

12 July 2018

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Digitally Delivered

Dear Sir

**APPLICATION BY HUGHES DEVELOPMENTS LIMITED FOR LAND USE CONSENT
AT 99 ESCOTTS ROAD TUAKAU**

The resource consent application that you made under the Resource Management Act 1991 (RMA) has been determined and has been granted. Please find enclosed a copy of the Decision and the Consent.

A Compliance with Conditions

Unless a specific time limit is stated in the conditions, all conditions must be complied with before the consent is exercised.

As per the conditions of consent, please notify Council's monitoring department prior to the commencement of activities associated with this consent. The role of Council's monitoring department is to monitor conditions of consent to ensure they are complied with.

Council's monitoring department can be contacted on monitoring@waidec.govt.nz or 07 824 8633. Please reference the consent number and address of the property when emailing or calling.

B Lapsing of Consents

RMA s125 relates to the lapsing of consents. A resource consent lapses five years after the date of commencement of the consent, or after the expiry of such shorter or longer period as is expressly provided for in the consent, unless

- (a) The consent is given effect to, before the end of that period; or
- (b) An application which meets the criteria specified in s125 is made to Council and Council decides to grant an extension after taking into account:
 - (i) whether substantial progress or effort has been, and continues to be, made towards giving effect to the consent; and
 - (ii) whether the applicant has obtained approval from persons who may be adversely affected by the granting of an extension; and
 - (iii) the effect of the extension on the policies and objectives of any plan or proposed plan.

Any such application should be accompanied by a deposit for a section 125 application. Any such application should be accompanied by a lodgement fee as per Council's [Fees and Charges Schedule](#).

C Changes to Conditions

RMA s127 enables an application to be made to Council to change or cancel any condition of this consent. Any such application should be accompanied by a lodgement fee as per Council's [Fees and Charges Schedule](#).

D Review of Decision on non-notified application

RMA s357 provides a right of objection in respect of this decision. Any such objection shall be made by notice in writing to the Council, set out the reasons for the objection, and be accompanied by a lodgement fee as per Council's [Fees and Charges Schedule](#). An objection shall be made within 15 working days of the decision being notified, or within any longer time allowed by of the Council.

E Right of Appeal

RMA s120 and 121 and Regulations 16 – 19 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003/153 relate to appeals. Please note:

- (i) If you are not excluded from appealing under s120 of the RMA, you may appeal against this decision by lodging a Notice of Appeal, in the prescribed form, with the Registrar of the Environment Court and with the Council within 15 working days of the receipt this decision by you or the person who filed the application on your behalf. The Environment Court address is:

The Registrar	Specialist Court and Tribunal Centre
Environment Court	Level 2
P O Box 7147	41 Federal Street (Cnr Wyndham and Federal Streets
Wellesley Street	AUCKLAND CITY
AUCKLAND	Telephone:09 916 9091
	Fax: 09 916 9090

- (i) A filing fee of \$511.11 GST inclusive must accompany every document by which appeal proceedings are commenced.
- (ii) RMA s121 includes important information about other persons the appeal must be served on and the time when service must take place.

It is recommended that you seek independent advice if you are in any doubt as to the processes to be followed.

Yours faithfully



Jessica Thomas
CONSENTS ADMINISTRATION

Cc: Hughes Developments Limited
Emailed: kelvin@hughesdevelopments.co.nz

Resource Consent

(Resource Management Act 1991)



www.waikatodistrict.govt.nz

DECISION ON APPLICATION: LUC0009/19

Pursuant to Sections 34A(1), Section 104, 104B and 108 of the Resource Management Act 1991, the Waikato District Council, under delegated authority, grants land use consent for a Discretionary activity:

Activity: To enable buildings with site coverage of up to 40%, over the 93 lots (Lots 1-93) to be created by SUB0311/18.

Applicant: Hughes Developments Limited

Location Address: 99 Escotts Road, Tuakau

Legal Description: Lot 1 DP 169701 comprised in Computer Freehold Register SA102A/293 and future lots 1-93 created by SUB0311/18

This consent is subject to the conditions detailed in the attached Schedule 1.

The reasons for this decision are detailed in the attached Schedule 2.

A handwritten signature in blue ink, appearing to be "J. W. J.", written over a horizontal line.

CONSENTS TEAM LEADER

Dated: 12 July 2018

Conditions of Consent

Resource Consent No: LUC0009/19

General Conditions

- 1 The development shall be undertaken in general accordance with the information and plans submitted by the Consent Holder in support of application number LUC0009/19 and officially received by Council on the 6th of July 2018 except as amended by the conditions below. Copies of the approved plans are attached. In the case of inconsistency between the application and the conditions of this consent, the conditions of consent shall prevail
- 2 Pursuant to Section 36 of the Resource Management Act 1991 the Consent Holder shall pay the actual and reasonable costs incurred by the Waikato District Council when monitoring the conditions of this consent.
- 3 The maximum building coverage shall be:

Lot	Building Coverage (%)	Lot	Building Coverage (%)	Lot	Building Coverage (%)	Lot	Building Coverage (%)
1	40%	26	40%	51	40%	76	40%
2	40%	27	40%	52	40%	77	40%
3	40%	28	40%	53	40%	78	40%
4	40%	29	40%	54	40%	79	40%
5	40%	30	40%	55	40%	80	40%
6	40%	31	40%	56	40%	81	40%
7	40%	32	40%	57	40%	82	40%
8	40%	33	40%	58	40%	83	40%
9	40%	34	40%	59	40%	84	40%
10	40%	35	40%	60	40%	85	40%
11	40%	36	40%	61	40%	86	40%
12	40%	37	40%	62	40%	87	40%
13	40%	38	40%	63	40%	88	40%
14	40%	39	40%	64	40%	89	40%
15	40%	40	40%	65	40%	90	40%
16	40%	41	40%	66	40%	91	40%
17	40%	42	40%	67	40%	92	40%
18	40%	43	40%	68	40%	93	40%
19	40%	44	40%	69	40%		
20	40%	45	40%	70	40%		
21	40%	46	40%	71	40%		
22	40%	47	40%	72	40%		
23	40%	48	40%	73	40%		
24	40%	49	40%	74	40%		

Advisory Notes

1 Lapse Date

This Resource Consent for land use lapses five years after the commencement of the consent, unless:

(a) the Consent is given effect to prior to that date.

or

(b) an application is made to the consent authority to extend the period after which the consent lapses, and the consent authority decides to grant an extension after taking into account

(i) whether substantial progress or effort has been, and continues to be, made towards giving effect to the consent; and

(ii) whether the applicant has obtained approval from persons who may be adversely affected by the granting of an extension; and

(iii) the effect of the extension on the policies and objectives of any plan or proposed plan.

2 Other consents/permits may be required

To avoid doubt; except as otherwise allowed by this resource consent, all land uses must comply all remaining standards and terms of the relevant Waikato District Plan. The proposal must also comply with the Building Act 2004, Hamilton City Council Infrastructure Technical Specifications and Waikato Regional Plans. All necessary consents and permits shall be obtained prior to development.

3 Enforcement Action

Failure to comply with the conditions of consent may result in Council taking legal action under the provisions of Part 12 of the Resource Management Act (1991).

Schedule 2

Reasons for Decision

Resource Consent No: LUC0009/19

- I The actual and potential effects created by the proposal are acceptable because:
 - The proximity of the subject site to the Residential Zone.
 - It shall provide residential choice and diversity around Tuakau.
 - The service connections for each lot have the capacity for a building which takes up 40% of the lot. Stormwater management across the site has been designed for development/building coverage of this scale.
 - 40% building coverage allowance for each lot is a more practicable and efficient use of the sites for residential purposes.
 - From this residential density of lots it can be reasonably considered that building coverages should match the new residential character of the site. The construction of buildings on the site that will match the residential density allowed by the subdivision consent will cause visual and functionality changes for the locality, but these effects are considered to be in keeping with the new residential character anticipated for the site.
- 2 The proposal is consistent with the objectives and policies of the operative District Planning documents.
- 3 The proposal is consistent with the operative Waikato Regional Policy Statement, and all other relevant matters.
- 4 Overall the proposal meets the purpose (section 5) and principles (sections 6-8) of the Resource Management Act 1991.