

- 33. The consent holder shall undertake measures to prevent sediment run off from the site and to prevent a dust nuisance resulting from the works on the site. These measures shall be installed prior to commencing earthworks on the site.
- 34. A suitably qualified engineer shall assess site conditions and determine safe working conditions with regards to batters and any retention that may be required.
- 35. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at their expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.
- 36. At the completion of the earthworks for each stage (as specified in Condition 5) a suitably qualified Registered Engineer experienced in soils investigations shall provide certification, in accordance with NZS 4431 for all areas of fill within the site on which buildings are to be founded.
- 37. The earthworks shall be undertaken in a timely manner. Any excavation shall not remain open long enough to enable any instability (caused by over exposure to the elements) to occur.
- 38. No earthworks, temporary or permanent, are to breach the boundaries of the site
- 39. At the completion of the earthworks, all earthworked areas shall be topsoiled and grassed or otherwise permanently stabilized as soon as practicable, subject to Condition 29.
- 40. Upon completion of the earthworks, the consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

**Covenants**

- 41. Prior to the construction of any buildings on the site the consent holder shall register a covenant, in accordance with section 108(2)(d) of the RMA, in favour of the Council.

For the purpose of Condition 41(a) Stage 3 shall be deemed to be "implemented" when a final code of compliance certificate under the Building Act 2004 has issued for the 12 visitor accommodation residences referred to in Condition 5(iii).

The covenant shall provide for the following:

*Development Restrictions*

- a. In respect of the areas identified on the attached plans referenced "Parkins Bay Glendhu Station Covenant Areas Plan" dated June 2011 and "Parkins Bay Detail B Proposed Covenant Areas" dated June 2011:
  - i. The area marked A Bull Paddock shall be covenanted as follows:
    - aa. For a period that commences on the date of the grant of consent until the date that is ten years from the implementation of Stage 3 there shall be no further development except that this restriction does not prohibit subdivision;
    - bb. Regardless of titling structure and/or ownership, the clubhouse shall at all times be available to cater to, and for use by, users of the golf course as a place for rest, shelter, refreshment and possibly entertainment. If at any time in the future the land containing the proposed or existing clubhouse is subdivided from the land containing the proposed or



existing golf course, a consent notice shall be registered against both resulting titles recording this ongoing consent obligation.

cc. All activities which are carried out within, and any future allotments which are created from, A Bull Paddock area shall share one access off Mt Aspiring Road.

ii. The area marked B Development Area shall be covenanted in perpetuity from the date of the grant of consent against further development but not prohibiting subdivision of the golf course and the 42 house-sites, and the subdivision and development of eight visitor accommodation/residential units.

Advice Note: For the avoidance of doubt this consent only authorises 42 visitor accommodation/residential units. Any future application for up to eight additional visitor accommodation/residential units within Area B will require a variation to this consent or a new consent and a rigorous assessment of the measures proposed to sufficiently mitigate any potential adverse visibility/domestication effects.

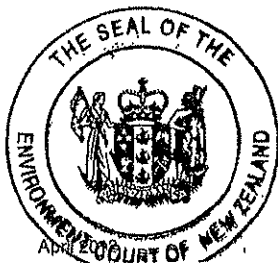
iii. The area marked C1 Farm Area shall be covenanted, for a period that commences on the date of the grant of consent until the date that is ten years from the implementation of Stage 3, against further development not associated with usual farming activities;

iv. The area marked C2 shall be covenanted, for a period that commences on the date of the grant of consent until the date that is 20 years from the implementation of Stage 3, against further development not associated with usual farming activities, but not prohibiting:

- aa. activities for camping purposes;
- bb. subdivision to separate the area marked C2 from the rest of the land currently contained in Certificate of Title 478353;
- cc. a subdivision which will create a separate certificate of title for the area marked X within C2; and
- dd. any boundary adjustment which does not create additional titles;

v. Subject to subclause vi below, the area marked E shall be covenanted in perpetuity from the date of the grant of consent against further development, but not prohibiting:

- aa. Subdivision to separate the area marked E from the rest of the land currently contained in Certificate of Title 478353 and any boundary adjustment which does not create additional titles;
- bb. Any alterations, repairs or extensions to the existing dwelling located on the land;
- cc. The construction of a shed for the purpose of storing farming and landscaping equipment;
- dd. The erection of any temporary buildings such as marquees and other shelters used for the purpose of conducting weddings and reception functions, for not more than 12 calendar days per year, and a maximum of 6 occasions.;
- ee. The construction of a chapel;



- vi. The restriction detailed in v. above relating to temporary buildings for weddings and reception functions shall take effect on and from the date the clubhouse is constructed and operational.
- vii. The area marked F shall be covenanted for a period that commences on the date of the grant of consent until the date that is 35 years from the implementation of Stage 3, against any further development, but not prohibiting:
- aa subdivision to separate the area marked F from the rest of the land currently contained in Certificate of Title 478353;
  - bb subdivision for farming purposes;
  - cc any boundary adjustment which does not create additional titles;
  - dd the relocation, repair and replacement of the existing homestead and ancillary buildings;
  - ee the construction, repair and relocation of any improvements or buildings which relate to the farming activities carried out on the land;
  - ff the construction of two further residential dwellings on the land and any subsequent repairs and alterations to those residential dwellings;
- viii. The area marked G shall be covenanted in perpetuity from the date of the grant of consent against any development not associated with farming activities or regeneration of native forest or other vegetation, but not prohibiting any boundary adjustment which does not create additional titles.

#### *Public Access Easements*

- b. The consent holder will enable public access by way of a registered easement in gross over the area identified in red, as number 12, on the attached plan referenced "Parkins Bay Detail A Proposed Public Easement", dated September 2009, in favour of the Council to enable public access to this area in perpetuity.
- c. The consent holder will enable public access by way of a registered easement in favour of the Council along a route between Rocky Hill (CA1) and the Matukituki River in the location approximately shown as a blue dotted line on the attached plan referenced "Parkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions:
- The access route shall be restricted to a route connecting Rocky Hill (CA1) and the Matukituki River that will be marked by bollards and/or poles and signs erected by the consent holder.
  - Public access shall be restricted to walking access only.
  - The conditions detailed in Schedule A.
- Advice note: The Council shall be responsible for the maintenance of the access route.*
- d. The consent holder will enable public access by way of a registered easement in favour of the Council along a route along the Motatapu Road between the Mt Aspiring Road and the Motatapu Track, in the location approximately shown as a blue dotted line on the attached plan referenced "Parkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions:
- The access route shall be restricted to a specific route (which shall be for the first 400m of the road where it goes through a low cutting to reach the terraces above Mt Aspiring Road). And shall be a formed and marked walking/cycling track either on the farm land or the road margin (if that can be achieved), to clearly show users of Te Araroa footpath where they are to go when they turn off from the lake.
  - Public access shall be restricted to walking access only.



- The conditions detailed in Schedule A.

*Advice note: The Council shall be responsible for the maintenance of the access route.*

- e. The consent holder will enable public access by way of a registered easement in favour of the Council along a route from the development site to Glendhu Hill, in the location approximately shown as a blue dotted line on the attached "Parkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions:
- The access route shall be restricted to a specific route that will be marked by bollards and/or poles and signs erected by the consent holder.
  - Public access shall be restricted to walking access only.
  - The conditions detailed in Schedule A.

*Advice note: The Council shall be responsible for the maintenance of the access route.*

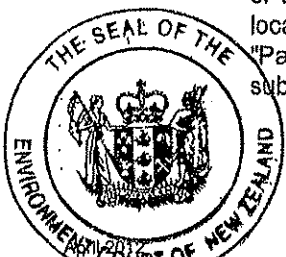
- f. The consent holder will enable public access by way of a registered easement in favour of the Council along a route between easement areas V and W on SO 347712 along the Motatapu River, in the location approximately shown as a blue dotted line on the attached plan referenced "Parkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions
- The access route shall be restricted to a specific route that will be marked by bollards and/or poles and signs erected by the consent holder. This route will use both the marginal strip and enable access by way of easement over parts of the adjacent land where access along the marginal strip is not available due to erosion of the river bank;
  - Public access shall be restricted to walking and mountain biking access only.
  - In the event that the river erodes both the marginal strip and the land over which the easement runs, the landowner will, when requested, provide an alternative easement (to be surveyed and registered, formed, and maintained by the council at its request).
  - The conditions detailed in Schedule A.

*Advice note: The Council shall be responsible for the maintenance of the access route.*

- g. The consent holder will enable public access by way of a registered easement in favour of the Council along a route from the development site to the Motatapu Road and continuing southeast to the boundary with Alpha Burn Station, in the location approximately shown as a blue dotted line on the attached plan referenced "Parkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions:
- The access route shall be restricted to a specific route that will be formed and marked by signs erected by the consent holder.
  - Public access shall be restricted to walking and mountain biking access only.
  - The conditions detailed in Schedule A.

*Advice note: The Council shall be responsible for the maintenance of the access route.*

- h. The consent holder will enable public access by way of a registered easement in favour of the Council along a route between Rocky Hill (CA1) and the Motatapu River in the location approximately shown as a blue dotted line on the attached plan referenced "Parkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions:



- The access route shall be restricted to a route connecting Rocky Hill (CA1) and the Motatapu River that will be marked by bollards and/or poles and signs erected by the consent holder.
- Public access shall be restricted to walking access only.
- The conditions detailed in Schedule A.

*Advice note: The Council shall be responsible for the maintenance of the access route.*

- i. The consent holder will procure variation of the terms of the easement EI 6594177.5, so that mountain biking is permitted over the easement areas V, W and Section 19 on SO 347712, and will procure registration of an instrument providing for that variation on the relevant certificate of title.
- j. The consent holder will procure variation of the terms of the easement EI 6594177.7, so that mountain biking is permitted over the easement areas X and U on SO 347712, and will procure registration of an instrument providing for that variation on the relevant certificate of title.
- k. Subject to Condition (l) below, the consent holder shall be entitled to close or restrict access to the tracks within the Development Site, as the consent holder considers necessary, for golf course operations (including tournaments), maintenance, repair, safety or security purposes.
- l. The consent holder shall be entitled to close or restrict access to the track along the Parkins Bay foreshore, where the track passes through the Development Site, as the consent holder considers necessary, for golf course operations (including tournaments), maintenance, safety or security purposes, for up to 25 individual days per year (but not exceeding 5 weekends).

#### Vegetation

- m. Preventing the removal and or physical alteration of the earth mounds and landscaping located around each visitor accommodation/residential unit approved in accordance with Conditions 6 and 7.
- n. The ongoing maintenance of planting implemented to give effect to the Revegetation Strategy approved in accordance with Condition 6.
- o. The establishment of exotic species within the areas identified as A, B and D on the attached plan referenced "Glendhu Station Covenant Areas Plan" dated June 2011 other than those species specified within the Revegetation Strategy approved in accordance with Condition 6 is prohibited.
- p. The ongoing management of wilding plants and animals pests by the consent holder in accordance with the Revegetation Strategy prepared in accordance with Condition 6.
- q. In order to achieve appropriate control of wilding trees and noxious weeds on an ongoing basis the following requirement shall apply within Covenant Area B identified on the attached plan referenced "Parkins Bay Glendhu Station Covenant Areas Plan" dated June 2011:
  - i. For the purposes of this condition "Plant Pests" means and includes any fir or conifer species with potential to spread naturally, sweet briar; lupins, gorse, broom, and any other Pest Plant as specified in the Regional Pest Management Strategy for Otago.

