

Form 4

**Certificate attached to project  
information memorandum and/or  
building consent**

*Section 37 Building Act 2004*



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**Restrictions on commencing building work under the Resource Management Act 1991**

The building work referred to in the attached project information memorandum and/or **building consent 2021/43914 for New 2 Storey Dwelling with Att Garage and Sparthern Single Large SFH at LOT: 2 DP: 556335** is also required to have the following resource consent under the Resource Management Act 1991 and the Hamilton City Operative District Plan:

- Rule 4.4.6g(iv) – Part of the proposed deck (where it is greater than 1m in height) will enter the 5m setback from the western boundary.
- Rule 4.4.6f – The proposed dwelling and upper floor balcony will enter the 6m setback from the Waikato Riverbank and Gully Hazard Area. This is because the location of the gully hazard area overlay is closer to the dwelling than what is shown on the site plan (it is approximately 7.2m from the bend along the boundary). Consequently, the dwelling does infringe the 6m setback from the gully hazard area overlay.
- Rule 25.14.4.1h – Access is proposed off of the legal road (which appears to be a paper road), the width of the crossing will be greater than 5.5m in width. It is noted that the previous subdivision and land use consent (10/2017/9093/1) had shown that the site will gain access via the Right of Way.
- Please demonstrate that the service area will be screened from the legal road by a 1.8m high timber fence (Rule 4.4.11).
- Please confirm and demonstrate that the water supply will be adequate for fire-fighting purposes and for the estimated domestic consumption as required by Rule 25.13.4.4d.

As this resource consent will or may materially affect the building work to which the attached Project Information Memorandum and/or Building Consent relates, until it has been granted no building work may proceed.

Failure to comply with the requirements of this notice may result in legal action being taken against you under the Resource Management Act 1991.

If you have any queries regarding this certificate please contact the Building Consent Planner on 07 838 6599.

Signature:

Position:

Building Control Manager

On behalf of:

Hamilton City Council

Date:

17 January 2022