

6 June 2019

Hamilton City Council

Attn: Andrew Cumberpatch (via email –andrew.cumberpatch@boffamiskell.co.nz, cc: Fraser McNutt
fraser.mcnutt@hcc.govt.nz)

RE: Resource Consent No: 010.2018.0010143.001 – 170 Victoria Street, Hamilton

Dear Andrew,

Please find attached the resource consent application for the propose Waikato Regional Theatre for the site at 170 Victoria Street, Hamilton. Part of the proposed works relate to the Waikato River Embankment and Embassy Plaza.

The proposal requires resource consent for the following matters under the Hamilton City Council District Plan:

CHAPTER 7: Central City Zone:

- 7.3 (a) – Buildings (Precinct 1) - New buildings, alterations and additions requires resource consent for a restricted discretionary* activity.
- 7.3 (d) – Buildings (Precinct 1) - Demolition of buildings (except heritage buildings in Volume 2, Appendix 8, Schedule 8A: Built Heritage). The proposal requires partial demolition of a heritage building (Category A under the HCC District Plan) and requires resource consent a non-complying activity.
- 7.4.7 – Street Wall – The proposal does not achieve the 13m frontage height along Victoria Street in the north-eastern corner and requires resource consent for a restricted discretionary activity.
- 7.4.8 – Building Setbacks - The proposal does not meet the technical requirements for minimum building setbacks for boundaries adjoining the Riverfront Overlay and requires resource consent for a restricted discretionary activity.
- 7.4.10 – Service Areas - The proposal provides for a service area on Sapper Moore Jones Place which is identified as a primary frontage and requires resource consent for a restricted discretionary activity.
- 7.4.14 – Active Frontages - The proposal requires vehicle access and loading area to be located on the Sapper Moore-Jones frontage and requires resource consent for a restricted discretionary activity.

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- 7.4.15 – Veranda Cover - The proposal does not provide a veranda for the full length of the building frontage along Embassy Plaza, Victoria Street and Sapper Moore Jones Place and requires resource consent for a restricted discretionary activity.

CHAPTER 15 – Open Space Zones

- 15.3 – Rules – Activity Status Table - The proposal requires support structures for the screen to be constructed within the Open Space – Natural zone and requires resource consent for a discretionary activity.
- 15.4 – Rules – General Standards - The proposal will exceed the site coverage standards (2% of the site or 250m² whichever is greater) as the proposed landscaping will see Embassy Plaza redeveloped to provide for paving design and revised staircase design and requires a restricted discretionary activity.

CHAPTER 19: Historic Heritage

- 19.3 Rules - Activity Status Table - Volume 2, Appendix 8, Schedule 8A: Built Heritage (structures, buildings and associated sites) (c) - Accessory buildings or new buildings within any scheduled site ranked A. The proposal require resource consent for a discretionary activity as the proposed theatre building as the site is a schedule site ranked A.
- 19.3 Rules - Activity Status Table - Volume 2, Appendix 8, Schedule 8A: Built Heritage (structures, buildings and associated sites) (f) Alterations or additions (excluding maintenance and repair) to the exterior of any structure or building ranked A. As such the proposal requires resource consent for a discretionary activity.
- The proposal requires alterations and additions to the hotel building (ranked A) (Refer Attachment B). It is important to note that the proposal does not seek approval for any alterations or additions to the interior of the former Hotel Building.
- 19.3 Rules - Activity Status Table - Volume 2, Appendix 8, Schedule 8A: Built Heritage (structures, buildings and associated sites) (a) – Signs. The proposal seeks signage that will be incorporated into the reinstated canopies and requires resource consent for a restricted discretionary* activity.

CHAPTER 20: Natural Environments

- 20.3 Rules – Activity Table - Appendix 9, Schedule 9D: Significant Trees (j) - The proposal requires works within the protected root zone of scheduled trees located on the site as a restricted discretionary activity.
- 20.3 Rules – Activity Table - Appendix 9, Schedule 9D: Significant Trees (k) - The proposal requires the removal of three scheduled trees to enable the construction works as a discretionary activity.

CHAPTER 22: Natural Hazards

- 22.3 Rules – Activity Status Table (h) - Building, Structures, Earthworks and Development – Waikato Riverbank and Gully – The proposed structures within the Waikato Riverbank and Gully area as a discretionary activity.
- 22.3 Rules – Activity Status Table - Building, Structures, Earthworks and Development – Waikato Riverbank and Gully – The proposal requires earthworks within the Waikato Riverbank and gully area as a discretionary activity.

CHAPTER 25: City-wide

- 25.2.4 Rules – General Standards - The proposal requires a total of 14,907m³ of earthworks within the site to provide for the construction of the theatre, specifically the theatre pit as a restricted discretionary activity.
- 25.13.3 Rules – Activity Status Table (a) - The proposal is required to provide a Water Impact Assessment under Rule 25.13.4.6(a)(vi) which states that development which creates a new building for non-residential activities (other than industrial activities or as provided for in vii. below) with a gross floor area greater than 300m². As such, the proposal requires resource consent for a restricted discretionary activity.

The resource consent application has been prepared in accordance with Section 88 of the Resource Management Act 1991 (RMA). The application material describes the proposal, assesses the environmental effects, and evaluates it against the provisions of the Hamilton City Council District Plan.

Pursuant to section 95A of the RMA, the Waikato Regional Theatre Governance Panel is requesting that the resource consent application be publicly notified.

Yours faithfully,



Mark Vinall | Director
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