

View Instrument Details



Instrument No 11516575.1
Status Registered
Date & Time Lodged 10 September 2019 12:47
Lodged By Beattie, Callum Douglas
Instrument Type Land Covenant under s116(1)(a) or (b) Land Transfer Act 2017



Affected Records of Title	Land District
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383728	Nelson
184894	Nelson
184896	Nelson
184897	Nelson
184898	Nelson
184900	Nelson
184901	Nelson
184902	Nelson
205472	Nelson
205473	Nelson
205474	Nelson
205475	Nelson
205476	Nelson
205477	Nelson
234623	Nelson
234626	Nelson
234627	Nelson
234628	Nelson
234629	Nelson
234630	Nelson
234631	Nelson
284225	Nelson
284226	Nelson
284227	Nelson
284228	Nelson
284229	Nelson
284230	Nelson
284231	Nelson
415870	Nelson
415871	Nelson
415873	Nelson
415874	Nelson
415875	Nelson
415876	Nelson
415878	Nelson
415879	Nelson
415880	Nelson
415886	Nelson
415890	Nelson
415891	Nelson
415893	Nelson
415894	Nelson

415895	Nelson
415896	Nelson
415897	Nelson
415900	Nelson
415901	Nelson
415902	Nelson
415903	Nelson
415904	Nelson
415905	Nelson
415906	Nelson
415898	Nelson
415872	Nelson
415888	Nelson
415889	Nelson

Annexure Schedule Contains 13 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 Linda Lorraine Philipson as Covenantor Representative on 12/09/2019 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 Nicholas Byron Byrnes as Covenantee Representative on 12/09/2019 05:04 PM

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

Form 26

Covenant Instrument to note land covenant

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

Covenantor

Surname must be underlined

All the 'Registered Owners' set out in Schedule A

Covenantee

Surname must be underlined

Nelson Airport Limited

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

Continue in additional Annexure Schedule, if required

Purpose of Covenant	Shown (plan reference)	Burdened Land (Record of Title)	Benefitted Land (Record of Title) or in gross
Land Covenant	N/A	The land described in Schedule A	In gross

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

Delete phrases in {} and insert Memorandum number as required; continue in additional Annexure Schedule, if required

The provisions applying to the specified covenants are those set out in:

~~{Memorandum number {insert}, registered under section 209 of the Land Transfer Act 2017}~~

the Annexure Schedules.

SCHEDULE A

Burdened Land Legal Description	Registered Owner	Record of Title
Unit 1 DP 350207 & AU1 DP 350207	Scott Patrick Sanders & Angela Jane Lowry Sanders	205472
Unit 2 DP 350207 & AU2 DP 350207	Scott Patrick Sanders & Angela Jane Lowry Sanders	205473
Unit 3 DP 350207 & AU3 DP 350207	Scott Patrick Sanders & Angela Jane Lowry Sanders	205474
Unit 4 DP 350207 & AU4 DP 350207	Scott Patrick Sanders & Angela Jane Lowry Sanders	205475
Unit 5 DP 350207 & AU5 DP 350207	Scott Patrick Sanders & Angela Jane Lowry Sanders	205476
Unit 6 DP 350207 & AU6 DP 350207	Scott Patrick Sanders & Angela Jane Lowry Sanders	205477
Unit 1 DP 370080 & AU1 DP 370080	Patrick Simon Lowry Sanders & Bamford Law Trustees Ltd	284225
Unit 2 DP 370080 & AU2 DP 370080	Kelda Holdings Ltd	284226
Unit 3 DP 370080 & AU3 DP 370080	Scott Patrick Sanders & Angela Jane Lowry Sanders	284227
Unit 4 DP 370080 & AU4 DP 370080	Scott Patrick Sanders & Angela Jane Lowry Sanders	284228
Unit 5 DP 370080 & AU5 DP 370080	Jack Patrick Sanders	284229
Unit 6 DP 370080 & AU6 DP 370080	Scott Patrick Sanders	284230
Unit 7 DP 370080 & AU7 DP 370080	Kelda Holdings Limited	284231
Unit 30 DP 357377 & AU30 DP 357377	Scott Patrick Sanders & Angela Jane Lowry Sanders	234631
Unit 29 DP 357377 & AU29 DP 357377	Scott Patrick Sanders & Angela Jane Lowry Sanders	234630
Unit 28 DP 357377 & AU28 DP 357377	Monaco Management Limited	234629
Unit 27 DP 357377 & AU27 DP 357377	Monaco Management Limited	234628
Unit 26 DP 357377 & AU26 DP 357377	Monaco Management Limited	234627
Unit 25 DP 357377 & AU25 DP 357377	Scott Patrick Sanders & Angela Jane Lowry Sanders	234626
Unit 22 DP 357377 & AU22 DP 357377	Monaco Resorts Holdings Limited	234623
Unit 31 DP 345117 & AU31 DP 345117	Patrick Simon Lowry Sanders	184894
Unit 33 DP 345117 & AU33 DP 345117	Scott Patrick Sanders & Angela Jane Lowry Sanders	184896
Unit 34 DP 345117 & AU34 DP 345117	Scott Patrick Sanders & Angela Jane Lowry Sanders	184897
Unit 35 DP 345117 & AU35 DP 345117	Patrick Simon Lowry Sanders & Bamford Law Trustees Ltd	184898
Unit 37 DP 345117 & AU37 DP 345117	Scott Patrick Sanders	184900
Unit 38 DP 345117 & AU38 DP 345117	Scott Patrick Sanders & Angela Jane Lowry Sanders	184901
Unit 39 DP 345117 & AU39 DP 345117	Scott Patrick Sanders & Angela Jane Lowry Sanders	184902
Unit 16 DP 404603	Monaco Resorts Holdings Ltd	415886
Unit 12 DP 404603	Monaco Management Limited	415880

Burdened Land Legal Description	Registered Owner	Record of Title
Unit 11 DP 404603 & AU11 DP 404603	Kelda Holdings Limited	415879
Unit 10 DP 404603	Monaco Management Limited	415878
Unit 8 DP 404603	Monaco Management Limited	415876
Unit 7 DP 404603 & AU7 DP 404603	Monaco Management Limited	415875
Unit 6 DP 404603	Monaco Management Limited	415874
Unit 5 DP 404603 & AU5 DP 404603	Kelda Holdings Limited	415873
Unit 3 DP 404603 & AU3 DP 404603	Monaco Management Limited	415871
Unit 2 DP 404603	Monaco Management Limited	415870
Unit 36 DP 404603	Monaco Management Limited	415906
Unit 35 DP 404603	Monaco Management Limited	415905
Unit 34 DP 404603	Monaco Management Limited	415904
Unit 33 DP 404603	Monaco Management Limited	415903
Unit 32 DP 404603	OALE Limited	415902
Unit 31 DP 404603	Monaco Management Limited	415901
Unit 30 DP 404603	Monaco Management Limited	415900
Unit 28 DP 404603	Monaco Management Limited	415898
Unit 27 DP 404603	Clare Elizabeth Sanders	415897
Unit 26 DP 404603	Monaco Management Limited	415896
Unit 25 DP 404603	Monaco Management Limited	415895
Unit 24 DP 404603	Monaco Management Limited	415894
Unit 23 DP 404603	Monaco Management Limited	415893
Unit 21 DP 404603	Monaco Management Limited	415891
Unit 20 DP 404603	Monaco Management Limited	415890
Unit 19 DP 404603	Myfanwy Elizabeth Semaine	415889
Unit 4 DP 404603	Terrence Raymond Di Somma	415872
Unit 18 DP 404603	John Joseph Brandts-Giesen	415888
Unit 5 DP 394669 & AU5 DP 394669	Scott Patrick Sanders & Angela Jane Lowry Sanders	383728

SCHEDULE B

Covenants

Right to carry out Airport Operations:

1. For the purposes of this deed, the expression "Airport Operations" means all customary commercial and leisure activities, works, uses and occupation carried on, at, or in the vicinity of an airport (including the Airport) at any time in accordance with prevailing practices and trends for the time being, whether involving the use of light or heavy machinery, aircraft, equipment, vehicles, including:
 - a. the landing and take-off of any aircraft;
 - b. the taxiing of aircraft associated with landing and take-off and other surface movements of aircraft for the purpose of taking an aircraft from one part of the Airport to another;
 - c. aircraft flying along any flight path or:
 - i. within the area designated for airport purposes in a District Plan from time to time; or
 - ii. in the Control Overlay or the Advisory Overlay (or alternative provisions of similar effect) that are provided for under a District Plan from time to time;
 - d. engine testing; and
 - e. activities ancillary to or associated with any of the above, whether conducted on the Airport or elsewhere.
2. The Covenantor for itself and its successors in title, lessees and/or invitees to the Burdened Land (or any part of it) hereby covenants, acknowledges and agrees with the Covenantee as a covenant for the benefit of the Covenantee, that the Covenantee shall have the full, free, uninterrupted and unrestricted right, liberty and privilege for themselves and their respective servants to carry out Airport Operations and emit any noise emissions related to the carrying out of Airport Operations in the course of the use of the land owned by the Covenantee or which the Covenantee is entitled to use ("**Nelson Airport Land**") for Airport Operations with the intent that such aforementioned rights shall run with the Burdened Land.
3. Terms, conditions, covenants or restrictions in respect of the above covenant:
 - a. The Covenantor will not object to Airport Operations being carried out by the Covenantee on the Nelson Airport Land and will allow Airport Operations to be carried out without interference or restraint and in particular (without limiting the generality of the foregoing), shall not:
 - i. make or lodge; nor
 - ii. be party to, procure, assist or support; nor
 - iii. finance or contribute to the cost of;

any submission, application or proceeding under the Resource Management Act 1991 or otherwise with Nelson City Council or any other territorial or other authority having jurisdiction, designed or intended to or having the effect of:

- iv. limiting the Covenantee's conducting of Airport Operations; or
 - v. opposing any proposed change to the relevant District Plan or designations, or any proposed resource consent, in each case where initiated by the Covenantee provided that the same relates to the use of the Nelson Airport Land for Airport Operations.
- b. Noise emitted from Airport Operations shall not exceed the maximum level from time to time permitted in the relevant District Plan, any resource consent granted by Nelson City Council to the Covenantee in respect of Airport Operations or any designation that applies to the Nelson Airport Land. If Airport Operations exceed the maximum level permitted under these mechanisms the Covenantor is not restricted from exercising their rights of objection only to the extent that they relate to such a breach.

**CERTIFICATE BY BODY CORPORATE: CONSENT TO EASEMENTS AND
COVENANTS**

Section 63(6), Unit Titles Act 2010

Unit plan: DP 350207

Body Corporate Number: 350207

Supplementary record sheet: 214309

Certificate

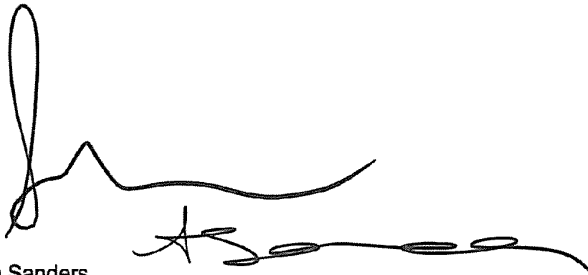
The body corporate certifies that it has consented to the dealing summarised in the schedule by special resolution dated **12/09/19** in accordance with section 63(4) of the Unit Titles Act 2010.

Schedule

Dealing type	Reference on plan	Burdened land	Benefitting land or grantee
Land Covenant	N/A	The Land described in Schedule A attached	In gross

Date: **12th September 2019**

Signature of body corporate:

A handwritten signature in black ink, appearing to read 'Angela Sanders', with a large loop at the start and a long horizontal stroke at the end.

Before me:

Full name of witness:

Angela Sanders

Address of witness:

96 Tasman Street, Nelson

**CERTIFICATE BY BODY CORPORATE: CONSENT TO EASEMENTS AND
COVENANTS**

Section 63(6), Unit Titles Act 2010

Unit plans: DP 370080

Body Corporate Numbers: 370080

Supplementary record sheet: 311016

Certificate

The body corporate certifies that it has consented to the dealing summarised in the schedule by special resolution dated **12/09/19** in accordance with section 63(4) of the Unit Titles Act 2010.

Schedule

Dealing type	Reference on plan	Burdened land	Benefitting land or grantee
Land Covenant	N/A	The Land described in Schedule A attached	In gross

Date: 12th September 2019

Signature of body corporate:

Before me:

Full name of witness:

Address of witness:

Angela Sanders

96 Tasman Street, Nelson

CERTIFICATE BY BODY CORPORATE: CONSENT TO EASEMENTS AND COVENANTS

Section 63(6), Unit Titles Act 2010

Unit plan: DP 357377

Body Corporate Number: 357377

Supplementary record sheet: 242512

Certificate

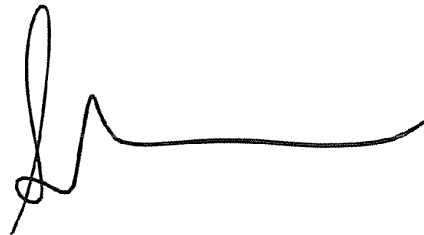
The body corporate certifies that it has consented to the dealing summarised in the schedule by special resolution dated **12/09/19** in accordance with section 63(4) of the Unit Titles Act 2010.

Schedule

Dealing type	Reference on plan	Burdened land	Benefitting land or grantee
Land Covenant	N/A	The Land described in Schedule A attached	In gross

Date: **12th September 2019**

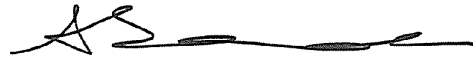
Signature of body corporate:



Before me:

Full name of witness:

Angela Sanders



Address of witness:

96 Tasman Street, Nelson

**CERTIFICATE BY BODY CORPORATE: CONSENT TO EASEMENTS AND
COVENANTS**

Section 63(6), Unit Titles Act 2010

Unit plans: DP 345117

Body Corporate Number: 345117

Supplementary record sheet: 202443

Certificate

The body corporate certifies that it has consented to the dealing summarised in the schedule by special resolution dated **12/09/19** in accordance with section 63(4) of the Unit Titles Act 2010.

Schedule

Dealing type	Reference on plan	Burdened land	Benefitting land or grantee
Land Covenant	N/A	The Land described in Schedule A attached	In gross

Date: **12th September 2019**

Signature of body corporate:



Before me:

Full name of witness:

Angela Sanders

Address of witness:

96 Tasman Street, Nelson

**CERTIFICATE BY BODY CORPORATE: CONSENT TO EASEMENTS AND
COVENANTS**

Section 63(6), Unit Titles Act 2010

Unit plan: DP 404603

Body Corporate Number: 404603

Supplementary record sheet: 434206

Certificate

The body corporate certifies that it has consented to the dealing summarised in the schedule by special resolution dated **12/09/19** in accordance with section 63(4) of the Unit Titles Act 2010.

Schedule

Dealing type	Reference on plan	Burdened land	Benefitting land or grantee
Land Covenant	N/A	The Land described in Schedule A attached	In gross

Date: **12th September 2019**

Signature of body corporate:

Before me:

Full name of witness:

Address of witness:

Linda Bamford

42 Arapiki Road, Nelson.

**CERTIFICATE BY BODY CORPORATE: CONSENT TO EASEMENTS AND
COVENANTS**

Section 63(6), Unit Titles Act 2010

Unit plan: DP 394669

Body Corporate Number: 394669

Supplementary record sheet: 413174

Certificate

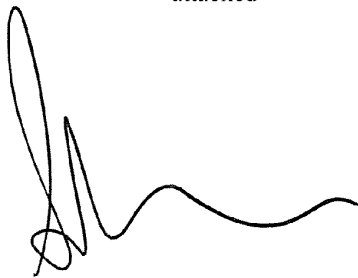
The body corporate certifies that it has consented to the dealing summarised in the schedule by special resolution dated **12/09/19** in accordance with section 63(4) of the Unit Titles Act 2010.

Schedule

Dealing type	Reference on plan	Burdened land	Benefitting land or grantee
Land Covenant	N/A	The Land described in Schedule A attached	In gross

Date: 12th September 2019

Signature of body corporate:



Before me:

Full name of witness: Angela Sanders



Address of witness: 96 Tasman Street, Nelson

SCHEDULE A

Burdened Land Legal Description	Registered Owner	Record of Title
Unit 1 DP 350207 & AU1 DP 350207	Scott Patrick Sanders & Angela Jane Lowry Sanders	205472
Unit 2 DP 350207 & AU2 DP 350207	Scott Patrick Sanders & Angela Jane Lowry Sanders	205473
Unit 3 DP 350207 & AU3 DP 350207	Scott Patrick Sanders & Angela Jane Lowry Sanders	205474
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Unit 34 DP 345117 & AU34 DP 345117	Scott Patrick Sanders & Angela Jane Lowry Sanders	184897
Unit 35 DP 345117 & AU35 DP 345117	Patrick Simon Lowry Sanders & Bamford Law Trustees Ltd	184898
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