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IN THE MATTER of the Resource Management Act 1991 (Act)

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IN THE MATTER of the subdivision of land shown in Deposited Plan 378455 (North Auckland Registry) (Plan)

**CONSENT NOTICE
(Section 221 of the Act)**

KAIPARA DISTRICT COUNCIL (the Council) being the territorial authority of the district within which the land described in the First Schedule below (the Land) is located has consented to the subdivision of the land as shown in the Plan subject to the conditions of the Second Schedule below to be complied with on a continuing basis by the Owner (as defined in the Act).

**FIRST SCHEDULE
(Land)**

ALL the land described in Unique Identifiers NA12A/610, NA942/7 and 123883 (North Auckland Registry)

**SECOND SCHEDULE
(Conditions)**

The Owner (as defined in the Act) shall, on a continuing basis, to the satisfaction of the Council, comply with the following conditions of the Council's Subdivision Consent RM050202 namely:

1. **In respect of Lots 1 to 46 (inclusive) on the Plan**
 - 1.1 The Owner of each Lot must be a shareholder of the entity formed to own, manage and maintain the Lake and Lakeside Enhancement Area on Lot 51 on the Plan.
 - 1.2 In the absence of an entity to own, manage and maintain the Lake and Lakeside Enhancement Areas on Lot 51 on the Plan, the Owner of each Lot is jointly and severally responsible for such ownership, management and maintenance.

- 1.3 The Owner of each Lot must have the wastewater treatment and disposal systems serving the Lot designed by an appropriately qualified competent engineer.
- 1.4.1 The attention of the owner of each Lot is drawn to the Geotech Professionals report, job number 6714/05/CR dated August 2005.
- 1.4.2 The Owner of each Lot must comply with the recommendations of the report with respect to:
- earthworks;
 - foundations;
 - retaining walls;
 - stormwater drainage including discharge methods for rain water tank overflows;
 - site inspections during construction.
- 1.5 The Owner of each Lot must comply with the landscape guidelines approved by the Council providing for the protection and enhancement of landscape and rural amenities of the Land and surrounding visual catchment area.
- 1.6.1 The entity established to own, manage and maintain the Lake and Lakeside Enhancement Areas on Lot 51 on the Plan must engage a suitably qualified professional approved by the Council to undertake water quality monitoring in accordance with the monitoring programme approved by the Council in accordance with the Council's Subdivision Consent and must submit records of the monitoring to the Council and the Northland Regional Council within one month of the monitoring being carried out.
- 1.6.2 Where the results of the monitoring identify that activities on the Lots have adversely affected water quality the Owners of the Lots must ensure that the entity takes remedial measures without delay. Subsequent water quality samples must be undertaken by the entity and reported to the Council and the Northland Regional Council with an explanation of the remediation undertaken and the outcomes.

1.6.3 The Owners of the Lots acknowledge that the monitoring records provided in accordance with Consent Condition 1.6.1 will be reviewed by the Council and Northland Regional Council at the cost of the entity.

2. In respect of Lots 1 to 47 (inclusive) and 51 on the Plan

2.1 The Owner of each Lot must maintain all landscaping in accordance with the Landscape Amenity and Ecological Enhancement Plan ("LAEEP") approved by the Council in accordance with the Council's Subdivision Consent, to the satisfaction of the Council.

2.2 The Owner acknowledges that the Council will at the cost of the Owner monitor compliance with the LAEEP for a period of five years from the date of completion of landscape planting.

2.3 The Owner must not permit to exist on the Lot exotic vegetation that could pose a threat to the ecological value of the lots on the Plan and must not introduce or permit the introduction of invasive plants species, including those currently listed on the Nationally Banned For Sale List referred to in the Northland Regional Council Regional Pest Management Strategy.

3. In respect of Lot 47 on the Plan

3.1.1 The Owner of the Lot:

- (a) must fence Areas A, B, C and D on the Plan to a stock proof standard;
- (b) must not permit farm animals to graze within Areas A, B, C and D on the Plan;
- (c) must keep Areas A, B, C and D on the Plan clean of invasive and/or woody weeds as defined in the Northland Regional Council Pest Management Strategy for Pest Plants; and
- (d) in respect of Areas A, B, C and D the Owner must comply with the designation and controls set out in the Northland Regional Council Pest Management Strategy for Pest Plants.

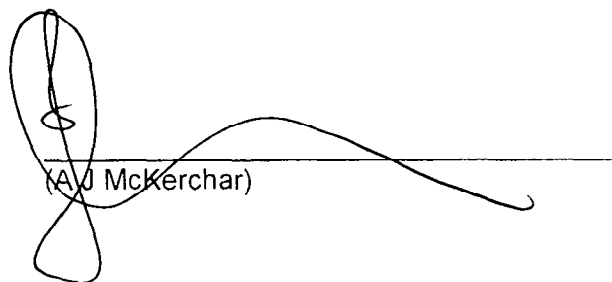
3.1.2 Except as set out below, for a period of 10 years from the date of registration of this consent notice, the Owner shall not further subdivide Lot 47 on DP 378455, Unique Identifier 314630 (North Auckland Registry).

Lot 47 may, in conjunction with the land described in Unique Identifier NA570/220, NA576/166, NA66A/394, NA312897, NA143513, NA143515 and NA105/C30, be the subject of one application to the Council for consent for further subdivision provided that Lot 47 or any new lot in substitution for or incorporating all or part of that lot may not thereafter be further subdivided or included in any further consent application for a period of 10 years from the date of registration of this consent notice and any such new lot must not have an area of 139.8 hectares more or less.

3.1.3 The Owner must maintain the culvert located in the watercourse on the western side of the Lot adjacent to the property at 229 Devich Road (Lot 2 DP 198004) in good condition and remove on a regular basis any debris, vegetation or siltation that may obstruct water flow through the culvert.

DATED the _____ day of _____ 2007

AUTHENTICATED by the Council)
by the principal administrative officer)
of the Council,)
Alan John McKerchar –)
Chief Executive)


(Alan John McKerchar)