

5<sup>th</sup> November 2019

Invercargill City Council  
Private Bag 90104  
INVERCARGILL 9840  
ATTN: The Director, Environmental & Planning Services

Dear Sir

**JOB NO 6466 – APPLICATION FOR VARIATION OF CONDITIONS OF LAND USE CONSENT  
HWCP MANAGEMENT LIMITED, INVERCARGILL CITY CENTRE REDEVELOPMENT  
Invercargill City Council reference: RMA/2018/148**

An application (dated 11<sup>th</sup> October 2019) was made on behalf of HWCP Management Limited for a variation to the conditions of existing resource consents RMA/2018/148 under s127 of the Resource Management Act 1991.

Since that time the applicant has decided to remove the request to amend the plans and additional conditions have been identified as requiring variation during the compliance process and we now request the following additional variations to conditions or amendments to the condition variations originally sought. A complete (tracked changes) set of the conditions sought to be amended is attached.

**1. Car Park including Façade Treatment**

No longer requested to be amended

**2. Commencement Date**

No longer requested to be amended.

**3. Communication Management**

The Demolition Management Plan, Construction Management Plan and Vacant Site Management Plan each require a Communication Plan to be submitted as part of those documents. The applicant wishes to remove this requirement from the various Management Plans with new Conditions 3A and 3B requiring a Communication Management Plan to be submitted prior to demolition commencing. This allows the provision of only one Communication Management Plan and will also allow the plan to be updated if required without requiring the amendment of three other management plans.

Existing Condition 3

3. *During the period of the exercise of this consent until completion of Stages 1, 2, 3, 4, and 6 the consent holder must maintain a website with an independent domain name and separate url that must:*

- i. Display this consent;*
- ii. Inform the public of progress in demolition and redevelopment of the site;*
- iii. Display certified management plans;*
- iv. Identify consultation opportunities;*
- v. Display any other information reasonably required by the Council related to informing the public of information or decision in accordance with the consent conditions;*

- vi. *Display the outcomes of any consultation under this consent and issues resolved;*
- vii. *Provide details of contact persons, including persons responsible to address issues relating to site management and health and safety and consent compliance;*
- viii. *A dialogue box for email communication to the consent holder by email of any issues. The consent holder must keep a record of these communications and their resolution must be kept; and*
- ix. *Display monitoring reports demonstrating compliance with consent conditions*

#### Varied Condition 3

- 3A A Communication Plan shall be prepared prior to the demolition of any buildings commencing and updated regularly and at least at the following stages:
- i. Prior to the construction of each new phase of development commencing.
  - ii. Where portions of the site are to remain vacant for a period of more than six months.
- 3B The Communication Plan required by Condition 3A shall include the following information at a minimum:
- i. Identify affected parties for the above project stages including but not limited to; adjoining land owners and occupiers, land owners and occupiers on the opposite side of the street to the proposed works, the NRG, iwi and NZTA.
  - ii. Procedures for updating stakeholders and the community about the project.
  - iii. Procedures for consulting affected parties prior to high noise generating activities occurring.
  - iv. Procedures regarding the receipt, recording, and resolution of complaints.
  - v. Procedures for consultation on vacant site management (required for 3A ii only).
- 3C. During the period of the exercise of this consent until completion of Stages 1, 2, 3, 4, and 6 the consent holder must maintain a website with an independent domain name and separate url that must:
- i. Display this consent;
  - ii. Inform the public of progress in demolition and redevelopment of the site;
  - iii. Display certified management plans;
  - iv. Identify consultation opportunities;
  - v. Display any other information reasonably required by the Council related to informing the public of information or decision in accordance with the consent conditions;
  - vi. Display the outcomes of any consultation under this consent and issues resolved;
  - vii. Provide details of contact persons, including persons responsible to address issues relating to site management and health and safety and consent compliance;
  - viii. A dialogue box for email communication to the consent holder by email of any issues. The consent holder must keep a record of these communications and their resolution must be kept; and
  - ix. Display monitoring reports demonstrating compliance with consent conditions

#### Assessment of Effects

The amendment to Condition 3 will have negligible adverse effects. The communications plans originally required under the various management plans are covered by a single document which will simplify the management plans and make any variations necessary a simpler process.

#### 4. Recording of Heritage Buildings

##### New Amended Condition following discussions with Council

Condition 10 is written in such a way that implies that recording of all heritage buildings must be completed prior to demolition starting. Due to the proposed staging and tenants still being located within some of the heritage buildings (and to remain during the early stages of the demolition process) the condition as currently worded is unworkable. The applicant also wishes to vary Condition 10 to allow the recording of the heritage building to be undertaken, with field notes supplied for review and approval, prior to demolition commencing, but that the final report for the heritage recording will not be required to be submitted to Heritage NZ until six months following demolition of that building commencing. This ensures the building is properly recorded but allows the completed report to be submitted while works progress.

Related to this is Condition 17 which requires the survey of all heritage buildings for salvageable materials prior to demolition commencing.

The applicant requests these conditions be amended to require the recording and survey for salvageable materials, of the heritage buildings, occur prior to the demolition of the buildings within that stage commencing.

##### *Condition 10:*

*Prior to demolition commencing or any building alteration works to the heritage buildings on the site listed in District Plan Appendix 11.2 and 11.3, the consent holder must ensure that recording is undertaken of those buildings. The level of recording is to be commensurate with the significance assessment contained in the application, is to follow Heritage New Zealand Pouhere Taonga (HNZ) standards for building recording and is to be undertaken under the supervision of a qualified heritage expert, agreed with the Council. The consent holder must lodge a recording of each building in its pre-demolition state with the Council and with HNZ for their records prior to demolition commencing. The consent holder must lodge the recording of the demolition or building alteration works with the Council and HNZ within six months of the works being completed.*

##### Varied Condition

10. Prior to part or full demolition of any building listed in Appendix 3.2 and 3.3 of the Invercargill City District Plan (ICDP) commencing, the consent holder must:
  - i. Prepare and submit field notes for each listed building outlining the heritage fabric and values of the building as described under NZHPT (2018) to Level 3 standard
  - ii. Prepare and submit a final record of the significant heritage fabric and values as required under NZHPT (2018) level 3 standard. Such records are to be submitted within 6 months of the field notes being lodged with Council.

The level of recording in i and ii shall be commensurate with the significance assessment contained in the consent application; follow Heritage New Zealand Pouhere Taonga (HNZ) standards for building recording, be undertake under the supervision of a qualified heritage expert agreed by Council and must be submitted to both Council and HNZ.

Recording required in i and ii may be staged in accordance with the demolition stages contained in the Demolition Management Plan certified under Condition 21.

*Condition 17:*

*Prior to demolition commencing, and as part of the Demolition Management Plan required under condition 21, the consent holder must ensure that each heritage building is surveyed by a qualified heritage expert agreed with the Council, to identify heritage fabric to be salvaged. The consent holder must ensure that the majority of the salvaged material is re-used in the replacement buildings and opportunities for such use are to form part of the Construction Management Plan, required under Condition 28. Where onsite re-use is not practicable, salvaged material must be securely stored and made available for purchase and re-use on other building projects in Invercargill for a minimum period of two years following completion of Stages 1 to 6.*

**Varied Condition 17**

- 17A. Prior to demolition commencing a Heritage Fabric Survey, which identifies heritage fabric to be salvaged, must be prepared by a qualified heritage expert agreed with the Council and submitted for Council approval.
- 17B Material identified in the Heritage Fabric Survey approved under Condition 17A, shall be re-used in the replacement buildings as far as practicable. Opportunities to re-use or dispose of salvaged materials shall be documented and submitted to Council for consideration and discussion. Where Council accepts that onsite re-use is not practicable, salvaged material must be securely stored and made available for purchase and re-use on other building projects in Invercargill for a minimum period of two years following completion of Stages 1 to 6.

*Assessment of Environmental Effects*

The requested amendments to the recording of heritage buildings and salvaging of heritage materials, simply clarifies the intent of the existing condition around timing. The recording and salvaging of materials will still take place prior to demolition of those buildings occurring, with the amendment allowing for the development to be undertaken in stages. The adverse effect relating to this amendment will be negligible.

Similarly the amendment to the recording requirements allows a full record of the heritage buildings to be completed prior to demolition, with field notes to be reviewed and approved by Heritage NZ, while allowing the final report to be prepared and submitted to Heritage NZ within 6 months of the demolition commencing. This amendment ensures the required heritage recording is undertaken in accordance with standards, without unduly delaying the works on site. I consider the adverse effects related to this are negligible.

**5 Construction Management Plan**

**New Amended Condition following discussion with Council**

Condition 28 requires a Construction Management Plan to be provided to Council prior to each new stage of the development commencing. The construction of buildings within stages is being undertaken by separate contractors with responsibility for various parts of the build. The applicant requests a change to Condition 28 to allow separate Construction Management Plans to be submitted prior to an individual building or stage being constructed, as appropriate.

*Condition 28:*

*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 provide 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: (note - further sub-conditions apply)*

Varied Condition 28.

Prior to construction of each new stage of the development commencing, the consent holder shall provide to Council a Construction Management Plan (CMP) for the buildings within that stage for certification. The purpose of the CMP is to provide 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:

- i. Construction activities shall be managed so that dust nuisance shall not arise beyond the boundaries of the site;
- ii. Construction activities shall be managed to control the discharge of sediment from the site and prevent it from entering the stormwater network;
- iii. Construction activities shall be managed to minimise noise and vibration as far as reasonably practicable;
- iv. To provide a secure site from a health and safety perspective and maintain a safe pedestrian and transport network on adjoining roading corridors.

The CMP must include, but not be limited to, the following matters:

- a. 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 NZTA is required;
- b. 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 31;
- c. The CMP and CNVMP must include a specific section prepared with the input of a qualified heritage expert agreed with the Council, specifying how construction and vibration effects on the Bank of New South Wales Building (corner of Dee and Tay Streets) are to be managed to minimise adverse effects on heritage fabric;
- d. Measures for erosion and sediment control and prevention of sediment being carted on to roads, or entering the public stormwater system;
- e. 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;
- f. Measures to provide adequate protection of kerbstones listed in Appendix II.4 of the District Plan;
- g. 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 and identities or art in conjunction with Arts Murihiku or other similar community groups;
- h. 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.

**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.

#### Assessment of Environmental Effects

The amendments to Condition 28 allows separate Construction Management Plans to be submitted by the various contractors for various parts of the construction stages. The amendment retains the purpose of the existing condition which is to have Construction Management Plans reviewed and approved by Council prior to works commencing. I consider the effects of this amendment to be negligible.

### **6. Principal Access**

#### **Amended to remove reference to service areas**

As with any shopping precinct/mall development shops often include a large internal opening inside the shopping precinct area, this could be considered the principal entrance. Condition 50 currently requires that the principal entry for any tenancy which adjoin Tay and Esk must have their principal entrance from the street. It is understood that the intention of this condition is to ensure that the shopping precinct maintains street appeal and connectivity to the street and does not feel 'closed off' to the street as many malls do. The removal of the 'principal' from the condition wording ensures the stores presence on to the street is maintained as it normally would be in a typical shopping street, but allows for a larger opening within the shopping precinct. The inclusion of a minimum leaf width of 860mm on a double door set ensures this street access will remain significant.

#### *Condition 50:*

*The consent holder must ensure that all occupied ground floor tenancies in spaces adjacent to Esk or Tay Street have their principal pedestrian entrance from the street and the consent holder and any occupier must:*

- i. retain the pedestrian entrance from the street frontage as a point of public access during business hours (whether or not there is internal access from the building); and*
- ii. maintain the glazed street frontage as full display windows, excluding the pedestrian entrance.*

#### Varied Condition 50.

The consent holder must ensure that all occupied ground floor tenancies in spaces adjacent to Esk or Tay Street have a pedestrian entrance from the street. The dimensions of which are to be no less than a double door set with minimum 860mm leaf size.

Additionally; the consent holder and any occupier must:

- i. retain the pedestrian entrance from the street frontage as a point of public access during business hours (whether or not there is internal access from the building); and
- ii. maintain the glazed street frontage as full display windows, excluding the pedestrian entrance.

### **7. Minor Correction to Condition**

#### **Remains as requested in initial application**

Conditions 43 and 45:

It is also noted that these conditions each reference the wrong condition. Condition 43 should reference Condition 42 and Condition 45 should reference Condition 44.

#### Varied Condition 43

The consent holder must implement the TMP certified under Condition 42. The consent holder must submit any proposed amendments to the TMP to the Council for certification at least 10 working days prior to those amendments being implemented.

#### Varied Condition 45.

The consent holder must implement the access design certified under Condition 44. The consent holder must submit any proposed amendments to the access design to the Council for certification at least 10 working days prior to those amendments being implemented.

### **New Amendments Requested**

#### **8. Façade Restoration Plan**

Condition 13 requires a Façade Retention Plan to be prepared which details the works required to retain the heritage façades during the demolition process and also the works required to repair and restore the features of the facades. The applicant and Councils experts have agreed that it is difficult to provide the required information on repair and restoration prior to investigations which would open up the building fabric. The amendment therefore seeks to split Condition 13 in to two parts. The first part (13a) providing for a Façade Retention Plan to protect the heritage fabric while the buildings behind are being demolished and the second part (13b) provides for a Façade Restoration and Replacement Plan following the demolition process.

#### *Existing Condition 13*

*At least 30 working days prior to works commencing on the façades of Coxheads' Building (31-35 Esk Street), the Cambridge Arcade Building (59-61 Esk Street), and the Southland Times Building (67 Esk Street), (or adjacent to them including before commencement of the Government Life Buildings) the consent holder must submit a Façade Retention Plan (FRP) to the Council for certification. The FRP must be prepared by a suitably qualified engineer and a suitably qualified conservation architect, both agreed with the Council. The objective of the FRP is to ensure the protection of those buildings' heritage fabric and values. The FRP must include, but not be limited to, the following matters:*

- a. Monitoring pins are established as appropriate;*
- b. Design and detailing of temporary works to provide stability to the façade as a stand-alone element. The design can allow propping to the exterior or interior sides of the façade.*

**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.*

- c. Design and documentation for a detailed demolition/temporary works management and construction plan for each façade retention scheme;*
- d. Confirmation that the demolition and temporary works construction will be undertaken under the supervision of a suitably qualified engineer;*
- e. Methods for retaining or reinstating the decorative plasterwork on the Southland Times Building façade.*

**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.*

#### Varied Condition 13

- 13A. At least 30 working days prior to works commencing on the façades of Coxheads' Building (31-35 Esk Street), the Cambridge Arcade Building (59-61 Esk Street), and the Southland Times Building (67 Esk Street), (or adjacent to them including before commencement of the Government Life Buildings) the consent holder must submit a Façade Retention Plan (FRP) to the Council for certification. The FRP must be prepared by a suitably qualified engineer and a suitably qualified conservation architect, both agreed with the Council. The objective of the FRP is to ensure the protection of those buildings' heritage fabric and values during the demolition and pre-construction phases. The FRP must include, but not be limited to, the following matters:
- a. Monitoring pins are established as appropriate;
  - b. Design and detailing of temporary works to provide stability for each retained façade as a stand-alone element. The design can allow propping to the exterior or interior sides of the façade.
  - c. Confirmation that the temporary works design for retained facades will be supervised/reviewed by a suitably qualified engineer.

**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.

**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.

13B At least 30 working days prior to work commencing for the incorporation of the retained facades into the project as detailed in Condition 13A the consent holder must submit a Façade Retention and Restoration Plan detailing how the façade is to be incorporated into the final construction plans and restored to the Council for certification. The FRRP must be prepared a suitably qualified conservation architect and engineer, approved under Condition 13A. The objective of the FRRP is to protect the retained heritage fabric and values during the reconstruction process. The FRRP must include but not be limited to, the following matters:

- a. Design and documentation of the works required to integrate the façade into the new building fabric;
- b. Design and documentation for retaining or reinstating the heritage fabric on the Southland Times Building façade, Coxhead Building and Cambridge Building facades.

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

#### Assessment of Effects

The splitting of Condition 13 into two parts, provides for the overall intent of the existing condition which is to protect the heritage fabric and values of the retained heritage facades but allows the management plans to be prepared at the most suitable stage of the development for each. I consider the effects of the variation to Condition 13 to be negligible.

#### **9. Commencement of Demolition – Funding**

Condition 19 sets out the manner in which the applicant must provide confirmation of funding. The condition requires written confirmation from a registered trading bank that funding for Stages 1 -3 of the development has been obtained. The applicant has obtained funding from a range of different sources and as such it is not possible to provide confirmation from a bank alone showing funding is available. The condition is therefore requested to be varied to allow Council to be satisfied that a commitment is in



place to construct Stages 1 to 3 of the development – this can include tenancy agreements and obtaining project funding from sources other than a registered trading bank.

*Existing Condition 19.*

*The consent holder must not undertake any demolition prior to providing the Council with written confirmation from a registered trading bank that funding for Stages 1 – 3 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. Stages 4 and 6 may be built concurrently with or subsequent to Stages 1 – 3;*
- 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.*

**Varied Condition 19**

The consent holder must not undertake any demolition prior to:

- i. Providing the Council with written documentation of its commitment to Stages 1 – 3 of the development as identified on the Staging Plan approved in Condition 1 within 9 months of demolition; and
- ii. Receiving written acceptance from Council that the documentation demonstrates credible evidence of a commitment to proceed with Stages 1-3 of the development.

Council shall assess this documentation within 10 working days of receipt. An assessment of credible evidence may include progress towards; advancing the development and obtaining project funding; and entering into tenancy agreements.

19B Upon receiving written acceptance of compliance with Condition 19A, 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;

- i. Stages 4 and 6 may be built concurrently with or subsequent to Stages 1 – 3;
- ii. 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.

*Assessment of Environmental Effects*

Since the resource consent was issued the funding arrangements for the development have changed. The amendment of this condition aligns the requirements of the condition with the new funding model, while still ensuring suitable funding/commitments to build are in place for the development prior to demolition commencing. The wording of the variation to this condition has been discussed at length between the applicant and Council. I consider the adverse effects of this amendment to Condition 19 to be negligible.

**10. Salvaged Material – Demolition Management Plan**

Condition 21(o) requires that the demolition management plan provide details on re-use of the salvaged heritage materials from the site. As full detailed design of the development has not yet been completed the ability to re-use the heritage material and locations for that re-use must be a work in progress. Condition 17 requires the re-use of the heritage materials and is considered sufficient to ensure the re-use of salvaged heritage materials where practicable. The inclusion of re-use in the demolition

management plan is not considered feasible. Condition 21(o) has therefore been amended to removed re-use.

*At least 40 working days prior to the demolition of any of the existing buildings commencing, the consent holder must provide a Demolition Management Plan (DMP) to the Council for certification. 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 following particular objectives will be achieved:*

- i. The effects of demolition activities on heritage and archaeological resources are managed;*
- ii. The effects of demolition activities on adjoining buildings are managed;*
- iii. Demolition activities are managed so that dust nuisance shall not arise beyond the boundaries of the site;*
- iv. Demolition activities are managed to control discharge of sediment from the site and from entering the stormwater network;*
- v. Demolition activities are managed to minimise noise and vibration as far as reasonably practicable;*
- vi. A secure site is provided from a health and safety perspective and maintain a safe pedestrian (including access to the adjoining footpath) and transport network is maintained on adjoining roading corridors.*

*The DMP must 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).*
- 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 32 and 33 have been fulfilled;*
- d. Measures to facilitate the recovery of heritage materials for re-use, in accordance with Conditions 17 and 18;*
- e. Measures to provide adequate protection of heritage kerbstones listed in Appendix II.4 of the District Plan;*
- f. Measures to avoid the collapse of weakened structures and the management of hazards to health and safety;*
- g. A Demolition Traffic Management Plan (DTMP) which must include 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 must 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, the consent holder shall obtain input from the New Zealand Transport Agency (NZTA);*
- h. A Demolition Noise and Vibration Management Plan (DNVMP) outlining how noise and vibration nuisance will be mitigated during demolition activities. The plan must 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 must be consistent with Conditions 24 and 25;*
- i. The DMP and DNVMP must include a specific section prepared with the input of a qualified heritage expert agreed with the Council, 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. Measures for erosion and sediment control, including the prevention of sediment being carted on to roads or entering the public stormwater system during demolition activity and prior to construction starting;*
  - k. 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;*
  - l. 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;*
  - m. 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.*

#### Assessment of Effects

The amendment to Condition 21(o) does remove the requirement to identify opportunities for re-use prior to demolition, however it is considered that this matter is sufficiently provided for in Condition 17 and that the removal of re-use from Condition 21(o) is a less than minor effect. The requirement to identify and store salvaged materials is still provided for in the amended condition.

#### **11. Advice Notes**

Existing Advice Note I requires that any amendments to documents requiring certification shall be based on the recommendations of an Independent Commissioner. This does not allow for minor variations to be undertaken without seeking a recommendation from an Independent Commissioner. The word shall has been replaced with may in Advice Note I to allow for Council to determine whether the level of variation is sufficient to warrant the involvement of an Independent Commissioner.

Existing Advice Note 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 shall be based on the recommendations of an Independent Commissioner.*

Varied Advice Note 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 may be based on the recommendations of an Independent Commissioner.*

New Advice Note viii

viii. 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. Any asbestos discovered during the demolition of the buildings must be removed under the Health and Safety at Work (Asbestos) Regulations 2016;

No other conditions are considered necessary to change as a result of the amendments to the plans.

The following documents are provided in support of the requested additional amendments:

- Track Changed version of condition amendments

Yours faithfully

**BONISCH CONSULTANTS**

A handwritten signature in blue ink, appearing to be "C. McMillan", written in a cursive style.

Christine McMillan