

Comments on Conditions

I have now been provided with a copy of the draft conditions. We are able to provide a comment in respect to each of the conditions. These comments refer to the "Amended Conditions" dated the 4th November 2021 and should be read in conjunction with the proposed conditions.

Condition 1:

This will need to be amended to refer to the modified/updated plans attached to this response. It will also be conditional on whether the 11 or 13 storey version is approved.

Condition 2:

No comments and accepted

Condition 3:

No comments and accepted.

Condition 4:

This is a relatively unusual condition for the Wellington City Area. It is the applicant's intent to preserve the external plaza and there is no intent to modify that area. I doubt that any condition itself can obligate owners to maintain a feature of a building in perpetuity. The intent would appear to require that any change to this area would require change of conditions under s127 of the Act. But I note that any changes to a Central Area building would currently require a resource consent anyway. So I am unsure that any such condition is required. That said, the applicant does not oppose the condition.

Condition 5:

The applicant has proposed this condition and accepts it.

Condition 6:

No comments and accepted

Condition 7:

No comments and accepted

Condition 8:

No comments and accepted

Condition 9:

We suggest a minor modification to this condition.

The Consent Holder must not use Collina Terrace for site construction access and loading and unloading **except where agreement from other owners of Collina Terrace is obtained**. Any use of Collina Terrace by;

- i) heavy vehicles during construction must be avoided; and
 - ii) light vehicles during construction must be minimised,
- Emergency access arrangements, including the need for unimpeded access to Collina Terrace must be detailed in the Traffic Construction Management Plan

The applicant does not intend to use Collina Terrace. However the wording would allow use of Collina Terrace by agreement should it be needed for unforeseen circumstances.

Condition 10:

The condition as stated is:

Prior to occupation of the building, the Consent Holder must submit a final Servicing Management Plan (SMP) to the CMO for certification. At a minimum the SMP must detail how servicing will be provided for each tenancy within the building in terms of waste management, deliveries, visitor parking and staff parking. The SMP must be available at all times for review by the Council and updated or changed when tenants change and to address any increase in reported vehicle related accidents or conflicts with users of Collina Terrace directly resulting from servicing the building.

The loading area complies with the District Plan standards and there is no subdivision proposed which prevents use by all tenants access to the loading area. Typically under the RC process this would be outside of the discretion available for the officers to consider given the compliance. It is accepted this is an alternative process.

The condition needs to be amended to delete reference to visitor and staff parking. There is no requirement for visitor or staff parking.

The applicant would accept the condition if the panel are adamant, but this is not a matter typically controlled by WCC.

Condition 11:

Comments as above.

Condition 12:

No comments and accepted

Condition 13:

No comments and accepted

Condition 14:

The condition is generally accepted. Though there is a question in relation to the height of the loading area, which will be resolved at the time of detailed design. More than 3.6 metres may be available. Therefore a minor change is requested.

A “~~3.6 metre~~ **relevant minimum height clearance (metres)** sign must be erected at the entrance ramp at a height of ~~3.6m~~ **the appropriate height**. The sign must be visible so that oncoming vehicles can be adequately warned of the height clearance.

Condition 15:

No comments and accepted. It is noted that the Archaeological Permit is about to be/has been lodged with NZ Heritage following consultation with the relevant Iwi authorities.

Condition 16 to 23:

No comments and accepted.

Condition 24 to 26:

No comments and accepted.

Condition 27:

These are not generally matters dealt with in the resource consent process in Wellington.

Nonetheless the applicant is not opposed to the condition.

Condition 28:

We are not aware of any stormwater infrastructure within the site. But the conditions is otherwise accepted.

Condition 29:

A neighbours liaison group is not typically required under the resource consent process in Wellington City and it would normally be outside of the relevant matters of discretion. The applicant however accepts the condition.

Condition 30:

Comments as above.

Condition 31 to 38:

Typically the conditions of consent in Wellington City, relate only to the construction effects of earthworks, given the typical discretionary restricted activity classification.

The applicant would accept the condition in this instance.

Condition 39:

I have never encountered a consent condition in Wellington where consideration is required for vibration. It will be doubtful that WCC officers will have the expertise to assess. There is unlikely to be much local expertise to address the matter given that this is not imposed on other consents to my knowledge. Nonetheless the applicant will accept the condition.

The condition with regard noise is relatively standard.

Condition 40:

No comments and accepted.

Condition 41 to 43:

No comments and accepted.

Condition 44 and 45:

No comments and accepted.

Condition 46 to 48:

I am not aware of any reports which suggest that it is necessary to retain a geotechnical engineer to do the detailed design of the earthworks and structures. Once a geotechnical report is prepared, a suitably qualified structural engineer would be likely be better able to do the design and monitor the works given the complex nature of the proposed structure. The condition itself is largely irrelevant as foundations will require specific engineering design under the Building Act. I would suggest the condition is reworded to state: suitably qualified engineer, rather than geotechnical engineer as this is potentially introducing a redundant requirement. If the site conditions are such that a geotechnical engineer is required to design the earthworks, the “suitably qualified engineer” is adequate. It is unlikely that a geotechnical engineer would design the retaining on this site.

Condition 49:

No comments and accepted.

Condition 50 and 51:

No comments and accepted.

Condition 52 to 54:

No comments and accepted.

Conclusion

We trust that we have now addressed all relevant matter in this process. We understand that a decision will be made by the 12th November. We look forward to the panels considerations.

Regards

Ian Leary

Director - Survey and Planning

SpencerHolmes Limited