

**Consent Notice Pursuant to Section 221
Resource Management Act 1991**

File Ref: S/B/9919
Stage 3B3

IN THE MATTER OF: Deposited Plan 390233

A N D

IN THE MATTER OF: Subdivision Consent pursuant to
Sections 108, 220 and 221 of the
Resource Management Act 1991.

PURSUANT to Section 252(1)(a) of the Local Government Act 1974, I, CHRIS WATT, Authorised Officer of the Western Bay of Plenty District Council, hereby certify that by way of resolution passed under delegated authority on 6th March 2006, the following condition was imposed on the subdivision consent for Lot 184 Deposited Plan 336648

9. THAT a consent notice pursuant to Section 221 of the Resource Management Act 1991 be issued against the title of Lots 108 to 111 hereon contains an overland flow path, an easement registered in favour of Council and that no filling is permitted within the overland flow path / easement.

[Note: Easements Lot 108 (area W), Lot 109 (X), Lot 110 (Y) and Lot 111(Z)]

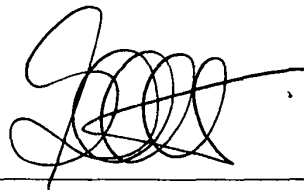
10. THAT a consent notice pursuant to Section 221 of the Resource Management Act 1991 be issued against the title of Lots 195, 108 to 111 hereon as follows:
- a) That all habitable buildings and garages shall be built to a minimum floor level of RL4.5m and RL4.2m Moturiki Datum respectively.
 - b) That a building line restriction in accordance with Downey Survey Consultants Ltd Drawing No 960359-1A, Sheet 1, or in accordance with a subsequent geotechnical report prepared by a Chartered professional Engineer to the satisfaction of the Principal Administrative Officer and be shown on the Land Transfer plan.

[Note: Subsequently a report has been provided by Richard Spiers and Associates Lt (Ref 1318-31 dated 30 June 2007) which, amongst other recommendations, identifies restricted areas, sets maximum floor levels, prohibits additional filling and recommends that foundations be designed by a Registered Engineer. The identified areas have been shown on the Land Transfer Plan.]

20. THAT a consent notice pursuant to section 221 of the Resource Management Act 1991 be issued against the titles of the allotments that adjoin the Local Purpose Reserve Esplanade and Utilities Drainage, Lot 198 and the pedestrian walkways such that all fencing along the common boundaries of the subject allotments are to be erected at the expense of the respective landowners and/or occupiers of those allotments

[Note All fencing along boundaries of Lots 108-111 and 195 that are common with the Local Purpose Reserve (Esplanade) or pedestrian walkways are to be erected at the expense of the respective land owners and/or occupiers of those allotments.]

Dated at Tauranga this 27th day of June 2008



Authorised Officer