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26 May 2023

**Te Awa Lakes Unincorporated Joint Venture**

C/- Aurecon New Zealand Ltd

PO Box 487

Hamilton 3240

Attn: Stephen

Your Ref: 510586

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

**Application numbers:** Waikato District Council Ref: SUB0193/22.01 and Hamilton City Council Ref: 011.2021.00007777.003  
**Applicant:** Te Awa Lakes Unincorporated Joint Venture  
**Address:** 40 Hutchinson Road RD 8 Hamilton 3288  
**Legal Description:** LOT 1 DP 409281  
**Proposed activity:** Sec 127 Application

Dear Sir

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
- 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 sections 104, 104B and 127 Resource Management Act 1991, Council grants consent to application 11.2021.7777.003 by Te Awa Lakes Unincorporated Joint Venture to change conditions of subdivision consent 11.2021.7777.001 for a fee-simple subdivision, on Lot 1 DP 563693, Lot 2 DP 563693, Lot 4 DP 563693, Lot 1 DP 495464, Lot 1 DP 551065, Lot 2 DP 551065 and Lot 1 DPS 8229, Hamilton, at 1412, 1428, 1434, 1438A-C and 1450 Te Rapa Road and 1, 21, 40, 50 and 58 Hutchinson Road, as follows:*

*The following suite of conditions is a reformatting of the existing conditions including new/amended conditions specific to the consented staging of the subdivision (two stages) authorised by this change of conditions:*

### **Stage 1**

#### **General**

1. *That the subdivision shall be in general accordance with the information and plans submitted to Council on 17 November 2021, except where amended by updated s127 application and subdivision plan, Titled STAGE 1 prepared by Aurecon New Zealand Limited referenced 510586-SC01-DRG-UU-2001 Rev C STAGE 1 received on 26 May 2023. A copy of the approved plan is attached (and subject to amendment (where necessary) by the following conditions).*

#### **Amalgamation Condition**

2. *That pursuant to section 220(2)(a) of the Resource Management Act 1991 Lots 101, 103 and 104 be held in one record of title.  
See LINZ Ref #: 1852472*

#### **Land to Vest**

3. *That Lot 105 shall be vested in Council as Local Purpose Reserve (road reserve).  
Advice Note: Council shall issue a certificate under section 239(2) of the Resource Management Act 1991 confirming that Lot 105 shall be vested including the existing easements for gas, right of ways and services as shown on the approved scheme plan 510586-SC01-DRG-UU-2001 Rev C STAGE 1.*

4. That Lot 11 shall be vested in Council as Local Purpose Reserve (utilities).
- 4A. That Lots 12, 13, 14, 15, 16 and 19 shall be vested in Council as Local Purpose Reserve (Segregation Strip).

#### **Easements to be Extinguished**

5. That pursuant to section 243(e) of the Resource Management Act 1991, the consent holder shall apply to cancel (partially or wholly) all easements in relation to land that will be vested, and otherwise as shown on the scheme plan (510586-SC01-DRG-UU-2001 Rev C STAGE 1 - Easement 10333552.6).

#### **Consent Notices Cancellation**

6. That pursuant to section 221 of the Resource Management Act 1991, the consent holder shall apply to cancel in part all underlying consent notices as they relate to Lots 105 and Lot 11 prior to an application for the issue of Titles pursuant to section 224(c) of the Resource Management Act 1991.

#### **Proposed Easements**

7. That proposed rights-of-way and utility services easements shown as 'F', 'G', 'H', 'MC', 'DB', 'LA', 'NA', 'O', 'NB' and 'E' on the subdivision scheme plan shall be duly granted and reserved and shown on the survey plan.

#### **Consent Notices**

8. That for Lots 101 and 102, reticulated potable water, wastewater, stormwater, telecommunications and electricity connections/ infrastructure are not available to service the respective allotments.
9. That pursuant to section 221 of the Resource Management Act 1991, a consent notice be registered against the Records of Title of Lots 101 and 102, advising that reticulated potable water, wastewater, stormwater, telecommunications and electricity connections/ infrastructure are not available to service the allotments.
10. That for Lots 1 and 4, occupation of any building shall be prohibited until such time as suitable vehicle access and reticulated potable water, wastewater, stormwater, telecommunications and electricity connections/infrastructure are provided to the boundaries of the respective allotments to the satisfaction of Council's General Manager, Development (or nominee).
11. That pursuant to section 221 of the Resource Management Act 1991, a consent notice be registered against the Records of Titles of Lots 1 and 4 advising that for Lots 1 and 4, any occupation of any building shall be prohibited until such time as suitable vehicle access and reticulated potable water, wastewater, stormwater, telecommunications and electricity connections/infrastructure are provided to the boundaries of the respective allotments to the satisfaction of Council's General Manager, Development (or nominee).
12. That for Lots 1 and 4, occupation of any building shall be prohibited until such time as the following works are completed and vested to Council:
  - Te Rapa Road Pedestrian Crossing and Bus Shelter
  - Te Awa River Ride CPTED Works

13. That pursuant to section 221 of the Resource Management Act 1991, a consent notice be registered against the Records of Titles of Lots 1 and 4 advising that for Lots 1 and 4, occupation of any building shall be prohibited until such time as the following works are completed and vested to Council:

- Te Rapa Road Pedestrian Crossing and Bus Shelter
- Te Awa River Ride CPTED Works.

#### **Te Awa Lakes Residents Society**

14. The consent holder shall provide evidence to the satisfaction of the HCC Planning Guidance Unit Manager (or nominee) that the Te Awa lakes Residents Society ("Residents' Society") has been incorporated with the constitution attached as Schedule Thirteen to the Private Developer Agreement signed and executed on 24 December 2021.

15. The owners of Lots 1 and 4 shall be a member of the Residents' Society. The consent holder shall provide evidence to the satisfaction of the HCC Planning Guidance Unit Manager (or nominee) that each title for Lots 1 and 4 will have registered against it a covenant in the form attached as Schedule Fourteen to the Private Developer Agreement signed and executed on 24 December 2021, which will amongst other things:

- i. Require the Resident to be a member of the Residents' Society, and pay any fees levied by the Residents' Society;
- ii. Release HCC from any liability for care, operation and maintenance of the Private Water Assets; and
- iii. If the Residents' Society has refused or otherwise failed to comply with its obligations with respect to Private Water Assets, require each resident to contribute towards any costs that HCC incurs in operating or maintaining the Private Water Assets.

Note: 'Private Water Assets' are as defined in Clause 5.3 of the Private Developer Agreement signed and executed on 24 December 2021.

#### **General Engineering**

16. The consent holder shall submit engineering plans including (but not limited to) cross-sections, long-sections and associated details for public roads, water, wastewater and stormwater infrastructure and connections and other relevant items to the Planning Guidance Unit for review by General Manager, Development (or nominee) prior to construction work commencing onsite. These plans shall be amended by the Consent Holder as required until stamped 'Accepted' by General Manager, Development (or nominee).

Advice Note: Engineering plans for the off-site works required by Condition 23 may be submitted separately to the engineering plans for works on Hutchinson Road and within the site.

17. All engineering works shall be in accordance with the Regional Infrastructure Technical Specifications (RITS) (available from the internet at [www.hcc.govt.nz](http://www.hcc.govt.nz)) except as otherwise provided for in the conditions of this consent.

18. The consent holder shall retain the services of a suitably professional qualified person (subject to Hamilton City Council approval but generally a professional land surveyor and/or engineer) 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 and

*submitted to the Hamilton City Council Strategic Development Unit along with the engineering plans.*

- 19. A register of all assets to be vested in Council (e.g. reserves, roads, water, wastewater and stormwater infrastructure) and associated GST requirements shall be submitted to the Strategic Development Unit at the completion of the works.*
- 20. 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](http://www.beforeudig.co.nz) website) and appropriate traffic management. The CAR shall be approved by the Road Controlling Authority prior to the commencement of construction works onsite.*
- 21. On completion of site works any damage within the road corridor shall be repaired, and the kerb, berm and footpath reinstated to match the surroundings. The reinstatement work shall not be carried out until all work within the road corridor has been completed and shall include the reinstatement of all trenches.*

#### **Construction Management**

- 22. All Management Plans required by the LDP resource consent (010.2021.11468.001) for Construction Works within the site shall be complied with.*
- 23. Prior to the commencement of any earthworks or construction activities associated with the off site upgrades including works on Hutchinson Road (the Consent Holder shall provide a Construction Management Plan (CMP) for approval by the General manager, Development (or nominee). The objective of the CMP is to outline the approach to be taken for managing earthworks and construction works to ensure that impacts that may arise from the works have been appropriately identified, managed and minimised.*
- 24. The consent holder shall carry out operations in general accordance with the provisions of the approved Construction Management Plan, and any subsequent changes. The Construction Management Plan (CMP) shall include but not limited to:*
  - a) Details of the works, intended construction timetable (including staging) and hours of operation*
  - b) Methods to control dust, debris on roads and silt laden runoff during construction*
  - c) Existing network utilities*
  - d) Anticipated truck movements and routes to and from the site during construction*
  - e) Site access and management*
  - f) Traffic Management Plan*
  - g) Contact details for the contractor, including a process for complaints and remedying concerns*
  - h) Adjacent land owner liaison during the construction stage*
  - i) Quality assurance/quality control*
  - j) General methods to mitigate and manage construction noise and vibration in order to comply with the applicable noise limits*
  - k) Identification of any special construction activities (including any pile driving and concrete pours) that may require specific mitigation measures in order to comply with the applicable noise limits*

25. At least 20 working days prior to the commencement of any construction activities to complete the infrastructure upgrades required by Condition #24, a Construction Management Plan (CMP) shall be submitted for certification by the General Manager, Development (or nominee) or nominee.
26. Any changes to the Construction Management Plan shall be made in accordance with the methodology and approved procedures in that plan and shall be confirmed in writing by the consent holder following consultation with Hamilton City Council Strategic Development Unit Engineers before implementation.
27. The consent holder shall carry out operations in general accordance with the provisions of the approved Construction Management Plan, and any subsequent approved changes.

#### **Construction Noise**

28. All construction work on the site shall be designed and conducted to ensure that construction noise from the site received at any other site in a residential zone does not exceed the noise limits in the following table. 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'.

Time period	Monday to Friday		Saturdays		Sundays and Public Holidays	
	Leq (dBA)	Lmax (dBA)	Leq (dBA)	Lmax (dBA)	Leq (dBA)	Lmax (dBA)
06:30am to 07:30am	55	75	45	75	45	75
07:30am to 06:00pm	70	85	70	85	55	85
06:00pm to 08:00pm	65	80	45	75	45	75
08:00pm to 06:30am	45	75				

Note that the lower noise limits (shaded) mean that some construction work may not be able to take place during the corresponding time frames, which includes all times on Sundays and public holidays.

29. Construction Noise Management Plan (which can be part of a larger Construction Management Plan) shall be provided to Council's Planning Guidance Manager for certification at least 20 working days prior to construction work and earthworks being commenced on site. The plan shall confirm and include the following:-
  - a. The applicable construction noise limits (from the conditions 28 above);
  - b. Identification of the nearest receivers who may be temporarily affected by construction noise (off-site);
  - c. General methods to mitigate and manage construction noise in order to comply with the applicable noise limits;
  - d. Identification of any special construction activities (including any pile driving and concrete pours) that may require specific mitigation measures in order to comply with the applicable noise limits;

- e. Contact details of the person in charge of earthworks and construction works;
- f. A complaints handling procedure

### **Earthworks**

- 30. *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 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".*
- 31. *All public roads shall be kept clean and free from silt and sediment tracked from the site during the earthworks.*
- 32. *The earthworks shall be undertaken in a manner which maintains appropriate provision for overland flowpaths for stormwater to avoid any increased potential for flooding.*
- 33. *All earthworks areas of bare earth not being worked for three months or more shall be stabilised with a suitable method or sown with ground cover to prevent soil erosion, sediment runoff and a dust nuisance.*
- 34. *That the earthworks shall be conducted in such a manner 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.*
- 35. *All areas of bare earth shall be re-vegetated, re-grassed or formed in a hardstand surface such as paving as soon as practicably possible and within one calendar month following the completion of the earthworks, excluding areas which are subject to building works. 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.*

### **Geotechnical Engineering**

#### **Geotechnical Completion Report**

- 36. *Any application for certification under section 224 of the Resource Management Act 1991, shall include a Geotechnical Completion Report compiled by a Category 1 Geo-Professional to Hamilton City Council. The report shall:*
  - a) *Cover all allotments contained within that stage;*
  - b) *Provide recommendations for maximum cut heights before further geotechnical investigations are required for the purposes of building foundation design;*
  - c) *Confirm earthworks and/or building platforms have been constructed to comply with the New Zealand Building Code requirements;*
  - d) *Provide an analysis of the liquefaction risk and determine any specific foundation requirements to mitigate the effects of liquefaction;*
  - e) *Certify that any residual settlement or differential settlement that may occur shall not exceed the manufacturers recommendations with respect to the installed underground pipe networks to be vested in Hamilton City Council or exceed accepted design techniques with*

- respect to road settlement or long term deflection or exceed the settlement limitations as detailed in the New Zealand Building Code; and*
- f) *Confirm the finished ground levels across the stage.*

### **Transport Network Upgrades**

37. *Prior to section 223 certificate the following improvements are to be completed:*

- a) *The Te Rapa Road/McKee Street intersection is to be signalised, including any additional works to address adverse transferred effects associated with the signalisation, at the Te Rapa Road/Kapuni Street intersection;*
- b) *A pedestrian crossing facility is to be constructed at the existing bus stops on Te Rapa Road adjacent to the Structure Plan area and a bus shelter is to be constructed at the western bus stop location;*
- c) *The Te Awa River Ride path from and within the Structure Plan area to Pukete Road is to be upgraded in accordance with CPTED principles. In addition, as much existing cycle route that is within the road corridor as practicable is to be replaced with riverside cycle path from the Structure Plan area to Pukete Road;*
- d) *Te Rapa Road on-road cycle safety improvements including targeted road markings, signage and road surfacing work between Hutchinson Road and Church Road; and*
- e) *Shared path connection along Horotiu Bridge Road from the Te Awa River Ride path to Horotiu Primary School.*

38. *The consent holder shall arrange for an independent Stage 3 (detailed design) and Stage 4 (post-construction) Road Safety Audit of the off-site works described in condition 37. The completed Stage 3 safety audit shall be submitted to the Council with the engineering plans. The completed Stage 4 safety audit shall be submitted to the Council no later than eight weeks following practical completion of the work. The safety audit decisions shall be to the satisfaction of the General Manager City, Development or nominee. The safety audits shall address the items in the 'Road Safety Audit Procedures for Projects (TFM9) (Interim Release May 2013).*

39. *The consent holder shall arrange for an independent Stage 3 (detailed design) and Stage 4 (post construction) Road Safety Audit of the transport network including the pedestrian and cycle network within the subdivision area. The completed Stage 3 safety audit shall be submitted to the Council with the engineering plans. The completed Stage 4 safety audit shall be submitted to the Council no later than three months after vesting. The safety audit decisions shall be to the satisfaction of the General Manager, Development or nominee. The safety audits shall address the items in the 'Road Safety Audit Procedures for Projects (TFM9) (Interim Release May 2013).*

40. *All regulatory signs and markings proposed to be established shall be agreed following engagement with Hamilton City Council prior to completion of engineering design drawings. The signs and marking will only be confirmed through Council's statutory approval processes prior to the confirmation of drawings as "approved for construction".*

### **Speed Limits**

41. *Prior to commencement of detailed engineering design for any works on Te Rapa Road (north of Hutchinson Road) the consent holder shall engage with Hamilton City Council to confirm the appropriate design speed environment.*

Advice Note:



The purpose of engagement in relation to speed management on Te Rapa Road is to establish an appropriate speed environment and for an appropriate pedestrian crossing facility to be designed to safely fit within that environment. In the event the current speed environment is able to be reduced to 60km/h in line with the HCC Speed Management Plan (June 2019) it is the intent that raised platform signalised crossing facility will be established. In the absence of this, an alternate and appropriately safe at-grade crossing place is to be established in consultation with Council.

### **Travel Demand Management**

42. *Prior to section 223 certificate being issued, the consent holder shall prepare a Travel Demand Management (TDM) Plan in general accordance with the draft Te Awa Lakes Structure Plan Area Travel Demand Management (TDM) Plan, prepared by Stantec, dated 5 March 2021.*
43. *The TDM Plan shall be submitted to the Hamilton City Council, Unit Manager City Development Transportation Unit or nominee for certification. The TDM Plan shall be prepared by a suitably qualified and experienced person and shall be developed after consultation with HCC, WRC, Fonterra Limited, AFFCO New Zealand Limited and the local Te Awa Lakes community.*
44. *The objective of the TDM Plan shall be to implement travel demand management outcomes and provide for public transport, alternative, multi-modal and non-motorised transport initiatives to support and integrate with existing and planned citywide networks. The TDM shall include (but not be limited to):*
  - a. Requirement for the plan, the driving motivation for the plan;*
  - b. Purpose of the plan, what it is to achieve;*
  - c. Scope of the TDM plan, the realm of applicability and the environments;*
  - d. Governance structure, accountability, ownership and delivery;*
  - e. Site audit and data collection, to inform current state of travel and establish a baseline for forming aspirational targets;*
  - f. Objectives and targets;*
  - g. Collaboration;*
  - h. Actions, accountability and implementation; what and how measures will be delivered to achieve the objectives and targets;*
  - i. Strategy for promoting and marketing the actions;*
  - j. Commitment and resources, funding and financial commitment to both on-going management of the plan as well as implementation of key actions;*
  - k. Monitoring and review, feedback for continual improvement; and*
  - l. Resources.*
45. *In accordance with the vehicular property access restrictions identified on the approved Road Hierarchy Plan (Rev A, Boffa Miskell, June 2021), no individual vehicle crossings are to be created across the access restriction area:*
  - a) Along proposed Road 1 between the intersections of Hutchinson Road and Road 25; and*
  - b) Along the northern side of proposed Hutchinson Road between the intersections of Road 2 and Road 25.*

*The survey plan (prior to certification under Sec 223 RMA) shall incorporate a suitably dimensioned segregation strip along the common boundary of the road corridor and the access restricted area.*

### **Three Waters Infrastructure Stormwater**

46. *The stormwater management system is to be designed to maximise the portion of the Stage 1 area that will drain to the existing Central Lake and then the Southern Wetland. All new roads and lots within the portion of the site that drains to the Central Lake will need to be treated before discharge to the lake. For the portion of Stage 1 area that is to discharge directly to the southern tributary, water quality treatment and extended detention are required.*

Advisory Note – That the Contract for the ongoing Operation, Maintenance and renewal of all on road Raingardens shall be in place prior to the vesting of the Raingardens or prior to the end of the 24 Month Defects Liability Period as per the requirements of PDA required by condition 33 of the LDP Consent 010.2021.11468.001).

#### **Water**

47. *The development shall be provided with a water reticulation system. The reticulation system shall be appropriately sized to cater for future growth in the wider catchment, in consultation with the Strategic Development Unit Manager (or nominee).*
48. *The development shall be provided with fire protection via a fire hydrant system. The design of the water network shall conform to the Code of Practice for Fire Fighting Water Supplies (SNZ PAS 4509).*
49. *Each lot shall be provided with a separate water supply, with no private water pipe passing between one lot and another.*

#### **Waste Water**

50. *The development shall be provided with a wastewater reticulation system. The reticulation system shall be appropriately sized for the full Te Awa Lakes site and shall also appropriately cater for planned/consented future growth in the wider catchment within the Hamilton City boundaries, as required by the PDA required by condition 33 of the LDP Consent (010.2021.11468.001).*

Note: A new agreement between the Consent Holder and Council's Three Waters Manager will be required to address potential additional operational and maintenance costs of the interim wastewater system.

#### **Private Developers Agreement**

51. *Prior to issue of 224 certificate, the consent holder and Hamilton City Council shall enter into a Private Developers Agreement (PDA) on terms satisfactory to Hamilton City Council.*

*The PDA shall include, but not be limited to, provisions which address the following:*

- *The allocation of additional Operation and Maintenance costs associated with the inefficient operation/running of the interim waste water solution pumps and associated rising main.*
- *A condition assessment of the interim waste water solution pumps be carried out at the end of the interim stage to ensure that the pumps are in a condition expected of a pump operating within its expected operating range.*
- *The provision of additional waste water storage be provided within stage 1 equivalent to 50% of the 9-hour dry-weather storage.*
- *A guarantee that should the development not progress past stage 1 a suitable long term waste water system is to be constructed.*

#### **Three Waters Infrastructure - Wastewater**

52. *That Consent Holder shall provide details at the time of Engineering Plan submission addressing:*
- *How the interim waste water pump station will operate during the interim period detailing the estimated rate of development uptake and proposed mitigations to address limited flows in the initial period i.e. retention times and flushing through will be an issue that will need to be addressed.*
  - *Details of the maximum the maximum allowable additional storage within stage 1 boundaries to be built in association with the interim waste water pump station*
  - *Details on how the interim waste water solution will be transitioned to the final waste water solution at the end of the stage 1 development to enable the next stage of development to proceed.*
53. *The development shall be provided with a wastewater reticulation system. The reticulation system shall be appropriately sized to cater for future growth in the wider catchment, in consultation with the Strategic Development Unit Manager (or nominee).*
54. *Each lot shall be provided with a separate wastewater connection, with no private wastewater drains passing between one lot and another.*
55. *The development shall be provided with a wastewater pump system to be designed and constructed in accordance with Section 5.2.10 of the Regional Infrastructure Technical Specifications.*
- Advice Note – The intention is that the wastewater pump station will be delivered after s224c, in accordance with consent notice described in conditions 11 & 13 above.*
56. *That the condition and size of the discharging MH -WWJ11015 is to be assessed and if any non-compliance or defects are identified the Consent Holder shall remedy to the satisfaction of General Manager Development or nominee.*

#### **Other Services**

57. *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.*

#### **Fees and Charges**

58. *Pursuant to section 36 of the Resource Management Act 1991, the following fees 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'.

## **STAGE 2**

### **General**

59. That the subdivision shall be in general accordance with the information and plans submitted to Council on 17 November 2021, except where amended by updated subdivision plan, Titled STAGE 2, prepared by Aurecon New Zealand Limited referenced 510586-SC01-DRG-UU-1000 Rev D STAGE 2 received on 22 May 2023. Copy of the approved plan is attached (and subject to amendment (where necessary) by the following conditions). Should the shape/size/orientation of Lot 11 (LP Reserves (utilities)), to be vested in Council in Stage 1, be the subject of a necessary change as a result of physical works undertake in the installation and commission of the wastewater device, such amendments shall be deemed to be generally in accordance with the approved scheme plan for Stage 2. For the avoidance of doubt, such minor changes will not trigger the need for new or additional Subdivision Consent approvals.

### **Land to be Declared Road**

60. That Lot 105 vested as Local Purpose Reserve (Road Reserve) shall be road declared and gazetted as public road prior to s223 certification.

*Advise Note: Council will not allow the gazettal process to commence until the Works Clearance Certification has been issued.*

### **Land to Vest**

61. That Lots 5, 6 and 7 shall be vested in Council as Road

### **Consent Notices Cancellation**

62. That pursuant to section 221 of the Resource Management Act 1991, the consent holder shall apply to cancel in part all underlying consent notices as they relate to Lots 5, 6, and 7 prior to an application for the issue of Titles pursuant to section 224(c) of the Resource Management Act 1991.

63. That for Lots 2 and 3, occupation of any building shall be prohibited until such time as the following works are completed and vested to Council:

- Te Rapa Road Pedestrian Crossing and Bus Shelter
- Te Awa River Ride CPTED Works

64. That pursuant to section 221 of the Resource Management Act 1991, a consent notice be registered against the Records of Titles of Lots 2 and 3 advising that for Lots 2 and 3, occupation of any building shall be prohibited until such time as the following works are completed and vested to Council Te Rapa Road Pedestrian Crossing and Bus Shelter, Te Awa River Ride CPTED Works.

### **Te Awa Lakes Residents Society**

65. The consent holder shall provide evidence to the satisfaction of the HCC Planning Guidance Unit Manager (or nominee) that the Te Awa lakes Residents Society ("Residents' Society") has been incorporated with the constitution attached as Schedule Thirteen to the Private Developer Agreement signed and executed on 24 December 2021.

66. *The owners of Lots 2 and 3 shall be a member of the Residents' Society. The consent holder shall provide evidence to the satisfaction of the HCC Planning Guidance Unit Manager (or nominee) that each title for Lots 2 and 3 will have registered against it a covenant in the form attached as Schedule Fourteen to the Private Developer Agreement signed and executed on 24 December 2021, which will amongst other things:*
- i. Require the Resident to be a member of the Residents' Society, and pay any fees levied by the Residents' Society;*
  - ii. Release HCC from any liability for care, operation and maintenance of the Private Water Assets; and*
  - iii. If the Residents' Society has refused or otherwise failed to comply with its obligations with respect to Private Water Assets, require each resident to contribute towards any costs that HCC incurs in operating or maintaining the Private Water Assets.*

Note: 'Private Water Assets' are as defined in Clause 5.3 of the Private Developer Agreement signed and executed on 24 December 2021.

### **General Engineering**

67. *The consent holder shall submit engineering plans including (but not limited to) cross-sections, long-sections and associated details for public roads, water, wastewater and stormwater infrastructure and connections and other relevant items to the Planning Guidance Unit for review by General Manager, Development (or nominee) prior to construction work commencing onsite. These plans shall be amended by the Consent Holder as required until stamped 'Accepted' by General Manager, Development (or nominee).*  
Advice Note: Engineering plans for the off-site works required by Condition 37 may be submitted separately to the engineering plans for works on Hutchinson Road and within the site.
68. *All engineering works shall be in accordance with the Regional Infrastructure Technical Specifications (RITS) (available from the internet at [www.hcc.govt.nz](http://www.hcc.govt.nz)) except as otherwise provided for in the conditions of this consent*
69. *The consent holder shall retain the services of a suitably professional qualified person (subject to Hamilton City Council approval but generally a professional land surveyor and/or engineer) 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 and submitted to the Hamilton City Council Strategic Development Unit along with the engineering plans.*
70. *A register of all assets to be vested in Council (e.g. reserves, roads, water, wastewater and stormwater infrastructure) and associated GST requirements shall be submitted to the Strategic Development Unit at the completion of the works.*
71. *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](http://www.beforeudig.co.nz) website) and appropriate traffic management. The CAR shall be approved by the Road Controlling Authority prior to the commencement of construction works onsite.*
72. *On completion of site works any damage within the road corridor shall be repaired, and the kerb, berm and footpath reinstated to match the surroundings. The reinstatement work shall not*

*be carried out until all work within the road corridor has been completed and shall include the reinstatement of all trenches.*

### **Construction Management**

73. *All Management Plans required by the LDP resource consent (010.2021.11468.001) for Construction Works within the site shall be complied with.*
74. *Prior to the commencement of any earthworks or construction activities associated with the off site upgrades including works on Hutchinson Road (the Consent Holder shall provide a Construction Management Plan (CMP) for approval by the General manager, Development (or nominee). The objective of the CMP is to outline the approach to be taken for managing earthworks and construction works to ensure that impacts that may arise from the works have been appropriately identified, managed and minimised.*
75. *The consent holder shall carry out operations in general accordance with the provisions of the approved Construction Management Plan, and any subsequent changes. The Construction Management Plan (CMP) shall include but not limited to:*
- a) Details of the works, intended construction timetable (including staging) and hours of operation*
  - b) Methods to control dust, debris on roads and silt laden runoff during construction*
  - c) Existing network utilities*
  - d) Anticipated truck movements and routes to and from the site during construction*
  - e) Site access and management*
  - f) Traffic Management Plan*
  - g) Contact details for the contractor, including a process for complaints and remedying concerns*
  - h) Adjacent land owner liaison during the construction stage*
  - i) Quality assurance/quality control*
  - j) General methods to mitigate and manage construction noise and vibration in order to comply with the applicable noise limits*
  - k) Identification of any special construction activities (including any pile driving and concrete pours) that may require specific mitigation measures in order to comply with the applicable noise limits*
76. *At least 20 working days prior to the commencement of any construction activities to complete the infrastructure upgrades required by Condition 75, a Construction Management Plan (CMP) shall be submitted for certification by the General Manager, Development (or nominee) or nominee.*
77. *Any changes to the Construction Management Plan shall be made in accordance with the methodology and approved procedures in that plan and shall be confirmed in writing by the consent holder following consultation with Hamilton City Council Strategic Development Unit Engineers before implementation.*
78. *The consent holder shall carry out operations in general accordance with the provisions of the approved Construction Management Plan, and any subsequent approved changes.*

### **Construction Noise**

79. All construction work on the site shall be designed and conducted to ensure that construction noise from the site received at any other site in a residential zone does not exceed the noise limits in the following table. 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'.

Time period	Monday to Friday		Saturdays		Sundays and Public Holidays	
	Leq (dBA)	Lmax (dBA)	Leq (dBA)	Lmax (dBA)	Leq (dBA)	Lmax (dBA)
06:30am to 07:30am	55	75	45	75	45	75
07:30am to 06:00pm	70	85	70	85	55	85
06:00pm to 08:00pm	65	80	45	75	45	75
08:00pm to 06:30am	45	75				

Note that the lower noise limits (shaded) mean that some construction work may not be able to take place during the corresponding time frames, which includes all times on Sundays and public holidays.

80. Construction Noise Management Plan (which can be part of a larger Construction Management Plan) shall be provided to Council's Planning Guidance Manager for certification at least 20 working days prior to construction work and earthworks being commenced on site. The plan shall confirm and include the following:-

- The applicable construction noise limits (from the condition 79 above);
- Identification of the nearest receivers who may be temporarily affected by construction noise (off-site);
- General methods to mitigate and manage construction noise in order to comply with the applicable noise limits;
- Identification of any special construction activities (including any pile driving and concrete pours) that may require specific mitigation measures in order to comply with the applicable noise limits;
- Contact details of the person in charge of earthworks and construction works;
- A complaints handling procedure

### Earthworks

81. 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 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".
82. All public roads shall be kept clean and free from silt and sediment tracked from the site during the earthworks.

83. *The earthworks shall be undertaken in a manner which maintains appropriate provision for overland flowpaths for stormwater to avoid any increased potential for flooding.*
84. *All earthworks areas of bare earth not being worked for three months or more shall be stabilised with a suitable method or sown with ground cover to prevent soil erosion, sediment runoff and a dust nuisance.*
85. *That the earthworks shall be conducted in such a manner 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.*
86. *All areas of bare earth shall be re-vegetated, re-grassed or formed in a hardstand surface such as paving as soon as practicably possible and within one calendar month following the completion of the earthworks, excluding areas which are subject to building works. 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.*

#### **Geotechnical Completion Report**

87. *Any application for certification under section 224 of the Resource Management Act 1991, shall include a Geotechnical Completion Report compiled by a Category 1 Geo-Professional to Hamilton City Council. The report shall:*
  - g) Cover all allotments contained within that stage;*
  - h) Provide recommendations for maximum cut heights before further geotechnical investigations are required for the purposes of building foundation design;*
  - i) Confirm earthworks and/or building platforms have been constructed to comply with the New Zealand Building Code requirements;*
  - j) Provide an analysis of the liquefaction risk and determine any specific foundation requirements to mitigate the effects of liquefaction;*
  - k) Certify that any residual settlement or differential settlement that may occur shall not exceed the manufacturers recommendations with respect to the installed underground pipe networks to be vested in Hamilton City Council or exceed accepted design techniques with respect to road settlement or long term deflection or exceed the settlement limitations as detailed in the New Zealand Building Code; and*
  - l) Confirm the finished ground levels across the stage.*

#### **Roading (Te Rapa Service Centre Access – Hutchinson Road)**

88. *Right of Way 'MA', vehicle access, parking and manoeuvring areas shall be formed, drained and sealed, and thereafter maintained, in a permanent dust-free all-weather surface.*
89. *The proposed Hutchinson Road vehicle crossing to Lot 100 (Te Rapa Service Centre) as approved under the change of conditions to the land use consent for the Te Rapa Service Centre (10.2013.7358.004) shall be constructed to the commercial standard in accordance with the RITS. The vehicle crossing shall be fully formed to the site boundary in the same material as the footpath. The crossing shall be designed to prioritise pedestrian and cyclist movements.*



90. *All obsolete vehicle crossings on Hutchinson Road shall be removed, and the kerb and channel, footpaths, shared path and berm be reinstated to match the surroundings.*
91. *The existing pedestrian cutdowns on Hutchinson Road at the Te Rapa Road/ Hutchinson Road roundabout shall be removed, and the kerb and channel, footpaths, shared path and berm be reinstated to match the surroundings.*
92. *All service relocations required to accommodate the new vehicle crossing to the Te Rapa Service Centre shall be arranged by the consent holder at no cost to Council.*

***Proposed Roads and Hutchinson Road Upgrading***

93. *The proposed new public road and infrastructure upgrades shall be designed and constructed for the purpose intended, and shall include pedestrian and cycle facilities; traffic facilities; road lighting; accessible services or ducting at intersections and swale crossings; and road drainage as appropriate. Note: The upgrade of Hutchinson Road needs to take into account the future upgrade/widening of Hutchinson Road to minimise the future rework required when future widening takes place.*
94. *The detailed design shall ensure the raingardens and vehicle crossings are located to maximise the number of on-street parking spaces.*
95. *The raingardens shall be designed and located to ensure the safety of all road users including pedestrians.*
96. *The design of the road drainage and transportation function must be integrated to ensure both are not compromised in terms of safety and ongoing maintenance to the satisfaction of the General Manager, Development or nominee.*
97. *The extent of raised intersection at the Hutchinson Road/ Road 2 intersection shall be minimised to support speed management and safe pedestrian crossing facilities.*
98. *Overhead lighting shall be designed and installed in all public roads (including Lot 105 from Stage 1). The overhead lighting shall comply with AS/NZS 1158 and the Regional Infrastructure Technical Specifications. Luminaires shall be the LED type, and the consent holder shall instigate at no cost to Council an energy audit of the design as prescribed in AS/NZS 1158.*
99. *Prior to engineering design acceptance, a detailed design road safety audit of [insert road name here] in accordance with Sections 3.2.5 of the Regional Infrastructure Technical Specifications shall be undertaken at no cost to Council. The road safety auditors shall be commissioned from another organisation independent of the Consent Holder, designer and contractor. Audit recommendations and design changes arising from the detailed design road safety audit shall be certified by the Strategic Development Unit Manager or nominee prior to changes (if any) being implemented.*
100. *At completion of work a post-construction road safety audit of Roads 1 (partial), 2, 3, 4 and 5 as shown on the scheme plan (Lot 105) in accordance with Sections 3.2.5 of the Regional Infrastructure Technical Specifications shall be undertaken at no cost to Council. Road safety auditors shall be commissioned from another organisation independent of the Consent Holder, designer and contractor. Audit recommendations and design changes arising from the detailed design road safety audit shall be certified by the Strategic Development Unit Manager or nominee prior to changes (if any) being implemented.*

101. *The proposed Hutchinson Road vehicle crossing to the Te Rapa Service Centre as shown on Drawing Ref 510586-0000-DRG-CC-1600[C] Service Centre Parking shall be constructed to the light commercial standard in accordance with Drawing D3.3.4 the RITS. The vehicle crossing shall be fully formed to the site boundary in the same material as the footpath. The crossing shall be designed to prioritise pedestrian and cyclist movements.*
102. *The obsolete vehicle crossing on Hutchinson Road shall be removed, and the kerb and channel, footpaths, shared path and berm be reinstated to match the surroundings.*
103. *All service relocations required to accommodate the new vehicle crossing to the Te Rapa Service Centre shall be arranged by the consent holder at no cost to Council.*

#### **Street Landscaping**

104. *Detailed Landscape plans for the road reserves shall be submitted for approval by the Manager Parks and Recreation Unit (or nominee). The Street Landscape Plans shall be amended as required until stamped 'Accepted' by the Parks and Recreation Unit. No landscaping works shall commence on site until the plans are accepted.*
105. *The landscaping shall be implemented in accordance with the approved street landscaping plan to the satisfaction of the Parks and Recreation Unit (or nominee).*
106. *The design, construction and maintenance of all landscaping and planting shall be in accordance with Section 7 of the Regional Infrastructure Technical Specifications.*

#### **Travel Demand Management**

107. *Prior to section 223 certificate being issued, the consent holder shall prepare a Travel Demand Management (TDM) Plan in general accordance with the draft Te Awa Lakes Structure Plan Area Travel Demand Management (TDM) Plan, prepared by Stantec, dated 5 March 2021.*
108. *The TDM Plan shall be submitted to the Hamilton City Council, Unit Manager City Development Transportation Unit or nominee for certification. The TDM Plan shall be prepared by a suitably qualified and experienced person and shall be developed after consultation with HCC, WRC, Fonterra Limited, AFFCO New Zealand Limited and the local Te Awa Lakes community.*
109. *The objective of the TDM Plan shall be to implement travel demand management outcomes and provide for public transport, alternative, multi-modal and non-motorised transport initiatives to support and integrate with existing and planned citywide networks. The TDM shall include (but not be limited to):*
- a. Requirement for the plan, the driving motivation for the plan;*
  - b. Purpose of the plan, what it is to achieve;*
  - c. Scope of the TDM plan, the realm of applicability and the environments;*
  - d. Governance structure, accountability, ownership and delivery;*
  - e. Site audit and data collection, to inform current state of travel and establish a baseline for forming aspirational targets;*
  - f. Objectives and targets;*
  - g. Collaboration;*
  - h. Actions, accountability and implementation; what and how measures will be delivered to achieve the objectives and targets;*
  - i. Strategy for promoting and marketing the actions;*

- j. Commitment and resources, funding and financial commitment to both on-going management of the plan as well as implementation of key actions;*
- k. Monitoring and review, feedback for continual improvement; and*
- l. Resources.*

*110. In accordance with the vehicular property access restrictions identified on the approved Road Hierarchy Plan (Rev A, Boffa Miskell, June 2021), no individual vehicle crossings are to be created across the access restriction area:*

- a) Along proposed Road 1 between the intersections of Hutchinson Road and Road 25; and*
- b) Along the northern side of proposed Hutchinson Road between the intersections of Road 2 and Road 25.*

*The survey plan (prior to certification under Sec 223 RMA) shall incorporate a suitably dimensioned segregation strip along the common boundary of the road corridor and the access restricted area.*

### **Three Waters Infrastructure Stormwater**

*111. The stormwater management system is to be designed to maximise the portion of the Stage 2 area that will drain to the existing Central Lake and then the Southern Wetland. All new roads and lots within the portion of the site that drains to the Central Lake will need to be treated before discharge to the lake. For the portion of Stage 2 area that is to discharge directly to the southern tributary, water quality treatment and extended detention are required.*

*Advisory Note – That the Contract for the ongoing Operation, Maintenance and renewal of all on road Raingardens shall be in place prior to the vesting of the Raingardens or prior to the end of the 24 Month Defects Liability Period as per the requirements of PDA required by condition 33 of the LDP Consent 010.2021.11468.001).*

### **Water**

*112. The development shall be provided with a water reticulation system. The reticulation system shall be appropriately sized to cater for future growth in the wider catchment, in consultation with the Strategic Development Unit Manager (or nominee).*

*113. The development shall be provided with fire protection via a fire hydrant system. The design of the water network shall conform to the Code of Practice for Fire Fighting Water Supplies (SNZ PAS 4509).*

*114. Each lot shall be provided with a separate water supply, with no private water pipe passing between one lot and another.*

### **Waste Water**

*115. The development shall be provided with a wastewater reticulation system. The reticulation system shall be appropriately sized for the full Te Awa Lakes site and shall also appropriately cater for planned/consented future growth in the wider catchment within the Hamilton City boundaries, as required by the PDA required by condition 33 of the LDP Consent ( File Number) .*

*Note: A new agreement between the Consent Holder and Council's Three Waters Manager will be required to address potential additional operational and maintenance costs of the interim wastewater system.*

### **Private Developers Agreement**

116. *Prior to the commencement of Construction Works, the consent holder and Hamilton City Council shall enter into a Private Developers Agreement (PDA) on terms satisfactory to Hamilton City Council.*

*The PDA shall include, but not be limited to, provisions which address the following:*

- *The allocation of additional Operation and Maintenance costs associated with the inefficient operation/running of the interim waste water solution pumps and associated rising main.*
- *A condition assessment of the interim waste water solution pumps be carried out at the end of the interim stage to ensure that the pumps are in a condition expected of a pump operating within its expected operating range.*
- *The provision of additional waste water storage be provided within stage 1 equivalent to 50% of the 9-hour dry-weather storage.*
- *A guarantee that should the development not progress past stage 1 a suitable long term waste water system is to be constructed.*

### **Three Waters Infrastructure - Wastewater**

117. *That Consent Holder shall provide details at the time of Engineering Plan submission addressing:*

- *How the interim waste water pump station will operate during the interim period detailing the estimated rate of development uptake and proposed mitigations to address limited flows in the initial period i.e. retention times and flushing through will be an issue that will need to be addressed.*
- *Details of the maximum the maximum allowable additional storage within stage 1 boundaries to be built in association with the interim waste water pump station*
- *Details on how the interim waste water solution will be transitioned to the final waste water solution at the end of the stage 1 development to enable the next stage of development to proceed.*

118. *The development shall be provided with a wastewater reticulation system. The reticulation system shall be appropriately sized to cater for future growth in the wider catchment, in consultation with the Strategic Development Unit Manager (or nominee).*

119. *Each lot shall be provided with a separate wastewater connection, with no private wastewater drains passing between one lot and another.*

120. *The development shall be provided with a wastewater pump system to be designed and constructed in accordance with Section 5.2.10 of the Regional Infrastructure Technical Specifications.*

121. *That the condition and size of the discharging MH -WWJ11015 is to be assessed and if any non-compliance or defects are identified the Consent Holder shall remedy to the satisfaction of General Manager Development or nominee.*

### **Other Services**

122. *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.*

### **Fees and Charges**

123. Pursuant to section 36 of the Resource Management Act 1991, the following fees 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'.*

### Reasons for the Decision

- I. The separation of the unstaged subdivision into two stages does not amend or change the underlying scale and nature of the approved land use or subdivision of the site.
- II. The proposed changes to the staging does not introduce any new areas of no-compliance with applicable standards.
- III. The effects generated by the proposed changes will not be greater than those generated by the previously approved land use and subdivision, and can be supported from an environmental effects perspective.

### 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.
- 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.
- 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 electricity, telecommunications reticulation and where applicable, gas.
- Further subdivision or land use applications for any of the new lots should include a geotechnical assessment of the suitability of the land for development and identification of the geohazards present.
- Given the nature of the site, there is likely to be substantial works required to stabilise the slopes for the seismic case (namely *liquefaction* and *lateral spread*).
- Any noise-sensitive activity eventually established in proximity to Te Rapa Road or Mangaharakeke Drive would require to comply with Standard 25.8.3.10 of the Operative District Plan.
- The Consent Holder undertakes to ensure that the Easement Document for the proposed easement in favour of WEL Networks and Tuatahi Fibre include appropriate conditions for approval of the surrender of these easements when the parcel is gazetted or vested.
- Street numbering shall be determined in accordance with the Australian/New Zealand Standard AS/NZS 4819:2011 Rural and urban addressing. Street numbering shall be provided after the name for the proposed Road (Lot 1000) has been approved.
- Development Contributions  
Based on the details of this consent development contributions may be required to be paid in respect of the development pursuant to the Local Government Act (2002) and Council's Development Contributions Policy. Development contributions are not a condition of resource consent and are not subject to any right of appeal within the RMA 1991.

Yours sincerely,



**Grant Kettle**  
**PLANNING GUIDANCE UNIT MANAGER**

For more information please contact:

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Email: [rajiv.raman@hcc.govt.nz](mailto:rajiv.raman@hcc.govt.nz)  
Website: [www.hamilton.co.nz](http://www.hamilton.co.nz)



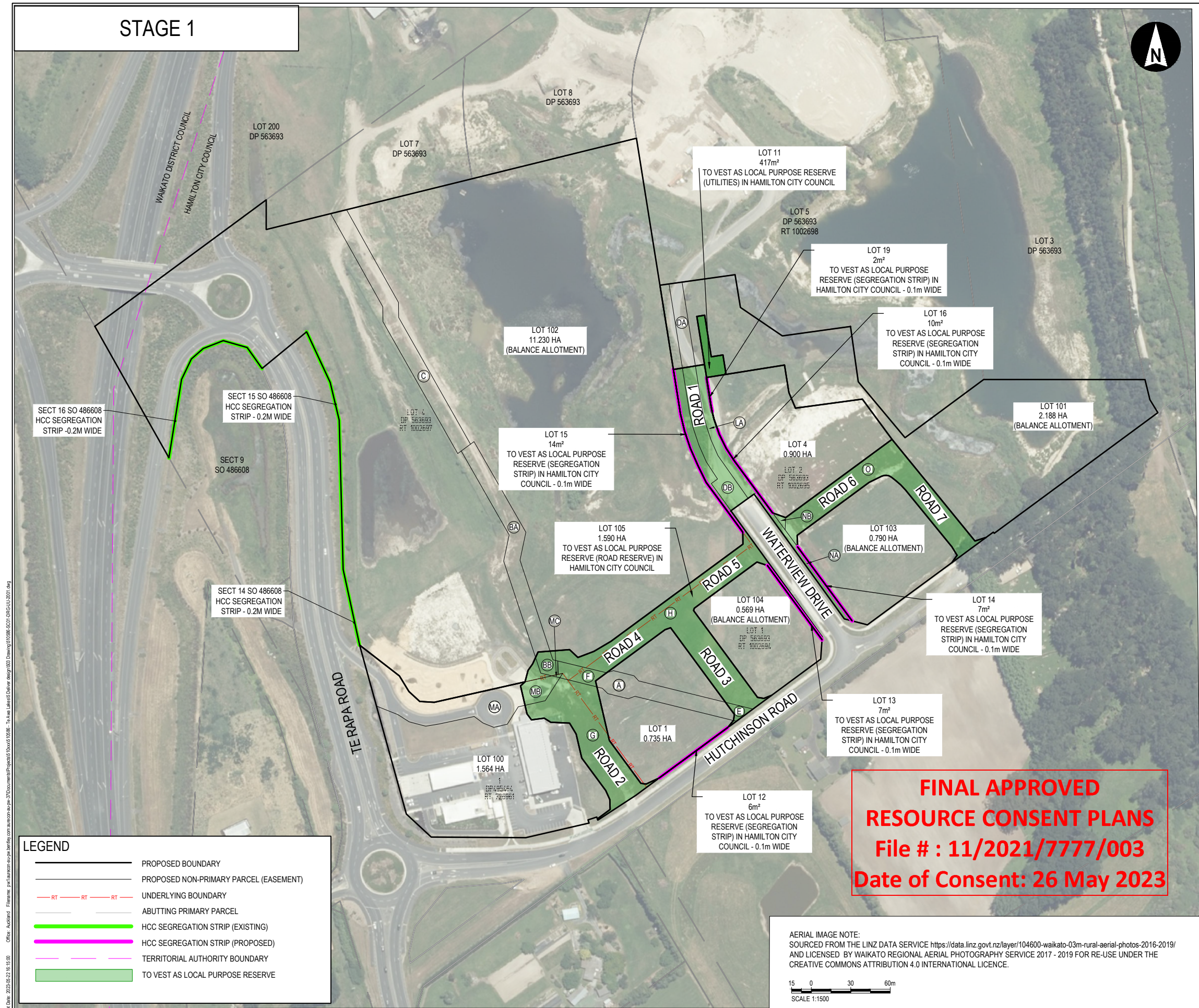
**Wade Hill**  
**CONSENTS TEAM LEADER**

For more information please contact:

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Principal Planner  
**Waikato District Council**  
Waea puukoro: 027 214 9552  
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Website: [www.waidc.govt.nz](http://www.waidc.govt.nz)



## STAGE 1



## NOTE:

- BOUNDARY POSITIONS AND AREAS ARE INDICATIVE ONLY AND ARE SUBJECT TO SURVEY.
- HORIZONTAL DATUM: NZGD2000 MOUNT EDEN CIRCUIT.
- THIS PLAN HAS BEEN PREPARED TO ACCOMPANY AN APPLICATION FOR RESOURCE CONSENT. IT IS TO BE USED ONLY IN CONJUNCTION WITH THE APPLICATION TO COUNCIL. THE CONCEPT DEPICTED HEREON IS SUBJECT TO COUNCIL APPROVAL AND THEIR CONDITIONS OF CONSENT.
- COMPRISED IN: RTs 726961, 1002694, 1002695 AND 1002697.
- LOTS 101, 102, 103 AND 104 ARE BALANCE LOTS WITH SERVICING TO BE CONFIRMED AT FUTURE STAGES.
- 

PROPOSED LOT AREAS	
APPELLATION	AREA
LOT 1	0.735 Ha
LOT 4	0.900 Ha
LOT 11	417 m <sup>2</sup>
LOT 12	6 m <sup>2</sup>
LOT 13	7 m <sup>2</sup>
LOT 14	7 m <sup>2</sup>
LOT 15	14 m <sup>2</sup>
LOT 16	10 m <sup>2</sup>
LOT 19	2 m <sup>2</sup>
LOT 100	1.564 Ha
LOT 101	2.188 Ha
LOT 102	11.230 Ha
LOT 103	0.790 Ha
LOT 104	0.569 Ha
LOT 105	1.590 Ha
TOTAL AREA	19.612 Ha

## MEMORANDUM OF EASEMENTS

PURPOSE	SHOWN	BURDENED LAND	BENEFITED LAND
RIGHT OF WAY	G	LOT 105	LOT 1
	LA	LOT 105	LOT 11
	NA	LOT 105	LOTS 4 AND 11
	NB	LOT 105	LOT 4

## SCHEDULE OF EASEMENTS IN GROSS

PURPOSE	SHOWN	SERVIENT TENEMENT (BURDENED LAND)	GRANTEE
RIGHT TO CONVEY ELECTRICITY	DB, E, F, G, H, LA, MC, NA, NB, O	LOT 105	WEL NETWORKS LIMITED
RIGHT TO CONVEY TELECOMMUNICATIONS	DB, E, F, G, H, LA, MC, NA, NB, O	LOT 105	TUATAHI FIRST FIBRE LIMITED

## SCHEDULE OF EXISTING EASEMENTS IN GROSS

PURPOSE	SHOWN	BURDENED LAND	CREATED BY
RIGHT TO CONVEY GAS	A	LOT 1	E.I. 10333552.5
	BA	LOT 102	E.I. 10333552.5
	BB, E, F, MC	LOT 105	E.I. 10333552.5
GAS PIPELINE RIGHT	C	LOT 102	T. B091691.5
RIGHT OF WAY	MA	LOT 100	E.I. 10333552.7
	MB, MC	LOT 105	

## SCHEDULE OF EXISTING EASEMENTS

PURPOSE	SHOWN	SERVIENT TENEMENT (BURDENED LAND)	DOCUMENT
RIGHT OF WAY, RIGHT TO DRAIN WATER AND SEWAGE, RIGHT TO CONVEY WATER, ELECTRICITY & TELECOMMUNICATIONS	DA	LOT 101	E.I. 12320880.3
	DB	LOT 105	E.I. 12320880.3

## SCHEDULE OF EASEMENTS TO BE EXTINGUISHED

PURPOSE	SHOWN	BURDENED LAND	CREATED BY
RIGHT TO DRAIN WATER (SUBJECT TO s243(e) RMA 1991)	KA AND KB DP 563693	LOT 2 DP 563693	E.I. 10333552.6
	KC DP 563693	LOT 5 DP 563693	E.I. 10333552.6

## AMALGAMATION CONDITION:

THAT LOTS 101, 103 AND 104 BE HELD IN ONE RECORD OF TITLE.

## FOR CONSENT

## APPROVED

DATE  
2023-05-03

A.PERRY

A.PERRY

## PROJECT

## TITLE

TE AWA LAKES

LOTS 1, 4, 11-16, 19 AND 100-105 BEING A SUBDIVISION OF LOTS 1, 2 AND 4 DP 563693 AND LOT 1 DP 495464

DRAWING No.

PROJECT No.

510586

AREA

SC01

TYPE

DRG

UU

NUMBER

2001

REV

C



[illegible]

1. BOUNDARY POSITIONS AND AREAS ARE INDICATIVE ONLY AND ARE SUBJECT TO SURVEY.
2. HORIZONTAL DATUM: NZGD2000 MOUNT EDEN CIRCUIT.
3. THIS PLAN HAS BEEN PREPARED TO ACCOMPANY AN APPLICATION FOR RESOURCE CONSENT. IT IS TO BE USED ONLY IN CONJUNCTION WITH THE APPLICATION TO COUNCIL. THE CONCEPT DEPICTED HEREON IS SUBJECT TO COUNCIL APPROVAL AND THEIR CONDITIONS OF CONSENT.
4. EXISTING EASEMENTS ARE TO BE PARTIALLY SURRENDERED WHERE THEY FALL UNDER ROAD TO VEST.

PURPOSE	SHOWN	BURDENED LAND	CREATED BY
RIGHT OF WAY, RIGHT TO DRAIN WATER AND SEWAGE, RIGHT TO CONVEY WATER, ELECTRICITY & TELECOMMUNICATIONS	D	LOT 101	E.I. 12320880.3
RIGHT OF WAY, RIGHT TO DRAIN WATER AND STORMWATER. RIGHT TO CONBVEY WATER, RIGHT TO CONVEY ELECTRICITY. RIGHT TO CONVEY TELECOMMUNICATIONS AND COMPUTER MEDIA	AA	LOT 9	E.I. 12065773.8
NATURAL GAS PIPELINE	BA	LOT 9	E.I. B067622
	CA	LOT 10	E.I. B067622
RIGHT TO CONVEY GAS	A	LOT 1	E.I. 10333552.5
	B	LOT 102	E.I. 10333552.5
GAS PIPELINE RIGHT	C	LOT 102	T. B091691.5
RIGHT OF WAY	MA	LOT 100 (STAGE 1)	E.I. 10333552.7

PURPOSE	SHOWN	BURDENED LAND	CREATED BY
NATURAL GAS PIPELINE	C DP 551065	Lot 2 DP 551065	T. B067622 [PARTIAL CANCELLATION]
RIGHT TO CONVEY GAS	A DP 563693	Lot 1 DP 563693	E.I. 10333552.5 [PARTIAL CANCELLATION]
	BA BP 563693	Lot 4 DP 563693	E.I. 10333552.5 [PARTIAL CANCELLATION]
	N & P DP 495464	Lot 1 DP 495464	E.I. 10333552.5
RIGHT OF WAY, RIGHT TO DRAIN WATER AND SEWAGE, RIGHT TO CONVEY WATER, ELECTRICITY & TELECOMMUNICATIONS	E DP 563693	LOT 2 DP 563693	E.I. 12320880.3 [PARTIAL CANCELLATION]
RIGHT OF WAY	M & P DP 495464	LOT 1 DP 495464	E.I. 10333552.7 [PARTIAL CANCELLATION]

PURPOSE	SHOWN	BURDENED LAND	GRANTEE
RIGHT TO DRAIN SEWAGE	P	LOT 101	HAMILTON CITY COUNCIL

**FINAL APPROVED**  
**RESOURCE CONSENT PLANS**  
**File # : 11/2021/7777/003**  
**Date of Consent: 26 May 2023**

PROPOSED BOUNDARY  
 PROPOSED ROAD  
 PROPOSED NON-PRIMARY PARCEL  
 UNDERLYING BOUNDARY  
 ABUTTING PRIMARY PARCEL  
 HCC SEGREGATION STRIP (EXISTING)  
 HCC SEGREGATION STRIP (PROPOSED)  
 VESTED AS LOCAL PURPOSE RESERVE  
 TERRITORIAL AUTHORITY BOUNDARY