

17 December 2015

McQuarrie Apartments LtdC/- BCD Group Ltd
PO Box 9421
Hamilton 3240

Attn: Richard Falconer

Your Ref: 15-706

Dear Sir

SUBJECT: Subdivision Resource Consent 011.2015.00006145.001 to undertake a unit title subdivision for eight residential units at 167 Nixon Street Hamilton East 3216

I wish to advise that after consideration of the information and plans submitted with the application, I advise that Council's decision is as follows:

That pursuant to Sections 104 and 104B of the Resource Management Act 1991, and the Hamilton City Operative District Plan and Proposed District Plan (Appeals Version), Council grants resource consent to the application by McQuarrie Apartments Ltd (being resource consent 011.2015.6145.001) to subdivide for eight units under a Unit Title subdivision, being a subdivision of Lot 1 DPS 13252, located at 167 Nixon Street, Hamilton, subject to the following conditions being met at the consent holder's expense:

- (1) *That the subdivision be in general accordance with the information and unit plan received on 19 November 2015, as amended by the revised plans submitted on 8 December 2015, except where superseded by the following conditions set out below (approved copy attached).*

FEES and CHARGES – Planning Guidance

- (2) *That pursuant to section 36 Resource Management Act 1991, the following fees and charges be paid:*
- (a) *Payment of an additional Works and Services Fee for auditing the conditions set out in this consent. The fee will be charged on a time-cost recovery basis in accordance with Hamilton City Council's Schedule of Fees and Charges, with adjustments coming into effect at the beginning of each financial year.*

ENGINEERING DESIGN / WORKS – Works and Services Group

- (3) *That the following engineering requirements be met:*

Engineering Works – general

- (a) *The consent holder shall submit engineering plans (including water supply, drainage, access, parking and associated details) to Planning Guidance Unit for review by City Development Unit Prior to work commencing onsite, this plan shall be amended by the applicant as required until stamped 'Accepted' by City Development Unit.*

- (b) *The existing vehicle crossing to service the development shall be constructed to the commercial standard. The vehicle crossing shall be fully formed to the site boundary in the same material as the footpath.*
- (c) *The right of way and the common property shall be formed, drained and sealed, and thereafter maintained, in a permanent dust-free all-weather surface such as concrete, asphalt, chip seal or cobblestones.*
- (d) *Where not already available, telecommunications reticulation (including ducting for computer media), underground electrical, and where applicable, gas services shall be provided to all lots. The Consent Holder shall obtain a works clearance from each network operator for electricity, telephone and, where applicable, gas services. Any cost and/or work associated with connecting to the network utility service shall be a matter that is to be negotiated and completed between the Consent Holder and the relevant service providers. The consent authority has no direct or indirect involvement in the assessment or approval of any of the works or costs associated with connecting to a network utility service, in particular, electricity, telecommunications reticulation and where applicable, gas. Connecting to the network shall occur prior to the issuance of certification under Section 224c of the RMA.*
- (e) *The provision of a water supply to the development.*
- (f) *Provide a means for disposal of stormwater and control runoff from the whole development and any adjacent property.*
- (g) *A wastewater connection shall be provided for the development.*
- (h) *Any existing connections and private pipe work not required by the proposed development shall be appropriately disconnected and removed to the satisfaction of the General Manager, City Infrastructure. Removal of existing connections shall be done by Council at the consent holder's expense.*
- (i) *All the above being in according with the HCC Infrastructure Technical Specifications (available from the internet at www.hcc.govt.nz) and/or to the satisfaction of the General Manager, City Infrastructure.*

Advisory notes

Planning Guidance - General

- *This subdivision shall only be undertaken in connection with the construction of the buildings provided for through resource consent 010.2015.8481 and pursuant to compliance with all conditions relating to that consent.*
- *Any reports or plans to be submitted, in fulfilment of conditions of this consent, for approval by the General Manager, City Infrastructure, must be addressed to the Manager, Planning Guidance Unit.*
- *The property addresses that shall apply for this development are as follows:*
 - *Unit 1 shall be known as 8/167 Nixon Street, Hamilton*
 - *Unit 2 shall be known as 7/167 Nixon Street, Hamilton*
 - *Unit 3 shall be known as 6/167 Nixon Street, Hamilton*
 - *Unit 4 shall be known as 5/167 Nixon Street, Hamilton*
 - *Unit 5 shall be known as 4/167 Nixon Street, Hamilton*
 - *Unit 6 shall be known as 3/167 Nixon Street, Hamilton*
 - *Unit 7 shall be known as 2/167 Nixon Street, Hamilton*

- Unit 8 shall be known as 1/167 Nixon Street, Hamilton

The above street numbering has been determined in accordance with the Australian/New Zealand Standard AS/NZS 4819:2011 Rural and Urban Addressing and must be adhered to.

Planning Guidance – Financial

- *The initial non-refundable Works and Services Fee of \$760.00 (GST inclusive) has already been used in processing this resource consent application.*
- *Based on the details of this application, development contributions will be levied on the development unless paid in full in relation to the land use consent 010.2015.8481.010. Development Contributions, based upon the details of this application have been initially estimated at \$30,941.00 (incl. GST). This is based on one residential credit being applied to the site (for the existing dwelling) and Development Contributions being charged on the demand for 38 residential lots at the Peacocke Stage 1 rate. Council reserves the right to re-calculate this estimate taking into account any increase or reduction in demand created by this consent after this initial estimate [for example an increase or decrease in residential lots or gross floor area]. Development contributions may be imposed by Council on any resource consent, building consent, or application for service connection. The calculation is in accordance with the Development and Financial Contributions Policy [DC Policy] applicable on the date of granting this consent that must be read in conjunction with this advisory note [You may request a pdf copy that will be supplied by return email free of charge or download a copy from www.hamilton.co.nz.] In accordance with the DC Policy Council will, on the 1st July following the date of granting consent and annually thereafter until payment has been received, adjust the estimated charge as applicable.*

City Infrastructure

- *The onus rests with the consent holder to demonstrate that completed works meet Council requirements and accepted engineering standards. Therefore, developers should employ suitably qualified and experienced contractors and maintain records of the quality control process.*
- *All operations affecting in-service Hamilton City Council water, wastewater or stormwater pipelines are to be carried out by Hamilton City Council staff (City Delivery Unit) unless specific approval is given as outlined in the HCC Infrastructure Technical Specifications.*
- *If a new stormwater connection is requested, submit with your engineering plans, a stormwater soakage test report by a suitably qualified and experienced professional engineer or scientist. An enlarged connection will not normally be approved and a detention system design shall be submitted with the engineering plans.*

Reasons for Decisions

- i. *Subject to the above conditions, the degree of adverse effects is acceptable and granting of consent will enable the sustainable management of natural and physical resources.*
- ii. *The subdivision is not contrary to the relevant outcomes and objectives and policies of the Operative District Plan or Proposed (Appeals Version) District Plan. The subdivision enables separate unit titles to be generated for each of the eight dwellings being*

constructed in accordance with the land use consent being granted concurrently, being land use consent 010.2015.8481.010.

- iii. *Formation of the shared accessway and manoeuvring areas allows for all-weather use and helps to protect the amenity values of neighbouring properties.*
- iv. *Examination of the engineering plans and auditing of the works will allow Council to confirm that the engineering aspects of the work have been satisfactorily completed.*

Objections:

Pursuant to section 357 of the Resource Management Act 1991, if you disagree with this decision or any conditions of consent, you may lodge, in writing to Council an objection within **15 working days** after the receipt of this letter. If you do so, then:

- (a) A survey plan, pursuant to section 223 Resource Management Act 1991, may not be able to be approved, and/or
- (b) A completion certificate, pursuant to section 224 Resource Management Act 1991, may not be able to be issued until the objection or appeal is resolved.

Lapsing of Consent

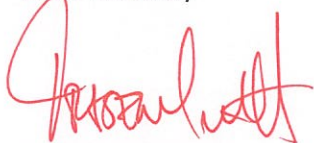
This resource consent lapses 5 years after the commencement of the consent, unless the consent is given effect to by the end of that period.

The commencement date of a resource consent is determined by section 116 of the Resource Management Act 1991. If none of the circumstances contained in section 116 apply, this resource consent commences from the date of this letter.

Other Notes

1. A survey plan, to be lodged with the District Land Registrar, can (pursuant to section 223 Resource Management Act) be approved by Council (per the Planning Guidance Manager), and later, when the conditions of the consent have been met, an application may be made for a section 224 Certificate.
2. Pursuant to section 224(f) Resource Management Act 1991, a certificate confirming compliance with section 116(2)(a) Building Act 2004 will be required before the survey plan can be deposited.

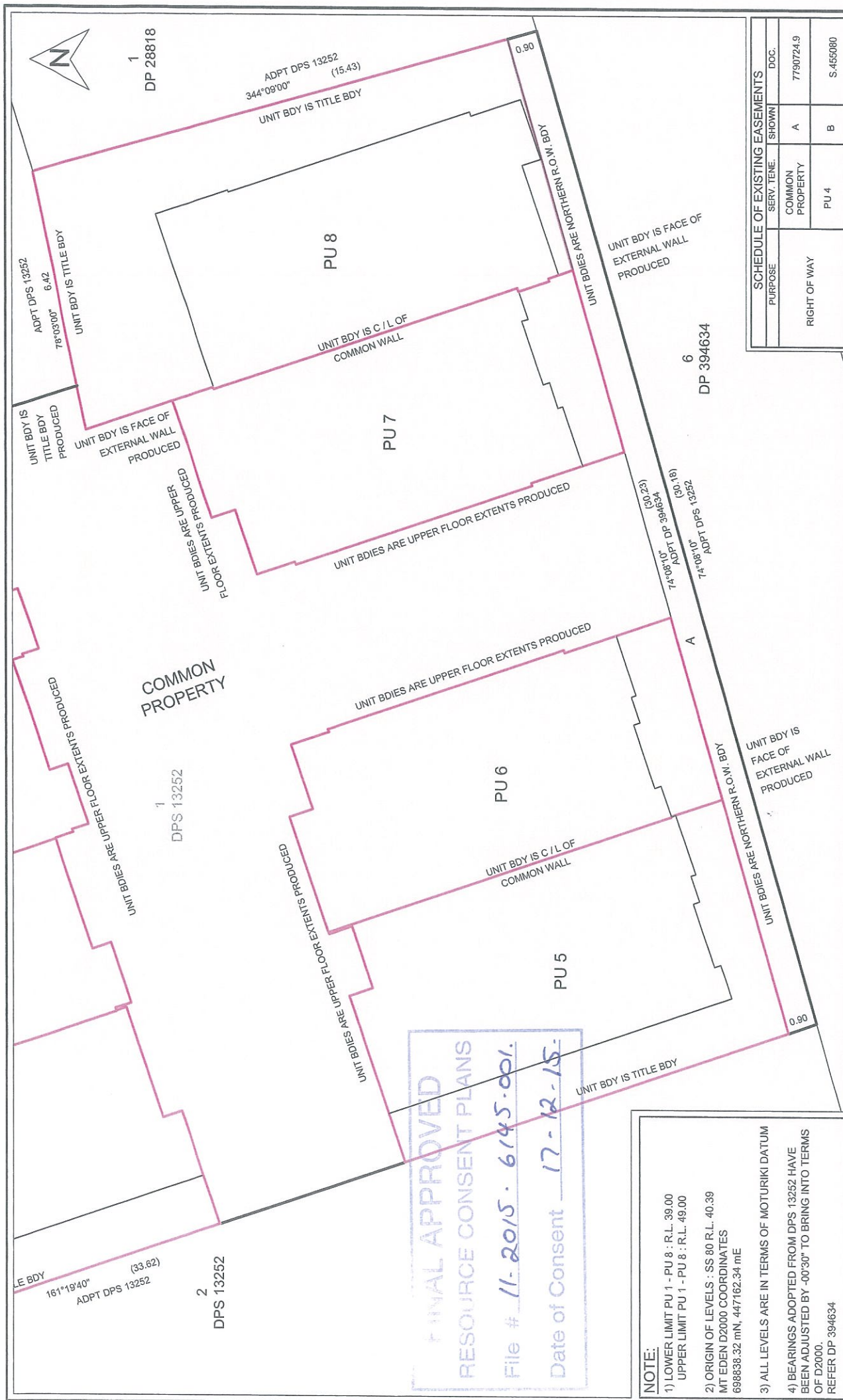
Yours faithfully



FRASER MCNUTT
ACTING PLANNING GUIDANCE MANAGER

For more information please contact:

Gillian Cockerell
Council Offices
Garden Place, Hamilton
Phone: 07 838 6699
Fax: 07 838 6819
Email: gillian.cockerell@hcc.govt.nz



SCHEDULE OF EXISTING EASEMENTS			
PURPOSE	SERV. TENE.	SHOWN	DOC.
RIGHT OF WAY	COMMON PROPERTY	A	7790724.9
	PU 4	B	S.455080

PLAN GRAPHIC

STANDARD UNIT DEVELOPMENT

LOT 1 DPS 13252 - 167 NIXON STREET, HAMILTON

PREPARED FOR: McQUARRIE APARTMENTS LTD

SCALE: 1:250 @ A3

DATE: DECEMBER 2015

15/064

Sheet: 3 Version: 4

File: UNIT PLAN GRAPHIC V3.DWG

NOTE:

1) LOWER LIMIT PU 1 - PU 8 : R.L. 39.00
UPPER LIMIT PU 1 - PU 8 : R.L. 49.00

2) ORIGIN OF LEVELS : SS 80 R.L. 40.39
MT EDEN D2000 COORDINATES
698838.32 mN, 447162.34 mE

3) ALL LEVELS ARE IN TERMS OF MOTURIKI DATUM

4) BEARINGS ADOPTED FROM DPS 13252 HAVE BEEN ADJUSTED BY -00°30" TO BRING INTO TERMS OF D2000.

REFER DP 394634

FINAL APPROVED

RESOURCE CONSENT PLANS

File # 11-2015-6145-001

Date of Consent 17-12-15

Client Reference:

RAD SURVEYING LIMITED

07 843 1587 027 411 8496
237 DIXON ROAD, RD 2 HAMILTON
info@radsurveying.co.nz

Designed: TOR 20 June 2014