

**Appendix K – Copy of existing resource consents**



9 September 2011

Hamilton Veterinary Services Ltd  
C/- McPherson Goodwin  
P O Box 9379  
Hamilton 3240

Attention: Anna Griffin

Dear Sir

**LAND USE RESOURCE CONSENT: 10/2011/22663/001 (2011/064NN)**

**Your reference: 15184**

**TO ESTABLISH ACCESS FOR A HEALTH CARE SERVICE OVER A MAJOR FACILITIES  
ZONED SITE  
421 Te Rapa Road, Hamilton**

I wish to advise that consent for the above-mentioned application was granted under delegated authority and subject to the following conditions being completed to the satisfaction of Council:

*That pursuant to sections 86, 95D, 95E, 104 and 104B of the Resource Management Act 1991 and the provisions of the Hamilton City Proposed District Plan (Operative in Part Version August 2011), Council **grants consent** to the application by Hamilton Veterinary Services Limited (being Resource Consent No. 10.2011.22663.001 (2011/064NN) to:*

- Establish access for a health care service over a Major Facilities zoned site, (assessed as a Discretionary Activity)*

*Situated on Lot 13 DPS 6240, Lot 4 DP 403296, Pt Lot 4 DPS 192 and Lot 3 DPS 91490 at 421 Te Rapa Road Hamilton, subject to the following conditions:*

***Planning***

- That the development be in general accordance with the plans and information submitted with the application on the 12 August 2011.*
- That a copy of the lease agreement between Waikato Racing Club and Hamilton Veterinary Service Ltd be provided to the Planning Guidance Manager, Hamilton City Council by 21 October 2011.*

***Engineering***

- That the consent holder shall maintain the shared metalled accessway along Lease Area A in order to provide a dust-free all-weather vehicular access.*

Planning Guidance





## **Review**

4. That Hamilton City Council may give notice pursuant to Section 128(1) of the Resource Management Act 1991 of the intention to review the conditions of this resource consent at any time in order to review the effectiveness of this resource consent in avoiding, remedying or mitigating any adverse effects on the environment, particularly with respect to maintaining the metalled accessway in a generally dust-free condition and controlling excess stormwater run-off; and if necessary to avoid, remedy or mitigate such effects by way of further amended conditions.

## **Reasons for the Decision**

### **Legislation/District Plan**

- a. Subject to the above conditions, the proposal is not contrary to the relevant objectives and policies of the Hamilton City Proposed District Plan. It is appropriate for Council under section 104B of the Resource Management Act 1991 to grant consent to the application as effects are deemed less than minor.
- b. Having regard to section 104(1) of the Resource Management Act 1991, the actual and potential adverse effects on the environment of granting consent will be able to be avoided, remedied, or mitigated by the imposition of the above conditions.
- c. Pursuant to section 95 of the Resource Management Act 1991 the application has not been publicly notified and notice has not been served, as the adverse effects of the proposal on the environment will be less than minor. The Waikato Racing Club has provided approval for this activity to be carried out on their land as per the letter provided with the application dated 8 December 2010.

### **Use**

- d. Consent is given for a Health Care facility (Veterinary clinic) to be located within a site zoned Major Facilities. The activity has been established on the site for a number of years and will have no additional effects as a result of this consent. The activity on site will remain the same with overall vehicle movements. I consider the development to be safe and not pose a danger to any adjoining properties or the environment.

### **Engineering**

- e. The metalled accessway along Lease Area A has been visually inspected and found to be in good condition, being constructed to a standard that is considered acceptable for the environs and the expected level of use.
- f. A review condition has been included to ensure that potential dust nuisance or excessive stormwater run-off can be addressed and mitigated in the event that the metalled accessway generates adverse effects that impact on neighbouring lots.



## Advisory Notes

### General

- That compliance in all other respects with Council Bylaws, all relevant Acts, Regulations, and rules of law be met.
- That all signage comply with the relevant District Plan standards.

### Planning

- Any plans submitted to Council for approval must be addressed to the Manager, Planning Guidance Unit.
- If this property is on-sold, please ensure that a copy of this resource consent is forwarded to the new owner(s).

## Objections

Pursuant to section 357(2) of the Resource Management Act 1991, if you disagree with this decision or any conditions of consent, you may lodge, in writing to Council an objection within **15 working days** after the receipt of this letter.

Please note, if you do not intend to object to the consent or any of the conditions of consent, you may complete a Declaration Form (PG C9), return it to the Planning Guidance Unit, and have the planning aspect of your building consent approved prior to the 15 working day objection period expiring.

## Compliance & Monitoring

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

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

## Lapsing of Your Consent

This resource consent lapses five [5] years after the date of this decision letter unless the activity has been established and is in full compliance with all conditions of this consent.

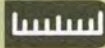
Yours faithfully



**DEBRA STAN-BARTON**  
**PLANNING GUIDANCE MANAGER**  
Municipal Offices (Ground Floor)  
Garden Place, Hamilton  
Phone (07) 838 6706  
Fax (07) 838 6819







12 August 2011

The Manager, Planning Guidance  
Hamilton City Council  
Private Bag 3010  
HAMILTON 3240



Telephone 0-7-839 1335  
Facsimile 0-7-839 1292

E-mail  
mgltld@mgsi.co.nz

Website  
www.mgsi.co.nz

7 Hardley Street,  
P.O.Box 9379  
Hamilton 3240  
New Zealand

Dear Madam,

**RE: RESOURCE MANAGEMENT ACT 1991 – APPLICATION FOR NEW LAND  
USE CONSENT – HAMILTON VETERINARY SERVICES Ltd, 421 TE RAPA  
ROAD, HAMILTON.**

**A. Introduction**

- 1) **Applicant:** Hamilton Veterinary Services Ltd
- 2) **Location:** 421 Te Rapa Road, Hamilton & Waikato Racing Club – Ken Browne Drive, Hamilton
- 3) **Legal Description:** Lot 13 DPS 6240, SA36A/665  
Lot 4 DP 403296, 410898  
Pt Lot 4 DPS 192, SA35A/348  
Lot 3 DPS 91490, SA73A/917
- 4) **Area:** 53.7543ha
- 5) **Zoning:** Major Facilities Zone
- 6) **Activity:** Land Use –Discretionary
- 7) **Topography & Buildings:** The site located on the western side of Te Rapa Road, with the lease area site being located at the south eastern corner of the Waikato Racing Club site. Access extends from Ken Browne Drive to the rear of the Hamilton Vets site along the south eastern

MCPHERSON GOODWIN  
SURVEYORS LTD

boundary. The site is fully developed and has been for around 25 years. No change is required to the site.



## B. Proposal

1. There is an existing health care service (Veterinary clinic) as a permitted activity with a land use consent for a cattery as part of the Veterinary Services (controlled, non-notified, 38/1/2760) which was granted by Council on 29<sup>th</sup> September 1998. The existing Vet services is a 'health care service' as defined in the District Plan and is a permitted activity in the Industrial Zone which has been established on the site for 25 years.
2. This application is now made in addition to the existing activity and consent on the Te Rapa Road site, as requested by Council, as a new consent to cover the existing use of approximately 560m<sup>2</sup> of land immediately behind the Hamilton Vets site, shown as area 'C', and formalize the access from Ken Browne Drive to the rear of the Hamilton Vets site as area 'C'. The access is required to be formalized and this is done so with the proposed lease area agreement attached. The use by Hamilton Vets for the health care service and access leg is seen as a Discretionary activity (any activity not provided for) on Major Facilities Zoned land.
3. There is no change to the existing activity at the Hamilton Vets site but this application will tie the existing use and consents defined as 'Consent Area A' with the additional use on the race course land and the use of the access leg from Ken Browne Drive, called 'Consent Area B'. If Consent Area A ever ceases operation, use of Consent Area B will also cease as it will no longer be required.
4. The subject area (Consent Area B) is subject to 3 yearly renewable lease from the Waikato Racing Club, see attached lease agreement

Area 'A'

Areas

Seen

all

confused?



and letter from Waikato Racing Club. The area is fenced and contains horse stables and loading ramps/facilities for the same. Hamilton Vets operate an equine hospital and these facilities are associated with this operation. This activity is synonymous and closely allied to the principal activity on the Waikato Racing Clubs property, and the activity is supported by the club. The equine hospital facilities (health care service) are run in conjunction with the Hamilton Vets Services main operation, and would cease operation on the Racing Club land if the Vets ever moved from the main Te Rapa Road site.

5. The accompanying plan "Plan of Proposed and Existing Leases" identifies the equine hospital facilities as area 'C', and the access area as 'A'. The attached letter from the Waikato Racing Club agrees to these lease areas and terms outlined.
6. Hamilton Veterinary Services seeks consent to recognise the existing use of Consent Area B over Major Facilities Zoned land being the health care service and the use of access from Ken Browne Drive. While the activity class is discretionary we believe there are no more than minor effects on the environment. Any dust from the access is mitigated by the established trees, which also provide an amenity buffer to the surrounding sites. As the equine hospital facility run by Hamilton Vets is closely allied to the Racing Course activity it is not out of character, with visual, traffic, odour, noise effects being similar, but no more than minor as it is a small facility which is in keeping with the main activity occurring on the Racing Club land.
7. The access leg is currently in good, well formed condition and the dust issue is being mitigated by the establishment of trees and irrigation system along the south eastern side of the driveway. The driveway has also been inspected by City Development Unit staff



(Graham Ferry), and have found the formation to be in suitable condition, see email attached.

8. Traffic which use the access include staff for the Hamilton Vet site, who arrive in the morning and park during the day at the rear of the yard. Horse trucks also arrive to pick up and drop off horses at the loading ramp, approximately 5-8 a week within normal working hours, typically Monday-Friday. The loading ramp at this location is ideal as otherwise horse trucks would need to come in from the Te Rapa Road slip lane and disrupt traffic and the animals themselves. The Racing Club also utilise the driveway from Ken Brown Drive to access their own facilities, and is utilised by a number of horse trucks and other vehicles.
9. Attached is an Assessment of Environmental Effects (AEE) for the additional activity.
10. Affected Parties: While there has been a dust complaint in the past there is now mitigation measures in place to control dust from the driveway. This includes additional fencing along the south eastern boundary, a new hedge row and installed irrigation system. It has also now been accepted that the majority of dust is caused by horses in the small paddocks immediately to the north of the driveway stirring up dust when the paddocks become bare. The Waikato Racing Club are consenting to the use of their land and agree to a lease term agreement as attached. No other parties are affected by this proposal as the equine hospital facilities are small scale and in keeping with the activity of the Waikato Racing Club and do not detract from the amenity of the area.
11. Conclusion: That any adverse effects on the environment are of less than minor if any. The activity is closely allied and its character is in keeping with the main activity occurring on the racing club land.



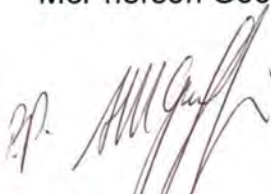


12. Accompanying are:

- Planning Guidance Form PG F2
- Aerial photograph based plan of Area A & C MGSL 15184
- Lease Agreement Diagram and letter from Waikato Racing Club
- Email from Graham Ferry re; access formation
- Our client has previously paid a deposit for a Sec127 application, which is still held by Council, It has been confirmed that no additional application fee required for this application, and the application has been discussed at a meeting with Brian Croad and Debra Stan-Barton on 1 July 2011.

Yours Faithfully

McPherson Goodwin Surveyors Ltd



John Curtis

Jsc:amg1



# Assessment of Environmental Effects

## Description of the Intended Project

This should establish the location, type of activity and consents required, scale and intensity of operation and demand for services.

### 1. Description of the intended project:

421 Te Rapa Road, Hamilton

Land Use consent for the use of approx 560m<sup>2</sup> Major Facilities Zoned (Waikato Racing Club) land as a health care service (as part of Hamilton Veterinary Services Clinic on adjacent Te Rapa Road site), and the use of an access leg over Major Facilities Zoned land from Ken Browne Drive. Waikato Racing Club have an agreed lease arrangement with 3 yearly renewable option.

No additional demand for services, existing activities for 25 years.

## OUTLINE OF PRINCIPLE LIKELY EFFECTS

Potential effects of proposed activity on relevant vegetation, wildlife, landforms, waterflows, and air and water quality.

### 2. Effects on the 'natural environment':

The existing use of the Major Facilities Zoned land with the activities being established for about 15-20 years. The Racing Club have existing short term renewable lease agreements with Hamilton Vets for the use of the area marked 'C' on the attached lease plan, and for the use of the access over area marked 'A' from Ken Browne Drive. These two lease areas for 'Consent Area B' which is tied to the existing activity on the Te Rapa Road site 'Consent Area A'.

The access is well formed and has been inspected by Development Unit staff to confirm its condition.

There has been a row of trees planted with an irrigation system along the access adjacent to the south east boundary in order to mitigate any past dust problems. It is also noted the majority of the dust came from the small horse paddocks to the north of the access which become bare in summer.

J Curtis





Potential constraints related to proposed site that may include: flood potential, presence of peat soils, gullies, controlled/uncontrolled fill and alteration to land forms, watercourses, unstable slopes, presence of contaminated soils, and any other natural hazards.

3. Natural hazards:

The site is not susceptible to flooding and there are no peat soils on site.

There will be minimal to no effects caused by alteration to land forms, as far as our client is aware there is no contaminated soil on site.

All other elements are not applicable to this application.

Potential effects on visual and recreational amenity, noise, dust and smell, privacy, glare, lighting safety and landscaping. Visual intrusion on any significant ridgeline or skyline must be considered.

4. Amenity values:

Minimal effects on the amenity value of the surrounding neighbourhood as the health care activity is located behind suitable fencing and there is fencing and vegetation along the access leg which help to improve the amenity of the site.

The site has been established and is an existing part of the visual amenity of the area. The previous dust issues have been address with the row of trees which are now over 2m tall, and also act as a visual screen from neighbouring properties.

As the site on the race course land is used for the equine hospital run by Hamilton Vets it is not an activity which is out of character but is instead closely aligned to the Racing Clubs activities. This reduces the visual effect of the Vets facility as it is not out of character in the immediate area.

Heritage values likely to be affected: including historic places, Waahi Tapu, notable trees, wetlands and wildlife refuges.



5. <u>Heritage issues:</u>
There are no effects on historic places etc

Construction impacts including those likely to affect traffic, noise, dust and safety. Construction hours, vehicles, storage facilities, hazardous substances, security, erosion potential.

6. <u>Construction impacts:</u>
No construction required as part of this consent.

Potential effects on: roading, traffic stormwater, sewage, water supply, electricity/gas, telecommunications, recreational facilities, schools and other facilities.

7. <u>Effects on infrastructure:</u>
Minor effects, services all existing.

8. <u>Other external impacts:</u>
Minor effects

9. <u>Cumulative effects:</u>
Minimal

10. <u>Evaluation of alternatives:</u>
nil

# **DECLARATION**

To the best of my knowledge information submitted in this form and any additional information attached is factually correct.





.....Signature of applicant or agent for  
application  
.....*MMG*.....*12/8/11*.....Date



## INFORMATION CHECKLIST FOR LAND USE RESOURCE CONSENT APPLICATIONS

The following information is required in order for Council to fully assess your resource consent application. **Every box on the following list must be addressed.** If you have any questions about anything on this form, please contact the Planning Guidance Unit at 838-6800.

☒ **A Written Description of the Proposal**  
*Please provide a clear description of the proposed activity and how it is intended to operate. (Include relevant information such as hours of use, numbers of users etc). State the proposed use of all existing and proposed buildings on the site as well as the current use of the site. Please indicate what aspects of the proposal do not comply with relevant standards and assessment criteria contained in the District Plans.*

☒ **Street Address, Legal Description and Lot Area(s) for the Subject Site**

☒ **Current Certificate/s of Title for the Subject Site**  
*(Certificates of Title may be obtained from Land Information New Zealand; please ensure that the Certificate of Title consists of **both** the cover page and attached pages showing the survey plan)*

☒ **Locality Plan (scale 1:500) or Aerial Photograph (scale 1:500)**  
*(Showing the physical location of the subject site in relation to adjoining streets and sites)*

☒ **Site Plan (2 copies, scale 1:100, and 1 reduced A4 copy) showing:**

- ☐ North point
- ☐ Lot boundaries and dimensions
- ☐ Date the plans were drawn
- ☐ Natural features, including significant trees, water courses etc
- ☐ Heritage features, including buildings, archaeological sites etc
- ☐ Road frontages
- ☐ Locations and layout of existing and proposed buildings  
*(include key dimensions from buildings to boundaries)*
- ☐ Floor plans showing internal room layout  
*(indicate outline of any upper storey on site plan)*





- ☐ Location of buildings on adjacent sites
- ☐ Access and vehicle crossings from street boundaries to parking, loading and maneuvering areas
- ☐ Position and dimensions of loading spaces
- ☐ Layout of all existing and/or proposed carparks
- ☐ Location and dimensions of service area(s)
- ☐ Location and dimensions of living court area(s)
- ☐ Original and proposed future contours of the site with contours marked at one-metre intervals
- ☐ Existing and/or proposed landscaping
- ☐ Existing and/or proposed fencing
- ☐ Site coverage calculation
- ☐ Details of any existing or proposed signage  
(*sign design, dimensions and location*)
- ☐ Existing and/or Proposed Location of Utility Services  
(*water lines, street lights etc*)



**Elevation Drawings (2 copies, scales 1:50, 1:100 or 1:200, and 1 reduced A4 copy) of all structures to be constructed or altered, showing the relationship and appearance of proposed buildings, including:**

- ☐ The natural ground level, and the nature and extent of any earthworks
- ☐ Existing and finished ground levels
- ☐ Maximum building height and relevant height control plane angle(s)
- ☐ Height above floor level of any upper-storey windows

**PLEASE NOTE: PDF Files**

PDF files of the application plans are a useful addition to any application. PDF files may be emailed to [planning.guidance@hcc.govt.nz](mailto:planning.guidance@hcc.govt.nz)



**Engineering Design Plans for water, wastewater and stormwater.**



**Other Specialist Information Specifically Required by the District Plans**

*This may include Traffic Impact Studies, Landscape and Planting Plans, Acoustic Design Certificates etc.*



**Assessment of Environment Effects (AEE) (Form PG C1 may be used)**



An AEE is an essential part of the application. **If no AEE is provided Council cannot assess the application.** The AEE should discuss **all** the actual and potential effects of the proposed activity or structure on the environment. The amount of detail provided must reflect the scale and nature of the effects. For example, if there are major effects arising from the proposal, a detailed analysis and discussion of these effects should be included in the AEE. It may require the provision of information from specific experts (e.g. a traffic engineer). If the effects of the proposal are very minor, then a less detailed AEE can be submitted.



#### **Written Approval From All Affected Persons (Form PG C8)**

(Note: Please check with a Planner to determine if written approvals are required in relation to the application)

- ☐ Signed plans, and signed and completed affected persons forms.  
(If the owner and occupier are different people, separate approvals are required from each. If the property is jointly owned all owners are required to sign.)



#### **Additional Resource Consents**

Please confirm if any additional resource consents are required for the proposal, and whether these have been applied for. For example, Regional Council Discharge Permits.



#### **Details and Outcome of Any Consultation Undertaken**

See Application

#### **Application Fee**



#### **Development Contributions — information request for Special Assessments**

For those applications that are likely to be subject to a Special Assessment process under Council's "**Development and Financial Contributions Policy**", the following additional information will be necessary to enable staff to estimate the Units of Demand that the proposed activity will generate:

- Water Report — detailing the total volume of water, expressed in litres, that the operation of the activity is likely to demand per day.
- Stormwater Report — detailing the stormwater receiving area and the surface, expressed in square meters, and whether stormwater is being discharged on-site or into a reticulated system.
- Wastewater Report — detailing the total volume of wastewater, expressed in litres, that the activity is likely to generate per day.
- Vehicle trips per day that the activity is likely to generate.



**John Curtis**

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**From:** Graham Ferry [Graham.Ferry@hcc.govt.nz]  
**Sent:** Thursday, 14 July 2011 11:23 a.m.  
**To:** Tim Faulkner  
**Cc:** John Curtis  
**Subject:** Acces through racecourse land Ken Browne Drive

Hi Tim

Re: Use of racecourse land as a vehicle entrance to the rear of lots at 421 and 423 Te Rapa Road

I visited and visually inspected the site last year and found the metalled driveway in good conditions and generally built to a standard appropriate for its environment and its level of usage.

I am advised by the applicant's consultant that the driveway will not function as a right of way, but will be contained within a strip of land held under a short term lease over a period of 35 years.

A consent condition requiring that the driveway should be adequately maintained in a good condition to mitigate against dust nuisance would suffice to protect neighbouring properties against adverse effects of traffic accessing the rear of the sites.

Regards

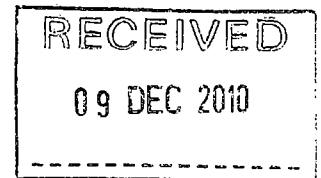
***Graham Ferry***

Development Engineer  
City Development Unit  
Hamilton City Council  
DDI 838 6778  
Mob 021 513962  
Fax 838 6998  
graham.ferry@hcc.govt.nz  
www.hamilton.co.nz



Please consider the environment before printing this email.





Wednesday, 8 December 2010

Mr. John Curtis  
Director  
McPherson Goodwin Surveyors Ltd  
PO Box 9379  
HAMILTON 3240

Dear John,

**ACCESS OFF KEN BROWNE DRIVE**

I acknowledge your letter dated 3 December 2010.

The club's board have agreed to the lease arrangements you have outlined to enable access for both Ecostream and Hamilton Veterinary Clinic using the right of way off Ken Browne Drive to the rear of both properties that front the Te Rapa Service Lane.

We are happy to coincide the additional leases A + C with the current lease by Ecostream of a three year tenure with provision for renewal.

In agreeing to this request, the club does not want to bear any of the professional expenses incurred in drawing up the documentation and this is to be shared by Ecostream and Hamilton Veterinary Clinic.

Yours sincerely

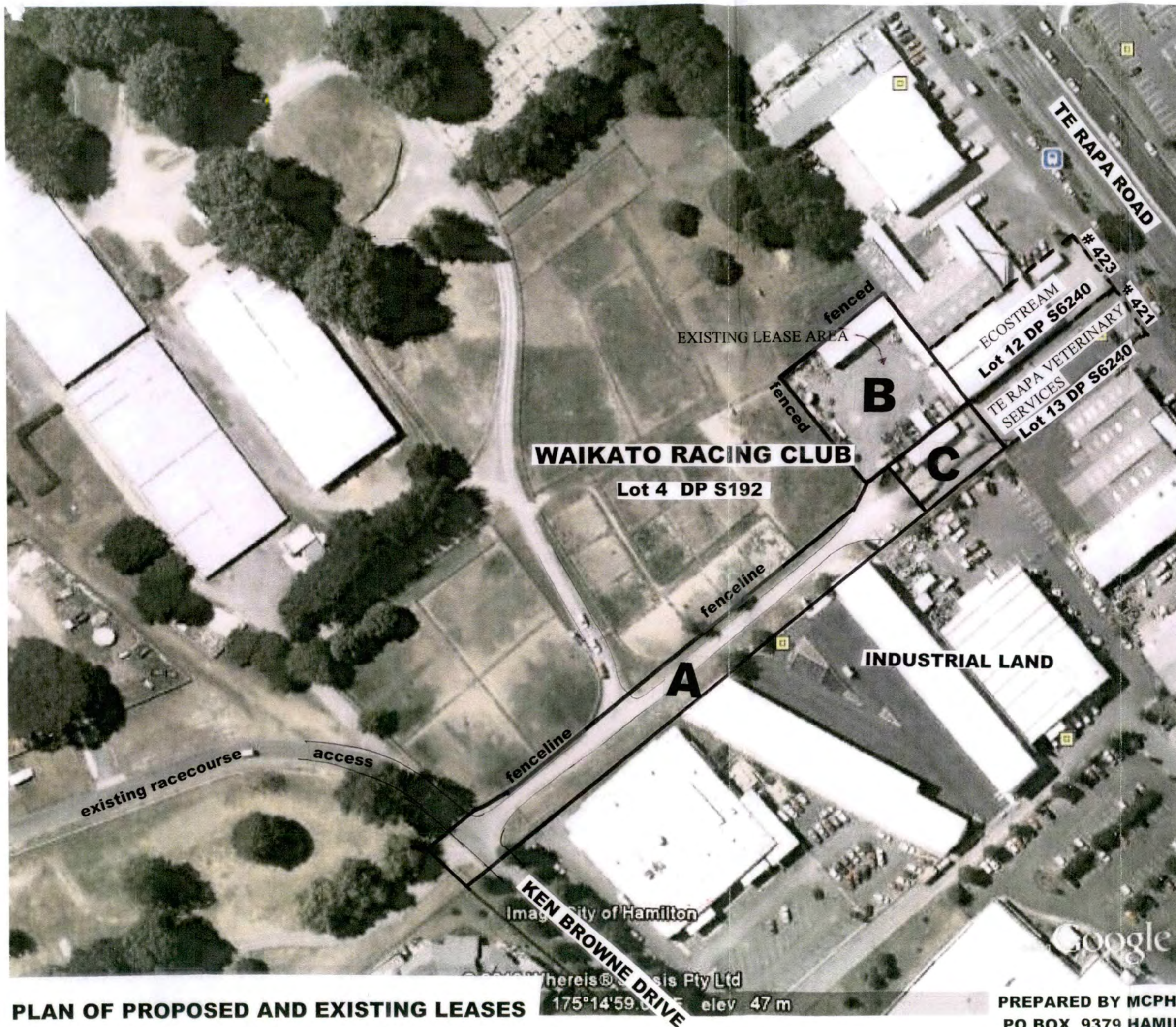
AC ENTING  
GENERAL MANAGER

cc Grant Titchiner (Ecostream)

waikldiss.doc







# **CONDITIONS :**

## **AREA A**

No buildings  
No storage  
Joint use for access with  
The Waikato Racing Club  
and its other users

## **AREAS B AND C**

Subject to Land use Consent  
as required by Hamilton City  
for existing uses.

**ALL LEASES SUBJECT TO  
3 YEAR LEASES WITH  
PROVISION FOR RENEWAL  
(BY NEGOTIATION)  
No provision for renewal  
beyond 35 years**



MGSL plan 15122/15154  
November 2010

**PLAN OF PROPOSED AND EXISTING LEASES**

PREPARED BY MCPHERSON GOODWIN SURVEYORS LTD.  
PO BOX 9379 HAMILTON 324 : Phone 07 839 1335

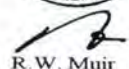




# COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



## Historical Search Copy

  
R. W. Muir  
Registrar-General  
of Land

**Identifier** SA36A/665  
**Land Registration District** South Auckland  
**Date Issued** 22 April 1986

### Prior References

SA25B/1468 SA25B/1471 SA25B/1474  
SA25B/246

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**Estate** Fee Simple  
**Area** 1011 square metres more or less  
**Legal Description** Lot 13 Deposited Plan South Auckland  
6240

### Original Proprietors

Derek Ernest Black, Jonathan Shane Marshall and Edna Millicent Black as to a 1/2 share  
Edna Millicent Black, Derek Ernest Black and Jonathan Shane Marshall as to a 1/2 share

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### Interests





## References

Prior C/T 25B/1468 25B/1471 25B/1474  
25B/246  
Transfer No. H.652104.8  
N/C. Order No.

Land and Deeds 69



## REGISTER

## CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT

This Certificate dated the 22nd day of April one thousand nine hundred and eighty six under the seal of the District Land Registrar of the Land Registration District of SOUTH AUCKLAND

WITNESSETH that FRONTLINE INVESTMENTS LIMITED a duly incorporated company having its registered office at Hamilton

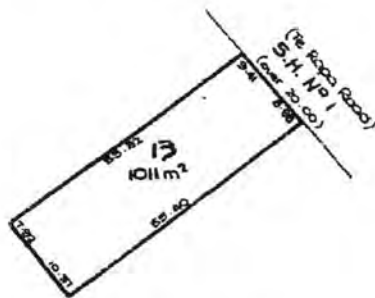
is seized of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorial underwritten or endorsed hereon) in the land hereinafter described, delineated with bold black lines on the plan hereon, be the several admeasurements a little more or less, that is to say: All that parcel of land containing 1011 SQUARE METRES more or less being Lot 13 on Deposited Plan S.6240 and being part Allotment 42 Parish of Puketā

H.652104.9 Mortgage to Swarbrick Dixon & Partners Solicitors Nominees Company Limited produced 22.8.1986 at 1.37 o/c  
H.743855.1

H.713480 Transfer to Philip Thomas Kells (as to an undivided one half share) and Kenneth William Kells (as to an undivided one half share) both of Hamilton company directors as tenants in common in equal shares produced 10.3.1987 at 10.49 o/c

for A.L.R.

Hamilton City



Measurements are Metric



H.743855.2 Transfer to John Templeton Hunter, Murray Francis Bertram, Leonard Hedley Smith all veterinary surgeons (1/4 share each) and Hugh John Kingham veterinary surgeon, Marian Patricia Kingham married woman and Nicholas David Ewen farmer (1/4 share jointly inter se) all of Hamilton as tenants in common in the said shares produced 11.8.1987 at 2.35 o/c

H.743855.3 Mortgage to Bank of New Zealand produced 11.8.1987 at 0.50 o/c

B450873.2 Transfer to Robert Andrew Percy Black, Derek Ernest Black and Jonathan Shane Marshall (1/2 share) and Edna Millicent Black, Derek Ernest Black and Jonathan Shane Marshall (1/2 share) - 19.11.1997 at 9.45

B600688.1 Transmission of the 1/2 share of Robert Andrew Percival Black, Derek Ernest Black and Jonathan Shane Marshall to Derek Ernest Black and Jonathan Shane Marshall as survivors

B600688.2 Transfer of the 1/2 share acquired by Transmission B600688.1 to Derek Ernest Black, Jonathan Shane Marshall and Edna Millicent Black

all 6.4.2000 at 9.00

for RGL  
Register copy for L. & D. 69, 71, 72.

ANNING'S CHANGE  
12 AUG 2011  
TIME.....AM/PM

Identifier

SA36A/665

**REGISTER**





# COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



## Historical Search Copy

R. W. Muir  
Registrar-General  
of Land

**Identifier** SA35A/348  
**Land Registration District** South Auckland  
**Date Issued** 13 December 1985

**Prior References**  
SA25A/1155

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<b>Estate</b>	Fee Simple
<b>Area</b>	3.1399 hectares more or less
<b>Legal Description</b>	Part Lot 4 Deposited Plan South Auckland 192

**Original Proprietors**  
The Waikato Racing Club (Incorporated)

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**Interests**  
Subject to a right of way over part marked B on DPS 26345 specified in Easement Certificate H239554.1  
The easements specified in Easement Certificate H239554.1 are subject to Section 351E (1) (a) Municipal Corporations Act 1954





### References

Prior C/T 25A/1155

Transfer No.,

N/C. Order No. H.631804.3



Land and Deeds 69

## REGISTER

No.	35A	348
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**CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT**

This Certificate dated the 13th day of December one thousand nine hundred and eighty five under the seal of the District Land Registrar of the Land Registration District of SOUTH AUCKLAND

WITNESSETH that THE WAIKATO RACING CLUB (INCORPORATED) a duly incorporated Society having its registered office at Hamilton

is seized of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorial underwritten or endorsed hereon) in the land hereinafter described, delineated with bold black lines on the plan hereon, be the several admeasurements a little more or less, that is to say: All that parcel of land containing 3.1399 HECTARES more or less being part Lot 4 on Deposited Plan S.192 and being part Allotments 42 and 209 Parish of Pukekohe



# ESTANT LAND-REGISTRAR

Subject to a Right of Way over the part  
herain marked B on Plan S.26345 appurtenant  
to Lot 1 Plan S.26345 (CT 25A/1154)  
created by Transfer H.253713

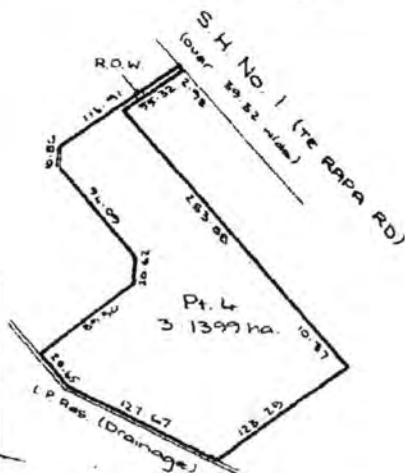
(See Easement Certificate H.239554.1)

The easement created by Transfer H.253713 is subject to Section 351E(1)(a) of the Municipal Corporations Act 1954

B. Upd.  
A. L. R.

B. Lloyd  
A. B. B.

Hamilton City



Measurements are Metric

35A/348

Register copy for L. &amp; D. 69, 71, 72.

PLANNING GUIDANCE  
12 AUG 2011  
TIME.....AM/PM

Identifier

SA35A/348

**REGISTER**






# COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



## Historical Search Copy

  
R. W. Muir  
Registrar-General  
of Land

**Identifier** SA73A/917  
**Land Registration District** South Auckland  
**Date Issued** 02 July 2002

### Prior References

SA60A/627

---

<b>Estate</b>	Fee Simple
<b>Area</b>	1337 square metres more or less
<b>Legal Description</b>	Lot 3 Deposited Plan South Auckland 91490 and Lot 1 Deposited Plan South Auckland 83094

**Original Proprietors**  
Hamilton City Council

### Interests

Appurtenant hereto is a right of way created by Transfer H674552.2 - 15.8.1986 at 2.00 pm





Identifier

SA73A/917

NEW Cvt ALLOCATED

LOT 1 Hereon & LOT 1 DPS 75682  
CT. 60A/627  
(CT. AREA : 1637m<sup>2</sup>)

LOT 2 Hereon & LOT 1 DPS 76670 &  
LOT 1 DPS 78356  
CT. 62B/127  
(CT. AREA : 2.4896 ha.)

LOT 3 Hereon  
CT. 62B/128  
(CT. AREA : 1914m<sup>2</sup>)

PARCEL	FORMERLY	CT REF
LOT 1	PT LOT 1 DPS 78127	61A/563
LOT 2	PT LOT 2 DPS 40898	38A/271
LOT 3	PT LOT 3 DPS 40898	36A/272

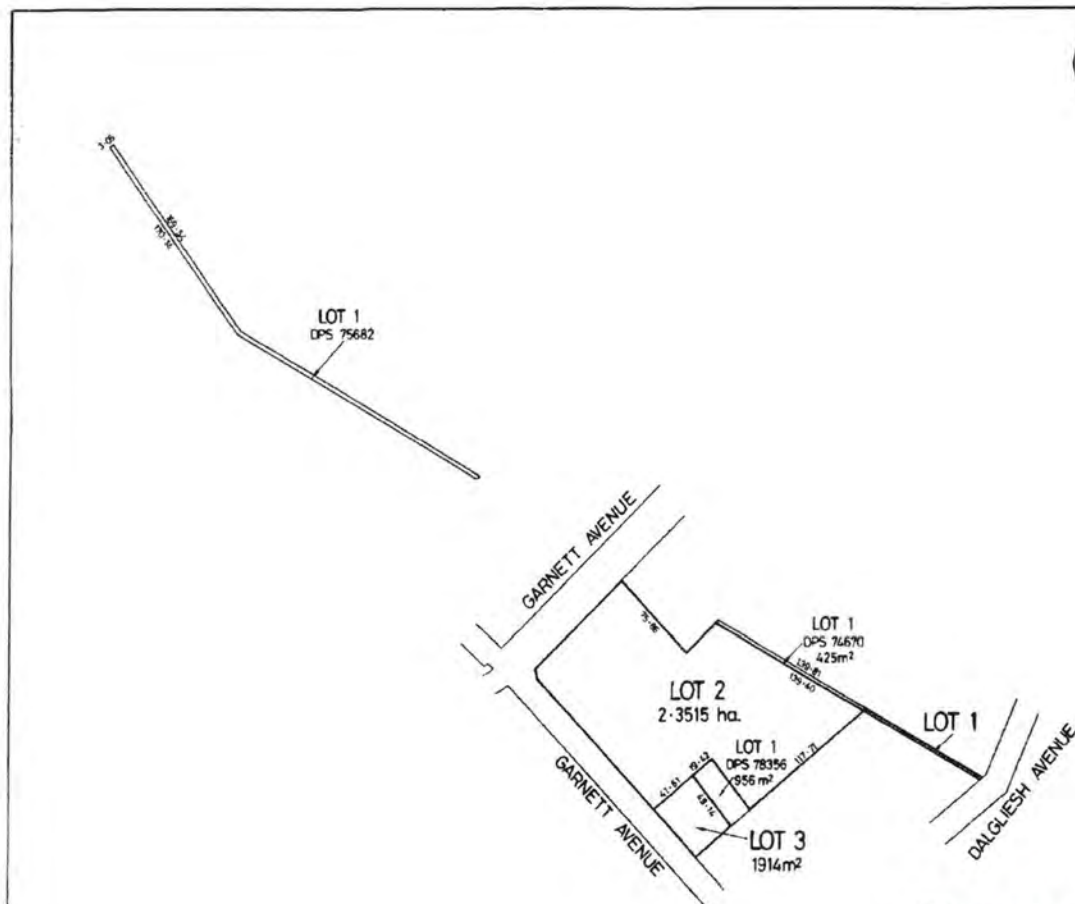
TOTAL DEDUCTED AREA

APPROVED FOR CT DIAGRAM PURPOSES ONLY

15 9/1998 Reg. Chief Surveyor

15 9/1998 for Chief Land Registrar

DPS 83094



NOTE: Separate areas for Lot 1 hereon  
& Lot 1 DPS 75682 cannot be  
deducted.

Total Area : 1637m<sup>2</sup>

TERRITORIAL AUTHORITY HAMILTON

Prepared By: TERRITORIAL NEW ZEALAND LIMITED

SCALE: Proportional DATE: 24 SEPT 1998

LAND DISTRICT SOUTH AUCKLAND

Survey 96 and District XIII KOMAKORAU

NZDS 751 SHEET No.

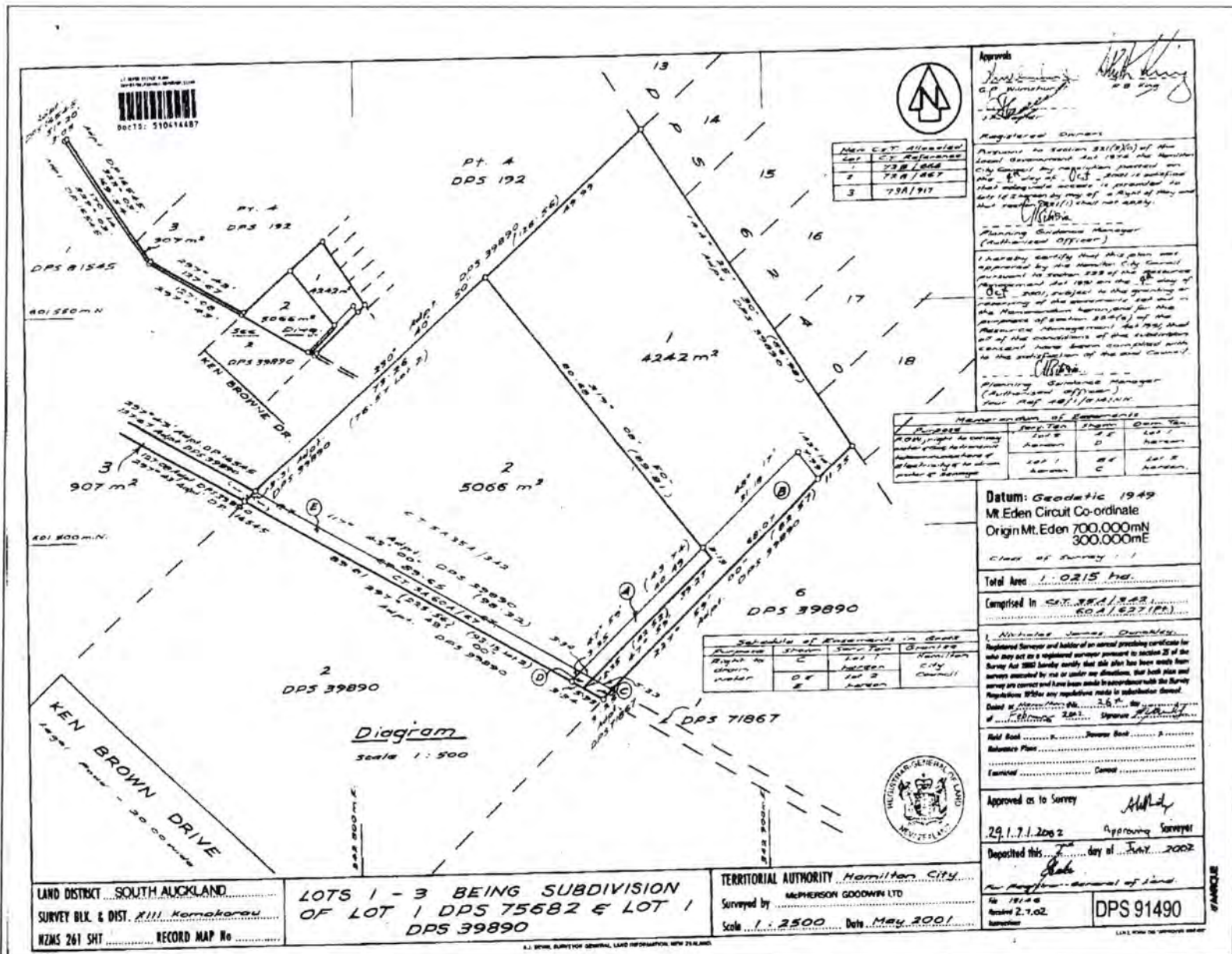
PLAN OF LOTS 1-3  
FOR CT DIAGRAM PURPOSES

12 AUG 2011  
TIME: ..AM/PM

5 OCT 1998

Identifier

SA73A/917



AMING PREFERENCE  
12 AUG 2011  
TIME: AMPM



# COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



## Search Copy

**Identifier** 410898  
**Land Registration District** South Auckland  
**Date Issued** 25 November 2008

### Prior References

203712 283717

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**Estate** Fee Simple  
**Area** 50.6527 hectares more or less  
**Legal Description** Lot 1, 4 Deposited Plan 403296  
**Proprietors**  
The Waikato Racing Club (Incorporated)

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### Interests

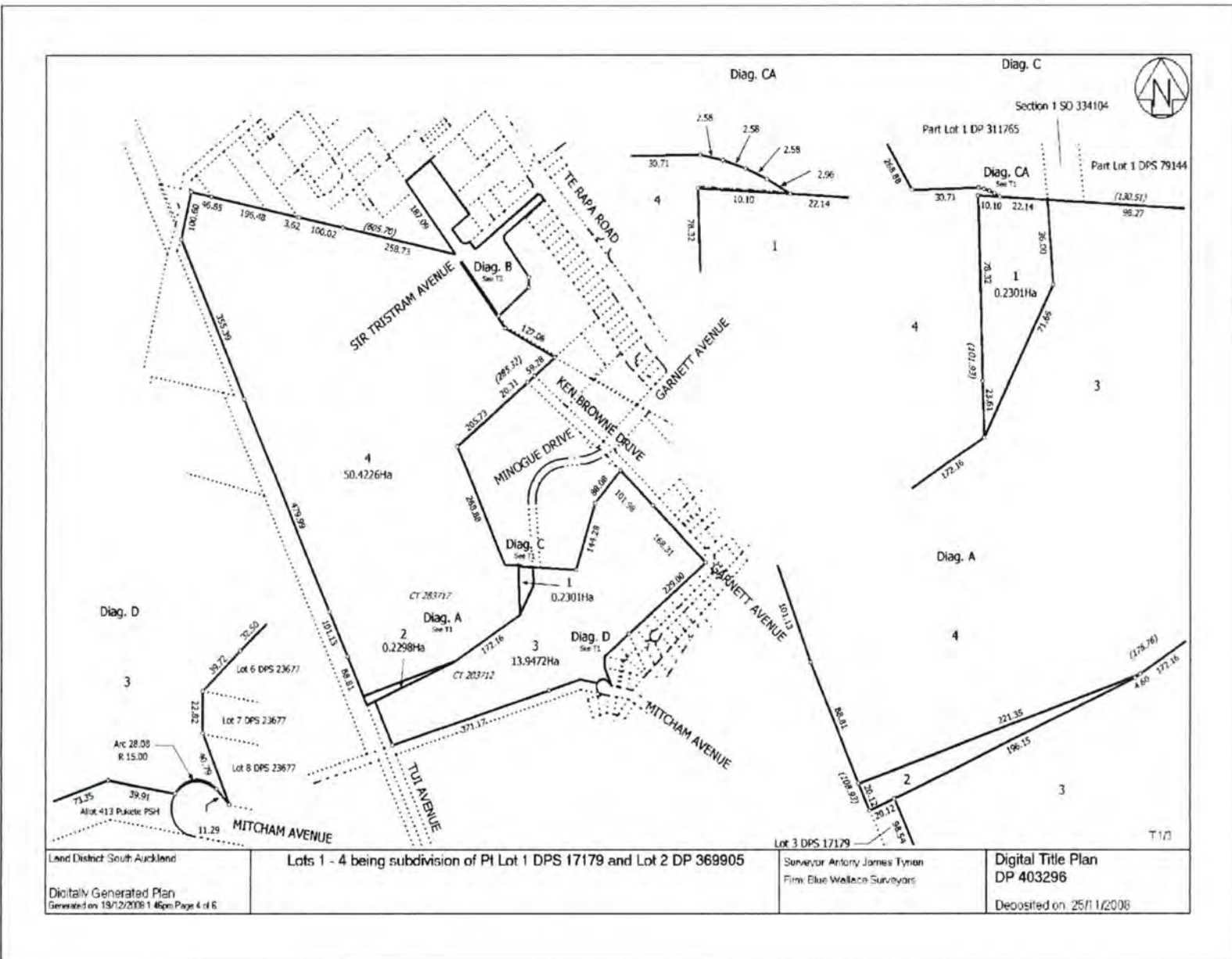
Subject to Section 8 Mining Act 1971 (affects Lot 1 DP 403296, Allotments 413 and 414 Pukete Parish)  
Subject to a drainage easement over part Lot 4 marked A on DP 403296 specified in Easement Certificate S433064 - 29.11.1968 at 12:20 pm  
The easements specified in Easement Certificate S433064 are subject to Section 351E (1) (a) Municipal Corporations Act 1954  
Subject to a right of way over parts Lot 4 marked C, E and F on DP 403296 specified in Easement Certificate H239554.1 - 3.7.1979 at 10:41 am  
The easements specified in Easement Certificate H239554.1 are subject to Section 351E(1)(a) Municipal Corporations Act 1954  
Subject to a water easement (in gross) over parts Lot 4 marked B, C and D on DP 403296 in favour of Hamilton City Council created by Transfer 5109105.3 - Produced 15.11.2001 at 1:44 pm and entered 31.1.2002 at 9:38 am  
Subject to Section 241(2) Resource Management Act 1991 (affects DP 403296)



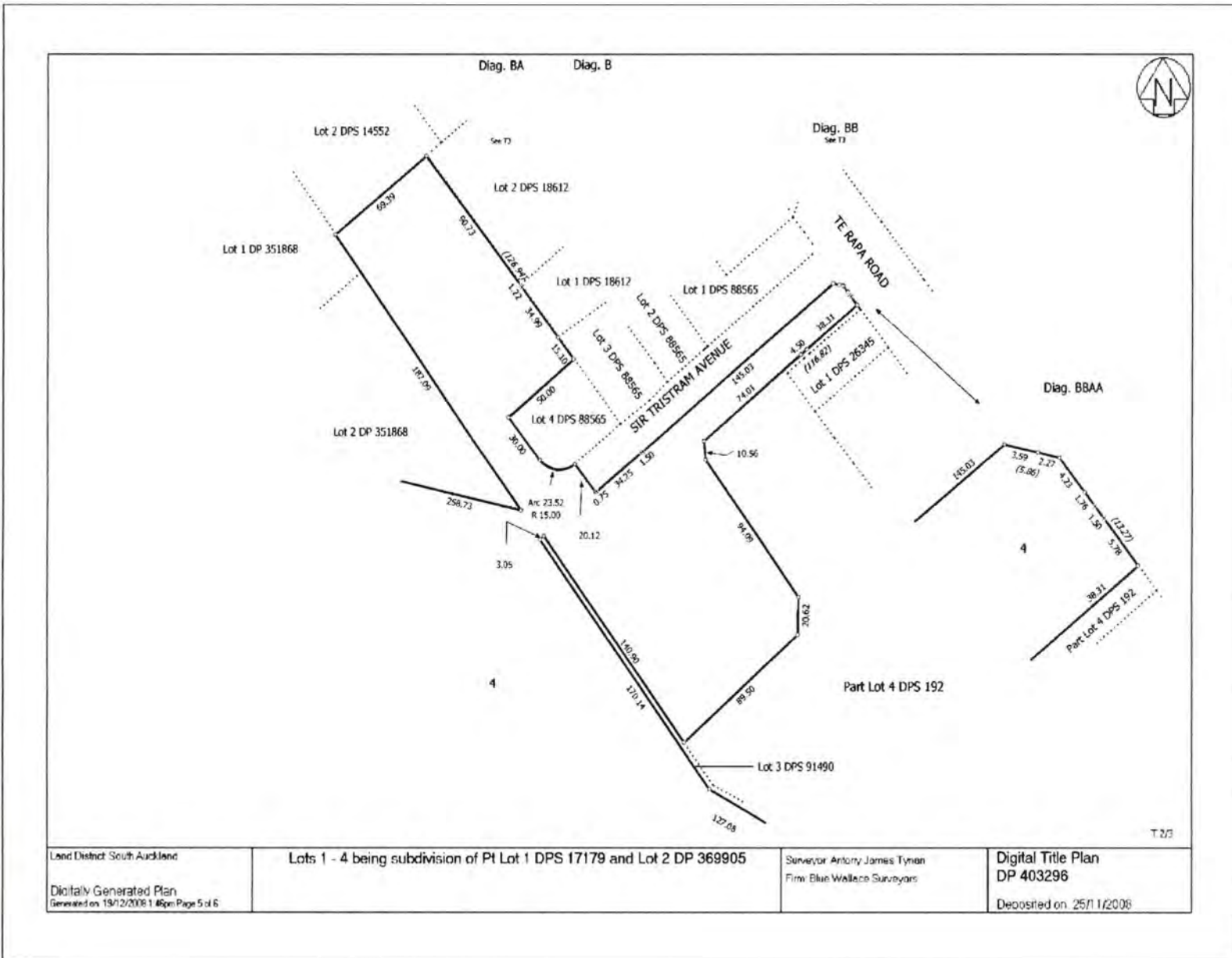


Identifier

410898

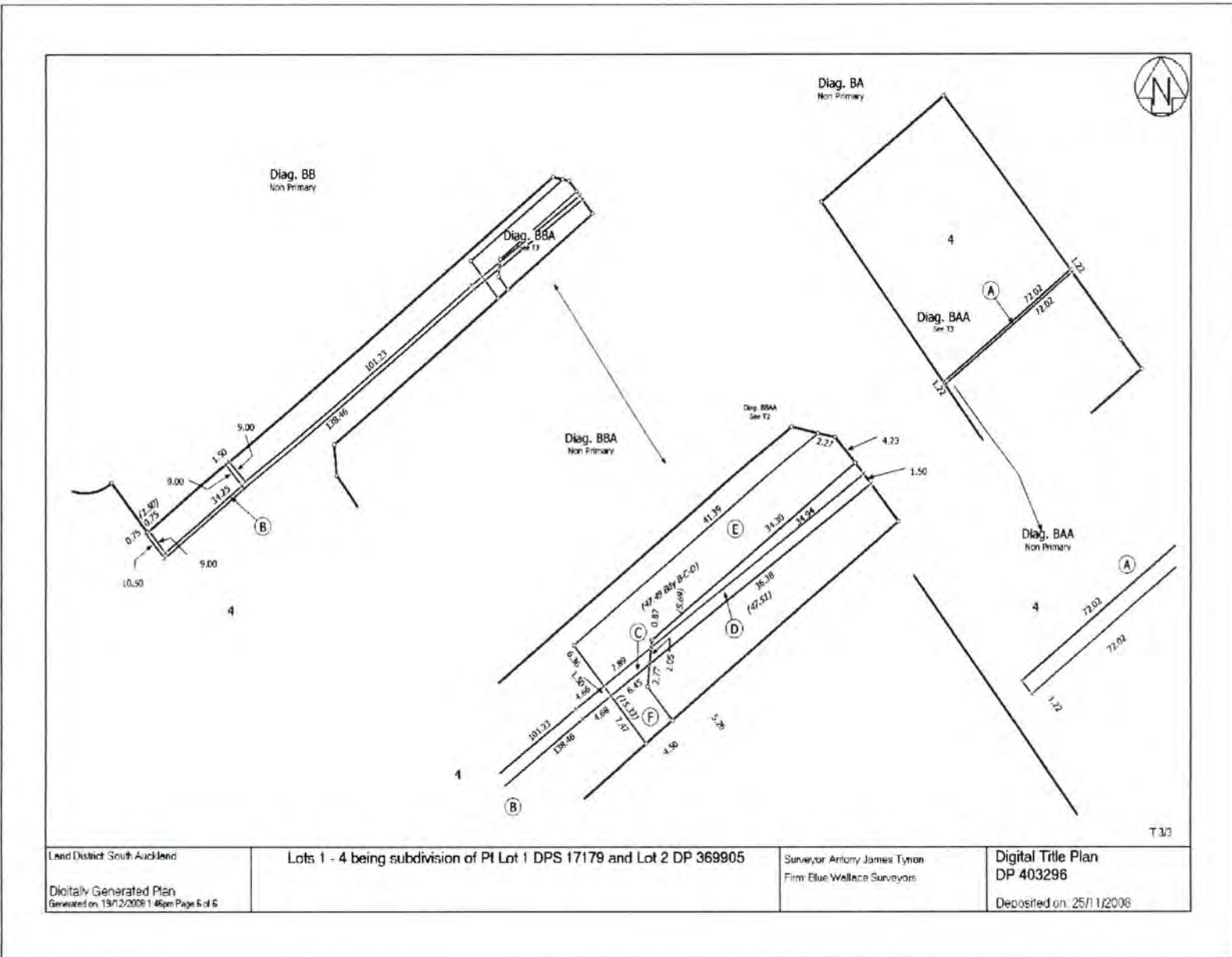


AM/PM  
12 AUG 2011  
TIME:.....AM/PM



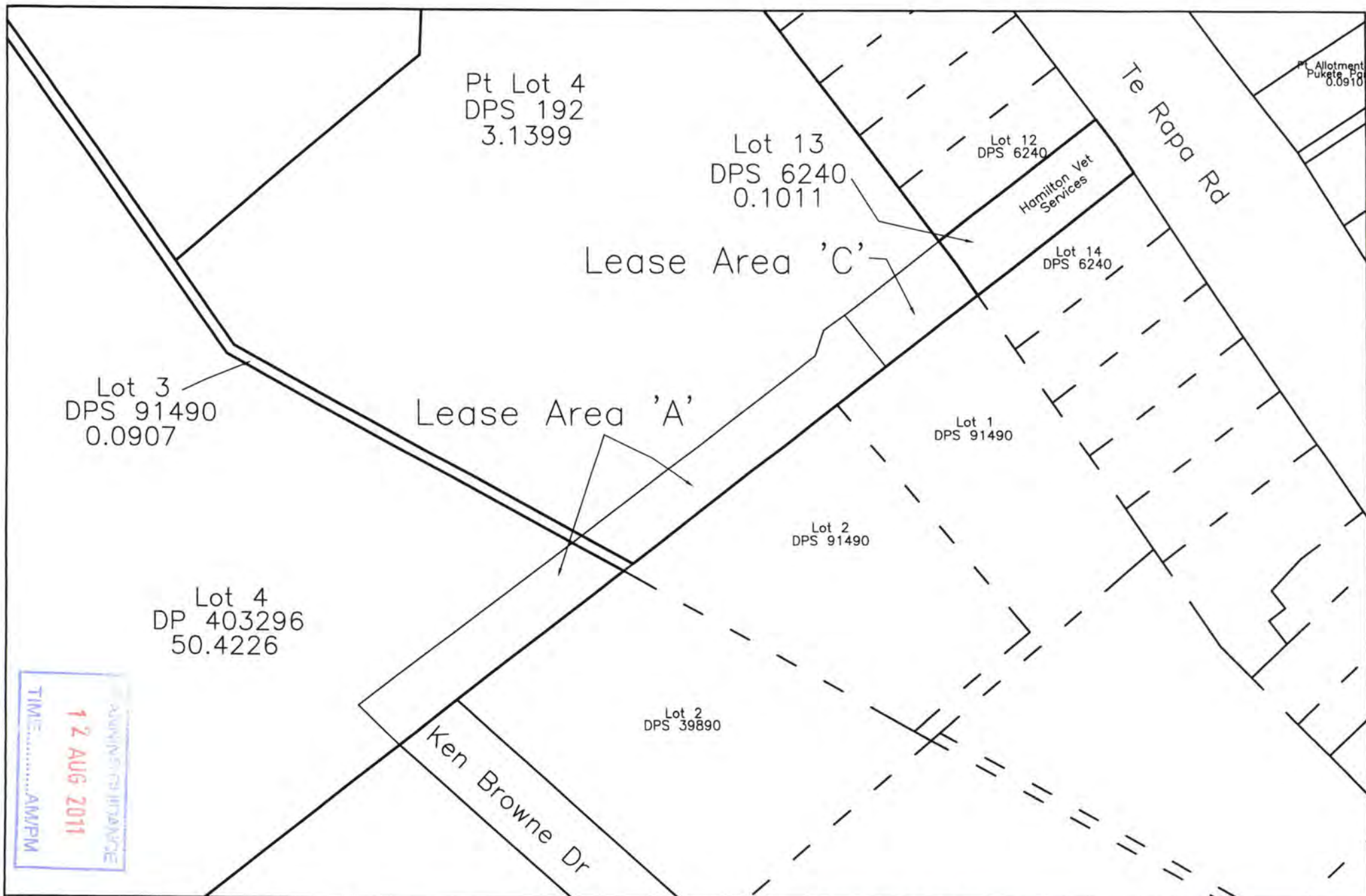
Identifier

410898

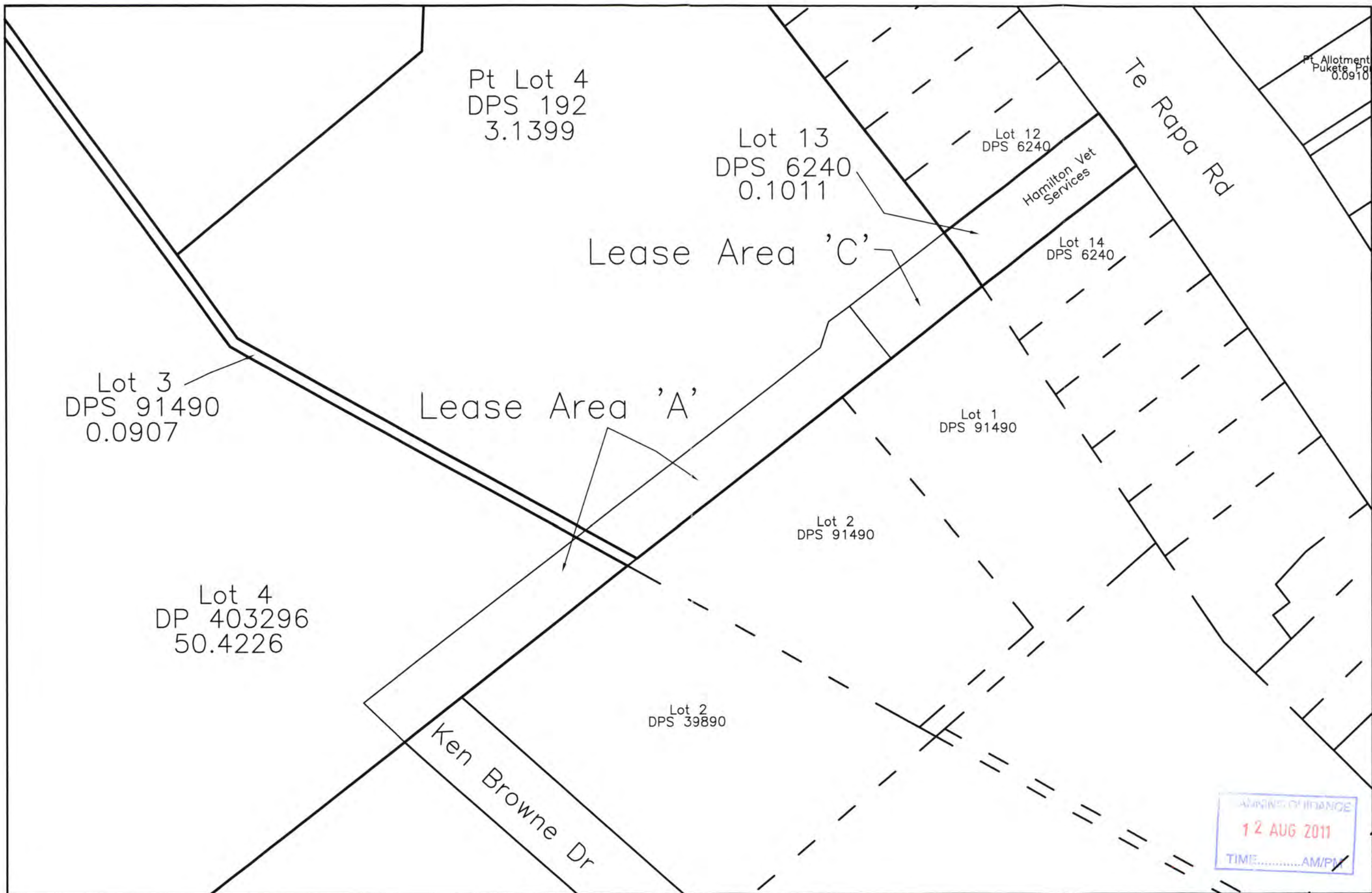


12 AUG 2011  
TIME: 11:45 AM/PM





Amendment:	Description:	EXISTING LAND USE AND SITE LAYOUT ON LOT 3 DPS 91490, LOT 4 DP 403296, Pt LOT 4 DPS 192 & LOT 13 DPS 6240		Surveyors—Land Engineers —Land Development, Resource Management and Town Planning Consultants 7 HARDLEY STREET—HAMILTON—NEW ZEALAND P.O. BOX 9379 E-mail: mgltid@mgsl.co.nz Fax: (07) 8391292 Tel: (07) 8391335	
COPYRIGHT The information on this plan is the property of McPherson Goodwin Surveyors Ltd (M.G.S.L.) M.G.S.L. acknowledges the supply of some base data from The relevant Local Authorities and LINZ. In the preparation of this plan.		NOTES: 1. Areas and distances are subject to survey		McPherson Goodwin	
Comprised in C.T. SA73A/917, 410898, SA35A/348 & SA36A/665		Prepared for: Hamilton Veterinary Services Ltd		Address: 421 Te Rapa Road, Hamilton	
Scale: 1:1000 @ A3		Surveyor: Drawn: QM - AMG		Checked: Date: JULY 2011	
Sheet 1 of 1		Ref: 15184		Original sheet size A3 (420/297)	



Amendment:	Description:	<b>EXISTING LAND USE AND SITE LAYOUT ON LOT 3 DPS 91490, LOT 4 DP 403296, Pt LOT 4 DPS 192 &amp; LOT 13 DPS 6240</b>		Surveyors—Land Engineers —Land Development, Resource Management and Town Planning Consultants 7 HARDLEY STREET—HAMILTON—NEW ZEALAND P.O. BOX 9379 E-mail: mgltd@mgsi.co.nz Fax.: (07) 8391292 Tel.: (07) 8391335	
<b>COPYRIGHT</b> The information on this plan is the property of McPherson Goodwin Surveyors Ltd (M.G.S.L.) M.G.S.L. acknowledges the supply of some base data from The relevant Local Authorities and L.I.N.Z. in the preparation of this plan.		Comprised in C.T. SA73A/917, 410898, SA35A/348 & SA36A/665		<b>McPherson Goodwin</b>	
<b>NOTES:</b> 1. Areas and distances are subject to survey.		Prepared for: Hamilton Veterinary Services Ltd		Surveyor: Drawn: QM - AMG	Checked: Date: JULY 2011
		Address: 421 Te Rapa Road, Hamilton		Scale: 1:1000 @ A3	
				Sheet 1 of 1 Ref.: 15184	



29 May 2019

**Waikato Racing Club Incorporated**

C/- Establish  
PO Box 35487  
Browns Bay  
Auckland 0753

Attn: Gareth Pasfield

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

**Application number(s):** 010.2018.00010206.001  
**Applicant:** Waikato Racing Club Incorporated  
**Address:** 4 and 6 Sir Tristram Avenue Te Rapa 3200  
**Legal Description:** Lot 2 DP S88565 and Lot 3 DP S88565  
**Proposed activity(s):** Education and Training Facilities

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](mailto:planning.guidance@hcc.govt.nz). Please reference the consent number and address of the property when emailing or calling.



### **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 the provisions of Sections 104, 104B and 104D of the Resource Management Act 1991 and the Hamilton City Operative District Plan, Council **grants** resource consent to the application by Waikato Racing Club Incorporated (being resource consent 010.2018.10206.001), for the establishment of a childcare facility in a new building at 4 – 6 Sir Tristram Avenue being Lot 2 and Lot 3 DP S 88565 subject to the following conditions:*

#### **Conditions**

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

#### ***General***

1. *That the development be in general accordance with the plans and the information submitted with the application on 20 December 2018 and the further information received on 1 March 2019, 12 March 2019, 27 March 2019, 2 April 2019 and 26 April 2019.*
2. *The maximum number of children permitted on site at any one time shall be limited to 95 children and the maximum number of fulltime equivalent staff (FTE) permitted on site at any one time shall be limited to 22 (FTE).*
3. *The childcare facility shall operate between the hours of 07:00am to 06:00pm Monday to Friday.*

#### ***Landscaping***

4. *That prior to the commencement of development (excluding preparatory earthworks) on the site, a detailed Landscaping and Fencing Plan shall be submitted for approval in a technical certification capacity by the Planning Guidance Unit Manager or nominee. No works shall commence until the final landscaping plan is certified in writing. The Landscaping and Fencing Plan shall be in general accordance with the approved site plan and submitted planting palette.*

*The objectives of the Landscaping and Fencing Plan are to:*

- a. Enhance the visual amenity of the subject site while maintaining an open streetscape appearance when viewed from Sir Tristram Avenue;*
  - b. Delineate between pedestrian path and the internal vehicle access and car park areas;*
  - c. Soften the appearance of built forms and hardstand areas, including the internal carparking areas.*
  - d. Maintain sight distances for vehicles manoeuvring from the site onto the street.*
5. *That the Landscaping Plan shall include:*
    - a. Details of soft and hard landscaping along the frontages of the subject site with Sir Tristram Ave. For soft landscaping, this shall include the height, density and types of plants and specimen trees. For hard landscaping, this shall be in accordance with the fence types, locations and heights that annotated on the approved site plan;*

- b. Details of soft and hard landscaping internal to the subject site. For soft landscaping, this shall include the height, density and types of plants and specimen trees. For hard landscaping, this shall be in accordance with the fence types, locations and heights that annotated on the approved site plan;
  - c. Details of lightings internal to the subject site and this shall include the height, density and luminous of these lights.
6. That the landscaping plan to be certified as per Condition 5 above shall be implemented. Planting shall occur during the first planting season after the construction works have been completed and shall thereafter be permanently maintained by the consent holder.

#### **Trees**

7. That prior to any works approved by this consent commencing on-site, it shall be the responsibility of the consent holder to hold a pre-commencement meeting onsite. The purposes of the meeting shall be to identify any tree removal required to accommodate the proposed development and to identify any existing trees that require protective fencing. In attendance shall be the consent holder and/or representative, a suitably qualified Arborist and Hamilton City Council's Manager – Parks and Recreation, or nominee.

Advisory note: It is the responsibility of the consent holder to explain the conditions of consent to all contractors, sub-contractors and work site supervisory staff who are carrying out any works associated with the project.

8. That the two street trees are removed with two replacement street trees (Scarlett Oak of minimum 95L) to be planted in reinstated berm in a location to be agreed, to the satisfaction of Manager Open Spaces and Facilities, or nominee.
9. That prior to the commencement of any construction works, temporary protective fencing shall be erected to the satisfaction of the Manager – Parks and Recreation, or nominee to protect any existing trees identified at the meeting in condition 7. The protective fence shall remain for the duration of the approved construction works.
10. That the removal and pruning works of any trees shall be supervised by a suitably qualified expert (such as an arborist).

#### **Earthworks**

11. The Consent holder shall ensure that all appropriate sediment and erosion control measures are adopted to minimise any sediment leaving the site and entering any water way. The measures should include: the erection of silt fences, stabilised entranceways, cut off drains and the connection of downpipes to the storm water system as necessary. These sediment control measures should be erected and maintained on site for the duration of the works.

Advisory 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>

12. All earthworks activities shall be managed to avoid material deposits on public roads from any vehicles operating on site.
13. All areas of bare earth shall be re-vegetated or re-grassed as soon as practicably possible and within three calendar months following the completion of earthworks. If this cannot be achieved

*the area shall be temporarily covered by a surface suitable to protect against soil erosion until such time as re-vegetation or re-grassing can occur.*

14. *No earthworks undertaken shall obstruct any stormwater overland flow path or result in changed stormwater drainage patterns on adjacent land in different ownership.*
15. *That the activity is conducted in such a manner so as to not create a dust nuisance. A dust nuisance will occur if:*
  - *There is visible evidence of suspended solids in the air beyond the site boundary; and/or*
  - *There is visible evidence of suspended solids traceable from a dust source settling on the ground, building or structure on a neighbouring site or water.*
16. *That while undertaking earthworks on the site, if any archaeological feature(s) (including human remains) are encountered, all work in the vicinity shall cease immediately and the following persons/parties shall be contacted:*
  - a. *The Police (only in the event that human remains are encountered);*
  - b. *Te Ha O Te Whenua O Kirikiriroa Trust;*
  - c. *Heritage New Zealand; and*
  - d. *Manager, Planning Guidance Unit.*

*The earthworks shall not re-commence until written authorisation has been obtained by the Consent Holder from Council's Planning Guidance Unit Manager.*

#### **Noise**

17. *The cumulative noise emission from all activities (excluding construction noise) and mechanical plant shall not exceed a rating noise level of 65dB LAeq(15-mins) at any point within the boundary of any site in the industrial zone. Noise levels shall be measured in accordance with NZS6801:2008 'Acoustics - Measurement of Environmental Sound' and assessed in accordance with NZS6802:2008 'Acoustics - Environmental Noise' before comparison with these levels.*

*Advisory note:* *Some consideration will be required in the selection and installation of mechanical plant (such as air conditioning units) at the design and construction stage to ensure compliance with the noise limit in this condition.*

18. *All construction work on the site, including concrete pours and earthworks, shall be designed and conducted to ensure that construction noise from the site received at a point approximately 1m from the most exposed wall of a building located on any other site in the major facilities and industrial zones does not exceed the following noise limits-*
  - *70dB LAeq from 0730hrs to 1800hrs*
  - *75dB LAeq from 1800hrs to 0730hrs*

*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'.*

*Advisory note:* *Compliance with this condition may require the use of temporary noise barriers for certain construction activities. Refer to the section titled 'Construction Noise' (page 9 and 10) of the acoustic report titled 'Proposed Childcare Centre 4 & 6 Sir Tristram Avenue, Te Rapa Assessment of Noise Effects' (Styles Group, 10 December 2018) for further information.*



19. That construction vibration received by any building on any other site shall comply with the provisions of and be measured and assessed in accordance with German Standard DIN 4150-3:1999 Structural vibration – Effects of vibration on structures.

**Engineering - General**

20. The consent holder shall submit engineering plans detailing the existing and proposed vehicle crossing, vehicle access, required mitigation within the transport network, parking arrangement, onsite signage and marking, existing service locations, proposed and existing water, wastewater and stormwater systems and connections to the Planning Guidance Unit for review by Development Unit prior to building consent application and construction work commencing on site. This plan shall be amended by the Consent Holder as required until stamped 'Accepted' by General Manager, Development or nominee.
21. All engineering works and designs shall be in accordance with the HCC Infrastructure Technical Specifications (available from the internet at [www.hcc.govt.nz](http://www.hcc.govt.nz)) and/or to the satisfaction of the General Manager, Strategic Development Unit.

**Roading**

22. 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 Corridor Access Request shall be approved by the Road Controlling Authority prior to construction works commencing onsite.
23. Appropriate marking on site shall be provided to facilitate the internal traffic flow.
24. The proposed vehicle crossing shall be constructed to meet the commercial standards in accordance with the Regional Infrastructure Technical Specifications Drawing D3.3.5. The vehicle crossing shall be fully formed to the site boundary in the same material as the footpath.
25. The internal vehicle access, parking and manoeuvring area shall be formed, drained and sealed, and thereafter maintained, in a permanent dust-free all-weather surface suitable for the type and quantity of vehicles using the internal vehicle access.
26. Yellow “no parking” markings shall be installed 2.0m from either side of the vehicle crossing to protect the visibility splay.
27. Where any sealed car park or landscaped area adjoins a road, kerbing or similar barrier not less than 125mm in height shall be provided.
28. Provision shall be made on site for a minimum of 30 car parking spaces including 2 accessible needs parking.
29. Parking spaces numbered 15 and 16 in the site plan shall be allocated to staff.
30. Drop-off parking spaces shall be provided immediately in front of the childcare building where caregivers are provided with pedestrian path for safe and convenient access. Details shall be provided at engineering design stage.

31. *Vehicle parking spaces shall be delineated with white painted lines with the exception of the accessible needs and loading spaces, which shall be delineated with yellow painted lines and have appropriate signage in accordance with NZS 4121:2001 requirements. Spaces are to be appropriately identified. Markings shall be regularly maintained.*
32. *The service lane exit, where the traffic joins Te Rapa Road shall be redefined to reduce potential conflict areas. Pavement width shall be reduced through kerb build-outs. A give-way or stop markings shall be installed at the end of the service lane. Detailed design shall be provided at engineering design stage (see advisory note).*
33. *Wheel stops shall be provided on parking spaces adjacent to the internal footpath.*
34. *On completion of site works any roadside damage shall be repaired and the, kerb, berm, and footpath be reinstated to match the surroundings. The reinstatement work shall not be carried out until all service trenching in the footpath has been completed and shall include the reinstatement of all trenches.*

### **Three Waters**

35. *Low flow fixtures shall be installed for the new building onsite.*
36. *The site shall be provided with metered water connection, appropriately sized to supply sufficient volume and pressure for potable use and firefighting supply (see advisory note).*
37. *The site shall be provided with an appropriately sized wastewater connection.*
38. *The stormwater management system detailed in the application (detention and permeable pavers) shall be implemented onsite. The stormwater management measure shall be in place and fully operational upon completion of the development.*
39. *The operation, ongoing maintenance and replacement of the stormwater management system are the responsibility of the Consent Holder.*

### **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. The proposed childcare facility is considered to be compatible with the existing land uses and development in the surrounding environment. The effects of the proposed activity onsite have been assessed and are considered to be acceptable; any cumulative effect resulting from the proposal will not detract the character and amenity of the Major Facilities Zone – Thoroughbred Business Park and the immediate vicinity.

- d. The proposal addresses the streetscape, providing for public surveillance, with the design of the building provides visual interest through a number of features such as a range of cladding/materials, colours and transparency to be used.
- e. The detailed landscape plan to be submitted as per conditions above will ensure streetscape amenity is enhanced as what has been assessed in the application.
- f. Replacement and/or relocation of the street tree(s) will mitigate the potential adverse streetscape amenity effects due to the removal of the existing tree(s). Approval of the suitable size, species and location of the street tree(s) will allow Council to confirm that the replanted and/or relocated tree(s) will positively contribute to the streetscape amenity and maintain adequately visibility.
- g. The adjoining road network has adequate capacity to handle the amount of traffic expected to be generated by the site activity. In accordance with the information provided in the application and the information contained within Council, the safety and efficiency of the transport network will not be impacted.
- h. Dispensation is provided for the infringements of internal access width and carparking as the associated effects have been assessed and are considered to be acceptable. Marking the parking spaces will allow the easy identification of parking areas.
- i. Adherence to the design guidelines of the Infrastructure Technical Specifications and current best practice will provide a means for achieving good engineering solutions for the whole of the development.
- j. 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
- k. The engineering requirements for water, wastewater and stormwater will ensure that the development will be adequately provided with services when completed. Implementing the required water efficiency measure on site will ensure that potential effects on the three waters infrastructure are managed and waterways are protected
- l. 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 required. Please contact Council's Building Unit on 838 6677 for information on Building Consent matters.
- Section 75 of the Building Act will be required as part of the Building Consent.
- This development will require a water meter. Where a water meter is not already installed, a complete backflow survey of the development will be required to be undertaken by a suitably qualified and experienced person prior to application for a new water meter. The survey will determine whether backflow devices are required and where. All backflow devices will be the



responsibility of the building owner to maintain and calibrate. An application for a water meter will need to be submitted to the City Waters Unit enclosing a copy of the backflow assessment.

- Water meter boxes should be located clear of traffic movements.
- The design of the kerb build-out at the northern end of the service lane should take in to account heavy vehicles.
- 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.
- Other than the tree removal explicitly approved by this consent, no other street tree shall be removed or damaged, and no works, storage of materials, cement/concrete washings and leaching of chemicals, trenching or alteration of soil grade shall occur within the dripline of any street tree. Approval from the Manager, Open Spaces and Facilities Unit, or nominee is required prior to any street tree removal or trimming.

**Development Contributions:**

Based on the details of this consent development contributions will be levied on the development pursuant to the Local Government Act (2002) and Council's Development Contributions Policy. An estimate of the development contribution due will be provided to you in a letter from Council's Development Contributions Officer. Council reserves the right to recalculate this estimate based on any changes in demand created after the initial estimate.

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

Yours sincerely,



**FRASER MCNUTT**  
**PLANNING GUIDANCE MANAGER**

For more information please contact:

**Katherine Hu**

Council Building

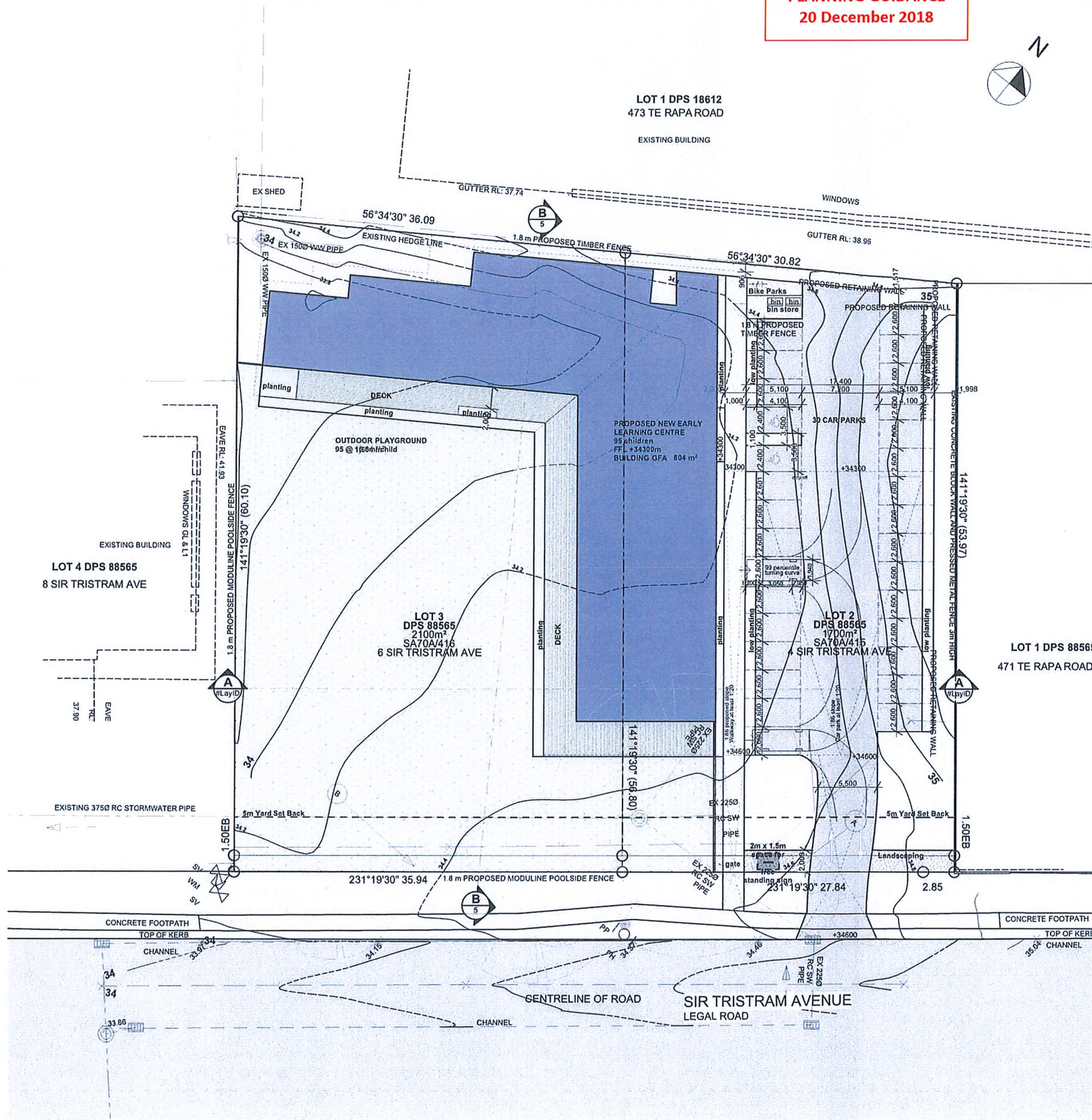
Garden Place, Hamilton

Phone: 07 838 6699

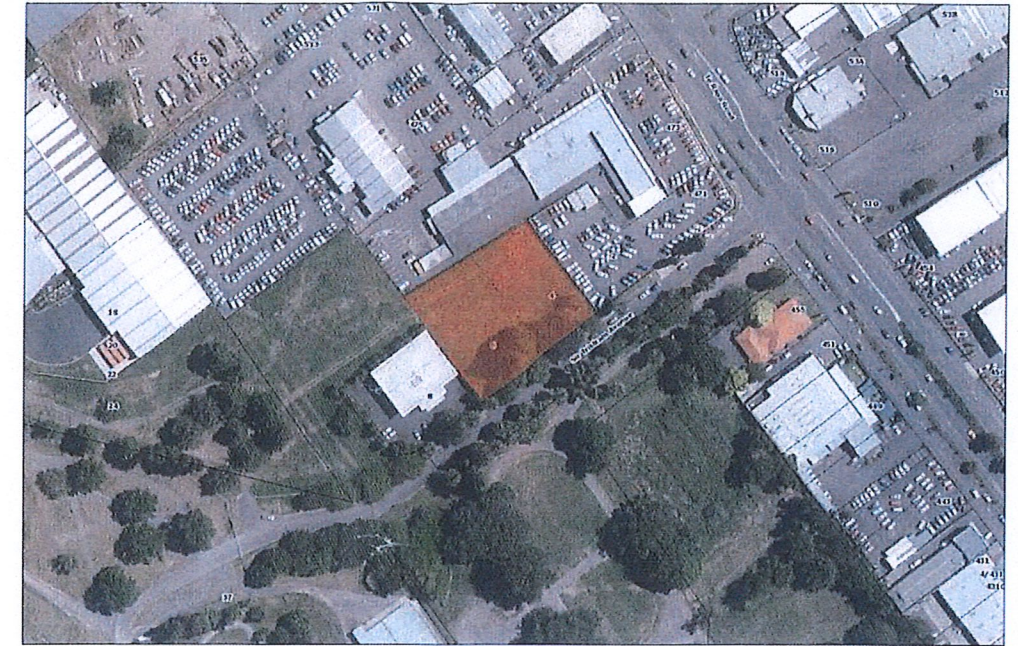
Email: [Katherine.Hu@hcc.govt.nz](mailto:Katherine.Hu@hcc.govt.nz)

Website: [www.hamilton.co.nz](http://www.hamilton.co.nz)





SITE PLAN  
SCALE 1:200



Hamilton City Council  
13/12/2018

LOCATION AERIAL VIEW  
SCALE 1:1,4902

FINAL APPROVED  
RESOURCE CONSENT PLANS  
File # 010.2018.10206.001  
Date of Consent 29/05/2019

Collingridge  
And  
Smith  
Architects (UK) Ltd.  
2 Walton Street  
Bretford  
Cheshire  
CH47 9JF  
Tel: 01273 552 2552

PROPOSED EARLY LEARNING CENTRE

4 & 6 SIR TRISTRAM AVENUE

SITE PLAN LOCATION  
AERIAL VIEW

DATE	A1 - 1200, 1:14902 A3 - double	PROJECT	PN-0279
DATE	PS, YK	PROJECT	PS, YK
DATE	PS	PROJECT	PS
DATE	13/12/2018	PROJECT	1
DATE	13/12/2018	PROJECT	A



Received  
PLANNING GUIDANCE  
20 December 2018



## SITE DESCRIPTION

4-6 SIR TRISTRAM AVENUE TE RAPA HAMILTON

LOT 3	DPS 88565
LOT 2	DPS 88565
SITE AREA:	3800m <sup>2</sup>
CT:	XXXXXXXX
APPROVED RC:	XXXXXXXX

No OF CHILDREN:	95
No OF STAFF:	21
GROUND FLOOR AREA:	804m <sup>2</sup>

**LOT 1 AND 2 - 3803m<sup>2</sup>**

## BUILDING COVERAGE

existing building coverage	1202m <sup>2</sup>	31.6%
proposed building coverage		

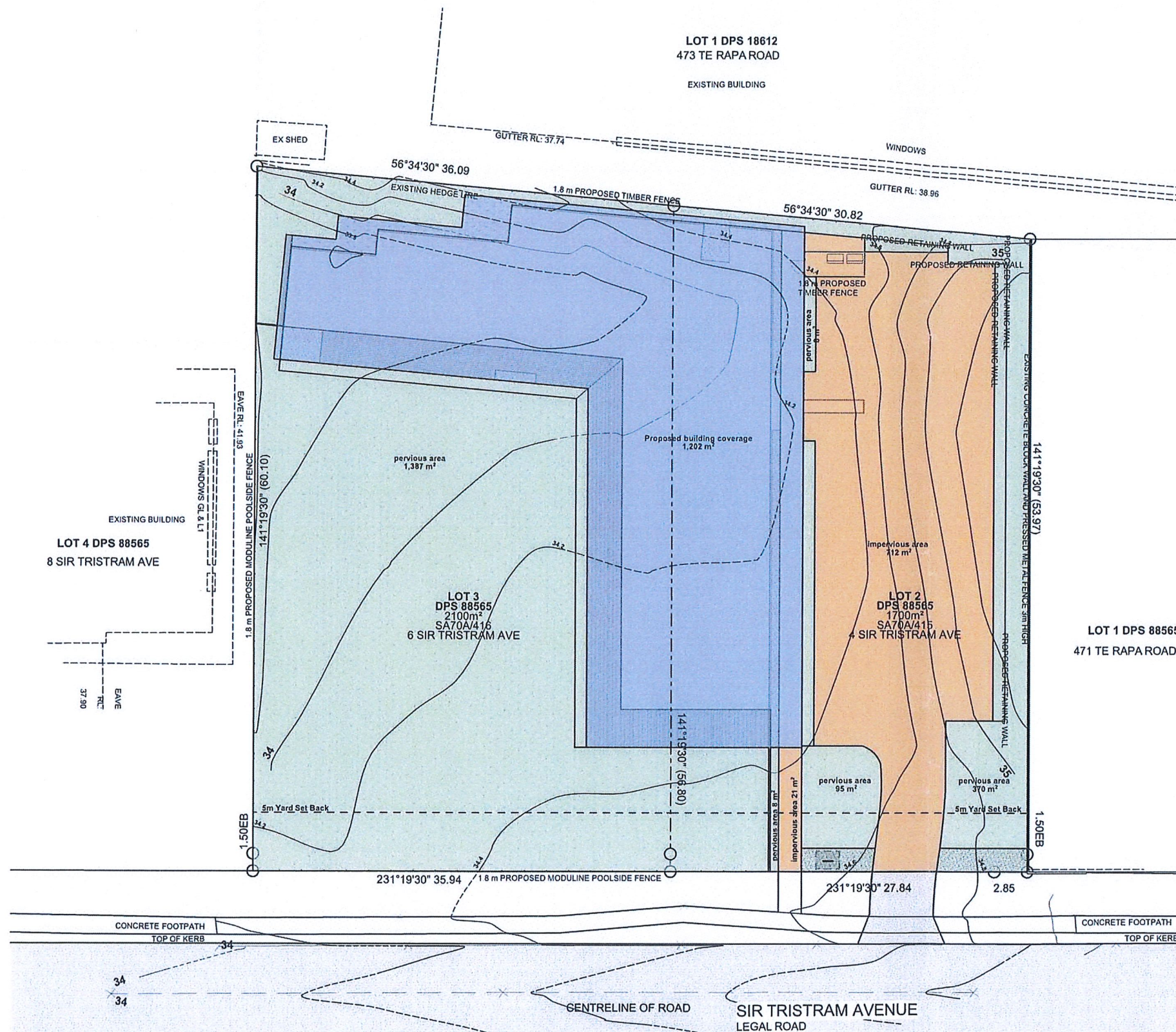
### IMPERMEABLE SURFACES

proposed impermeable area	733m <sup>2</sup>	19.3%
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## LANDSCAPED SURFACES

proposed landscaped area	1868m <sup>2</sup>	49.1%
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## BUILDING GFA



**FINAL APPROVED**  
**RESOURCE CONSENT PLANS**

File # 010. 2018. 10206. 001

Date of Consent 29/5/2019

A	REV	DESCRIPTION	Change ID	Change Name	DATE
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**Collingridge  
And  
Smith**

2 Walton Street  
Remuera  
Auckland  
NEW ZEALAND  
Tel: +64 9 572 255

**Architects (UK) Ltd.**

## PROPOSED EARLY LEARNING CENTRE

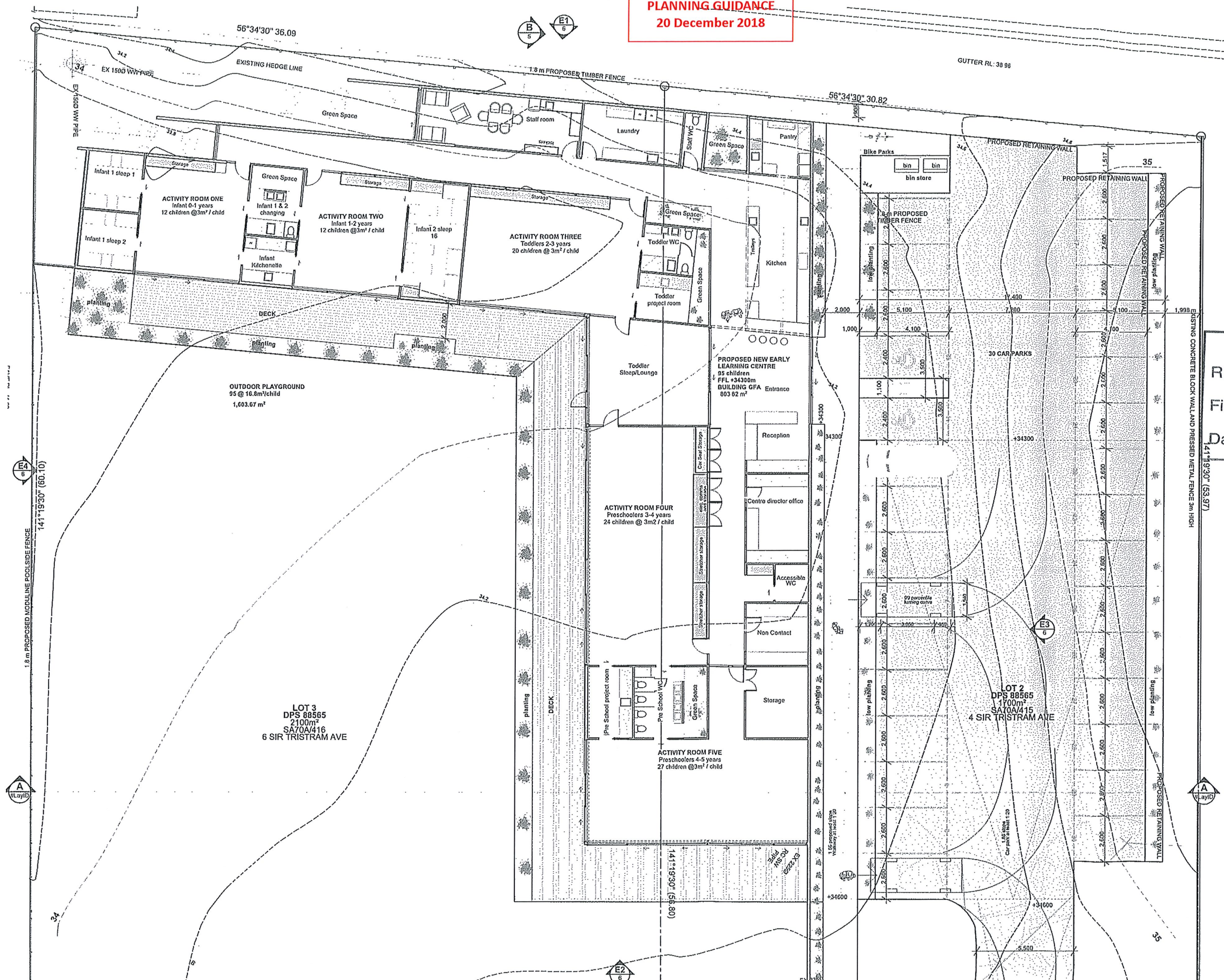
**4 & 6 SIR TRISTRAM AVENUE**

## TOWN PLANNING

SCH2	A1-1.200 A3- double	AKNO	PN-0279
CHAVI	PS. YK	SHEET	16.0000
CH-132	PS	2	A
DATE	13/12/2018		

The purchaser shall think and verify all dimensions, levels and angles on site prior to commencing any work. The signatory of these drawings and all other drawings remain the property of COLLEGE CROFTS A&E (BATH) ARCHITECTS & LANDSCAPE ARCHITECTS and shall not be used without their consent.





**FINAL APPROVED**  
**RESOURCE CONSENT PLANS**  
File # 010-2018-10206-001  
Date of Consent 29/5/2019

A REV	REVISED DESCRIPTION	CHANGE ID	CHANGE NAME	15-12-2018 DATE
	<b>Collingridge And Smith Architects (UK) Ltd.</b>			1 Watson Street Dunedin AUCKLAND NEW ZEALAND 03-4435323532

**PROPOSED EARLY LEARNING CENTRE**

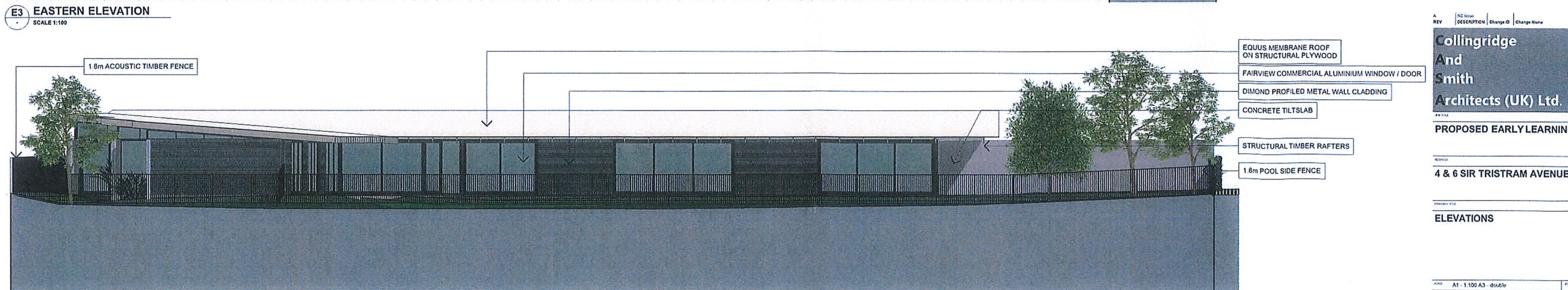
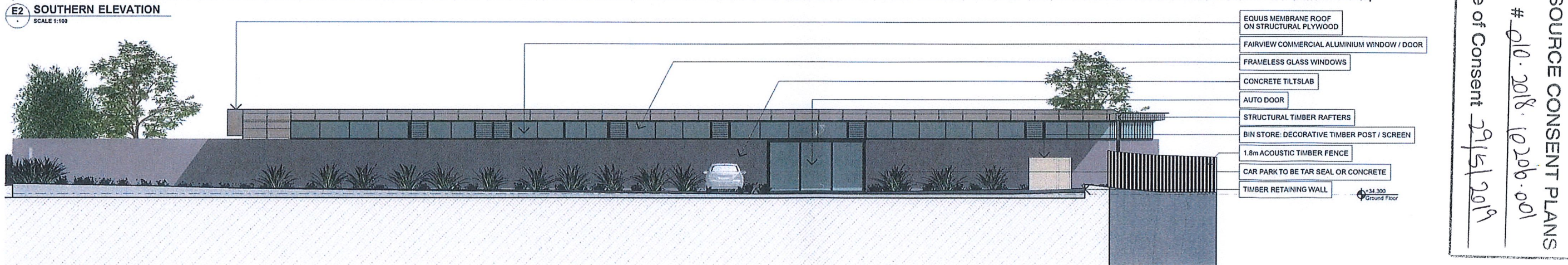
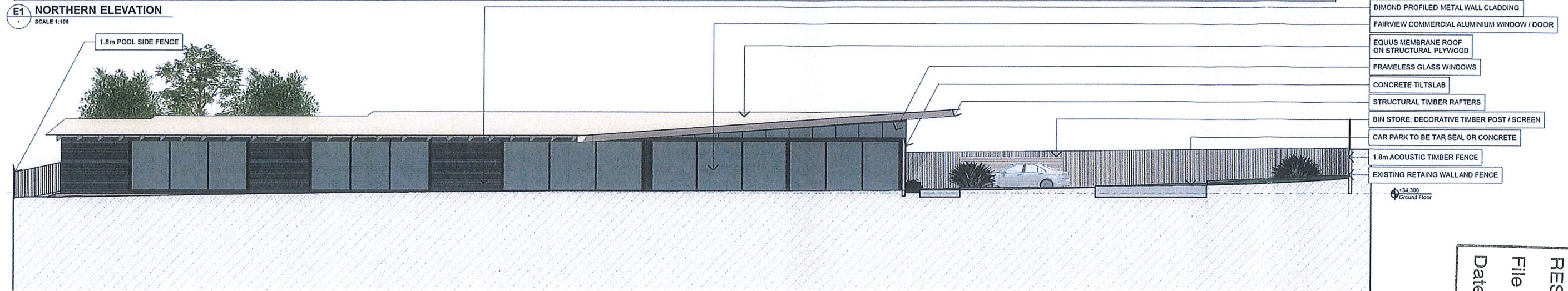
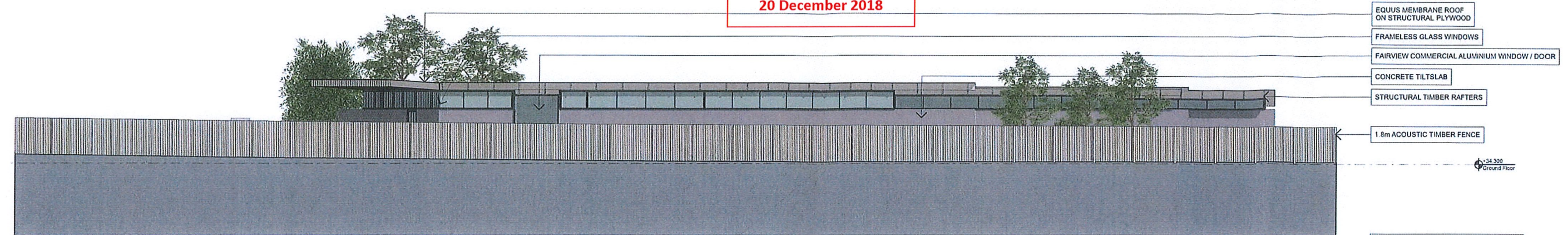
4 & 6 SIR TRISTRAM AVENUE

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GROUND FLOOR

NAME	AI - 1.100 A3 - double	PRIN	PN-0279
FRAMA	P5, YK	SEC	12/2/2018
PROFIL	P5	3	A
DATE	13/12/2018		





**FINAL APPROVED**  
**RESOURCE CONSENT PLANS**  
File # 210.2018.10206.001  
Date of Consent 29/5/2019

REV	DESCRIPTION	Change ID	Change Name	DATE
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**Collingridge  
And  
Smith  
Architects (UK) Ltd.**  
2 Watson Street  
Auckland  
NEW ZEALAND  
Tel: +64 9122 2552

**PROPOSED EARLY LEARNING CENTRE**

**4 & 6 SIR TRISTRAM AVENUE**

**ELEVATIONS**

SCALE	A1 - 1:100 A3 - double	PN-0279
DATE	PS, YK	6
DATE	PS	A
DATE	12/12/2018	

The drawings shall show and carry all dimensions. Modifications shall be made to the drawings as shown on the drawings. The drawings shall show and carry all dimensions. Modifications shall be made to the drawings as shown on the drawings.



29 May 2019

**Waikato Racing Club Incorporated**

C/- Establish  
PO Box 35487  
Auckland 0753

Dear Sir/Madam

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

**Application number(s):** 012.2019.2271.001  
**Applicant:** Waikato Racing Club Incorporated  
**Address:** 4 and 6 Sir Tristram Avenue Te Rapa 3200  
**Legal Description:** Lot 2 DP S88565 and Lot 3 DP S88565  
**Proposed activity(s):** Variation of Consent Notice 5109105.1

After consideration of the information submitted with the application, I advise that Council's decision is as follows:

*Pursuant to Section 221(3)(b) of the Resource Management Act 1991, Hamilton City Council, hereby certifies that Consent Notice 5109105.1 is **hereby varied** in relation to Condition 1 by partially deleting Clause (a) as it affects Record of Titles SA70A/415 (Lot 2 DPS 88565) and SA70A/416 (Lot 3 DPS 88565) as follows:*

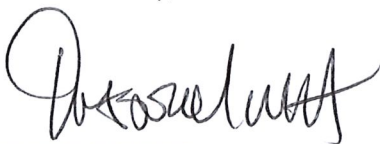
1. That pursuant to section 221 Resource Management Act 1991, a consent notice be registered on the Certificates/s of Title for the new Lots 1, 2 and 3 advising that:
  - a. The Manna Ash (Lot 1), Deodar Cedar (Lots 2 and 3), ~~Lombardy Poplar~~ and Coastal Redwood (Lot 3) be retained on site.
  - b. The trees be protected during any construction work by a temporary solid fence or barrier of at least 1m in height.
  - c. Any pruning of the trees be carried out by a qualified arborist.
  - d. An area around the dropline of the trees is to be retained as grass, bark or ground cover.

**Reason for the Decision**

- i. The variation of Consent Notice 5109105.1 by partially deleting clause (a) of condition 1 will not result in any additional adverse effects on the environment as the contribution of the tree to the character and amenity of the immediate and wider area has changed since it was originally assessed. The tree is now in a poor and hazardous condition. The Hamilton City Operative District Plan provisions will remain in place for assessing the suitability of future development.

If you have any queries about the consent, please contact the Hamilton City Council.

Yours faithfully,



**FRASER MCNUTT**  
**PLANNING GUIDANCE MANAGER**  
For more information please contact:  
**Katherine Hu**  
Email: [Katherine.Hu@hcc.govt.nz](mailto:Katherine.Hu@hcc.govt.nz)



**HAMILTON CITY COUNCIL**  
**VARIATION OF CONSENT NOTICE 5109105.1**

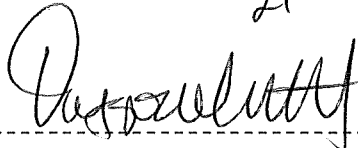
IN THE MATTER

of Lot 2 DPS 88565 and Lot 3 DPS 88565

*Pursuant to Section 221(3)(b) of the Resource Management Act 1991, Hamilton City Council, hereby certifies that Consent Notice 5109105.1 is hereby varied in relation to Condition 1 by partially deleting Clause (a) as it affects Record of Titles SA70A/415 (Lot 2 DPS 88565) and SA70A/416 (Lot 3 DPS 88565) as follows:*

1. *That pursuant to section 221 Resource Management Act 1991, a consent notice be registered on the Certificates/s of Title for the new Lots 1, 2 and 3 advising that:*
  - a. *The Manna Ash (Lot 1), Deodar Cedar (Lots 2 and 3), ~~Lombardy Poplar~~ and Coastal Redwood (Lot 3) be retained on site.*
  - b. *The trees be protected during any construction work by a temporary solid fence or barrier of at least 1m in height.*
  - c. *Any pruning of the trees be carried out by a qualified arborist.*
  - d. *An area around the dropline of the trees is to be retained as grass, bark or ground cover.*

Dated at Hamilton this 29<sup>th</sup> day of May, 2019.



Fraser McNutt  
Planning Guidance Unit Manager  
(Authorised Officer)

HCC Ref. : 012.2019.2271.001  
Subject Site : 4 and 6 Sir Tristram Avenue (Lot 2 DPS 88565 and Lot 3 DPS 88565)