



IN THE MATTER of a Plan lodged for
Deposit under
Number 403930

Pursuant to Section 221 of the Resource Management Act 1991 THE RODNEY DISTRICT COUNCIL HEREBY GIVES NOTICE that its subdivision consent given in respect of the land in the Second Schedule as shown on Land Transfer Plan 403930 is conditional inter alia upon the compliance on a continuing basis by the Subdivider and the subsequent owners of the land in the Third Schedule hereto with the conditions set forth in the First Schedule hereto.

FIRST SCHEDULE

(bush protection) The existing native bush and revegetation to be protected on Lots 10, 12, 16, 17, and 22 (Areas A, D, E, V, W, N and N1) shall be protected in perpetuity to the satisfaction of the team Leader Resource Consents.

The Owners or their successors in title for the time being of the above lots:

- Shall preserve the natural landscape trees, vegetation and areas of bush now thereon within that part of each lot identified as such on the survey plan.
- Shall not without the prior written consent of the Council (and then only in strict compliance with any conditions imposed by the Council) cut down, damage or destroy, or permit the cutting down, damaging or destruction of any such natural landscape trees, vegetation or areas of bush.
- Shall not do anything which would prejudice the health of any such natural landscape trees, vegetation or areas of bush.
- Shall control all noxious plants and animals within the identified part of each lot; and
- Shall maintain a stock proof fence as approved by the Council, around the perimeter of the identified part of each lot.

The owners shall be deemed not to be in breach of this covenant if any such trees, vegetation or bush die from fire or natural causes not attributable to any act or default by or on behalf of the owners or for which the owners are responsible. Failure to comply with this condition may result in enforcement action being taken by the Council under the Resource Management Act 1991 to ensure full compliance and continuing protection of the bush.

(building restrictions) Any buildings erected on the building sites on Lots 1 - 5, 8 - 10, 12, 14, 15, 17, 18 & 23 created, identified on the plan certified by Hutchinson Consultants, shall be subject to the requirements of the Geotechnical Completion Report from Hutchinson Consultants Ltd, reference LM9678, dated June 2008 and any subsequent reports. Copies of the said plan and report(s) will be held at the offices of the Council, Centreway Road, Orewa.

(limit on impermeable area) The maximum impermeable area on Lots 1 - 5, 8 - 10, 12, 14, 15, 17 & 18 shall not exceed 1200 square metres, unless a specific design for stormwater disposal is prepared by a Chartered Professional Engineer in terms of the requirements of the document "Management of Stormwater in Countryside Living (Rural and Town) Zones - A Toolbox of Methods" and approved in writing by the Consents Engineer. Copies of the said report and document are held at the offices of the Council, Centreway Road, Orewa.

(monitoring) The owners for the time being of Lots 1 - 6, 8 - 10, 12, 14 - 18, and 20 - 23 shall pay to the Council the fair and reasonable costs incurred by the Council in monitoring the ongoing conditions of consent as they apply to the lots at not less than two-yearly intervals, unless required otherwise by a legitimate complaint. The respective owners will be advised of the costs, assessed under the Council's Schedule of Fees and Charges, as they fall due.

(riparian margin protection) The riparian margin to be protected on Lots 1, 4, 5, 6, 9, 14, 15, 22 and 23 (Areas P to U, Z, A1 and A2) shall be protected in perpetuity to the satisfaction of the team Leader Resource Consents.

The Owners or their successors in title for the time being of the above lots:

- Shall preserve the natural landscape trees, vegetation and areas of bush now thereon within that part of each lot identified as such on the survey plan.
- Shall not without the prior written consent of the Council (and then only in strict compliance with any conditions imposed by the Council) cut down, damage or destroy, or permit the cutting down, damaging or destruction of any such natural landscape trees, vegetation or areas of bush.
- Shall not do anything which would prejudice the health of any such natural landscape trees, vegetation or areas of bush.
- Maintain the native plantings required as Condition C7 of Resource Consent RMA 40339A for a minimum of 5 years or until canopy closure has recurred within 5 years.
- Replace any plants that do not survive.
- Shall control all noxious plants and animals within the identified part of each lot and release plants from kikuyu as necessary to ensure adequate growth; and
- Shall maintain a stock proof fence as approved by the Council, around the periphery of the riparian margin.

The owners shall be deemed not to be in breach of this covenant if any such trees, vegetation or bush die from fire or natural causes not attributable to any act or default by or on behalf of the owners or for which the owners are responsible. Failure to comply with this condition may result in enforcement action being taken by the Council under the Resource Management Act 1991 to ensure full compliance and continuing protection of the riparian margin.

SECOND SCHEDULE

An estate in fee simple in 60.5488 hectares more or less being Lots 8 - 11 DP 81312, Lot 3 DP 97786 and Lot 6 DP 97475 comprised in Certificate of Title NA53B/663, NA53A/1296, NA37D/919, NA37D/918, NA37D/917 and NA37D/916.

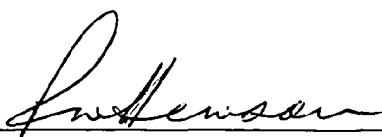
THIRD SCHEDULE

Lots 1 - 6, 8 - 10, 12, 14 - 18 and 20 - 23 DP 403930 totalling 58.8885 hectares in area.

DATED this 23rd day of July 2008.

SIGNED for and on behalf of the)
RODNEY DISTRICT COUNCIL)

SCHEME PLAN: R40339A



Authorised Officer