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IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of a subdivision of
land in the South Auckland Land
Registration District

CONSENT NOTICE

(Pursuant to Section 221 of the Act)

THE WHAKATANE DISTRICT COUNCIL ("the Council") being the territorial authority for the district within which the Land described in the First Schedule of this Notice is situated has, pursuant to Part X of the Act, granted its consent to the subdivision shown on Land Transfer Plan 366701 subject to certain conditions, including the requirement in respect of the Land that the Owner (as defined in the Act) complies on a continuing basis with the conditions set out in the Second Schedule of this Notice.

FIRST SCHEDULE

('the Land')

FIRST 1.3530 hectares more or less being Lot 1 on Land Transfer Plan 366701 and being part of the land comprised in Certificate of Title SA2B/1420 (South Auckland Registry).

SECOND 17.9720 hectares more or less being Lot 2 on Land Transfer Plan 366701 and being part of the land comprised in Certificate of Title SA2B/1420 (South Auckland Registry).

SECOND SCHEDULE

("the Conditions")

The Owner(s) of Lot 1 referred to in the First Schedule shall, on a continuing basis:

- 1.0 Ensure that all earthworks for the creation of building platforms, effluent fields, stormwater disposal and access be monitored by a suitably qualified archaeologist and that evidence be supplied to demonstrate this.

2B/1420

CONO

2

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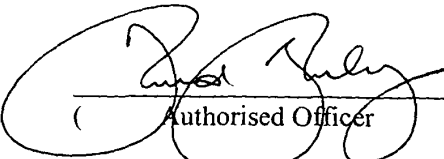
- 2.0 Ensure that stormwater runoff from buildings and developed areas shall be collected and piped to a discharge point or ground soakage well clear of any steep slopes.
- 3.0 Be aware that the property is located in a rural area where the predominant use of land is typically rural production and other rural based activities. The effects of lawful activities may result in the occupier experiencing effects such as odour, dust, noise, lighting, or increased traffic volumes and variety of vehicles. The owners of the land acknowledge that these effects are typical of the environment they live within and that Council will not consider complaints regarding effects of lawful activities.
- 4.0 Pay the Council's legal costs and disbursements directly or indirectly attributable to the preparation execution registration and enforcement of this Notice and the Council's conditions set out in this Notice and any variation or cancellation of such conditions.

The Owner(s) of Lot 2 referred to in the First Schedule shall, on a continuing basis:

- 5.0 Be aware that the property is likely to contain archaeological and cultural sites that may affect the location and formation of accessways, effluent fields, stormwater disposal sites and building sites. To ensure the requirements of the Historic Places Act 1991 are complied with, the owner shall not construct a house site until Council is satisfied that sufficient consultation has taken place in respect of archaeological and wahi tapu sites
- 6.0 Upgrade the vehicle entrance and accessway to a 5.0 metre wide carriageway in accordance with the Council's Engineering Code of Practice with approved stormwater control, prior to the construction of a dwelling on Lot 2. The upgrade of the accessway and vehicle crossing has not been required with the subdivision as significant damage could occur during forest harvesting operations.
- 7.0 Ensure that stormwater runoff from buildings and developed areas shall be collected and piped to a discharge point or ground soakage well clear of any steep slopes.
- 8.0 Pay the Council's legal costs and disbursements directly or indirectly attributable to the preparation execution registration and enforcement of this Notice and the Council's conditions set out in this Notice and any variation or cancellation of such conditions.

DATED at Whakatane this 11th day of May 2009

AUTHENTICATED by the)
Council by the Principal)
Administration Officer of)
the Council pursuant to)
Section 252 of the Local)
Government Act 1974)


(Authorised Officer)

CONSENT NOTICE

(Pursuant to Section 221 of the Resource Management Act 1991)

GIVEN by:

Gibson & Day Limited

IN FAVOUR of:

THE WHAKATANE DISTRICT COUNCIL

DATED:

day of

2009

PROPERTY:

Lots 1 and 2 on

Deposited Plan 366701

SUBJECT:

Consent Conditions

COUNCIL REFERENCE: 24.3.05.47

HAMERTONS

Lawyers

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WHAKATANE

(dft consents) Gibson & Day 2009