

**CONO 7941220.2 Consen**

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DocID: 313183612

**IN THE MATTER** of a Plan lodged for  
Deposit under  
Number 406651

Pursuant to Section 221 of the Resource Management Act 1991 the **WAITAKERE CITY COUNCIL HEREBY GIVES NOTICE** that its subdivision consent given in respect of Land Transfer Plan 406651 is conditional inter alia upon the compliance on a continuing basis by the Subdivider and the subsequent owners of the land in the Second and Third Schedules hereto with the conditions set forth in the First Schedule hereto.

#### **FIRST SCHEDULE**

1. The Owners shall manage, maintain and keep in proper working order the privately owned bridge crossing located on the land described in the Second Schedule hereto. It is acknowledged that the obligations of all of the Owners of the land described in the Second Schedule hereto are joint and several.
  
2. The Owner shall not carry out any development, nor place, erect, construct or permit to remain any buildings on any part of the land described in the Second Schedule hereto unless stormwater mitigation measures are being carried out to the satisfaction of the Waitakere City Council which must include, but are not limited to the following:
  - (a) either:
    - (i) maintain stormwater runoff flows, volumes and timing to predevelopment levels for the two year storm event to provide stream channel erosion protection; or
    - (ii) store the first 34.5 mm of rainfall and discharge over 24 hours; and

- (b) collect and re-use rainwater runoff from the proposed dwellings/additions for non potable re-use, such as toilet, laundry and exterior water taps and install tanks of suitable capacity for stormwater reuse and attenuation; and
  - (c) ensure all stormwater discharge and overflow runoff mimics natural runoff patterns and does not directly discharge to any open drain or piped system; and
  - (d) ensure on-site stormwater device design takes into consideration the Geotechnical Report and Investigation for the property completed by Engineering Geology Limited, Ref 5950a, dated 6 July 2006 (held in Council's records under RMA20061652) ("the Engineering Geology Report") and the applicable recommendations of the Engineering Geology Report are acknowledged in the said design; and
  - (e) the Owner shall provide to the Waitakere City Council at two yearly intervals from the date of this Consent Notice, a report from a suitably qualified person demonstrating that:
    - (i) The measures required to mitigate stormwater runoff are in working order as per their approved design including, but not limited to, any measures and devices installed as a condition of any future building consent for the proposed buildings; and
    - (ii) The Owner shall ensure that any deficiencies in the operation of the stormwater mitigation devices/measures are remedied to the satisfaction of the Waitakere City Council and left in a suitable condition to remain in service for a further two years
3. The Owner shall not bring onto or permit to remain on any part of the land described in the Second Schedule hereto any noxious weeds or animal pests at any time after the date of this Consent Notice.

4. The Owner shall not bring onto or permit to remain on any part of the land described in the Second Schedule hereto any livestock of any nature including but not limited to horses and goats, unless those parts of the land marked "F", "J", "X", "Y" and "Z" on DP 406651 is adequately fenced with stockproofing fencing that:
  - (a) Ensures that all livestock remains outside the areas marked "F", "J", "X", "Y" and "Z" on DP 406651 ; and
  - (b) Complies with one of Clauses 6, 7 or 8 of the Second Schedule of the Fencing Act 1978; and
  - (c) Is constructed around the perimeter of those parts of the land marked "F", "J", "X", "Y" and "Z" on DP 406651 ; and
  - (d) All fencing is maintained, repaired and/or renewed by the Owner at the Owner's expense; and
  - (e) All such fencing is constructed to the satisfaction of the Waitakere City Council.
5. The Owner of the land described in the Second Schedule hereto shall at all times comply with the approved Planting/Rehabilitation Plan and Weed Management Plan(s) held in Council records under RMA20061652 titled "ANNEXURE B" and "231 Huia Road, Titirangi - Planting Plan and Schedule February 2008 by NMU Clunie".
6. The Owner shall not carry out any development, nor place, erect, construct or permit to remain any buildings on any part of the land described in the Third Schedule hereto unless:
  - (a) all buildings are located outside the one in one hundred year flood plain; and

- (b) the floor levels of such buildings are not less than 500mm above the one in one hundred year overland flowpath of the Waituna Stream and/or the Armstrong Gully, whichever is the higher and adjacent to the relevant building platform of any affected allotment; and
- (c) all recommendations contained within the Engineering Geology Report are adhered to in development and/or construction as relevant; and
- (d) detailed design and recommendations are undertaken by a Chartered Professional Engineer who is familiar with the contents of the Engineering Geology Report and all such earthworks, development and construction is carried out in accordance with that design to the satisfaction of the Waitakere City Council; and
- (e) all earthworks are undertaken in accordance with NZS 4431:1989 "Code of Practice for Earthfills for Residential Development" and NZS 4404: 2004 "Code of Practice for Urban Land Subdivision"; and

#### SECOND SCHEDULE

An estate in fee simple in all those parcels of land situated in the North Auckland Registry described as follows:

| <b>Lot</b> | <b>D.P.</b> | <b>C.T.</b> |
|------------|-------------|-------------|
| 1          | 406651      | 425603      |
| 100        | 406651      | 425604      |

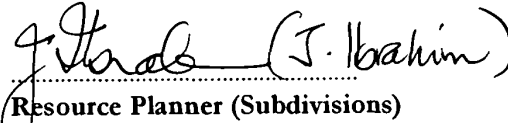
**THIRD SCHEDULE**

An estate in fee simple in all those parcels of land situated in the North Auckland Registry described as follows:

| Lot | D.P.   | C.T.   |
|-----|--------|--------|
| 100 | 406651 | 425604 |

**DATED** this                              day of                              2008

**SIGNED** for and on behalf of  
the **WAITAKERE CITY COUNCIL**

  
Resource Planner (Subdivisions)

WCC Ref:      RMA 20061652