

Hamilton City Development Manual	
Volume 4 : Quality Systems for Land Development	Part 9 - Appendices
Authorised by : Design Services Manager	

**APPENDIX 5 ii) (Page 1 of 2)**

**HAMILTON CITY COUNCIL**

**REQUIREMENTS & PROCEDURES FOR LEGAL DOCUMENTATION**

As a condition of approving your application, the Council requires certain legal documents to be prepared. The form of the documents and the wording of the conditions to be secured shall be to the satisfaction of the Council.

- a) The Council shall issue instructions to its own solicitors to prepare these documents upon your:
- i) Accepting liability for the Council's legal fees and disbursements in this regard by signing and returning the attached copy of this notice; and
  - ii) Paying to the Council a deposit on account of those legal fees; and
  - iii) Providing a current search copy of the title or titles of the land involved; and
  - iv) Providing the name and address of your solicitor if you wish the documents to be forwarded to your solicitor.
  - v) Providing the name of the bondsman if guarantor is required (a bank or insurance company acceptable to the Council)

**No instructions will be prepared until all these requirements have been met**

- b) The deposit is to be lodged with the Council on account of legal fees being incurred by the Council with its solicitor is:
- i) In the case of an application for the release of existing securities the sum of \$175.00 for each security being released; and
  - ii) Surrender of easements \$500.
  - iii) For new securities, the sum of \$500.00 for each new document.
- c) The legal fees and disbursements may exceed this deposit, but will be calculated according to the District Law Society rules in this regard. The balance will be payable to the Council before you proceed with your project. If the legal fees are less than you deposit you, of course, receive a credit or refund of the difference. You will receive a copy of the account for legal fees.
- d) As legal fees are calculated on the basis of the number and length of attendances, total legal costs will be contained by swift, accurate responses to the Council's solicitors.

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To: Chief Executive Officer  
Hamilton City Council  
Private Bag 3010  
**HAMILTON**

**Attention:** Planning Guidance

Date: \_\_\_\_\_

I / We  
accept the liability for the Council's administration costs, legal fees and disbursements,  
and request it to issue instructions to its solicitors accordingly.

Enclosed:

(1) The proposed Guarantor is:

Name : \_\_\_\_\_

Address : \_\_\_\_\_

\_\_\_\_\_

(2) My/our solicitor is:

Name : \_\_\_\_\_

Address : \_\_\_\_\_

\_\_\_\_\_

(3) I/we enclose:

a) Cheque \$ \_\_\_\_\_ (cheques are to be made payable to HCC)

b) Current search copies of title or titles.

\_\_\_\_\_

\_\_\_\_\_

Owner(s)