



**IN THE MATTER** of a Plan lodged for  
Deposit under  
Number 395966

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 395966 is conditional inter alia upon the compliance on a continuing basis by the Subdivider and the subsequent owners of the land in the Second Schedule hereto with the conditions set forth in the First Schedule hereto.

### **FIRST SCHEDULE**

1. The owner shall not place, erect, construct or permit to remain on any part of the land described in the Second Schedule hereto any buildings unless:
  - (a) the floor levels of such buildings are not lower than 500mm in height above the one in one hundred year flood level of the overland flowpath measured at a point squared off the overland flowpath at the highest/uphill side of such proposed floor; and
  - (b) The foundations of such residential buildings have been the subject of specific investigation and design by a registered engineer experienced in geomechanics who is familiar with the contents of the Soil Engineering Ltd geotechnical report dated 13 June 2007 (held in Council's records under RMA 20070725); and
  - (c) Such specific investigation and design referred to in Clause 1(b) above takes into account the recommendation for pile foundations, to be taken down to the underlying sandstone rock at the estimated depth of five to six metres;
  - (d) All such construction is carried out in accordance with that design to the satisfaction of the Waitakere City Council.

2. The Owner of the land described in the Second Schedule shall not:
- (a) Place erect construct or permit to remain any fencing on any part of the boundaries of the overland flowpath marked "B", "E" and "F" on DP 395966 unless such fencing:
    - (i) Is open boarded fencing; and
    - (ii) Has a minimum freeboard of 200mm above finished ground level; and
  - (b) Carry out any reshaping, excavation, filling and cutting that will adversely alter the ground levels of any part of the land marked "B", "E" and "F" on DP 395966;
  - (c) Place, erect, construct or permit to remain on any part of the land marked "B", "E" and "F" on DP 395966 any object, landscaping, building or structure which has the effect of obstructing the free flow of water through the land described in the Second Schedule hereto.

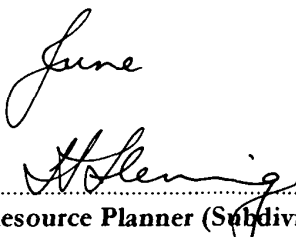
### SECOND SCHEDULE

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.
2	395966	382920

DATED this 23<sup>rd</sup> day of June 2008

SIGNED for and on behalf of  
the WAITAKERE CITY COUNCIL

  
Resource Planner (Subdivisions)

WCC Ref: RMA 2007726