12 October 2018

Old Porter HQ Ltd
C/- Boffa Miskell Ltd
PO Box 13373
Tauranga Central
Tauranga 3141

Attn: Craig Batchelor

Decision on application for resource consent under the Resource Management Act 1991

Application number(s): 010.2018.00010068.001
Applicant: Old Porter HQ Ltd
Address: 1010 Te Rapa Road Pukete 3200
Legal Description: Pt Lot 2 DRO 346, Section 23 Survey Office Plan 465769, Section 24 Survey Office Plan 465769, Section 25 Survey Office Plan 465769, Lot 3 Deeds Plan 346 and Part Lot 2 Deeds Plan 346
Proposed activity(s): New Transport Corridor and Associated Earthworks

Dear Sir/Madam

I wish to advise you of Council’s decision to grant your application for resource consent under the Resource Management Act 1991 (RMA). Please see below for the details of the decision and conditions of consent.

The following information provides you with some guidance on your rights and what to do next. It is recommended that you seek independent advice if you are in any doubt as to the processes to be followed.

Objections
If you disagree with any part of this decision or any conditions of this consent, you may lodge an objection in writing to Council within 15 working days of the receipt of this letter. Your objection must be in accordance with section 357 of the RMA and must include the reasons for your objection.

Compliance with conditions
Your resource consent permits the land use to be established at the site long as the activity complies with the stated conditions on an ongoing basis. It is important that you fully understand and comply with all the conditions of your consent.

Please notify Council’s monitoring team prior to the commencement of activities associated with this consent. The role of Council’s monitoring team is to monitor compliance with the conditions of consent and may involve site visits. Council’s monitoring team can be contacted on planning.guidance@hcc.govt.nz. Please reference the consent number and address of the property when emailing or calling.

Planner: Sam Le Heron

File Number: 010.2018.00010068.001
Lapsing of Consent/s
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.

DECISION ON APPLICATION

That pursuant to Section 104, 104B and 104C and of the Resource Management Act 1991, and the
Hamilton City Operative District Plan and the National Environmental Standard for Contaminated
Soils, Council grants consent to the application by Old Porter HQ Ltd to create a new transport
corridor and earthworks on Pt Lot 2 DRO 346, Section 23 Survey Office Plan 465769, Section 24
Survey Office Plan 465769, Section 25 Survey Office Plan 465769, Lot 3 Deeds Plan 346 and Part Lot 2
Deeds Plan 346 located at 980, 986 and 1024 Te Rapa Road, Hamilton, subject to the following
conditions being met at the consent holder’s expense:

Conditions
Under section 108 of the RMA this consent is subject to the following conditions:

PLAN INFORMATION – Planning Guidance
1. That the transport corridor and associated earthworks be in general accordance with the
information submitted with the application received 25th May 2018, except where
amended by the further information received on 3rd and 24th August and 25 September
2018, and where amended by any of the following conditions.

Fees and Charges—Planning Guidance
2. Pursuant to section 36 Resource Management Act 1991, the following fee shall 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.
b) All GST requirements with regard to the transferring of assets to Council (e.g.
reserves, roads, sewers) being complied with by the completion of the form
titled ‘GST Requirement/Asset Register and Tax Invoice’.

Earthworks
3. The Consent holder shall ensure that all appropriate sediment and erosion control
measures are adopted to minimise any sediment leaving the site. The measures shall
include: the erection of silt fence, stabilised entranceways, cut off drains and the
connection of downpipes to the stormwater 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 & Sediment Control, Guidelines for Soil
Disturbing Activities” which can be found at http://www.waikatoregion.govt.nz

4. Earthworks shall not obstruct or divert any stormwater overland flow path or result in
changed stormwater drainage patterns on adjacent land in different ownership. This
condition will not apply to any stormwater overland flow paths or stormwater drain,
servicing the adjacent land, that traverses the site that have been permanently altered as part of the adjoining landowners development.

5. A water sprinkler cart or similar be made available on-site during earthworks to mitigate any dust nuisance (when necessary).

6. All bare earth shall be re-vegetated or re-grasped 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-grassng can occur.

7. All earthworks shall retain sediment on site through implementation and maintenance of sediment controls.

8. That the activity is conducted in such a manner so as to not create a dust nuisance. A dust nuisance will occur if:
   a. There is visible evidence of suspended solids in the air beyond the site boundary;
      and/or
   b. 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.

9. All works shall be undertaken in accordance with the Regional Infrastructure Technical Specifications (available from the internet at www.hcc.govt.nz) and/or to the satisfaction of the General Manager, City Infrastructure.

Contaminated Land

10. The Preliminary Site Management Plan Rev.1 prepared by Lysaght Consultants Ltd (dated 14 May 2015) must be updated based on the technical commentary and recommendations contained in Lysaght Consultants Ltd S92 Response Letter (dated 2 August 2018), and NESCS regulatory requirements. The updated Plan must include an investigation programme for any of the higher risk areas that require additional pre-disturbance investigations being intersected by the road construction works. An updated copy must be provided to Council’s Environmental Health Manager for approval prior to any soil disturbance works associated with the road construction occurring.

11. Prior to any soil disturbance works commencing on a piece of land, the consent holder must arrange a pre-commencement meeting in relation to the soil contamination management strategies outlined in the approved Plan, as per Condition 10. In attendance must be:
   i. A Suitably Qualified and Experienced Practitioner
   ii. HCC contaminated land officer
   iii. The relevant contractors, sub-contractors and site supervisory staff who are carrying out any works associated with the NESCS part of the project.

12. The procedures, controls and contingency measures outlined in the approved updated Plan, as per Condition 10 above, must be implemented on a piece of land for the entirety of the works covered by the Plan to ensure minimal exposure to contaminants by site workers and the off-site environment.
13. In the event that further investigation determines soil contamination on a piece of land that exceeds the applicable NESCS standards, a Remedial Action Plan (RAP) must be prepared that adequately reflects the scale and complexity of the site conditions. The Plan must reference the DSI findings and include the appropriate remediation targets and strategy that will eliminate or sufficiently reduce the human health risk to acceptable levels. The plan must include a validation investigation process that follows the same broad principles for DSIs. The validation strategy must statistically confirm that the remediation objectives have been achieved. A copy of the Plan must be provided to Council’s Environmental Health Manager for approval prior to any remedial works being done in the piece of land. Council must be notified of any proposed variations to RAP and approval sought for any alternative measures prior to implementation.

14. In the event that remedial works are undertaken in accordance with Condition 13, a Site Validation Report (SVR) must be prepared that confirms the remediation targets stated in the approved RAP have been achieved. The SVR must adequately demonstrate that no unacceptable risk to human health or the environment remains at the completion of any remedial works and that the piece of land is suitable for the intended use. The report must include confirmation that all the consenting requirements have been met and compliance approved before development of the piece of land can occur. A copy of the SVR must be provided to Council’s Environmental Health Manager for approval as soon as practicable after remediation of the site has been completed.

15. That any soil exceeding the applicable NESCS standard must be removed under controlled conditions to a licensed waste facility or landfill for disposal in accordance with the requirements of the disposal site and the relevant authority. Receipts of transport and disposal must be included in the Site Validation Report or Works Completion Report (required by Condition 14).

16. That the site must be investigated and reported on by a suitably qualified and experienced practitioner in accordance with the requirements of the RMA (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) (NESCS) Regulations 2011.

Roading
17. A construction management plan for the construction of the new road link shall be provided to Council by the contractor prior to construction activities commencing on site. The plan shall include but not limited to:
   a. Site management
   b. Access and parking
   c. Noise provisions
   d. Dust provisions
   e. Sediment controls

   All construction works shall be carried out in accordance with the approved Construction Management Plan.

18. The new road shall achieve a minimum corridor width of 21.3m.

19. The new road and intersection shall be designed and constructed for the purpose intended, and shall include pedestrian and cycle facilities, traffic facilities, road lighting and road drainage as appropriate.
20. Overhead lighting to comply with AS/NZS 1158 and the Regional Infrastructure Technical Specifications shall be designed and installed.

21. Plans for the engineering works are to be submitted to the Planning Guidance Unit for review by City Development staff. Plans shall be revised until satisfactory solutions are achieved. No site works should commence until final plans are stamped 'accepted' by City Development, with copies of current versions of stamped plans held on site during the works.

22. All engineering works shall be in accordance with the Regional Infrastructure Technical Specification.

23. The consent holder shall retain the services of a suitably professional qualified person (subject to HCC approval but generally a land surveyor, engineer or planner currently working on land development projects) to oversee the construction of any infrastructure required for the development. This person shall be responsible for ensuring adherence to approved construction plans, quality systems, and project completion requirements. The name and contact details of this person shall be nominated on all engineering plans submitted to the City Development Unit.

24. Full as-built plans and asset data for all roading, water and drainage reticulation works shall be submitted at time of vesting.

25. A design safety audit of the proposed traffic signal layout at the Karewa Place/Eagle Way intersection shall be undertaken by the developer at no cost to Council and the design of the intersection shall be amended as required to meet the recommendations of the audit.

Reasons
Under Section 113 of the RMA the reasons for this decision are:

a. 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.

b. Subject to the above conditions, the proposal is not contrary to the relevant objectives and policies of the Hamilton City Operative District Plan.

c. 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.

d. The construction of the proposed road will provide a new roading link through from Karewa Place to Maui Street, achieving vehicular access and connectivity into and through an industrial area.

e. City Development Unit have confirmed that a 21.3m corridor will be acceptable for commercial/industrial land use activities. The approval of a 21.3m corridor as part of this subdivision will not compromise the underlying land use activities and a proposed supermarket from a traffic safety and efficiency perspective.

f. The design safety audit will ensure the future treatment of the intersection is able to function with an acceptable degree of safety and efficiency at the time of increased land use activity across the site.
g. The proposed development is sustainable, and any adverse effects created from the application are acceptable. Overall the proposal is consistent with the purpose and principles of the Resource Management Act.

Advice Notes

- That compliance in all other respects with Council Bylaws, all relevant Acts, Regulations, and rules of law be met.
- 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).
- This Resource Consent is not a Building consent. A Building Consent may also be required. Please contact Council’s Building Unit on 838 6677 for information on Building Consent matters.
- 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.
- All stormwater discharge in Hamilton is subject to the citywide Stormwater Discharge Consent issued by Waikato Regional Council, which requires compliance with an approved ICMP or adherence to the Regional Infrastructure Technical Specification and HCC’s Three Waters Management Practice Notes.
- The transport corridor width of 21.3m for the proposal is acceptable for industrial uses, however in the event that the Special Housing Area proceeds, a full corridor width of 23m will be required in accordance with the Statement of Intent.
- Building over or adjacent to pipelines is controlled under the Regional Infrastructure Technical Specifications (RITS) - See Section 4.2.9.
- The off-site disposal of any potentially contaminated soil may qualify as a discharge of contaminants under the Waikato Regional Plan and therefore the applicant is advised to contact Waikato Regional Council to establish if the disposal activity requires Resource consent.
- That pursuant to section 36 Resource Management Act 1991, the following fees and charges be paid:
  o Payment of additional Environmental Health fees for assessing consented reporting 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. The fees will be levied at the completion of the consent review process and will be payable to the Environmental Health Unit upon notification that compliance has been achieved.

 Yours sincerely,

FRASER MCNUTT
PLANNING GUIDANCE MANAGER

For more information please contact:
Sam Le Heron
Council Building
Garden Place, Hamilton
Phone: 07 838 6699
Email: sam.leheron@hcc.govt.nz
Website: www.hamilton.govt.nz
12 October 2018

Old Porter HQ Ltd
C/- Boffa Miskell Ltd
PO Box 13373
Tauranga Central
Tauranga 3141

Attn: Craig Batchelor

Decision on an application for subdivision consent under the Resource Management Act 1991

Application number(s): 011.2018.00006674.001
Applicant: Old Porter HQ Ltd
Address: 1010 Te Rapa Road Pukete 3200
Legal Description: Pt Lot 2 DRO 346
Proposed activity(s): Fee Simple - Industrial

Dear Sir/Madam

I wish to advise you of Council’s decision to grant your application for subdivision consent under the Resource Management Act 1991 (RMA). Please see below for the details of the decision and conditions of consent.

The following information provides you with some guidance on your rights and what to do next. It is recommended that you seek independent advice if you are in any doubt as to the processes to be followed.

Objection
If you disagree with any part of this decision or any conditions of this consent, you may lodge an objection in writing to Council within 15 working days of the receipt of this letter. Your objection must be in accordance with section 357 of the RMA and must include the reasons for your objection.

If you decide to lodge an objection to this consent, please note that you cannot lodge a section 223/224 application for subdivision.

Next Steps
When you’re ready to start your subdivision talk to your surveyor/consultant about compliance with conditions of subdivision consent and the next steps in the process.

Lapsing of Consent
This subdivision consent lapses if:

- A survey plan is not submitted to Council under section 223 of the RMA within 5 years of the commencement of the consent; and

Planner: Sam Le Heron
• The survey plan is not then deposited with Council under section 224 of the RMA within 3 years of the plan first being submitted to Council under section 223.

**DECISION ON APPLICATION**

That pursuant to Section 104, 104B, 104C and 106 and of the Resource Management Act 1991, and the Hamilton City Operative District Plan and the National Environmental Standard for Contaminated Soils, Council grants consent to the application by Old Porter HQ Ltd to create 7 fee simple industrial lots and a transport corridor to vest on Pt Lot 2 DRO 346, Section 23 Survey Office Plan 465769, Section 24 Survey Office Plan 465769, Section 25 Survey Office Plan 465769, Lot 3 Deeds Plan 346 and Part Lot 2 Deeds Plan 346 located at 980, 986 and 1024 Te Rapa Road, Hamilton, subject to the following conditions being met at the consent holder’s expense:

**Conditions**

Under section 108 of the RMA this consent is subject to the following conditions:

**PLAN INFORMATION – Planning Guidance**

1. That the subdivision be in general accordance with the information submitted with the application received 25th May 2018, except where amended by the further information received on 3rd and 24th August and 25 September 2018, and where amended by any of the following conditions.

2. That the transport corridor shall be constructed in accordance with the approved land use consent 010.2018.10068.001.

3. That Lot 5 shall be vested in Hamilton City Council as Road.

**Fees and Charges – Planning Guidance**

4. Pursuant to section 36 Resource Management Act 1991, the following fee shall 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.
   b) All GST requirements with regard to the transferring of assets to Council (e.g. reserves, roads, sewers) being complied with by the completion of the form titled ‘GST Requirement/Asset Register and Tax Invoice’.

**Contaminated Land**

5. The Preliminary Site Management Plan Rev.1 prepared by Lysaght Consultants Ltd (dated 14 May 2015) must be updated based on the technical commentary and recommendations contained in Lysaght Consultants Ltd S92 Response Letter (dated 2 August 2018), and NESCS regulatory requirements. The updated Plan must include an investigation programme for any of the higher risk areas that require additional pre-disturbance investigations being intersected by the road construction works. An updated copy must be provided to Council’s Environmental Health Manager for approval prior to any soil disturbance works associated with the road construction occurring.

6. Prior to any soil disturbance works commencing on a piece of land, the consent holder must arrange a pre-commencement meeting in relation to the soil contamination management strategies outlined in the Plan. In attendance must be:
   i. A Suitably Qualified and Experienced Practitioner
ii. HCC contaminated land officer

iii. The relevant contractors, sub-contractors and site supervisory staff who are carrying out any works associated with the NESCS part of the project.

7. The procedures, controls and contingency measures outlined in the approved updated Plan, as per Condition 5 above, must be implemented on a piece of land for the entirety of the works covered by the Plan to ensure minimal exposure to contaminants by site workers and the off-site environment.

8. In the event that further investigation determines soil contamination on a piece of land that exceeds the applicable NESCS standards, a Remedial Action Plan (RAP) must be prepared that adequately reflects the scale and complexity of the site conditions. The Plan must reference the DSI findings and include the appropriate remediation targets and strategy that will eliminate or sufficiently reduce the human health risk to acceptable levels. The plan must include a validation investigation process that follows the same broad principles for DSIs. The validation strategy must statistically confirm that the remediation objectives have been achieved. A copy of the Plan must be provided to Council’s Environmental Health Manager for approval prior to any remedial works being done in the piece of land. Council must be notified of any proposed variations to RAP and approval sought for any alternative measures prior to implementation.

9. In the event that remedial works are undertaken in accordance with Condition 8, a Site Validation Report (SVR) must be prepared that confirms the remediation targets stated in the approved RAP have been achieved. The SVR must adequately demonstrate that no unacceptable risk to human health or the environment remains at the completion of any remedial works and that the piece of land is suitable for the intended use. The report must include confirmation that all the consenting requirements have been met and compliance approved before development of the piece of land can occur. A copy of the SVR must be provided to Council’s Environmental Health Manager for approval as soon as practicable after remediation of the site has been completed.

10. That any soil exceeding the applicable NESCS standard must be removed under controlled conditions to a licensed waste facility or landfill for disposal in accordance with the requirements of the disposal site and the relevant authority. Receipts of transport and disposal must be included in the Site Validation Report or Works Completion Report (required by Condition 9).

11. That the site must be investigated and reported on by a suitably qualified and experienced practitioner in accordance with the requirements of the RMA (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) (NESCS) Regulations 2011.

**Engineering**

**General**

12. 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.

13. Plans for engineering works shall be submitted to the Planning Guidance Unit for review by City Development Unit and shall include the roading layout and pavement formations with associated roading infrastructure, plus all three waters infrastructure and stormwater measures and other relevant items. The plans shall be amended as required until stamped ‘Accepted’ by City Development Unit. No work shall commence on site until plans are accepted.

14. Proposed stormwater secondary flow paths and ponding areas shall be shown on the engineering plans. The flow paths shall provide for a storm having a 100-year ARI. The flow paths are to be clear of any probable building platform and shall accommodate the rainfall runoff in excess of the stormwater reticulation design capacity.

15. All engineering works shall be designed and built in accordance with the Regional Infrastructure Technical Specification and current best practice, or to the satisfaction of the General Manager Development.

16. The consent holder shall retain the services of a suitably professional qualified person to oversee the construction of any infrastructure required for the development. This person shall be responsible for ensuring adherence to approved construction plans, quality systems, and project completion requirements.

17. All works within the road corridor shall be managed by a contractor operating under a current CAR (Corridor Access Request, made through the www.beforeudig.co.nz website) and appropriate traffic management.

Three Waters
18. The existing 200mm and 150mm water mains in Maui Street shall be extended through the new road corridor to tie into the existing water reticulation in the Karewa Place/Eagle Way intersection, with fire hydrants at required spacings.

19. Each lot shall be provided with a water connection, with no private water supply pipe passing between one lot and another except where covered by easement. All obsolete connections shall be removed.

20. The existing wastewater mains through the site shall be relocated to the new road corridor or realigned to be adjacent to lot boundaries. All obsolete connections shall be removed.

21. Each lot shall be provided with a wastewater connection, with no private wastewater pipe passing between one lot and another except where covered by easement.

22. The site shall be provided with appropriate stormwater measures to manage runoff in accordance with the approved sub-catchment ICMP by Wainui Environmental dated August 2018 Version 3 for 980 – 1024 Te Rapa Road and pertinent review
recommendations by Morphum Environmental Ltd dated 30 August 2018, prior to discharge into the Hamilton City Council reticulation system. Details for the proposed measures shall be addressed at engineering stage and submitted for acceptance by City Development, to be given effect at the building stage.

Consent Notices

23. Lots 1, 2, 3, 4, 6, 7 and 8 shall provide water efficiency measures in accordance with the approved sub-catchment ICMP by Wainui Environmental dated August 2018 Version 3 for 980 – 1024 Te Rapa Road to be implemented through the building consent process, with the ongoing maintenance and replacement of the measures being the responsibility of the respective owners.

24. That pursuant to Section 221 of the Resource Management Act 1991, a consent notice shall be registered on the Computer Freehold Register for Lots 1, 2, 3, 4, 6, 7 and 8 advising that water efficiency measures in accordance with the approved sub-catchment ICMP by Wainui Environmental dated August 2018 Version 3 for 980 – 1024 Te Rapa Road to be implemented through the building consent process, with the ongoing maintenance and replacement of the measures being the responsibility of the respective owners.

25. Lots 1, 2, 3, 4, 6, 7, and 8 shall include minimum freeboard requirements as outlined in the approved sub-catchment ICMP by Wainui Environmental dated August 2018 Version 3 for 980 – 1024 Te Rapa Road for any commercial or residential buildings.

26. That pursuant to Section 221 of the Resource Management Act 1991, a consent notice shall be registered on the Computer Freehold Register for Lots 1, 2, 3, 4, 6, 7 and 8 advising that minimum freeboard requirements as outlined in the approved sub-catchment ICMP by Wainui Environmental dated August 2018 Version 3 for 980 – 1024 Te Rapa Road for any commercial or residential buildings shall be achieved.

27. That for Lots 1, 2, 3, 4, 6, and 7, design and development of any future building shall be undertaken in general accordance with the recommendations of Babbage Geotechnical Review Report Job No: 62020#GE dated 25 September 2018. Construction shall be subject to oversight by an experienced geotechnical engineer familiar with this report and the site specific investigation to confirm the assessment and foundation design as constructed are in good agreement.

28. That pursuant to Section 221 of the Resource Management Act 1991, a consent notice shall be registered on the Computer Freehold Register’s for Lots 1, 2, 3, 4, 6 and 7, [to be entered at the time of application for section 224c certificate] advising that design and development of any future building shall be undertaken in general accordance with the recommendations of Babbage Geotechnical Review Report Job No: 62020#GE dated 25 September 2018. Construction shall be subject to oversight by an experienced geotechnical engineer familiar with this report and the site specific investigation to confirm the assessment and foundation design as constructed are in good agreement.

29. That for Lot 8, design and development of any future building shall be undertaken in general accordance with the recommendations of Babbage Geotechnical Assessment Report Job No: 60729#GE dated 16 August 2017.
30. That pursuant to Section 221 of the Resource Management Act 1991, a consent notice shall be registered on the Computer Freehold Register’s for Lot 8 [to be entered at the time of application for section 224c certificate] advising that design and development of any future building shall be undertaken in general accordance with the recommendations of Babbage Geotechnical Assessment Report Job No: 60729#GE dated 16 August 2017.

Reasons

Under Section 113 of the RMA the reasons for this decision are:

a. Subject to the above conditions, the proposal is not contrary to the relevant objectives and policies of the Operative District Plan.

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. 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.

d. The construction of the proposed road will provide a new roading link through from Karewa Place to Maui Street, achieving vehicular access and connectivity into and through an industrial area.

e. City Development Unit have confirmed that a 21.3m corridor will be acceptable for commercial/industrial land use activities. The approval of a 21.3m corridor as part of this subdivision will not compromise the underlying land use activities and a proposed supermarket from a traffic safety and efficiency perspective.

f. The design safety audit will ensure the future treatment of the intersection is able to function with an acceptable degree of safety and efficiency at the time of increased land use activity across the site.

g. Approving on-lot stormwater measures at the time of subdivision will ensure future land activities can comply with the requirements of Council’s Comprehensive Stormwater Discharge Consent.

h. The proposed development is sustainable, and any adverse effects created from the application are acceptable. Overall the proposal is consistent with the purpose and principles of the Resource Management Act.
Advice Notes

- That compliance in all other respects with Council Bylaws, all relevant Acts, Regulations, and rules of law be met.
- 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).
- This Resource Consent is not a Building consent. A Building Consent may also be required. Please contact Council's Building Unit on 838 6677 for information on Building Consent matters.
- 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.
- All stormwater discharge in Hamilton is subject to the citywide Stormwater Discharge Consent issued by Waikato Regional Council, which requires compliance with an approved ICMP or adherence to the Regional Infrastructure Technical Specification and HCC's Three Waters Management Practice Notes.
- The transport corridor width of 21.3m for the proposal is acceptable for industrial subdivision, however in the event that a Special Housing Area proceeds, a full corridor width of 23m will be required in accordance with the Statement of Intent.
- Building over or adjacent to pipelines is controlled under the Regional Infrastructure Technical Specifications (RITS) - See Section 4.2.9.
- The off-site disposal of any potentially contaminated soil may qualify as a discharge of contaminants under the Waikato Regional Plan and therefore the applicant is advised to contact Waikato Regional Council to establish if the disposal activity requires Resource consent.
- Please note that street numbering will be provided after the names for the new Collector Road (Lot 5) have been approved. Road Naming is determined under the Naming of Roads, Open Spaces and Council Facilities Policy. The street numbering will be determined in accordance with the Australian/New Zealand Standard AS/NZS 4819:2011 Rural and urban addressing.
- That pursuant to section 36 Resource Management Act 1991, the following fees and charges be paid:
  - Payment of additional Environmental Health fees for assessing consented reporting 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. The fees will be levied at the completion of the consent review process and will be payable to the Environmental Health Unit upon notification that compliance has been achieved.
Development Contributions:

Development Contributions, based upon the details of this application, have been estimated at $517,688.35 (incl. GST). Council reserves the right to re-calculate this estimate taking into account any changes in demand created by this consent after this estimate. The calculation is in accordance with the Development Contributions Policy applicable on the date of lodgement for the first consent relating to the development. A copy of the Development Contributions Policy is available on Council’s website.

Development Contributions are not a condition of resource consent and are not subject to any rights of appeal within the RMA 1991.

You may pay the development contribution at any time after the consent is granted. You must pay the development contribution on the first of the following applications: Section 224 (c) certificate, service connection and/or code of compliance certificate. Should payment not be received when invoiced, Council may exercise its right in accordance with Section 208 of the Local Government Act 2002 to (i) prevent the commencement of resource consent (ii) withhold a service connection (iii) withhold a Section 224 (c) certificate (iv) withhold a code compliance certificate (v) and in each case register the charge on the land title in accordance with the Statutory Land Charges Registration Act 1928.

Yours sincerely,

[Signature]

FRASER MCNUTT
PLANNING GUIDANCE MANAGER

For more information please contact:
Sam Le Heron
Council Building
Garden Place, Hamilton
Phone: 07 838 6699
Email: sam.leheron@hcc.govt.nz
Website: www.hamilton.govt.nz