

Appendix [M] – Title review – Consent Notices and Easements

Section 13(4)(t) of the Fast Track Approvals Act 2024 (**FTAA**) requires an outline of the types of legal authorisations that the applicant considers are required to authorise the project. This Appendix provides a summary of legal authorisations that are likely to be needed with respect to consent notices and easements, which cannot be obtained under the FTAA.

Records of title and corresponding legal descriptions for the Site are as follows:

- RT 182714 – Lot 1 DP 344529
- RT 182715 – Lot 2 DP 344529
- RT 182716 – Lot 3 DP 344529
- RT 182717 – Lot 4 DP 344529
- RT 476973 – Lot 1, 3 DP 420009
- RT 476974 – Lot 2, 4 DP 420009
- RT 1233739 – Lot 1000 DP 615998

The relevant title instruments in relation to the proposed development are identified in the table below. The need for modifications to these instruments will be further considered and determined in the preparation of the substantive application and the detailed design phase of the development. Cancellation of consent notices and variation or cancellation of easements will be progressed separately to the FTAA application.

A number of easements apply internally as between the applicant (RHL&RIL), their subsidiaries and related entities. Where these can be varied or surrendered by agreement without further approvals required, they have not been recorded in the table below.

Instrument	Relevant Record(s) of Title burdened	Comments
Transfer 302608 (right of way) External	182714, 182715	This Transfer creates a right of way in favour of RT OT197/39 over the burdened titles. This instrument will need to be surrendered. RHL&RIL have entered discussions with the benefitted landowner in relation to this surrender.
Consent Notice 6264801.3 External – Council consent required	182714, 182715, 182716, 182717	This Consent Notice was registered as part of the subdivision of Lot 1 DP 330709 into Lots 1-4 DP 344529. The Consent Notice imposes various ongoing conditions regarding provision of services, effluent disposal, vehicular access, and construction of residential

		dwellings. These conditions will likely be made redundant by the project and should be cancelled, which will require Council consent.
Easement Instrument 6264801.4 (right to convey water and right of way) Internal – Council consent required	182714, 182715, 182716, 182717, 1233739	This easement creates a right to convey water and a right of way internally between the applicants' land. This easement is subject to section 243 (a) Resource Management Act 1991, meaning it cannot be varied or surrendered without Council's consent. This easement will need to be surrendered, and Council's consent will need to be obtained under s 243(e) for the same.
Easement Instrument 7073932.6 (right to convey electricity) – Aurora External	182714, 182715	This easement provides Aurora Energy Limited with a right (in gross) to convey electricity over the burdened titles. This easement will need to be surrendered, which will require agreement from Aurora.
Easement Instrument 8287639.7 (right of way) Internal – Council consent required	182714, 182715	This easement creates a right of way internally between the applicants' land. This easement is subject to section 243 (a) Resource Management Act 1991, meaning it cannot be varied or surrendered without Council's consent. This easement will need to be surrendered and Council's consent will need to be obtained under s 243(e) for the same.
Easement Instrument 9850689.5 (right to convey and transform electricity) External	182714, 182715	This easement provides Aurora Energy Limited with a right (in gross) to convey and transform electricity over the burdened titles. This easement will need to be surrendered, which will require Aurora's agreement.
Easement Instrument 13245069.1 (right to convey and transform electricity) External	182714, 1233739	This easement provides Aurora Energy Limited with a right (in gross) to convey and transform electricity over the burdened titles. This easement will likely need to be surrendered, which will require agreement from Aurora.
Easement Instrument 13403075.10 (right to convey water) Internal – Council consent required	1233739	This easement creates a right to convey water internally between the applicants' land. This easement is subject to section 243 (a) Resource Management Act 1991, meaning it cannot be varied or surrendered without Council's consent.

		This easement will likely need to be surrendered or partially surrendered as between the applicants and Council's consent will need to be obtained under s 243(e) for the same.
Easement Certificate 789816.5 (Right to convey water) Internal – Council consent required	476973, 476974	This easement creates a right to convey water internally between one of the applicant's land. The Easement is subject to s 309(1)(a) of the Local Government Act 1974, meaning Council consent is required to surrender or vary the easement. This easement will likely need to be surrendered or partially surrendered as between the applicant and Council's consent will need to be obtained under s 243(e) for the same.
Consent Notice 8287639.3 External – Council cancellation	476973, 476974	This Consent Notice affects Lots 1-4 DP 420009 and imposes ongoing requirements regarding access and noise performance standards for residential builds. These conditions will likely be made redundant by the project and should be cancelled, which will require Council consent.
Subject to ss 241(2) and 242(1) of the Resource Management Act 1991 Internal – Council consent required	476973	This refers to the amalgamation condition in respect of Lot 1 and Lot 3 DP 420009 in RT 476973. This should be cancelled as part of the subdivision, which will require Council consent.
Consent Notice 8287639.2 Internal – Council consent required	476974	This Consent Notice relates to Lot 2 DP 420009 which requires the installation of a water connection to the Cromwell Town Supply should a dwelling be constructed. This will likely be made redundant by the project and will need to be cancelled, which will require Council consent.
Subject to ss 241(2) and 242(1) of the Resource Management Act 1991 Internal – Council consent required	476974	This refers to the amalgamation condition in respect of Lot 2 and Lot 4 DP 420009 in RT 476974. This should be cancelled as part of the subdivision, which will require Council consent.
C77 8696855.1 Internal – Council consent required	476974	This section 77 certificate requires that Lot 2 and Lot 4 DP 420009 not be transferred or leased except in conjunction with one another, due to the building straddling the boundary of the lots. This will be able to be cancelled following removal of the building as part of the project.

Easement Instrument 11175490.2 (Right to convey and transform electricity in favour of Aurora) External	1233739	This easement grants Aurora the right to convey electricity over the burdened title. The easement area appears to be located within either proposed park or green connection on the ODP. This will need to be surrendered (with consent of Aurora) or will require s 239(2) approval from Council for the relevant area to vest as reserve subject to the easement interest.
Easement Instrument 13403075.9 (Right to convey water) External – Council consent required	1233739	This easement grants Ripponvale Irrigation Company Limited a right (in gross) to convey water over the burdened title. This easement is subject to section 243(a) Resource Management Act 1991, meaning it cannot be varied or surrendered without Council's consent. It appears as though a small part of the easement area falls within the corner of the ODP (which is currently assigned as either SMA green, green connection, public park or a combination). The easement will either need to be surrender, partially surrendered, or s 239(2) approval obtained for relevant areas to vest as reserve subject to the interest.
Easement Instrument 13403075.13 (right to convey and store water) External – Council consent required	1233739	This easement grants Central Otago District Council a right (in gross) to drain water and store water over the burdened title. This easement is subject to section 243(a) Resource Management Act 1991, meaning it cannot be varied or surrendered without Council's consent. Part of the easement area is located within the ODP, including park/green connection space, road and possibly some lots. The easement will need to be surrendered or partially surrendered (within anything vesting over reserve to consented to under s 239(2) of the RMA). Council will need to consent to any surrender or partial surrender, and provide any approvals required under s 239(2) of the RMA.
Easement Instrument 13403075.15 (right to convey electricity and transform electricity) External – Council consent required	1233739	This easement grants Aurora Energy Limited a right (in gross) to convey electricity over the burdened title. This easement is subject to section 243 (a) Resource Management Act 1991, meaning it cannot be varied or surrendered without Council's consent. Part of the easement area is located within the ODP, including park/green connection space, road and possibly some lots. The easement will need to be surrendered or partially surrendered (within anything vesting over reserve to consented to under s 239(2) of the RMA). Council will need to consent to any

		surrender or partial surrender, and provide any approvals required under s 239(2) of the RMA.
--	--	---