

**Consent Notice Pursuant to Section 221
Resource Management Act 1991**

File Ref: S/B/9569

IN THE MATTER OF: Lots 1-158 LT 328738

A N D

IN THE MATTER OF: Subdivision Consent pursuant to Sections 105, 108, 220 and 221 of the Resource Management Act 1991.

PURSUANT to Section 252(1)(a) of the Local Government Act 1974, I, GLENN SNELGROVE, Authorised Officer of the Western Bay of Plenty District Council, hereby certify that by way of resolution passed under delegated authority on 28 September 2004, the following condition was imposed on the subdivision consent for Lot 1 Deposited Plan S 78525:

A3.9 *That until such time as a waste water system is fully constructed and commissioned to the satisfaction of Council to service each of the subdivision lots, no buildings shall be constructed on the lots, except the following;*

- *A showhome on Lot 70 which shall not be used for residential or other accommodation.*
- *Construction of the bowling green and tennis courts and*
- *Construction of an atrium.*
- *Green keeper shed.*

The consent holder consents to this condition being enforced through a Memorandum of Encumbrance or Consent Notice registered on the Titles to the Lots within the subdivision restricting the construction of buildings pending the operation of an approved wastewater system. The consent holder agrees to be bound by this condition.

A4.5 *THAT a consent notice pursuant to Section 221 of the Resource Management Act 1991 be issued against the title of the following allotments specifying that additional foundation works and or foundation investigation is required, in accordance with the recommendations of the geotechnical report prepared by Ice Geo and Civil dated May 2004, the faxed report dated 28 June 2004 and letter dated 29 July 2004:*

- a) *Require a foundation strength check and or the need for under floor drainage.*

Allotments: 105, 106, 107, 109, 110, 111, 112, 113, 114, 116, 117, 119, 121, 122,

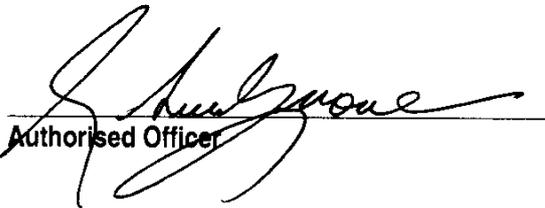
Allotments: 105, 106, 107, 109, 110, 111, 112, 113, 114, 116, 117, 119, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 137, 138, 139, 140, 141, 142, 145, 146, 147, 148 and 149.

- b) *Require excavation to waste 2m depth of surface soil to at least beyond the proposed dwelling footprint. Backfill the excavation with well graded pit sand compacted inlayers in accordance with NZS 4431 : 1989. If this is used a layer of suitable geotextile should be placed as a separate layer in the base of the excavation.*

Allotments: 116, 117, 119, 121, 122, 123 and 124.

- c) *That a suitably qualified geotechnical engineer shall design and monitor the preloading of allotments 40 and 41 in accordance with the recommendations of the geotechnical report prepared by Ice Geo and Civil dated May 2004. These allotments are not suitable for the construction of a dwelling until such time that the settlement has ceased to the satisfaction of the geotechnical engineer.*

Dated at Tauranga this 19th day of October 2004.


Authorised Officer

12 August 2005

Land Information New Zealand
Private Bag 3028
Hamilton

S/B/9569

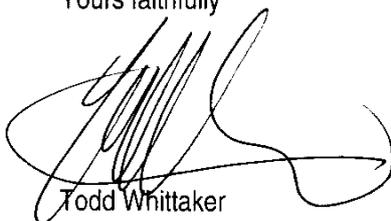
Attention: Jeff Halliwell

Dear Sir

Dealing 6467979 - Pacific Palms

The Council confirms that the first condition of the Consent Notice issued by Western Bay of Plenty District Council on 19 October 2004 pursuant to Section 221 of the Resource Management Act 1991 in the matter of Lots 1 – 158 LT 328738 does not apply to Lots 153, 154, 156 and 158 on DP 328738.

Yours faithfully



Todd Whittaker
Divisional Planner
Email: tcw@wbopdc.govt.nz