

17 December 2015

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

Attn: Richard Falconer
Your Ref: 15-706

Dear Sir

SUBJECT: Land Use Resource Consent 010.2015.00008481.001 to establish eight residential units that comprises an apartment building containing four dwellings, and two duplex buildings each containing two dwellings 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 010.2015.00008481.001) to construct a 4 unit apartment building and two duplexes at 167 Nixon Street, Hamilton being Lot 1 DPS 13252 subject to the following conditions:

General

- 1. That the development be in general accordance with the plans and information submitted with the application on 19 November 2015, as amended by the revised plans submitted on 3 December 2015, except where superseded by the following conditions set out below.*
- 2. That the current vehicle access on the northern site boundary shall be permanently closed off via solid screen fence (or similar barrier) near the rear of Unit 4.*
- 3. Fences and walls on the site shall have a maximum height of 1.8 metres, with fencing on the front (southern) boundary having a maximum height of 1.2 metres. Fencing internally on the site shall be in accordance with the approved plans.*
- 4. The combined retaining wall and fence along the western boundary (if there is a fence along this boundary to comply with Building Act requirements or for*

amenity/privacy purposes) must not have a combined height of greater than 1.8 metres, unless the fence is setback sufficiently from the retaining wall to be entirely separate structures.

5. *Low flow fixtures shall be used for all of the residential units.*
6. *That the upper floor windows of the habitable rooms of Unit 8 which are less than 5m from a legal boundary shall be made out of opaque or obscure glazing to a minimum height of 1.7m above floor level.*
7. *That each of the units shall be provided with an electric clothes dryer. Confirmation of installation of the dryers shall be provided to the Manager Planning Guidance Unit prior to the units being occupied.*

Earthworks

8. *The Consent holder shall ensure that all appropriate sediment and erosion control measures are adopted to minimise any sediment leaving the site and entering any water way. The measures should include: the erection of silt fences, stabilised entranceways, cut off drains and the connection of downpipes to the storm water system as necessary. These sediment control measures should be erected and maintained on site for the duration of the works. Note: Refer to Waikato Regional Council's 'Erosion and Sediment Control, Guidelines for Soil Disturbing Activities' which can be found at <http://www.waikatoregional.govt.nz>.*
9. *No earthworks undertaken shall obstruct any stormwater overland flow path where shown on the Certificate of Title and/or formed on the site at the time of subdivision.*
10. *All public roads shall be kept clean and free from silt and sediment tracked from the site.*
11. *That the activity is conducted in such a manner so as to not create a dust nuisance. A dust nuisance will occur if:*
 - *There is visible evidence of suspended solids in the air beyond the site boundary; and/or*
 - *There is visible evidence of suspended solids traceable from a dust source settling on the ground, building or structure on a neighbouring site or water.*
12. *All areas of bare earth shall be re-vegetated or re-grassed as soon as practicably possible and within one calendar month following the completion of earthworks. If this cannot be achieved the area shall be temporarily covered by a surface suitable to protect against soil erosion until such time as re-vegetation or re-grassing can occur.*

Construction Noise/Vibration

13. *All construction noise shall comply with the provisions of NZS 6803:1999 'Acoustics – Construction Noise'. In the event that any sound level measurements are recorded they shall be measured and assessed in accordance with the provisions of NZS 6803:1999 'Acoustics – Construction Noise'.*

14. *Construction vibration received by any building on any other site shall comply with the criteria in accordance with the German standard DIN 4150-3:1999 Structural vibration – Part 3: Effects of vibration on structures.*

Engineering

15. *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.*
16. *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.*
17. *The existing 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.*
18. *The provision of a water supply to the development.*
19. *Provide a means for disposal of stormwater and control runoff from the whole development and any adjacent property.*
20. *A wastewater connection shall be provided for the development.*
21. *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.*
22. *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.*

Reasons for the Decision

- a. *Subject to the above conditions, the proposal is not contrary to the relevant objectives and policies of the Operative District Plan and Proposed District Plan (Appeals Version).*
- b. *Having regard to section 104(1)(a) of the Act, the actual and potential adverse effects on the environment of granting consent are acceptable as the proposal is consistent with the relevant assessment criteria and promotes the sustainable management of natural and physical resources.*
- c. *The proposal is considered to be consistent with the purpose and principles of the Resource Management Act 1991.*
- d. *The proposal is to be established within the Residential Intensification Zone (Proposed District Plan) where a higher density of development is provided for. The proposed*

apartment building and duplexes do exceed the density standard and several other standards for the zone, but are in keeping with the scale and intensity of development anticipated for the area, and achieves a high quality of design outcome. The development will lead to an improvement of the interface of the property with the shared accessway to the south, and will provide visual interest through the design of the development. The site layout and building design will result in an enhanced amenity for the area as well as providing for good on-site amenity for residents.

- e. The condition in regard to fencing will ensure that the fencing is constructed in accordance with the approved plans, and to ensure good design outcomes are achieved for the interface of the site with adjoining land.*
- f. The proposed earthworks can be adequately controlled through conditions of consent to avoid sediment, dust and other effects.*
- g. Formation of the parking and manoeuvring areas allows for all-weather use and helps to protect the amenity values of neighbouring properties.*
- h. 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 designed and installed.*

ADVISORY NOTES

Planning Guidance - general

- 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.
- Compliance with the conditions of this resource consent does not remove the need to comply with all other applicable Acts, regulations, bylaws, and rules of law.
- If this property is on-sold to a new owner(s) please ensure that a copy of this resource consent is forwarded to the new owner(s).
- 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 – Development Contributions

- Based on the details of this application, development contributions will be levied on the development. An estimate of the development contributions due will be provided to you in a letter from the Development Contributions Officer. 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. Please note development contributions are not a condition of resource consent and are not subject to any rights of appeal within the RMA 1991.

Building

- The removal of the existing buildings on the land should be undertaken with any necessary building consents and in compliance with the Building Act 2004.

City Infrastructure

- The above engineering conditions should be read in conjunction with the related unit title subdivision consent (Council reference 011.2015.6145).
- 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.

Objections:

Pursuant to section 357(2) 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.

Compliance & Monitoring:

Your resource consent permits the land use to be established at the site as long as the activity complies with the stated conditions on an on-going basis.


Sec. 35 of the Act requires Council to monitor your consent and this process may involve site visits. Should Council discover any non-compliance with your resource consent appropriate enforcement action may follow.

Lapsing of Your 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.

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

bulk and location

Revision Schedule		
Revision Number	Revision Description	Revision Date

PLANNING GUIDANCE
03 DEC 2015
TIME.....AM/PM

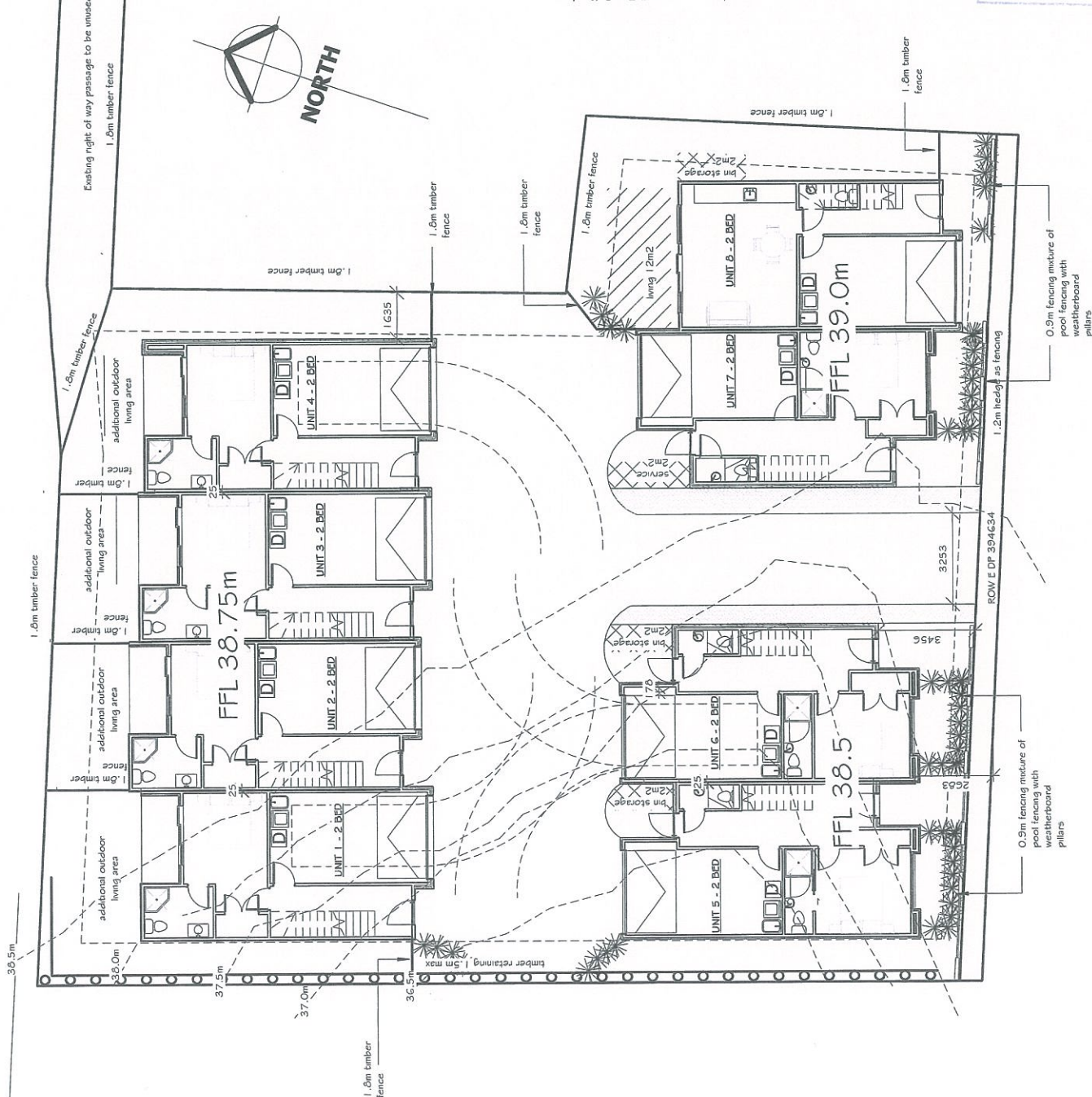
SITE/ GROUND FLOOR
PLAN

SK I	rev.
DATE	24-8-15
SCALE	1 : 150 @A3
ISSUE TYPE	landuse
DRAWN BY	JAC



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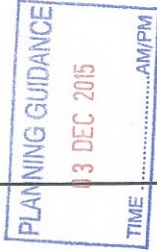
FINAL APPROVED
RESOURCE CONSENT PLANS
File # 10-2615-8481-001
Date of Consent 17/12/15



167 nixon street

bulk and location

Revision Schedule		
Revision Number	Revision Description	Revision Date



FIRST FLOOR PLAN

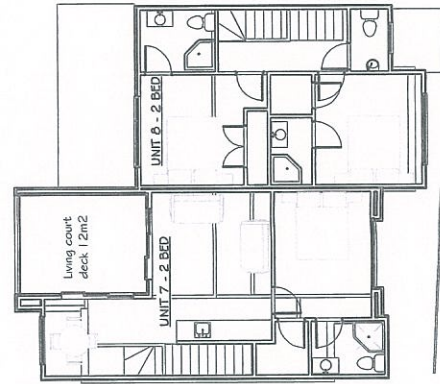
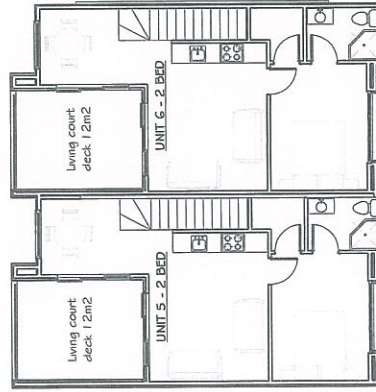
SK2	rev.
DATE	24-8-15
SCALE	1 : 150 @A3
ISSUE TYPE	landuse
DRAWN BY	JAC



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FLOOR AREAS:

UNITS 1-4	ground floor	53.3m ²
	first floor (incl stair void)	54.5m ²
	stair void	3.5m ²
UNITS 5-7	ground floor	32.4m ²
	first floor (incl stair void)	56m ²
	stair void	3.4m ²
UNIT 8	ground floor	32.6m ²
	first floor (incl stair void)	42.3m ²
	stair void	3.3m ²



FINAL APPROVED
RESOURCE CONSENT PLANS
File # 10.2015.8481.001
Date of Consent 17/12/15

167 nixon street

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PLANNING GUIDANCE
03 DEC 2015
TIMEAM/PM

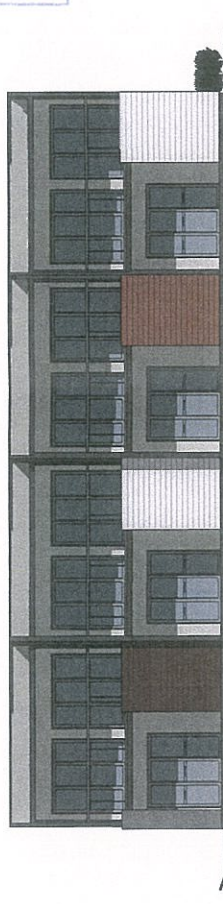
FINAL APPROVED
RESOURCE CONSENT PLANS
File # 10-2015-8481-001
Date of Consent 17/12/15



Units 1-4 - South

1 : 150

a



Units 1-4 - North

1 : 150

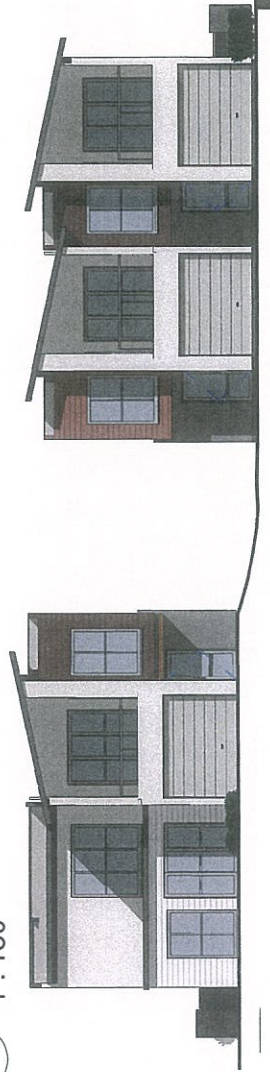
b



Units 5-8 - South

1 : 150

c



Units 5-8 - North

1 : 150

d

ELEVATIONS

SK3	rev.
DATE	24-8-15
SCALE	1 : 150 @A3
ISSUE TYPE	landuse
DRAWN BY	JAC



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167 nixon street

bulk and location

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PLANNING GUIDANCE
03 DEC 2015
TIMEAM/PM

FINAL APPROVED
RESOURCE CONSENT PLANS
File # 10-2015-8481-001
Date of Consent 11/12/15

PERSPECTIVES

SK4	rev.
DATE	24-8-15
SCALE	@A3
ISSUE TYPE	landuse
DRAWN BY	JAC



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