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IN THE MATTER of a Plan lodged for
Deposit under
Number 355616

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 355616 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 condition/s 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 residential buildings unless:
 - (a) the floor levels of such residential buildings are not lower than RL 82.50 metres in terms of LINZ datum; and
 - (b) a soils engineer is retained to inspect all excavations and foundations over public and private drains and site conditions exposed during construction prior to pouring of any concrete to check that the ground conditions encountered are consistent with those assumed in the Soil Report prepared by **Jackson Clapperton & Partners and dated 12th December 2002 (held in Council's records under RMA 20022399/SPW21690)** (hereinafter referred to as the said "Jackson Clapperton Report") and such engineer provides satisfactory certification to the Waitakere City Council that confirms that the ground conditions encountered are consistent with those assumed in the said Jackson Clapperton Report; and
 - (c) all buildings comply in all respects with the recommendations contained in the geotechnical report prepared by **Hugh Fendall Consultants Limited dated 27th August 2007 Ref: 07/115/Geo.R (held in Council's records under RMA 20022399/ SPW21690)** (hereinafter referred to as "the Hugh Fendall Report"); and

Statement of Passing over Information:

This information has been supplied by a third party. Accordingly, the Vendor and Austar Realty Limited are merely passing over this information as supplied to us by others. While we have passed on this information supplied by a third party, we have not checked, audited or reviewed the records or documents and therefore to the maximum extent permitted by law neither the Vendor nor Austar Realty Limited or any of its' salespersons or employees accept any responsibility for the accuracy of the materials. Intending purchasers are advised to conduct their own investigation.

- (d) the siting of such residential buildings allows for the gravitational flow of sanitary sewage from such buildings to the existing sewer main or unless, in the alternative, a domestic sewerage pumping station of a design and specification acceptable to the Waitakere City Council is installed to the satisfaction of the Waitakere City Council; and
 - (e) All buildings are located within that part of the land marked "B" on Deposited Plan 355616; and
 - (f) All bridge piles located on the land described in the Second Schedule hereto:
 - (i) Have been the subject of specific design by a registered engineer and such design is submitted to the Waitakere City Council with an application for building consent; and
 - (ii) Comply with the recommendations contained in the said Jackson Clapperton Report; and
 - (g) All development and construction is carried out in accordance with:
 - (i) All reports referred to herein where applicable; and
 - (ii) All specific design requirements referred to herein where applicable; and;
 - (iii) To the entire satisfaction of the Waitakere City Council.
2. The Owner shall not place, erect, construct or permit to remain on any part of the land described in the Third Schedule hereto any residential buildings unless:
- (a) the floor levels of such residential buildings are not lower than RL 82.50 metres in terms of LINZ datum; and
 - (b) the deposition area for all surplus soil from the house excavation has been appropriately prepared in accordance with the said Jackson Clapperton Report; and

- (c) ground water relief drainage is installed to the satisfaction of the Waitakere City Council in compliance with the said Jackson Clapperton Report;
- (d) a soils engineer is retained to inspect all excavations and foundations over public and private drains and site conditions exposed during construction prior to pouring of any concrete to check that the ground conditions encountered are consistent with those assumed in the Jackson Clapperton Report and such engineer provides satisfactory certification to the Waitakere City Council that confirms that the ground conditions encountered are consistent with those assumed in the Jackson Clapperton Report; and
- (e) the sub-floor structure for the proposed additions and alterations to the existing house located on the land described in the Third Schedule hereto as approved by the Waitakere City Council under Resource Consent RMA 20022252 and Building Consent COM20031594 (hereinafter referred to as “the said proposed additions and alterations”):
 - (i) Have been the subject of specific design by a registered engineer and such design is submitted to the Waitakere City Council with the application for building consent; and
 - (ii) Comply with the recommendations contained in the said Jackson Clapperton Report; and
- (f) all buildings are constructed to NZS 3604:1999 or otherwise have been the subject of specific geotechnical assessment by a registered engineer experienced in geomechanics who is familiar with the said Jackson Clapperton Report with respect to site stability and soil characteristics and their influence on foundation conditions and such report is submitted to the Waitakere City Council with the application for building consent; and
- (g) all development and construction is carried out in accordance with:
 - (ii) all reports referred to herein where applicable; and

- (iii) all specific design and assessment requirements referred to herein where applicable; and
- (iv) to the entire satisfaction of the Waitakere City Council.

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.
1	355616	226896


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.
2	355616	226897

DATED this *6th* day of *March* 2008

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


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Resource Planner (Subdivisions)

WCC Ref: RMA 20022399, RMA 20022252, (SPW 21690)