View Instrument Details

Instrument No	8138731.7
Status	Registered
Date & Time Lodged	20 October 2009 09:12
Lodged By	Shepherd, Andrea Jane
Instrument Type	Covenant (All types except Land covenants)

Affected Computer Registers	Land District
414229	North Auckland
414230	North Auckland
414231	North Auckland
414232	North Auckland
414233	North Auckland
414234	North Auckland
414235	North Auckland
414236	North Auckland
414237	North Auckland
414238	North Auckland
414239	North Auckland
414240	North Auckland
414241	North Auckland
414242	North Auckland
414243	North Auckland
414244	North Auckland
414245	North Auckland
414246	North Auckland
414247	North Auckland
414248	North Auckland
414249	North Auckland
414250	North Auckland
414251	North Auckland
414252	North Auckland
414253	North Auckland
414254	North Auckland
414255	North Auckland
414256	North Auckland
414257	North Auckland
414258	North Auckland
414259	North Auckland
414260	North Auckland
414261	North Auckland
414262	North Auckland
414263	North Auckland
414264	North Auckland
414265	North Auckland
414266	North Auckland
414267	North Auckland
414268	North Auckland
414269	North Auckland

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Affected Computer Registers	Land District
414270	North Auckland
414271	North Auckland
414272	North Auckland
414273	North Auckland
414274	North Auckland
414275	North Auckland
414276	North Auckland
414277	North Auckland
414278	North Auckland
414279	North Auckland
414280	North Auckland
414281	North Auckland
414282	North Auckland
414283	North Auckland
414284	North Auckland
414285	North Auckland
414286	North Auckland
414287	North Auckland

Annexure Schedule: Contains 5 Pages.

Signature

Signed by Matthew Joseph Carroll as Grantor/Grantee Representative on 19/10/2009 09:01 AM

***** End of Report *****

CHAPMAN TRIPP

Conservation Covenant

Duck Nominees Limited (the Covenantor)

Kaipara District Council (the Council)

CONSERVATION COVENANT

Date: 14 AUGUST 2009

PARTIES

Duck Trust Limited (*the Covenantor*)

Kaipara District Council (*the Council*)

BACKGROUND

A The Covenantor has obtained a resource consent from the Council for the subdivision of Lot 1 DP 196760, Lot 1 DP 205260 and Allotments 230 and 423 Parish of Waipu in respect of resource consent number RM040281 (*the Consent*).

B As a condition imposed under the Consent, the Council has required the Covenantor to register a conservation covenant pursuant to Section 77 of the Reserves Act 1977 in respect of certain areas within the above subdivision for the purposes of protecting bush, shrubland, streamside and wetland areas.

NOW BY THIS DEED it is agreed by the parties as follows:

1 The Covenantor covenants with the Council on the terms of this deed and enters into and executes with the Council, pursuant to section 77 of the Reserves Act 1977, a conservation covenant in respect of those areas (*Covenant Areas*) of the land set out in the First Schedule (*the Covenant Land*).

2 The Covenantor covenants as follows:

2.1 that the Covenant Areas shall be fenced to a stock proof standard provided that gates shall be permitted to be part of these protective fence lines where the consented new internal roads/access ways and internal farm tracks existing prior to the application for the Consent required such or alternatively, the Covenant Areas shall have stock proof fences to exclude stock from the Covenant Areas on the lot should any stock be kept on the Covenant Land.

2.2 that no farm animals or stock shall be kept or grazed within the Covenant Areas and all reasonable steps shall be taken to prevent ingress into the Covenant Areas by such animals.

2.3 that the Covenant Areas shall be kept clean of invasive and/or woody weeds.

2.4 that vegetation (except for invasive and/or woody weeds) within the Covenant Areas shall not be cut down or destroyed.

3 The Covenantor further covenants that no cats or dogs shall be permitted within the Covenant Area on Lot 105 on DP 404128 and that appropriate signs/symbols to this effect are to be erected at access points to the Covenant Area on that lot.

4 The Covenantor covenants that it shall comply with the ecological management plan for Lot 105 on DP 404128 which has been approved by Council and which details the areas to control stock access and the animal and plant pest control programmes for Lot 105 on DP 404128.

5 The Covenantor shall permit the Council access at reasonable times to enable Council to review compliance by the Covenantor with the terms of this conservation covenant.

6 This Conservation Covenant has been entered into and executed pursuant to the provisions of section 77 of the Reserves Act 1977 and accordingly, this Conservation Covenant shall run with and bind the Covenant Land, shall be deemed to be an interest in the Covenant Land for the purpose of the Land Transfer Act 1952, and shall bind all subsequent owners of the Covenant Land.

Duck Nominees Limited by:

Director

in the presence of:

Name: C.H. MURPHY

Occupation: CONSULTANT

Address: AUCKLAND

Signed by the **Kaipara District Council** under seal by the Chief Executive Officer:

Alan John McKerchar

THE COMMON SEAL of)
KAIPARA DISTRICT COUNCIL)
was affixed in the)
presence of:)



Mayor

Chief Executive Officer

CONSERVATION COVENANT

FIRST SCHEDULE

Covenant Area (all as shown on DP 404128)	Covenant Land - Lot, DP and (Unique Identifier)
A	Lot 1 on DP 404128 (414229)
M, Q, T	Lot 15 on DP 404128 (414238)
U	Lot 16 on DP 404128 (414239)
W	Lot 17 on DP 404128 (414240)
AA, AC, CK	Lot 19 on DP 404128 (414241)
X	Lot 20 on DP 404128 (414242)
AD	Lot 21 on DP 404128 (414243)
AE	Lot 22 on DP 404128 (414244)
AF	Lot 23 on DP 404128 (414245)
CL	Lot 25 on DP 404128 (414247)
AI	Lot 26 on DP 404128 (414248)
AJ	Lot 27 on DP 404128 (414249)
AL, CM	Lot 27a on DP 404128 (414250)
AN	Lot 28 on DP 404128 (414251)
AT	Lot 35 on DP 404128 (414259)

Covenant Area (all as shown on DP 404128)	Covenant Land - Lot, DP and (Unique Identifier)
CS	Lot 35a on DP 404128 (414260)
AY	Lot 38 on DP 404128 (414263)
AZ	Lot 39 on DP 404128 (414264)
BA	Lot 41 on DP 404128 (414266)
BB	Lot 42 on DP 404128 (414267)
BE	Lot 45 on DP 404128 (414270)
CP	Lot 46 on DP 404128 (414271)
CQ	Lot 48 on DP 404128 (414273)
BF, CR	Lot 49 on DP 404128 (414274)
BG	Lot 50 on DP 404128 (414275)
BH and BI	Lot 70 on DP 404128 (414287)
B, BS	Lot 100 on DP 404128 (414229-414287 (inclusive))
BT	Lot 101 on DP 404128 (414229-414287 (inclusive))
BC	Lot 104 on DP 404128 (414229-414287 (inclusive))
BV	Lot 105 on DP 404128 (414229-414287 (inclusive))