel Joseph Murphy	
Lot 1 DP.S.9147 C.T. 6C/844	1	Vehicular entrance	156	Earl Ralph & Annette Catherine Johns	
Lot 1 DP.S.11216 C.T. 9C/888	3	Farm entrance Vehicular entrance Vehicular entrance	157 158 159	Laurence John Main Dennis Roger and Anor Main	
Lot 2 DP.S.11216 C.T. 9C/889	1	Farm Entrance	160	Laurence John Main Dennis Roger and Anor Main	
Lot 3 DP.S.11216 C.T. 9C/890	1	Vehicular entrance	161	Laurence John Main Dennis Roger Main, and Anor Main	
Lot 4 DP.S.11216 C.T. 9C/891	4	Vehicular entrance Farm entrance Farm entrance Vehicular entrance	162 163 164 165	Laurence John Main Dennis Roger Main and Anor Main	
Lot 5 DP.S.11216 C.T. 9C/892	1	Farm entrance	166	Laurence John Main Dennis Roger Main, and Anon Main	
		Rukuhia Station Road		(Ngahineponi Rukuhia Road)	
Lot 1 DP.S.4250 C.T. 12C/981	1	Vehicular entrance	167	James Percival and Frances Mary Wright	

*As more particularly shown on Plan No. HR.1638, deposited in the office of the Minister of Works at Wellington.

SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

State Highway No. 3

From Hamilton to Ohaupo

RM.3.12 - RM.10.42 : Right Hand side

GAZETTE INFORMATION				NOT FOR PUBLICATION	
Land in Sth Auck. Land District	Access particulars as at 31 May 1973			Registered Proprietor	Occupier
	No.	Description	M.O.W. Ref.		
Lot 1 DP.S.2888 C.T. 1201/237 <i>VR</i>	1	Vehicular entrance	168	Grahame John Asplin	
Lot 2 DP.S.2888 C.T. 1202/155 <i>VR</i>	1	Vehicular entrance	169	Rukuhia District Church Trust Board Incorporated	
Lot 3 DP.S.2888 C.T. 1402/90 <i>VR</i>	1	Vehicular entrance	170	Rukuhia District Church Trust Board Inc.	
Lot 4 DP.S.2888 C.T. 1213/268 <i>VR</i>	1	Vehicular entrance	171	Lawrence Albert & Margaret Alice Ransley	
Lot 5 DP.S.2888 C.T. 1202/9 <i>VR</i>	1	Vehicular entrance	172	James Arthur Tarr	
Lot 6 DP.S.2888 C.T. 1202/110 <i>VR</i>	1	Vehicular entrance	173	Olive May Shaw	
Pt Allots 155 & 156 Te Rapa Parish Public School Gaz. 1954/1130 <i>See 12/195. Indexed</i>	1	Vehicular entrance	174	South Auckland Education Board	
Lot 1 DP.35836 C.T. 927/44 <i>VR</i>	1	Vehicular entrance	175	Francis Royden & June Constance Leighton	
Lot 1 DP.S.7764 C.T. 1B/4215 <i>VR</i>	1	Vehicular entrance	176	Graham John and Jean Eleanor Asplin	
Pt Allot 156-16A/1280 Te Rapa Parish C.T. 7C/166 <i>VR 16A/1280 16B/131</i>	1	Vehicular entrance	177	John Asplin	
Lot 1 DP.S.6051 C.T. 1715/92 <i>VR</i>	1	No existing entrance crossing place allocated	178	John Asplin	
Lot 2 DP.S. 6051 C.T. 1B/397 <i>VR</i>	2	Vehicular entrance Vehicular entrance	179 180	Asplin Supplies Ltd	
Lot 2 DP.35836 C.T. 927/45 <i>VR</i>	1	Vehicular entrance	181	Andrew Benton Blackett	
Lot 1 DP.S.14964 C.T. 13B/402 <i>VR</i>	2	Farm entrance Farm entrance	182 183	Tulsi Ram	

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SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

State Highway No. 3

From Hamilton to Ohaupo

RM.3.12 - RM.10.42 : Right hand side

GAZETTE INFORMATION				NOT FOR PUBLICATION
Land in Sth Auck. Land District	Access particulars as at 31 May 1973			Registered Proprietor
	No.	Description	M.C.W. Ref.	
Pt Lot 2 DP.7672 C.T. 13B/404 <i>1297</i>	1	No existing entrance crossing place allocated	184	Tulsi Ram
Lot 2 DP.S.14964 C.T. 13B/403 <i>1297</i>	2	Farm entrance Farm entrance	185 186	Tulsi Ram
Pt Lot 2 DP.S.15963 C.T. 14A/843 <i>1297</i>	1	No existing entrance crossing place allocated	187	Ronald Samward Keill Ingram
Lot 1 DP.S.16078 C.T. 14A/842 <i>1297</i>	1	Vehicular entrance	188	Ronald Samward Keill & Carolyn Theresa Ingram
Lot 1 DP.S.15143- C.T. 13A/447 <i>1297</i>	1	No existing entrance Crossing place allocated	189	Ronald Samward Keill Ingram
Lot 2 DP.S.15143 C.T. 13A/448 <i>1297</i>	1	Farm entrance	190	Ronald Samward Keill Ingram
Pt Lot 3 DP.7672 C.T. 32B/42 <i>1297</i>	1	Vehicular entrance	191	Ronald Ingram Ltd
Pt Allots 159, 160, 161, 361 & 366 Te Rapa Parish C.T. 13A/151 <i>1297</i>	2	Vehicular entrance Vehicular entrance	192 193	Ronald Ingram Ltd,
Lot 1 DP.S.15142 C.T. 13A/148 <i>1297</i>		No existing entrance Access practicable to side road		Ronald Ingram Ltd,
		No Exit Road		
Lot 2 DP.S.1987 C.T. 9C/364 <i>1297</i>		No existing entrance Access practicable to side road		State Advances Corporation
Lot 3 DP.S.1987 C.T. 9C/365 <i>1297</i>	1	Vehicular entrance	194	State Advances Corporation
Lot 1 DP.12792 C.T. 461/102 <i>1297</i>	1	Vehicular entrance	195	Jack Ranfurly Rogers
Pt Lot 2 DP. 12792 C.T. 10D/906 <i>1297</i>	2	Farm entrance Vehicular entrance	196 197	Alexander Dynes McConnell
Lot 1 DP.S.13312 C.T. 10D/903 <i>1297</i>	2	Vehicular entrance Farm entrance	198 199	James Wallace and, Mona Shirley Stewart
Lot 1 DP.S.15829 C.T. 13C/1200 <i>1297</i>	1	Farm entrance	200	Arthur Joseph Koppens

*As more particularly shown on Plan No. HR.1638, deposited in
the office of the Minister of Works at Wellington.

SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

State Highway No. 3 From Hamilton to Ohaupo
 RM.3.12 - RM.10.42 : Right Hand Side

GAZETTE INFORMATION				NOT FOR PUBLICATION	
Land in Sth Auck. Land District	Access particulars as at 31 May 1973			Registered Proprietor	Occupier
	No.	Description	M.O.W. Ref.		
Lot 2 DP.S.15829 C.T. 13C/1201 <i>SK</i>	2	Vehicular entrance Farm entrance	201 202	N.Z. Sire Services Ltd	
Pt Lot 3 DP.12792 C.T. 10B/838 <i>SK</i>	3	Farm entrance Vehicular entrance Vehicular entrance	203 204 205	Thomas Bruce Davies	
Lot 1 DP.S.9195 C.T. 3D/1137 <i>SK</i>	2	Vehicular entrance Farm entrance	206 207	Malcolm Valentine & Irene Dawn Rye	
Allot 362 Te Rapa Parish C.T. 524/78 <i>SK</i>	4	Farm entrance Farm entrance Farm entrance Farm entrance	208 209 210 211	Lochiel Farms Ltd	
Allot 399 Te Rapa Parish C.T. 745/271 <i>SK</i>	1	Vehicular entrance	212	Lochiel Farms Ltd	
Pt Allot 303 & 305 Te Rapa Parish C.T. 1228/19 <i>SK</i>	1	Vehicular entrance	213	Lochiel Farms Ltd	
Pt Allot 400 Te Rapa Parish C.T. 745/271 <i>SK</i>	1	No existing entrance Crossing place allocated	214	Lochiel Farms Ltd	
Pt Allot 301 & 303 & Allot 398 Te Rapa Parish C.T. 1473/46 <i>SK</i>	3	Vehicular entrance Vehicular entrance Farm entrance	215 216 217	Harold Peter & Margaret Ellaine Karl	
		D o u c h R o a d			
Lot 1 DP.S.13208 C.T. 11A/1363 <i>SK</i>		No existing crossing Access practicable to side road		Kelvin John Cunningham	
Pt Lot 2 DP.29788 C.T. 12D/425 <i>SK</i>	1	Farm entrance	218	Wairakau Farms Ltd	
		R o a d R e s e r v e			
Allot 418 Ngaroto Parish School site Gaz. 1938/952 <i>SK</i>	3	Vehicular entrance Vehicular entrance Vehicular entrance	219 220 221	South Auckland Education Board	

*As more particularly shown on Plan No. HR.1638, deposited in
 the office of the Minister of Works at Wellington.

SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

State Highway No. 3

From Hamilton to Ohaupo

RM.3.12 - RM.10.42 : Right hand side

GAZETTE INFORMATION				NOT FOR PUBLICATION
Land in Sth Auck. Land District	Access particulars as at 31 May 1973			Registered Proprietor
	No.	Description	M.O.W. Ref.	
Allot 419 Ngaroto Parish Cemetery Reserve Gaz. 1938/952 <i>indexed</i>	2	Vehicular entrance Vehicular entrance	222 223	Ohaupo Public Cemetery Trustees
		R o a d R e s e r v e		
Pt Lot 1 DP.29788 C.T. 5B/1148 <i>CP</i>	5	Farm entrance Vehicular entrance Vehicular entrance Farm entrance Vehicular entrance	224 225 226 227 228	Albert Ernest Symons
Pt Lot 1 DP.34814 C.T. 5B/1148 <i>HR</i>	1	Farm entrance	229	Albert Ernest Symons
Lot 1 DP.S.9452 C.T. 5B/1147 <i>HR</i>	1	Vehicular entrance	230	Robert James Wait
Pt Allot 306 Ngaroto Parish C.T. 526/173 <i>IP</i>	2	Vehicular entrance Vehicular entrance	231 232	Leopold Fernand Van Mierlo
Pt Allot 306 Ngaroto Parish C.T. 526/174 <i>HR</i>	2	Vehicular entrance Vehicular entrance	233 234	Norman Ellery Murray and Beverley Blackler
Pt Allots 306 & 307 Ngaroto Parish C.T. 526/171 <i>HR</i>	2	Farm entrance Farm entrance	235 236	Arthur Leslie Gillett
Pt Allots 307 & 308 Ngaroto Parish C.T. 526/170 <i>HR</i>	2	Farm entrance Farm Entrance	237 238	John Anton and Beverley Eleanor Turnwald
Pt Allot 308 Ngaroto Parish C.T. 363/170 <i>HR</i>	1	Vehicular entrance	239	Waipa County Council
Lot 2 of a subdivision of Pt Allot 308 Ngaroto Parish C.T. 526/175 <i>HR</i>	1	Vehicular entrance	240	Waipa County Council

*As more particularly shown on Plan No. HR, 1638, deposited
the office of the Minister of Works at Wellington.

IN THE MATTER of the Public Works
Amendment Act 1963.

TO: THE DISTRICT LAND REGISTRAR OF DISTRICT OF SOUTH AUCKLAND.

Pursuant to para. (c) subsec. (3) of the Public Works
Amendment Act 1963, the following statement gives descriptions
and title reference of all parcels of land affected by the National
Roads Board's declaration of a portion of State Highway No. 3 to be a
Limited Access Road as notified in L. Gazette 19 December 1973, No. 121
p. 2769.

Dated at Hamilton this 24th day of January 1974.

[Signature]
District Commissioner of Works

S

074706

Particulars entered in the Register-
VOL. FOLIO

THE 11th DAY OF February 1974
AT 10.28 O'CLOCK.



Assistant
SOUTH AND

H.346458- Gazette Notice revoking within
Gazette for a width of 13 metres on its south-
western side commencing at the point of
junction of the north-western boundary of
part 64 of D.P. 23504 (C.T. 110/1324) and extending
south-eastward for 250 metres entered
12.6.1981 at 10.56 o'clock

E. Lloyd
A.L.H.

H.366082 Gazette Notice revoking the within
Gazette as to part Allotment 166 Parish of
Te Rapa (C.T. 553/114) for a width of 13 metres
entered 18.9.1981 at 10.56 o'clock

Upward
for A.L.H.

Blk Sheets;

City.
S.D. &

po. 5/8/74.

DEEDS
Access Road
on (well)
974
28



H396095GN

IN THE MATTER of the
Public Works Act 1981

TO: The District Land Registrar
of the District of South Auckland

NOTICE DECLARING A STATE HIGHWAY TO BE A LIMITED ACCESS ROAD

PURSUANT to Section 153 of the Public Works Act 1981 the following is a statement by the National Roads Board declaring a portion of State Highway No.3 to be a Limited Access Road as notified in New Zealand Gazette No.24 at Page 665 on 4 March 1982.

Descriptions and title references of all parcels of land affected are attached.

Extract from *N.Z. Gazette*, 4 March 1982, No. 24, page 665

*National Roads Board—Declaring State Highway to be a
Limited Access Road*

It is notified that the National Roads Board, by resolution dated 17 February 1982, and pursuant to section 153 of the Public Works Act 1981, hereby declares that part of State Highway No. 3, Hamilton to Ohaupo section, for 13 metres width on the south-western side across the frontages of Lot 1, D.P. S. 29779 (C.T. 27B/739), and Lot 1, D.P. 23507 (C.T. 27B/740), as more particularly shown on Sheet 1 Plan 22/43/1/1, and accompanying Schedule held in the office of the Resident Engineer, Ministry of Works and Development, Hamilton, and there available for public inspection, to be a limited access road.

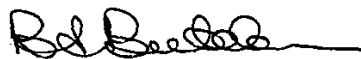
Dated at Wellington this 23rd day of February 1982.

F. J. TOURELL, Secretary.

72/3/2B/5

P. D. Hasselberg, Government Printer, Wellington, New Zealand—1982

DATED at Hamilton this 18 day of March 1982


DISTRICT COMMISSIONER OF WORKS

NOTICE DECLARING SECTION OF STATE
HIGHWAY TO BE A LIMITED ACCESS ROAD

IN THE MATTER of the
Public Works Act 1981

AND

New Zealand Gazette Notice No.24
at Page 665 on 4 March 1982



McGowan
AKC

MAR 19 9 22 AM '82

District Land Registry
Hamilton No.2

396095
276/739
746

Transportation Planning Unit
Ministry of Works and Development
Dey Street
HAMILTON

Postal : Private Bag
Phone : 62899

Ref : 62/130/18



No ACTION
GTH. 22/3/82

View Instrument Details



Instrument No 12326823.3
Status Registered
Date & Time Lodged 05 July 2022 08:03
Lodged By MacLeod, Cassandra-Jane Ellison
Instrument Type Land Covenant under s116(1)(a) or (b) Land Transfer Act 2017



Affected Records of Title	Land District
1027746	South Auckland
1027747	South Auckland

Annexure Schedule Contains 4 Pages.

Covenantor Certifications

I certify that I have the authority to act for the Covenantor and that the party has the legal capacity to authorise me to lodge this instrument ☒

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☒

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☒

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☒

Signature

Signed by Tania Dale Jarden as Covenantor Representative on 04/07/2022 04:14 PM

Covenantee Certifications

I certify that I have the authority to act for the Covenantee and that the party has the legal capacity to authorise me to lodge this instrument ☒

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☒

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☒

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☒

Signature

Signed by Tania Dale Jarden as Covenantee Representative on 04/07/2022 04:15 PM

*** End of Report ***

Form 26

Covenant Instrument to note land covenant

(Section 116(1)(a) & (b) Land Transfer Act 2017)

Covenantor

Ohaupo Land Limited Partnership

Covenantee

Ohaupo Land Limited Partnership

Grant of Covenant

The Covenantor, being the registered owner of the burdened land(s) set out in Schedule A, **grants to the Covenantee** (and, if so stated, in gross) the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s).

Schedule A

Purpose of covenant	Shown (plan reference)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Land Covenants	N/A	Lot 1 DP 569695 (RT 1027746)	Lot 2 DP 569695 (RT 1027747) Ohaupo Land Limited Partnership (in gross)

Covenant rights and powers (including terms, covenants and conditions)**Interpretation**

1. In these land covenants, the following terms have the corresponding meanings provided below:
 - a. **'Developer'** means Ohaupo Land Limited Partnership and/or their nominee.
 - b. **'Owner'** means any registered proprietor of any Lot referred to as the Burdened Land in Schedule A.
 - c. **'Property'** or **'Properties'** mean any Lot referred to as the Burdened Land in Schedule A.

Use of the Property

2. The Owner must not:

- a. grant to any party any easement, right or thing over the Property for the purpose of providing any service;
 - b. accept any easement, right or thing in favour of the Property over surrounding land;
 - c. execute any documents or consents in respect of any development on any other land;
 - d. vest any part or all of the Property in Council for any purpose or grant to Council or any other party any consent or easement (whether registered or unregistered).
3. Clause 2 above may be waived by obtaining the prior written approval of the Developer.

Future Development

4. The Owner, and/or any tenant, occupier, or user, of the Property will:
- a. Not object to, lodge a submission or appeal objecting to, frustrate, hinder, or prevent any application for resource consent, building consent, or plan change or variation by the Developer in relation to any future development of land owned by the Developer; and
 - b. Support and provide its unconditional consent to any subdivision or development to be undertaken by the Developer, or any proposed plan, plan change, or variation providing for such a subdivision or development, under the Resource Management Act 1991, the Building Act 2004, or any other relevant legislation or law, and will upon request from the Developer, execute all documents and do all things necessary to provide such unconditional consent as may be required by the Developer in that regard.
5. In the event any documents are not signed in accordance with clause 4(b) within 10 working days of being provided such documents, the relevant Owner (and/or tenant, occupier or user of the Property) will be deemed to have consented and this clause will be sufficient evidence of such consent to any relevant authority.
6. These land covenants will automatically expire as to any part of the Property that is to vest as road, in connection with a road, or reserve as part of developing the Property (provided that the Developer's consent has first been obtained). In which case the following provisions will apply in respect of that part that is to vest as road:
- a. The expiry will take effect upon the approval of the survey plan that will give effect to any such vestings under s224(c) of the Resource Management Act 1991;
 - b. The Owner will be deemed to have consented to such vesting in accordance with s224(b)(i) of the Resource Management Act 1991 upon deposit of such survey plan with Land Information New Zealand (**LINZ**); and
 - c. LINZ will deposit the plan without requiring any further written consent from the Owner or surrender in respect of these land covenants.

Developer's approval

7. The Developer may in its absolute discretion grant to any person a dispensation in respect of any of these land covenants. For clarity, an Owner will not be liable for any breach of these covenants where the Owner has obtained dispensation from the Developer pursuant to this clause. For the avoidance of doubt, dispensation granted by the Developer for a particular act relates solely to that act at the time and not to any future acts where Developer's approval is required.
8. The Developer may assign or delegate its rights, powers and discretions set out in these land covenants.
9. Any approval required from the Developer under these land covenants means written approval.

10. The Developer's right to grant or decline any request for approval under the land covenants is an unfettered right and does not allow any person to challenge for any reason the giving or the declining of any such approval. For the avoidance of doubt, no person will have any claim against the Developer in respect of any decision that the Developer or their assignee or delegate makes in respect of any approval sought.

11. The Developer is under no liability whatsoever to enforce these land covenants.

Breach

12. Acknowledging that the value of the Benefited Land may be affected by failure to comply with these land covenants, the Owner covenants for the Owner personally and their executors, administrators and assigns that should the Owner fail to comply with, observe, perform, or complete any of the land covenants contained in clauses 1 to 11, and without prejudice to any other liability the Owner may have to the Developer or any other person, the Owner will:

- a. immediately upon receipt of a written demand for payment from the Developer or the Developer's solicitors pay to the Developer as liquidated damages the sum of ONE THOUSAND DOLLARS (\$1,000.00) per day for each day the default continues unremedied, such liquidated damages to be limited to a maximum value of \$150,000.00;
- b. shall immediately undertake such remedial action as may be required by the Developer including but not limited to permanently removing or causing to be permanently removed from the Property any building or other structure so erected or repaired or other cause of any breach or non-observance of these land covenants;
- c. pay on demand the Developer's costs incurred in respect of the default and any enforcement or attempted enforcement of the Developer's rights such costs to include but not be limited to legal costs on a solicitor client basis; and
- d. Pay interest at the rate of 15% on any money which may be demanded and not paid, such interest to accrue from the date of the demand until the date it is finally received by the Developer;

provided that:

- e. Except for those defaults notified to the Owner when it is a registered proprietor, the Owner shall only be liable while the Owner is a registered proprietor of the Property;
- f. If a default is completely and finally remedied within one month of notice in writing requiring the removal or remedy of such cause of default and the payment by the defaulting party of all reasonable legal costs and other expenses incurred by the party enforcing the said covenants the sum payable under clause 12(a) shall abate to \$1.00 per day provided that this abatement shall not apply in respect of any subsequent default of a similar nature.

Dispute Resolution

13. If a dispute in relation to any of these land covenants arises, the following process must be followed:

- a. The party initiating the dispute must provide full written particulars of the dispute to any other party/(ies);
- b. The parties must promptly meet in good faith to try and resolve the dispute;
- c. If the dispute is not resolved within 14 working days of the written particulars being given to the party/(ies), the dispute must be referred to arbitration, in accordance with the Arbitration Act 1996 (or any subsequent Act);

- d. The arbitration must be conducted by a single arbitrator to be agreed between the parties, or failing agreement, by the President of the New Zealand Law Society; and
- e. The decision made by the arbitrator is binding on both parties.