

D651994.2 CONO

Pursuant to Section 221 of the Resource Management Act 1991 THE RODNEY DISTRICT COUNCIL HEREBY GIVES NOTICE that its subdivision consent given in respect of the land in the Second Schedule as shown on Land Transfer Plan 206468 is conditional inter alia upon the compliance on a continuing basis by the Subdivider and the subsequent owners of the land in the Third Schedule hereto with the conditions set forth in the First Schedule hereto.

FIRST SCHEDULE

(vehicle crossing) ANY FUTURE CROSSING POSITIONS TO SERVE LOTS 5 AND 6 SHALL COMPLY WITH RODNEY DISTRICT COUNCIL'S ADOPTED STANDARDS FOR DRIVEWAYS (RTS6) PUBLISHED BY THE ROAD SAFETY AUTHORITY.

(bush protection) THE EXISTING NATIVE BUSH ON LOT 6 (AREA E) SHALL BE PROTECTED IN PERPETUITY TO THE SATISFACTION OF THE COUNCIL. THE OWNERS OR THEIR SUCCESSORS IN TITLE FOR THE TIME BEING OF THE ABOVE LOTS SHALL PRESERVE THE NATURAL LANDSCAPE TREES AND AREAS OF BUSH NOW THEREON WITHIN THAT PART OF EACH LOT IDENTIFIED AS SUCH ON THE SURVEY PLAN AND SHALL NOT (WITHOUT THE PRIOR WRITTEN CONSENT OF THE COUNCIL AND THEN ONLY IN STRICT COMPLIANCE WITH ANY CONDITIONS IMPOSED BY THE COUNCIL) CUT DOWN, DAMAGE OR DESTROY ANY OF SUCH NATURAL LANDSCAPE TREES OR AREAS OF BUSH OR SUFFER OR PERMIT THE CUTTING DOWN, DAMAGING OR DESTRUCTION OF ANY OF THE SUCH NATURAL LANDSCAPE TREES OR AREAS OF BUSH AND SHALL NOT DO ANYTHING WHICH WOULD PREJUDICE THE HEALTH OF ANY OF SUCH TREES OR BUSH. TO ENSURE THE NATURAL HEALTH OF THE BUSH THE OWNER SHALL MAINTAIN A STOCK-PROOF FENCE AS APPROVED BY THE COUNCIL AROUND THE PERIMETER OF THE PROTECTED AREA. THE OWNERS SHALL BE DEEMED TO BE NOT IN BREACH OF THIS COVENANT IF ANY OF SUCH TREES OR BUSH DIE FROM FIRE OR NATURAL CAUSES NOT ATTRIBUTABLE TO ANY ACT OR DEFAULT BY OR ON BEHALF OF THE OWNERS AND FOR WHICH THE OWNERS ARE RESPONSIBLE. FAILURE TO COMPLY WITH THIS CONDITION MAY RESULT IN ENFORCEMENT ACTION BEING TAKEN BY THE COUNCIL UNDER THE RESOURCE MANAGEMENT ACT 1991 TO ENSURE FULL COMPLIANCE AND THE CONTINUING PROTECTION OF THE BUSH.

SECOND SCHEDULE

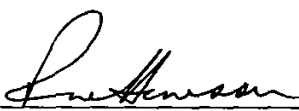
An estate in fee simple in 179.4000 more or less being Lot 1, Pt Lot 4 DP 9056, Pt Lot 4 DP 20680 and DP 27401 comprised in Certificate of Title 695/344 (all) North Auckland Land Registry.

THIRD SCHEDULE

Lots 5 and 6 DP 206468 totalling 179.4000 in area.

DATED this 27th day of August 2001.

SIGNED for and on behalf of)
the RODNEY DISTRICT COUNCIL)



Authorised Officer

SCHEME PLAN: R25549

LINE 3



PRODUCED 2.21 29.OCT01 D 651994.2
ENTERED 30.00-2801 at 9.20

PATRICIA R. T. ERL
LAWYER

