

CONO 7034455.2 Cons

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

A N D

IN THE MATTER of the subdivision of land
shown in Deposited Plan
348507 (North Auckland
Registry) (the 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
(the Land)

The land in Certificate of Title ~~NA540/499~~ ^{NA54D/499} (North Auckland Registry).

SECOND SCHEDULE
(the 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, namely:

1. In respect of lots 1 to 13 and 15 to 26 (inclusive) and 56 on the Plan.
 - 1.1 The Owner of each lot is required to be a shareholder or member of the entity formed to own, operate, maintain and administer all matters associated with the communal wastewater treatment and disposal system for the subdivision of the Land until such time as connection to the reticulated public scheme for Mangawhai ("EcoCare Project") is available.
 - 1.2 In the absence of an entity formed to own, operate, maintain and administer all matters associated with the communal wastewater treatment and disposal system for the

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subdivision of the Land, the Owner of each lot is jointly and severally responsible for such operation, maintenance and administration.

- 1.3 Use of the communal effluent disposal scheme within the subdivision of the Land is permitted only until such time as connection to the EcoCare Project is available. At that time all lots must be connected to the EcoCare Project and must comply with all of the requirements of the Council relating to such connection including the payment of any development contribution, connection fee or any other charge.
- 1.4 Until the time of connection to the EcoCare Project the Owner of each lot must supply and install individual septic tank/interceptor tanks and plumbing fixtures to each lot in accordance with the standards defined by the entity responsible for ongoing management of the communal wastewater treatment and disposal system.
- 1.5 Until the time of connection to the EcoCare Project the Owner of each lot is required to enter into an ongoing contract for the maintenance of the individual septic tank/interceptor tanks with an organisation to the approval of the entity responsible for ongoing management of the communal wastewater treatment and disposal system.
- 1.6 When residential development of any lot is undertaken the Owner must install on that lot an individual septic tank/interceptor tank of at least 4,200 litre capacity with effluent outlet filter and effluent pump as necessary, connected to the communal wastewater treatment and disposal system for the subdivision and maintained thereafter until such time as the subdivision of the land is provided with a connection to the EcoCare Project.

2. In respect of lots 1 to 26 (inclusive) and 56 and 57 on the Plan

- 2.1 At the time of residential development of a lot the Owner of the lot must construct stormwater detention devices specifically designed by an appropriately qualified competent engineer to the approval of the Council to ensure that the peak stormwater runoff from that lot is no greater than that which would have occurred prior to development.
- 2.2 The Owner of each lot must ensure that all rainwater tank overflows and other concentrated sources of stormwater are directed to the stormwater detention devices installed in compliance with clause 2.1 of this notice.

2.3 The Owner of each lot must maintain the stormwater detention devices installed in compliance with clause 2.1 of this notice to ensure their effective continuing operation.

2.4 The attention of Owners and potential purchasers is draw to the geotechnical reports prepared by John Hawley Consultants Limited being Report 583c dated 10 March 2006 and Report 583f dated 4 July 2006 and the Owner of each lot shall comply with the recommendations of that report.

3. In respect of lots 14 and 57 on the Plan

3.1 The use of those parts of lots 14 and 57 on the Plan affected by the easements depicted on the Plan is restricted to communal wastewater treatment and disposal system until such time as the Land is provided with a connection to the EcoCare Project.

3.2 At the time of connection of each lot to the EcoCare Project , the Owner must comply with all of the Council's requirements relating to such connection, including the payment of any development contribution, connection fee or any other charge.

4. In respect of lots 4 - 10 (inclusive) on the Plan.

4.1 The Owner must not undertake any earthworks without a prior assessment and approval by a competent Engineer of the potential effects of earthworks on the lateral dispersal of the sand filter discharge from the wastewater disposal area on lot 14 on the plan.

5. In respect of lots 1, 3, 4, 7, 8, 18 and 26 on the Plan

5.1 At the time of residential development of any such lot, the Owner of such lot must form vehicle crossings to the lot to comply with Council's standards current at that time and must also comply with any necessary permit procedures.

6. In respect of lots 1, 13, 19 -21 (inclusive), 56 on the Plan

6.1 Direct access to lots 1, 13, 19-21 (inclusive) and 56 from Moir Point Road is prohibited and access to each of these lots must be gained via the alternative access point provided.

7. In respect of lots 19-26 (inclusive) on the Plan

7.1 The construction of buildings, earthworks, and the clearance of vegetation from lots 19-26 (inclusive) is prohibited within the areas of such lots depicted on the Plan being:

Q lot 19 U lot 23

R lot 20 V Lot 24

S lot 21 W Lot 25

T lot 22 X Lot 26.

DATED the 30th day of August 2006

AUTHENTICATED by the Council
by the principal administrative officer
of the Council Alan John McKerchar

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A J McKerchar