

## GENERAL

1. The development shall proceed in general accordance with the information and plans submitted with the application and as amended by the evidence and plans produced at the hearing (Ref: Buchan Resource Consent Amendment Rev OA, 29 March 2019). The approved consent documentation has been entered into Council records as number RMA/2018/148.

## ACTIVATION MANAGEMENT AND CITY CENTRE VIBRANCY

2. Prior to the commencement of any demolition activity, the consent holder shall submit an Activation Management Plan (AMP) relating to the activation of Esk Street for certification by the Council. The purpose of the AMP is to set out the measures to be adopted to ensure ongoing activation of Esk Street. The AMP shall include but not be limited to the following:
  - i. Purpose and relationship with other management plans;
  - ii. The appointment of a representative to be the primary contact person in regard to the activation of Esk Street; and
  - iii. Measures to activate Esk Street including temporary retail and/or food and beverage offerings, illustrative hoardings, signage.

Prior to submitting the AMP to Council for certification, the consent holder shall consult with the Neighbouring Retailers Group (NRG) regarding the measures to activate Esk Street, and shall provide Council with a record of that consultation and the measures taken in the AMP to address issues raised during consultation.

Once certified the consent holder shall comply with the AMP until such times as all demolition and construction activities fronting Esk Street are complete. Any proposed amendments to the AMP shall be submitted to the Council for certification at least 5 working days prior to those amendments being implemented. Any proposed amendments in regard to the measures to activate Esk Street shall be subject to further consultation with the NRG as per above.

- 4-3. The consent holder shall set up a fund to be managed by NRG which can be utilised to undertake marketing or other measures NRG considers necessary to maintain vibrancy of the city centre. The fund will be in the amount of \$20,000 per year until such time as the Anchor Tenant is operational. For the purposes of this condition "Anchor Tenant" means an entity that will occupy at least 5,000m<sup>2</sup> of the site the entire development is completed.

## HERITAGE

4. Recording of all heritage buildings on the site listed in District Plan Appendix II.2 and II.3 shall be undertaken prior to demolition or building alteration works to those buildings commencing. The level of recording is to be commensurate with the significance assessment contained in the application, is to follow HNZPT standards for building recording, and is to be undertaken under the supervision of a qualified heritage expert. The recording of each building in its pre-demolition state shall be lodged with the Council and with Heritage New Zealand Pouhere Taonga for their records prior to demolition commencing, with recording of the demolition or building alteration works lodged within six months of the works being completed.
5. The Bank of New South Wales is to be preserved and maintained as a heritage building in accordance with the covenant document registered on the Record of Title of 1 Dee Street (RT SL195/230).

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~~2.6.~~ The design of any new buildings adjoining or adjacent to the Bank of New South Wales shall be reviewed by a conservation architect to ensure the design protects the Bank of New South Wales. The consent holder shall implement any recommendations of the review.

~~3.7.~~ Prior to works commencing on the facades of Coxhead's Building (31-35 Esk St), the Cambridge Arcade Building (59-61 Esk St), and the Southland Times Building (67 Esk St), a Façade Retention Plan (FRP) shall be provided to the Council for certification that ~~it~~ provides ~~suitable~~ measures for the protection of heritage fabric and values, including but not limited to the following matters:

~~a. A full structural survey of the building is to be undertaken including details relating to the stability of the façade.~~

a. Monitoring pins are established as appropriate;

~~b.~~

b. Design and detailing of temporary works to provide stability to the façade as a standalone element. The design can allow propping to the exterior or interior sides of the façade.

~~c.~~

*Note: Such design is to provide flexibility for reducing the disruption to the public in the event the façade retention is erected for an extended period of time awaiting its connection to a new building structure.*

~~d. Design and detailing of any strengthening to the façade itself and/or foundation remedial works.~~

~~*Note: such design detailing may be required to stabilize or deal with any issues and/or alterations to the façade openings as part of the integration with the new development. Building Consent will be required prior to partial demolition being undertaken.*~~

~~c.~~ Design and documentation for a detailed demolition/ temporary works management and construction plan for each façade retention scheme.

~~d.~~

~~e.~~ Confirmation that the demolition and temporary works construction will be undertaken under the supervision of a suitably qualified engineer.

~~f.~~

~~i.~~ Methods for retaining or reinstating the decorative plasterwork on the Southland Times Building façade ~~and for repointing and maintaining the existing unpainted brickwork in an unpainted state.~~

~~g.~~

*Note:* The Council will either certify, or refuse to certify, the FRP within 20 working days of receipt. Should the Council refuse to certify the FRP, then they shall provide a letter outlining why certification is refused based on the parameters contained in this condition.

4.8.

a. Heritage veranda posts listed in District Plan Appendix II.4 are to be removed under the supervision of a qualified heritage expert and stored by Council for reuse in either the replacement buildings on the site or streetworks surrounding the site for a minimum period of two years following completion of Stages 1 to 6.

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- b. The veranda that replaces the existing Fairweather’s Building (58 Tay Street) is to be etched or have similar physical reference made to the pressed metal decoration of the existing veranda.

~~5-9~~ Prior to demolition commencing, each heritage building is to be surveyed by a heritage expert to identify heritage fabric to be salvaged. ~~The identification of suitable fabric is to be peer reviewed by an independent heritage expert.~~ The majority of the salvaged material is to be reused in the replacement buildings and opportunities for such use are to form part of the Construction Management Plan. Where onsite reuse is not practicable, salvaged material is to be securely stored and made available for purchase and reuse on other building projects in Invercargill for a minimum period of two years following completion of Stages 1 to 6.

~~6-10~~ Information gathered during the historical research, archaeological investigations, and which is collected during the recording of the post-1900 buildings is to be disseminated to the public upon the completion of each stage of construction. Such dissemination may include, but is not limited to, the installation of interpretive panels and the display of archaeological material in publicly accessible areas such as the food court, laneways, or courtyards.

#### DEMOLITION MANAGEMENT

~~11~~ No demolition is to occur prior to a Building Consent for the replacement building(s) on the same or similar footprint having been lodged with the Council. No demolition is to occur prior to the consent holder providing written confirmation from a registered trading bank that funding for Stages 1 – 3 and 6 of the development as identified on the Staging Plan approved in Condition 1 has been obtained.

~~i.~~ Upon providing such confirmation, the consent holder may demolish Stages 1 to 4 and 6, as identified on the Staging Plan approved in Condition 1, provided that Stages 1 to 3 must be built in one stage.

~~ii.~~ Stage 4 and 6 may be built concurrently with or subsequent to Stages 1 – 3.

~~7-iii.~~ The buildings located within Stage 5 of the Staging Plan approved in Condition 1, shall remain in place until such time as an agreement is entered into for the lease of a new building within Stage 5.

~~8-12~~ Prior to the demolition of any of the existing buildings commencing, the Consent Holder shall provide to Council a Demolition Management Plan (DMP) for certification. ~~which provides suitable~~ The purpose of the DMP is to provide measures to avoid or mitigate the effects of demolition activities on neighbouring sites, businesses and the adjacent streets and to demonstrate how. ~~The DMP shall include, but not be limited to,~~ the following ~~matters~~ particular objectives will be met:

~~i.~~ Manage the effects of demolition activities on heritage and archaeological resources;

~~ii.~~ Manage the effects of demolition activities on adjoining buildings;

~~iii.~~ Demolition activities shall be managed so that dust nuisance shall not arise beyond the boundaries of the site;

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iv. Demolition activities shall be managed to control discharge of sediment from the site and from entering the stormwater network;

v. Demolition activities shall be managed to minimise noise and vibration as far as reasonably practicable;

vi. To provide a secure site from a health and safety perspective and maintain a safe pedestrian (including access to the adjoining footpath) and transport network on adjoining roading corridors.

The DMP shall include, but not be limited to, the following matters:

a. Details of how demolition will be staged and measures to minimise disruption to pedestrian access to the adjacent footpaths.

b. Measures to investigate the presence of asbestos containing material (ACM). If ACM is confirmed the preparation of an asbestos removal plan which provides for the removal of asbestos in accordance with approved methods, and its disposal at a facility authorised to accept the material to ensure effects on human health are avoided. If it is not reasonably practicable for the consent holder to remove the asbestos before demolition, then the consent holder must use methods to minimise airborne asbestos fibres during the demolition, such as using a wet spray method. The ACM shall include air monitoring for all asbestos removal work. This includes during the removal work and upon completion as part of the clearance before reoccupation of the asbestos removal work area. The air monitoring must be carried out by an independent licensed asbestos assessor. Any asbestos discovered during the demolition of the buildings must be removed under the Health and Safety at Work (Asbestos) Regulations 2016.

b-c. Measures to facilitate a Detailed Site Investigation being undertaken as part of the demolition process and measures to avoid undertaking earthworks that would pose a risk to human health until Conditions 20-24 and 24-25 have been fulfilled.

c-d. Measures to facilitate the recovery of heritage materials for reuse, in accordance with Conditions 4-8 and 59.

d-e. Measures to provide adequate protection of heritage kerbstones listed in Appendix II.4 of the District Plan.

e-f. Measures to avoid the collapse of weakened structures and the management of hazards to health and safety.

f-g. A Communication Plan with affected parties, including adjoining land owners and occupiers and those on the opposite side of the street to the proposed works. The communication plan shall include procedures to ensure consultation prior to high

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noise generating activities occurring, and the receipt, recording, and resolution of complaints.

g-h. A Demolition Traffic Management Plan (DTMP) which includes measures for the control of vehicle and pedestrian movements, including full or partial road closures, to ensure the safety of the public, and the continued safe and effective operation of the road network. The DTMP is to also demonstrate how demolition activity will be staged across the site to minimise the need for road and footpath closures. Where the TMP includes measures relating to State Highway 1 and State Highway 6, input from the New Zealand Transport Agency is required.

h-i. A Demolition Noise and Vibration Management Plan (DNVMP) outlining how noise and vibration nuisance will be mitigated during demolition activities. The plan shall specify any restrictions on work hours, physical noise mitigation to be employed, and limitations on the timing of specific activities including high noise generating activities. The DNVMP must address the relevant measures in Annex E of NZS 6803:1999 “Acoustics – Construction Noise” and Appendix B of DIN 4150-3:1999 “Structural vibration – Part 3 Effects of vibration on structures” or equivalent standard. The DNVMP is to be consistent with Conditions ~~11-15~~ and ~~1216~~.

i-j. The DMP and DNVMP shall include a specific section prepared with the input of a heritage expert, specifying how demolition and vibration effects on the former Bank of New South Wales Building (corner of Dee and Tay Streets) are to be managed to minimise adverse effects on heritage fabric.

j-k. Measures for erosion and sediment control, including the prevention of sediment being carted onto roads, or entering the public stormwater system during demolition activity and prior to construction starting.

k-l. Measures for the suppression of dust to be employed during demolition activity and prior to construction starting. Such measures are to ensure dust emissions beyond the site boundary are not offensive or objectionable to pedestrians on the adjacent street network or business occupiers shall be managed so that dust nuisance shall not arise beyond the boundaries of the site.

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l-m. Details of the steps to be taken to ensure that demolition plant (particularly cranes) does not extend into Invercargill Airport Limited’s “Horizontal Surface” as specified in Designation 74 in the District Plan.

n. Details of how the site boundary perimeter fencing will be managed to provide an acceptable level of amenity and safety for pedestrians. These details are to include the use of B class hoardings where necessary. All hoardings are to be customised to share with the public the story of the redevelopment and the history of key buildings or art in conjunction with Arts Murihiku or other similar community groups.

Prior to submitting the DMP (including Communication Plan, DNVMP and TDMP’s) to Council for certification, the consent holder shall consult with NRG regarding the content of the DMP.

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and shall provide Council with a record of that consultation and the measures taken in the DMP to address issues raised during consultation.

**Note:** The Council will either certify or refuse to certify the DMP within 20 working days of receipt for demolition stages of less than 5,000m<sup>2</sup> gross floor area and 30 working days of receipt for demolition stages of more than 5,000m<sup>2</sup> gross floor area. Council may seek that the DMP be peer reviewed at the Consent Holder's cost. Should the Council refuse to certify the DMP, then they shall provide a letter outlining why certification is refused based on the parameters contained in this condition.

~~13.~~ The Consent Holder shall not commence demolition of the buildings authorised by this consent until the Council's ~~Director of Environmental and Planning Services~~ has certified in writing that the DMP (including Communication Plan, DNVMP and TDMP's) fulfils the requirements of Condition ~~8~~12. The DMP may be reviewed and amended as required to achieve the outcomes of this consent, with any amended plan to be submitted to and certified by, the Council's ~~Director of Environmental and Planning Services~~.

~~9-14.~~ The DMP (including Communication Plan, DNVMP and TDMP's) certified by the Council under Condition ~~9-13~~ shall be implemented for the duration of the demolition activity occurring on the site and a copy must be maintained on site.

~~10-15.~~ Demolition activities which exceed the noise limits for the zone and truck movements shall occur only between the hours of 7.30am – ~~6~~9.00pm Monday to Saturday, and truck movements shall only occur and between ~~7-309.00~~am – ~~58~~.00pm ~~Monday to Saturday~~Sundays. No activities shall occur on ~~Sundays and~~ public holidays except in cases of operational necessity.

~~11-16.~~ Demolition activities shall comply with the long-term limits set out in Table 2 of NZS6803:1999 "Acoustics – Construction noise" as far as is practical. The DNVMP required under Condition ~~8~~12(i) shall include measures for higher noise generating activities that cannot practically comply with NZS6803:1999.

#### VACANT SITE MANAGEMENT

~~17.~~ Where portions of the site are to remain vacant for a period of more than six months, the Consent Holder shall provide to Council's ~~Director of Environmental and Planning Services~~ a Vacant Site Management Plan (VSMP) for certification which provides ~~suitable~~ measures to achieve the following objectives:

- i. to avoid or mitigate the amenity effects of such vacancy on neighbouring sites, businesses and the adjacent streets;
- ii. Provide for temporary public use for activation of vacant portions of the site.

~~12.~~ The VSMP shall include, but not be limited to, the following matters:

- a. Details of how that area will be maintained in a clean and tidy manner.

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b. Details of how the site boundary perimeter fencing will be managed to provide an acceptable level of amenity and safety for pedestrians. These details are to include the use of B class hoardings where necessary. All hoardings are to be customised to include viewing ports and to share with the public the story of the redevelopment and the history of key buildings or art in conjunction with Arts Murihiku or other similar community groups.

c. Details of any short-term interim use of the site for commercial, civic, or carparking activities.

d. Provision of a mid-block pedestrian route between Tay Street and Esk Street where such provision can be made in a safe and practicable manner.

e. Provision of lighting.

f. Measures for erosion and sediment control and prevention of sediment being carted onto roads, or entering the public stormwater system.

g. Measures for the suppression of dust to be employed whilst the site is vacant to ensure dust emissions beyond the site boundary are not offensive or objectionable to pedestrians on the adjacent street network or business occupier.

h. A Communications Plan with affected parties, including adjoining landowners and occupiers and those on the opposite side of the street to the vacant site. The Communications Plan shall include procedures to ensure consultation on the vacant site management occurring, and the receipt, recording and resolution of complaints.

Prior to submitting the VSMP to Council for certification, the consent holder shall consult with NRG regarding the content of the VSMP and shall provide Council with a record of that consultation and the measures taken in the VSMP to address issues raised during consultation.

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**Note:** The Council will either certify, or refuse to certify, the VSMP within 20 working days of receipt. Should the Council refuse to certify the VSMP, then they shall provide a letter outlining why certification is refused based on the parameters contained in this condition.

~~13-18.~~ The certified VSMP under Condition ~~1317~~, shall be implemented for the duration of the site remaining vacant. Any proposed amendments to the VSMP shall be submitted to the Council for certification at least 10 working days prior to those amendments being implemented. Any proposed amendments to the VSMP shall be subject to further consultation with the NRG as per above.

#### CONSTRUCTION MANAGEMENT

19. Prior to construction of each new stage of the development commencing, the consent holder shall provide to Council a Construction Management Plan (CMP) for certification. The purpose of the CMP is to that it provides suitable measures to avoid or mitigate the effects of construction activity

on neighbouring sites and the adjacent streets and to demonstrate how the following particular objectives will be met:

14.

i. Construction activities shall be managed so that dust nuisance shall not arise beyond the boundaries of the site.

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ii. Construction activities shall be managed to control the discharge of sediment from the site and from entering the stormwater network;

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iii. Construction activities shall be managed to minimise noise and vibration as far as reasonably practicable;

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iv. To provide a secure site from a health and safety perspective and maintain a safe pedestrian and transport network on adjoining roading corridors.

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15. The CMP shall include, but not be limited to, the following matters:

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a. A Communication Plan with affected parties, including adjoining land owners and occupiers and those on the opposite side of the street to the proposed works. The communication plan shall include procedures to ensure consultation prior to high noise generating activities occurring, and the receipt, recording, and resolution of complaints.

b. A Construction Traffic Management Plan (CTMP) which includes measures for the control of vehicle and pedestrian movements, including road closures, to ensure the safety of the public, and the continued safe and effective operation of the road network. The CTMP is to also demonstrate how construction activity will be staged across the site to minimise the need for long periods of road and footpath closures. Where the TMP includes measures relating to State Highway 1 and State Highway 6, input from the New Zealand Transport Agency is required.

c. A Construction Noise and Vibration Management Plan (CNVMP) outlining how noise and vibration nuisance will be mitigated during construction activities. The plan shall specify any restrictions on work hours, physical noise mitigation to be employed, and limitations on the timing of specific activities including high noise generating activities. The CNVMP must address the relevant measures in Annex E of NZS 6803:1999 "Acoustics – Construction Noise" and Appendix B of DIN 4150-3:1999 "Structural vibration – Part 3 Effects of vibration on structures" or equivalent standard. The CNVMP is to be consistent with Conditions ~~18-22~~ and ~~19-23~~.

d. The CMP and CNVMP shall include a specific section prepared with the input of a heritage expert, specifying how construction and vibration effects on the former Bank of New South Wales Building (corner of Dee and Tay Streets) are to be managed to minimise adverse effects on heritage fabric.

e. Measures for erosion and sediment control and prevention of sediment being carted onto roads, or entering the public stormwater system.

f. Measures for the suppression of dust to be employed during construction activity to ensure dust emissions beyond the site boundary are not offensive or objectionable to





~~pedestrians on the adjacent street network or business occupiers do not arise beyond the boundaries of the site.~~

g. Measures to provide adequate protection of kerbstones listed in Appendix II.4 of the District Plan.

h. Details of how the site boundary perimeter fencing will be managed to provide an acceptable level of amenity and safety for pedestrians. These details are to include the use of B class hoardings where necessary. All hoardings are to be that are customised to share with the public the story of the redevelopment and the history of key buildings and identities or art in conjunction with Arts Murihiku or other similar community groups.

i. Details of the steps to be taken to ensure that construction plant (particularly cranes) does not extend into Invercargill Airport Limited's "Horizontal Surface" as specified in Designation 74 in the District Plan.

~~Prior to submitting the CMP (including the Communication Plan, CTMP and CNVMP) to Council for certification, the consent holder shall consult with NRG regarding the content of the CMP and shall provide Council with a record of that consultation and the measures taken in the CMP to address issues raised during consultation.~~

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*Note: The Council will either certify, or refuse to certify, the CMP within 20 working days of receipt for construction stages of less than 5,000m<sup>2</sup> gross floor area and 30 working days of receipt for construction stages of more than 5,000m<sup>2</sup> gross floor area. Council may seek that the CMP be peer reviewed at the Consent Holder's cost. Should the Council refuse to certify the CMP, then they shall provide a letter outlining why certification is refused based on the parameters contained in this condition.*

~~16-20.~~ The Consent Holder shall not commence construction of the buildings authorised by this consent until the Council has certified in writing that the CMP fulfils the requirements of Condition ~~15-18~~19. The CMP may be reviewed and amended as required to achieve the outcomes of this consent, with any amended plan to be submitted to and certified by Council.

~~17-21.~~ The CMP certified by the Council under Condition ~~16-19~~ shall be implemented for the duration of the construction activity occurring on the site and a copy shall be maintained on site.

~~18-22.~~ Construction activities which exceed the noise limits for the zone and truck movements shall occur only between the hours of 7.30am – ~~6~~9.00pm Monday to Saturday, and ~~truck movements shall only occur~~ between ~~7.30~~9.00am – ~~5~~8.00pm Monday to Saturday. No activities shall occur on ~~Sundays and~~ public holidays except in cases of operational necessity.

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~~19-23.~~ Construction activities shall comply with the long-term limits set out in Table 2 of NZS6803:1999 "Acoustics – Construction noise" as far as is practical. The CNVMP required under Condition ~~15-19~~(c) shall include measures for higher noise generating activities that cannot practically comply with NZS6803:1999.

SOIL CONTAMINATION MANAGEMENT

~~20-24.~~ Prior to earthworks being undertaken, a Detailed Site Investigation shall be undertaken under the direction of a Suitably Qualified and Experienced Practitioner ('SQEP') as defined in the NES for Assessing and Managing Contaminants in Soil to Protect Human Health ('NESCS'). For the purposes of Condition 24 earthworks shall not include works required as part of the archaeological survey.

~~21-25.~~ In the event that the DSI identifies contamination above guideline values specified in the NESCS, ~~a Remediation Action Plan ('RAP')/~~Site Management Plan ('SMP') shall be prepared by a SQEP prior to ~~earthworks commencing. A copy of the test results and recommendations from a SQEP shall be provided to the Council's Director of Environmental and Planning Services prior to~~ excavated material being removed from the site.

~~22-26.~~ All earthworks shall be managed in accordance with the ~~Remediation Action Plan/~~Site Management Plan and recommendations from a SQEP.

~~23-27.~~ All contaminated soil removed from the site must be disposed of at a facility whose waste acceptance criteria permit the disposal.

~~24-28.~~ If contaminated material is to be retained on site and capped, a Long Term Site Management Plan shall be prepared by a SQEP, with the plan to clearly identify the location on the site of contaminated material. The applicant shall supply to Council's ~~Director of Environmental and Planning Services~~ a copy of the plan within two months of the completion of earthworks.

#### NOISE MANAGEMENT

~~25-29.~~ Prior to the issue of Building Consent for any residential apartments, an acoustic design certificate from a suitably qualified acoustic engineer is to be provided to the Council demonstrating that internal sound levels will be achieved when assessed in accordance with the requirements of Rule 3.13.9(A). An alternative means of ventilation (other than opening windows) shall be provided so that compliance with Rule 3.13.9 can be achieved concurrently with any Building Code ventilation requirements.

#### SAFETY & EFFICIENCY OF ROAD NETWORK AND ACCESS POINTS

~~26-30.~~ A visibility splay of a minimum of 5m x 2.5m shall be provided on the eastern side of the exit lane to the carpark building access onto Tay Street and on both sides of the western service lane access on Tay Street-

~~27-31.~~ Prior to the eastern service lane located behind the Kelvin Hotel becoming operational, an audio warning device to alert pedestrians to exiting vehicle movements is to be installed adjacent to both the Tay Street and Esk Street access points. All traffic utilising the eastern service lane shall do so in a north bound direction only.

~~32.~~ Existing emergency egress access routes and service lane access to Tay Street are to be maintained from the rear of the existing cinema complex at 29 Dee Street. Any variation to this is to meet the egress provisions of the New Zealand Building Code and is to be approved by Fire Emergency New Zealand and Council before being adopted.

~~33.~~ During the demolition and construction process, all contractors' vehicles (including any cranes) are to be parked on-site wherever reasonably practicable.

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34. Prior to service lanes becoming operational a Traffic Management Plan (TMP) shall be provided to Council for certification. The purpose of the TMP is to set out the measures to be adopted to provide for the safety and efficiency of the pedestrian environment in and around the service lanes. The TMP shall include but not be limited to:

- a. Details of access hours for service vehicles using the service lanes to minimise deliveries between the hours of 9am to 5pm.
- b. Details of gateways including setbacks at the eastern service lane access and egress points;
- c. Details of pedestrian warning systems, including signage and footpath treatments;
- d. Measures to ensure that tenants and third parties are aware of the TMP.

Once certified the consent holder shall comply with the TMP on an ongoing basis. Any proposed amendments to the TMP shall be submitted to Council for certification ~~at least 10 working days prior to those amendments being implemented.~~

35. Prior to construction of any new accessways on to the State highways, the consent holder shall provide to Council for certification, details of the access layout demonstrating how it has been designed to ensure pedestrian safety and visibility of vehicles entering and exiting the access. A copy of this design is to be provided to NZTA and a copy of any feedback they provide is to be forwarded to Council.

~~28.~~ **Note:** the Council will either certify, or refuse to certify, the access design with 10 working days of receipt. Should the Council refuse to certify the access design, then they shall provide a letter outlining why certification is refused based on the parameters contained in this condition.

#### SERVICING AND INFRASTRUCUTRE

~~29-36.~~ The Consent Holder shall notify the Council by 1 December annually of the civic infrastructure requirements that the development will require to be delivered during the following twelve months starting 1 July.

~~30-37.~~ The Consent Holder shall notify Council by 1 March 2020 of the infrastructure needs of the development in years 1, 3, 5, and 10 of the Council's 2021 Long Term Plan.

#### MONITORING

~~31-38.~~ Every six months from the date that this consent is granted, the Consent Holder shall provide the Council's ~~Director of Environmental and Planning Services~~ with a report setting out progress towards implementing the consent, consultation undertaken with nearby landowners, the steps taken to comply with the conditions of consent, and details of any complaints received and how they were addressed.

39. In accordance with s.128 of the Resource Management Act 1991 the Council may serve notice on the Consent Holder on 1 March or 1 October of its intention to review, ~~in whole or in part,~~ the conditions of this consent ~~for the purposes of amending or adding conditions to deal address with any adverse effects on the surrounding environment which may arise from the exercise of the~~

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~~consent demolition and construction activities, and which it is appropriate to deal with at a later stage, the conditions of this resource consent:~~

~~(a) to deal with any adverse effects on the environment which may arise from the exercise of the consent and which is appropriate to deal with at a later stage; or~~

~~(b) for any other purpose specified in the consent; or~~

~~(c) if the information made available to the consent authority by the applicant for the consent for the purposes of the application contained inaccuracies which materially influenced the decision made on the application and the effects of the exercise of the consent are such that it is necessary to apply more appropriate conditions.~~

#### LAPSING DATE

40. This consent shall lapse on the following dates:

Demolition Activities	Stages	Lapsing Date
	1-3	Within 1 year of the commencement of the consent
	4-6	Within 3 years of the commencement of the consent
Construction	Stages	Lapsing Date
	1-3	Within 3 years of the commencement of the consent
	4-6	Within 5 years of the commencement of the consent

For the purpose of this condition, if the staged Demolition Activities lapse then so to do the corresponding staged Construction Activities. "Commencement of the consent" shall mean the date in which the decision is approved by Council or, if appealed, the Environment Court.

#### ADVICE NOTES

- i. In the conditions where a document is to be certified by or provided to Council, the consent holder shall provide the document to the Council's Director of Environmental and Planning Services. Certification ~~this~~ shall be done on the recommendation of an Independent Commissioner.
- ii. For clarification an Independent Commissioner shall be a person who holds the Making Good Decisions certification awarded by the Ministry for the Environment.
- iii. No works shall be undertaken within State Highway 1 or State Highway 6 without the prior approval of the New Zealand Transport Agency pursuant to Section 51 of the Government Rounding Powers Act 1989. Such works may include but are not exclusive to the design and formation of the access and associated slip lanes to the Tay Street parking building, the two service access lanes, as well as potential occupation or damage to the road associated with the demolition or construction activities-
- iv. Any works undertaken on Council land, including temporary road stopping, works to Council-controlled infrastructure, alterations to on-street carparking, alterations to the existing streetlights, landscaping, and street furniture etc and any right to occupy are subject to separate approval processes.

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v. The granting of this consent does not imply pre-approval of Council investment or provision of network infrastructure to the site.

vi. An Archaeological Authority is required under Section 44 of the Heritage New Zealand Pouhere Taonga Act (2014). The applicant is advised to discuss these requirements with HNZPT prior to undertaking any modification of the site or pre-1900 buildings.

vi-vii. In the conditions where a communications plans is required, the consultation measures shall include, but not be limited to, a website that shall provide a record of any documentation used for the purposes of consultation and shall identify the person responsible for conducting that consultation.

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