

**IN THE MATTER** The Resource Management Act 1991 ("the Act")

**AND**

**IN THE MATTER** of two applications for a land use consent under section 88 by **IPG CORPORATION LTD** to **WELLINGTON CITY COUNCIL** pertaining to 114 Adelaide Road, Mt Cook

### **APPLICANTS RIGHT OF REPLY (ROR)**

#### **1. Introduction**

1.1 The applicant is now providing their written reply, in accordance with Minute #5, issued by the Hearing Commissioners.

1.2 The ROR will provide a response to matters raised in the hearing. No new evidence will be introduced.

1.3 Several matters of information will be provided, which have been specifically asked for by the Commissioners. These include:

- An updated summary of costings.
- Conditions accepted by the applicant.

1.4 I firstly respond to matters raised in the hearing.

#### **2. Matters Raised in the Hearing**

##### Submitter 5 and 10 - Historic Places Wellington – On Application 1 and 2

2.1 Submitter 5, made a number of statements during the presentation of the their submission.

2.2 The submitter made statements surround the facts of the matter, which were incorrect. Much of the factual evidence related to a misunderstanding of the information presented by the applicant, the valuations and the costings.

2.3 Of primary concern with the submission, was that the cost of strengthening the building "as-is" without extending it, was costed at approximately \$6.5 million. This figure is unrelated to the tower extension and was costed

separately by Mr Parhbu for the Applicant. The \$6.5 million cost was to strengthen the existing building without any extension in floor area.

2.4 The submitter also considered that the sale of the building was an option not properly explored by the applicant. As explained in the hearing, the value of the land has been written down to zero. The figures presented do not place a value on the land. Any future purchaser would therefore have the same issues facing the applicant. Sale of the land is not a viable option and there is no current purchaser due to the current costs of strengthening the building.

2.5 Other matters raised by the submitter were addressed by the Commissioners and therefore no further response is required in the ROR.

Submitter 2 and 17 - New Zealand Heritage (NZH)

2.6 The submitter was represented by Laura Kellaway. A matter raised in the submission was that NZH supports adaptive re-use of the building.

2.7 I have already outlined in my evidence, that any change of use to the building, will require upgrading it to as near as practical to New Building Standard (NBS). Therefore, unless the building is strengthened, which is demonstrated to be not economically viable, then adaptive re-use is not possible. The upgrading necessary for adaptive reuse would likely be more than strengthening to 34%.

Submitter 20 – Application 2 – Jonathan Markwick

2.8 A number of matters were traversed in this submission. The first was the visual effects of the proposal from the west of the site. This information is addressed in the matters below. This aspect of the condition is acknowledged and recognised in the applicant's evidence.

2.9 This aspect of the has been addressed by the changes to the design which was subject to the Joint Witness Statement (JWS).

2.10 The submitter raised a number of issues regarding the demolition option and the creation of ground level option space.

2.11 The applicant can clarify that if the Commissioners were to agree to the full demolition proposal, that it is not the intention of the applicant to make the space available for access by the public generally. The space is not to be public space and the applicant would proceed as soon as possible to securing a consent for a new building.

2.12 Several submitters have raised the issue of the lack of a conservation plan for the building. In my experience, a conservation plan would be prepared and submitted as a condition of consent if the commissioners were to grant consent for the retention of the façade. Obviously a conservation plan would not be necessary for the demolition option if it were to be granted.

2.13 Several submitters have raised the issue that other buildings have been strengthened and that is justification to say this one can be strengthened. This viewpoint clearly fails to recognise that there are numerous reasons why this is not a valid viewpoint. The following are reasons why there might be differences in the viability/ability to strengthen particular buildings which might include some or all of the following:

- The ground conditions present
- The structural system used to construct the building
- The condition and maintenance of the building over time
- The height and size of the building
- The materials used to construct the building i.e. unreinforced masonry
- The age and building codes that applied when the building was designed.

2.14 It is therefore not possible to conclude one building can be strengthened, therefore all buildings can be strengthened. It is a case by case approach.

#### Officers and Advisors

2.15 The issues traversed in the hearing, have to a large extent, been over-ridden by the exercise of the caucusing between Council officers and the applicant and the subsequent amendments to the design. I therefore do not think it is necessary to discuss matters raised at the hearing as the officers views are as amended in the Joint Witness Statement (JWS).

2.16 The exercise was helpful in that opportunities were able to be explored. The applicant is grateful to the current officers for their work in this process.

2.17 The applicant does however express some frustration that they had been trying to facilitate this level of engagement for some time, however Council officers have not appreciated the viability issues and limited their options to proposals which would not be economical.

2.18 The applicant reiterates the point made at the hearing that whilst officers/advisors may have concerns about the reliability of the financial information, it was well within the powers of the officers to request further

information and advice on this matter. My understanding from our meetings is that the information was reviewed by a relevant 3<sup>rd</sup> party and accepted as accurate. The information presented by the applicant is unchallenged and must be accepted.

2.19 The applicant remains of the view that the officers have not accepted viability as an issue and not taken that into account when weighing their final recommendations.

2.20 Viability is key to the consideration of alternatives required under the District Plan provisions.

2.21 The amended design, has attempted to accommodate as many of the officer/advisor requirements as could be reasonably adopted.

2.22 It is also noted that the plans were prepared in a very short period of time. The floor layouts, will be required to be refined over a longer period. These internal changes can be done without further consents as internal additions are permitted.

2.23 The additional setbacks from the west and the north and eastern boundaries (and off the heritage façade) would have left very little space for the applicant to work with and would have further eroded the viability of the project.

2.24 I note that following the JWS, that:

- Subject to detail, urban design support is now available for the amended proposal.
- While acknowledged as an improvement, heritage support is not obtained.
- Due to heritage not supporting the application, the planner has not changed their recommendation.

2.25 I have discussed where I disagree with the officer in evidence and above.

### 3. **Costings**

3.1 The commissioners have asked for a revised costings analysis to be provided.

3.2 In the time available, it would not be possible to undertake a full revised costing of the development. This is particularly in respect to the current fluctuation in construction material pricing. Any such exercise would be inaccurate as costs vary significantly at this time due to construction demand

and supply issues. The applicant would be relying on some stabilisation of supply to be able to proceed with the new building (Application 2) project.

3.3 The applicant has considered the changes in design following the JWS being issued. The applicant considers the following cost variations would occur:

- Cost of increasing the parapet to a height of 1.2 metres - \$48,350
- Cost of the new glass façade – Net increase \$124,308

3.4 The excel spreadsheet for this calculation has been attached.

3.5 The result of these changes would increase the overall loss on the project to around \$1.5 million, though already discussed, the project is at risk from ongoing construction material cost increases.

#### 4. **Draft Conditions**

4.1 Draft conditions were provided by the officer and circulated prior to the hearing. In respect to the draft conditions, I will provide my comments in **blue**, with amendments in **bold** and all deletions from the condition in strike through ~~text~~.

4.2 We address firstly the condition of the demolition consent.

#### **Draft Conditions: Demolition Consent (494277)**

##### **General:**

1. The proposal must be in accordance with the information provided with application Service Request No. 494277:

**Accepted.**

##### **Heritage:**

2. Prior to any works commencing on the site, the consent holder must submit a documentary record of the building to, and receive certification from, the Compliance Monitoring Officer (CMO). The record will include (as a minimum):
  - (a) the address or location of place;
  - (b) the name and contact details of who prepared the report;
  - (c) a written description of the place including an independently researched historic narrative;
  - (d) an assessment of heritage significance of the place and of the existing building fabric;
  - (e) a written description of the reasons for undertaking the recording;
  - (f) a description of the recording methodology;
  - (g) measured floor plans, ceiling plans, roof plans, and external elevations of the building in its current form;
  - (h) plans and sections (as necessary) to record the building structure and interaction of building elements and spaces;
  - (i) comprehensive written description of the structural elements;
  - (j) comprehensive written description of the exterior;
  - (k) comprehensive written description of each space within the building;
  - (l) comprehensive written description of the building's development over time;

- (m) comprehensive photography of the building before commencing work, and during the works as they are carried out, using a digital SLR with good lenses and a high megapixel count (10+ MP):
- i. the camera should be set to record using a raw file format which should not be modified (though jpgs can be taken at the same time);
  - ii. all images should be labelled and referenced on a set of scale drawings accurately showing the location and direction of each shooting position;
  - iii. a contact sheet of images should be provided with the documentary record, and the raw files provided individually in digital format in conjunction with the record.

**Notes:**

- One copy of the completed photographic record will be placed on the property file and the second stored with the Council's Heritage Team.
- The CMO will consult with the Heritage Advisor in relation to this condition.

**Accepted.**

- ~~3. Prior to any alteration or demolition works commencing on the site, the consent holder must obtain an assessment of significance and condition of all existing building fabric, and submit to and certified by the CMO. At the plan will (as a minimum):~~
- ~~(a) identify historic fabric to be salvaged from the building for recycling or reuse;~~
  - ~~(b) set out protocols for recording historic fabric;~~
  - ~~(c) detail the methodology for construction including the methodology for salvaging and recovering historic fabric without damaging it;~~
  - ~~(d) set out protocols for storing historic materials to be salvaged, and identify an appropriate storage area;~~
  - ~~(e) set out protocols for communication paths and responsibilities of the consent holder to ensure that adverse effects, including accidental damage, are appropriately avoided or mitigated, and any issues that arise onsite are immediately notified to the correct party.~~

~~Note: The CMO will consult with the Heritage Advisor in relation to this condition.~~

The applicant has provided evidence that the internal parts of the building are highly modified. The external elements of the building are unreinforced masonry and being able to demolish and reuse external elements of the building is unlikely.

4. Prior to alteration works, demolition works and/or earthworks commencing, a detailed Heritage Interpretation Work Programme Plan, (the "Interpretation Plan") prepared in consultation with an appropriately qualified professional, must be submitted to and certified by the CMO. The plan must identify what interpretation outcome is being proposed, the various work streams that will be undertaken to achieve this outcome, by whom these will be carried out, and by when it will be completed. The interpretation outcome must:
- (a) recognise the heritage values of the Tramway Hotel and site, including the architecture of the hotel, the proprietors and selected excerpts of the hotel's colourful history and presence in Newtown over the years;
  - (b) include early photographs of the building, relevant people/events and building plans;
  - (c) be easily locatable and accessible by the public both physically onsite, and online.

Within 6 months of the demolition commencing, the consent holder must fulfil the recommendations of the Interpretation Plan to the satisfaction of the Compliance Monitoring Officer in conjunction with the Heritage Advisor.

**Notes:**

- The interpretation could be museum-style information signage, artwork showing historical scenes, copies of newspaper clippings in an exhibition-type display, re-use of salvaged materials / heritage fabric with identifying notations, naming of new

building/s, website/pages or some other approved medium, or a combination of these. The WCC Heritage Report for the Tramway Hotel will be made available to the resource consent holder as an information source to fulfil this condition.

- The CMO will consult with the Heritage Advisor in relation to this condition.

*Suggested Heritage Advice Note:*

Work affecting archaeological sites is subject to a consent process under the Heritage New Zealand Pouhere Tāonga Act 2014. An archaeological authority (consent) from HNZPT) must be obtained for works to proceed if there is potential for an archaeological site to be modified or destroyed. It is illegal to modify or destroy an archaeological site without obtaining an archaeological authority. The Applicant is advised to contact HNZPT and/or commission an archaeological assessment prior to works commencing.

Accepted.

**Townscape/Design:**

5. Prior to demolition commencing, the consent holder must provide a site landscaping plan to the CMO for certification that includes details of:
- 1) The areas of grassing, and any panting, and any hard landscaping, and
  - 2) The areas of any perimeter fencing, and
  - 3) Any measures to activate the street edge.

And a maintenance plan that includes details of future maintenance requirements, and the timing and/or frequency of this. At a minimum, this should include stipulated mowing of lawn duration, and refuse removal.

Note:

The purpose of this condition is to ensure that the site is appropriately maintained by the consent holder, on an ongoing basis.

Accepted.

6. Once certified by the CMO, the site landscaping plan must be implemented within 3 months of the completion of demolition onsite, and maintained in perpetuity until such time that construction of a new building commences.

Accepted.

**Monitoring and Review:**

7. Prior to starting work the consent holder must advise of the date when work will begin. This advice must be provided at least 48 hours before work starts to the Council's Compliance Monitoring Officer either by telephone (801 4017), facsimile (801 3165) or email (rcmonitoring@wcc.govt.nz) and must include the address of the property and the Service Request Number.

Accepted.

8. The conditions of this resource consent must be met to the satisfaction of the Council's Compliance Monitoring Officer. The Compliance Monitoring Officer will visit the site to monitor the conditions, with more than one site visit where necessary. The consent holder must pay to the Council the actual and reasonable costs associated with the monitoring of conditions (or review of consent conditions), or supervision of the resource consent as set in accordance with section 36 of the Act. These costs\* may include site visits, correspondence and other activities, the actual costs of materials or services, including the costs of consultants or other reports or investigations which may have to be obtained.

\*Please refer to the current schedule of Resource Management Fees for guidance on the current administration charge and hourly rate chargeable for Council officers.

Accepted.

4.3 In respect to the new building and heritage façade retention, we make the following comments:

**Draft conditions: New Building (SR490717)**

General:

1. The proposal must be in accordance with the information provided with application Service Request No. 490717 and the following plans by ~~DPA Architects~~, **IPG Corporation**, Project: Adelaide Road Hotel, all dated ~~22 April~~ **December 2021**:

- A-100, Basement Level
- ~~A-101, Ground Floor~~
- ~~A-102, Level 01~~
- ~~A-103, Levels 02-06~~
- ~~A-104, Level 7~~
- ~~A-105, North and East Elevations~~
- ~~A-106, South and West Elevations~~
- ~~A-250, Section 01~~
- ~~A-251, Section 02~~
  
- **A-101 Rev 2 – Ground floor**
  
- **A-106 Rev 2 - North & East Elevations Tinted Glazing**
  
- **A-107 Rev 2 – South & West Elevations Concrete Pattern**
  
- **Floor Plans, Ground Floor, Levels 1, Levels 2-6, Level 7**
  
- **A-200 Rev 2 – 3D Views 01**
- **A-201 Rev 2 – 3D Views 02**
- **A-202 Rev 2 – 3D Views 03**
- **A-203 Rev 2 – 3D Views 04**

Except as **further** amended by the following conditions.

The condition changes reflect the amended plans contained in the JWS.

Heritage:

2. Prior to any works commencing on the site, the consent holder must submit a documentary record of the building to, and receive certification from, the Compliance Monitoring Officer (CMO). The record will include (as a minimum):
- (a) the address or location of place;
  - (b) the name and contact details of who prepared the report;
  - (c) a written description of the place including an independently researched historic narrative;
  - (d) an assessment of heritage significance of the place and of the existing building fabric;
  - (e) a written description of the reasons for undertaking the recording;
  - (f) a description of the recording methodology;
  - (g) measured floor plans, ceiling plans, roof plans, and external elevations of the building in its current form;

- (h) plans and sections (as necessary) to record the building structure and interaction of building elements and spaces;
- (i) comprehensive written description of the structural elements;
- (j) comprehensive written description of the exterior;
- (k) comprehensive written description of each space within the building;
- (l) comprehensive written description of the building's development over time;
- (m) comprehensive photography of the building before commencing work, and during the works as they are carried out, using a digital SLR with good lenses and a high megapixel count (10+ MP):
  - i. the camera should be set to record using a raw file format which should not be modified (though jpgs can be taken at the same time);
  - ii. all images should be labelled and referenced on a set of scale drawings accurately showing the location and direction of each shooting position;
  - iii. a contact sheet of images should be provided with the documentary record, and the raw files provided individually in digital format in conjunction with the record.

Notes:

- One copy of the completed photographic record will be placed on the property file and the second stored with the Council's Heritage Team.
- The CMO will consult with the Heritage Advisor in relation to this condition.

Accepted.

- 3. Existing building materials are to be salvaged wherever possible so that they can be reused in the proposed redevelopment of the site. Prior to any alteration or demolition works commencing on the site, the consent holder must obtain an assessment of significance and condition of all existing building fabric, and submit to the CMO an inventory of materials to be salvaged from the building for recycling or reuse. The consent holder must receive certification for this list from the CMO. Salvage of these materials must be signed off by the CMO, with assistance and Heritage Advisor onsite.

Accepted.

- 4. Prior to any works commencing on the site, the consent holder must submit a Heritage Management Plan for the works to, and receive certification for this plan from, the CMO. The plan will (as a minimum):
  - (a) detail the methodology for construction;
  - (b) identify all historic building fabric that is to be retained;
  - (c) provide for 'tool box talks' and pre-construction meetings with contractors to familiarise them with the significant heritage features of the building and their statutory responsibilities and obligations in relation to the RMA and the HNZPTA;
  - (d) provide a temporary protection plan that details how the existing fabric to be retained will be protected from damage that may potentially occur during construction, including provisions for vibration monitoring;
  - (e) establish protocols for monitoring physical changes to the building that may arise because of the works;
  - (f) set out protocols for recording and removing historic fabric;
  - (g) set out protocols for storing historic materials to be reused or disposed of, and identify an appropriate storage area;
  - (h) set out protocols for communication paths and responsibilities of the consent holder to ensure that adverse effects, including accidental damage, are appropriately avoided or mitigated, and any issues that arise onsite are immediately notified to the correct party.

Note:

The CMO will consult with the Heritage Advisor in relation to this condition.

Accepted.

5. Prior to any alteration or demolition works commencing on the site, the consent holder must submit detailed drawings to a scale of 1:5, 1:10 and 1:20, along with descriptions to the CMO confirming:
  - (a) the parapet reconstruction;
  - (b) replacement of the door with a window or new door(s) on the chamfered corner of the historic facade;
  - (c) any and all changes to the windows in the historic facades;
  - (d) methodology for conservation and repair of the historic facades, including all brickwork, plasterwork, window and door joinery;
  - (e) the materials, placement of fenestration, and window treatment of the north and east facades of the tower;
  - (f) the exterior treatment of the solid walls of the south facade of the tower.

The consent holder must receive approval for these detailed drawings from the CMO before any works on this re-construction commences.

**The applicant must then prepare and comply with a Conservation Management Plan for ongoing maintenance of the main façade of the building**

Note:

The CMO will consult with the Heritage Advisor in relation to this condition.

6. At completion, reconstruction of the parapet, replacement of the door on the chamfered corner, and all changes to the windows in the historic facades must be signed off by the CMO, with assistance from the Heritage Advisor.

*Heritage Advice Note:*

Work affecting archaeological sites is subject to a consent process under the Heritage New Zealand Pouhere Tāonga Act 2014. An archaeological authority (consent) from HNZPT) must be obtained for works to proceed if there is potential for an archaeological site to be modified or destroyed. It is illegal to modify or destroy an archaeological site without obtaining an archaeological authority. The Applicant is advised to contact HNZPT and/or commission an archaeological assessment prior to works commencing.

~~Townscape/Design:~~

7. ~~Prior to the commencement of construction, the following final details must be provided to Councils CMO for certification:~~
  - a) ~~Plans that demonstrate:~~
    - i. ~~That the design is altered to provide an exterior entrance to the hotel that celebrates the building's heritage and streetscape significance.~~
    - ii. ~~That the ground floor design is able to provide compliant accessible entry. The Urban Design Team's preference is that an exterior entry faces Drummond Street.~~
    - iii. ~~That the exterior façade of the new building is altered to provide more three-dimensional relief on the façade by variation in depth of window placement, and interest in the finish of window reveals.~~
    - iv. ~~That the north-east corner of the building is altered to respond to the angled corner of the original building below, on a reduced scale.~~
  - b) ~~That the applicant supplies a full schedule of colours and materials for the exterior of the development, noting the following:~~
    - i. ~~The colour scheme for the original hotel part of the development must also be endorsed by the Heritage Team~~
    - ii. ~~The colour scheme of the new part of the building should complement the chosen colours for the heritage building~~

- ~~iii. The palette of materials must not visually overwhelm the heritage building by being overly detailed or detract from it by being overly bland~~
- ~~iv. The south facing wall should take into account the billboard placement and orientation (if approved) and should introduce an understanding of scale~~

**Note:**

~~The CMO will consult with the urban designer in relation to this condition.~~

Townscape/Design:

7. Prior to the commencement of construction, the following final details must be provided to Councils CMO for certification:

- a) Plans that demonstrate:
  - i. That the design is altered to provide an exterior entrance to the hotel that celebrates the building's heritage and streetscape significance.
  - ii. That the corner entrance to the building is removed, and the original window is re-instated.
  - iii. The setback of the new building from the heritage facade is implemented on the elevations and floor plans for the proposed new building addition and appropriately illustrated on the submitted plans.
  - iv. That the ground floor design is able to provide compliant accessible entry. – Note: The Urban Design Team's preference is that an exterior entry faces Drummond Street. If this is not proposed, the consent holder should demonstrate why this is not achievable.
  - v. That the exterior façade of the new building is altered to provide more three-dimensional relief on the façade by variation in depth of window placement, and interest in the finish of window reveals.
  - vi. That the north-east corner of the building is altered to respond to the angled corner of the original building below, on a reduced scale.
- b) That the applicant supplies a full schedule of colours and materials for the exterior of the development, noting the following:
  - i. The colour scheme for the original hotel part of the development must also be endorsed by the Heritage Team
  - ii. The colour scheme of the new part of the building should complement the chosen colours for the heritage building
  - iii. The palette of materials must not visually overwhelm the heritage building by being overly detailed or detract from it by being overly bland
  - iv. The south-facing wall should take into account the billboard placement and orientation (if approved) and should introduce an understanding of scale

**Notes:**

- The CMO will consult with the urban designer in relation to this condition.

The revised condition is consistent with the JWS

Transport:

8. Prior to the occupation of the building, the consent holder must ensure:
- A judder bar at 1.5 m back to the footpath and standard flashing sign with audible sound must be installed.
  - The height clearance for vehicles entering the site and parking directional signs must be denoted in the building for customer's references.

Accepted.

#### Construction Traffic Plan:

9. The consent holder must submit a Construction Traffic Plan (CTP) to the CMO at least 10 working days before any works commence on the site. The CTP must be certified by the CMO in consultation with the Traffic / Vehicle Access Team before any work begins.

#### Accepted.

10. The CTP must include methods to avoid, remedy or mitigate adverse construction traffic effects during the works. The CTP must include but not be limited to the following matters:
  - Timing of specific work phases.
  - Key activities and anticipated traffic levels for each work phase.
  - Truck routes for the removal of earthworks materials.
  - Expected frequency of vehicle movements specific to the construction phase, with details of the proposed hours and days of week. Vehicle movements into and out of the site should be restricted during peak traffic times (7-9am and 4-6pm weekdays).
  - Locations of where construction related vehicles will park, wait, turn and carry out loading and unloading of materials.
  - Locations where construction materials would be stored.
  - Arrangements for temporary traffic management, including pedestrians, car-parking and servicing.
  - Temporary pedestrian safety measures, including directional signage where applicable.
  - Details of how servicing and access to adjacent site activities will be provided for, specific to each development phase.
  - Methods for the public to contact the site manager for complaints. There should be a 1 m<sup>2</sup> sign facing the public footpath at all points of entry to the site with the site manager's contact details

#### Notes:

- ▶ The CTP does not constitute an approved Traffic Management Plan (TMP) for any of the works. This approval must be gained separately. The TMP must reflect each different stage of the project including vehicle movements in and out of the site.
- ▶ A Corridor Access Request (CAR) must be approved before construction activities within the road corridor starts. This is for mitigating public safety risks associated with the proposed earthworks and construction activities. The application needs to be made through <https://www.submitica.com/>.
- ▶ A Road Usage Licence (RUL) is necessary if any temporary structures or sole use of space (scaffolding, hoarding, loading zones, tower crane positioning, gantry etc.) are needed on road reserve during any stage of the development and construction. Please note additional fees can occur and will apply when occupying legal road reserve for private use. A quote will be sent to you for acceptance if this applies.

#### Accepted.

#### **Billboard Conditions:**

11. The digital billboard must be programmed to automatically go dark/black background in the event of a malfunction.

#### Accepted.

12. Images shall have a minimum dwell time of 8 seconds.

#### Accepted.

13. Images shall transition from one to the next via a 0.5 second dissolve.

Accepted.

14. The luminance of the digital units shall be controlled and automatically adjusted to ensure they do not exceed typical ambient light conditions and do not exceed ~~250~~200cd/m<sup>2</sup> during night-time, 600cd/m<sup>2</sup> during dawn/dusk and 5000cd/m<sup>2</sup> during daytime. They should not result in the illuminance of a roadway by over 20 lux in the Central Area.

200cd/m<sup>2</sup> is now the standard for this condition.

15. Image content must be static and must not incorporate flashes, movement, scrolling, animation, full motion video, sequential advertising over multiple frames or successive billboards along a length of road, multiple advertisements in one frame and must not emit any sound.

16. The digital billboard must not imitate traffic signs or any traffic control device (either wholly or partially) or give instructions to motorists that conflict with any traffic sign or traffic control device.

Accepted.

17. As per the Traffic Control Device (TCD) rules for signs the minimum letter height for a main message displayed on the sign 150mm, the property name is 100mm and the secondary message is 75mm.

Note: The minimum letter height only applies to standard text. Text within images is excluded from meeting this requirement.

Accepted.

18. Once operation of the digital billboards has commenced; the consent holder must provide the Council's Compliance Monitoring Officer (CMO) with a Traffic Safety Reports at the following frequencies:

- 12 months
- 24 months

The reports must:

- Review operation of the billboards in relation to traffic safety.
- Include data on reported crashes and any other issues specifically identified as being related to the digital billboards. These must be compared to the figures for the similarly preceding period to conversion of the billboards from static to digital. Any assessment of comparative data must be limited to material number changes in incidents.
- Be undertaken by an independent Traffic Engineer/CPEng that is experienced in preparation of traffic safety reports.
- The costs of the Traffic Safety Reports and implementation of any mitigation measures must be met by the consent holder.
- If the Traffic Safety Reports find that further mitigation measures are considered necessary, then these must be implemented to the satisfaction of the CMO.

Accepted.

Noise:

### Noise emissions

19. The Consent Holder must ensure noise emission levels when measured at or within the boundary of any site zoned Centres, or at the outside wall of any building on any site zoned Centres, other than the site from which the noise is emitted shall not exceed the following noise limits:

- At all times: 60 dB  $L_{Aeq}$  (15 min)
- At all times: 85 dB  $L_{AFmax}$

*Where it is impractical to measure outside the building, measurements must be made inside (with windows closed). Where indoor measurements are made, then the noise limits stated above shall be reduced by 15 dB.*

Accepted.

20. The Consent Holder must ensure noise emission levels when measured at or within the boundary of any site zoned Residential, or at the outside wall of any building on any site zoned Residential, shall not exceed the following noise limits:

- Monday to Sunday 7am to 10pm 50dB  $L_{Aeq}$  (15 min)
- Monday to Sunday 10pm to 7am 40dB  $L_{Aeq}$  (15 min)
- Monday to Sunday 10pm to 7am 70dB  $L_{AFmax}$

Accepted.

21. The Consent Holder must ensure all fixed plant and equipment including heating, cooling and ventilation plant must be located, designed and operated so that noise emission levels from mechanical plant when measured at or within the land parcel, or the outside wall of any building on any other site in the Centres Area, does not exceed the following limits:

- At all times: 55 dB  $L_{Aeq}$  (15 min)
- Monday to Sunday 10.00pm to 7.00am: 80 dB  $L_{AFmax}$

Accepted.

### Sound Insulation

22. The Consent Holder must submit to the CMO for certification, plans and details that any habitable has been designed and specified to achieve a minimum acoustic insulation performance standard of  $DnT,w + Ctr > 30$  dB. Compliance with the acoustic performance standard shall be achieved by ensuring habitable rooms are designed and constructed in a manner that: A. Accords precisely with the schedule of typical building construction set out under Rule 7.6.2.9.1 Centres Zone; or B. Accords with an acoustic design certificate prepared by suitably qualified acoustic engineer suitable to Council.

#### Notes:

- If the Consent Holder achieves compliance by adopting the building schedule as a suitable solution the building schedule must be applied as drafted otherwise the Consent Holder must get an acoustic design certificate prepared by a suitably qualified acoustic engineer.
- The CMO will consult with the urban designer in relation to this condition.

Accepted.

### Acoustic Ventilation

23. The Consent Holder must submit to the CMO for certification, plans and details from a suitably qualified professional that illustrates that any new habitable room has been designed and specified to achieve the minimum ventilation performance standard of 7.5 litres per second per person. The ventilation certification must be prepared by a suitably qualified and experienced person acceptable to Council.

**Notes:**

- The CMO will consult with the urban designer in relation to this condition.
- The Consent Holder must provide supporting information as to how many persons have been assumed in each habitable room as the ventilation requirements are per second / per person.

Accepted.

**Construction Noise**

24. The Consent Holder must ensure that construction, earthworks, and any demolition activities operate between the hours of 7.30 am and 6.00 pm Monday to Saturday only.

Accepted.

25. The Consent Holder must ensure that construction, earthworks and any demolition activities are managed and controlled so that the noise received at any residential or commercial site does not exceed the limits set out in Table 2 and Table 3 of 'NZS6803:1999 Acoustics – Construction' Noise when measured and assessed in accordance with that Standard.

Accepted.

26. The Consent Holder must ensure that not less than 15 working days prior to commencing any construction, activities authorised by this consent, the Consent Holder must submit to Wellington City Councils Compliance Monitoring Officer (CMO) a draft Construction Noise and Vibration Management Plan (CNVMP) for approval. The draft Construction Noise and Vibration Management Plan must be prepared by a suitably qualified and experienced acoustic expert acceptable to Council and include an assessment of construction and vibration levels. The assessment CNVMP shall be in line with s.16 Best Practical Option (BPO). The CNVMP must be amended, where directed by the CMO to address proven deficiencies in its operation.

**Notes:**

- The CMO will consult with the urban designer in relation to this condition.
- The Best Practical Option is defined as the best method for preventing or minimising the adverse noise or vibration effects on the environment having regard to 1) the sensitivity of the receiving environment to adverse noise or vibration effects 2) the financial implications and 3) current state of technical knowledge and the likelihood that the option can be successfully applied. Refer to RMA for full definition of BPO.

Accepted.

27. The Consent Holder must not undertake any activities authorised by this consent until the draft Construction Noise Management Plan (CNVMP) has been signed off by Councils Compliance Monitoring Officer as final and is denoted by Council as being 'approved for use' as the final Construction Noise and Vibration Management Plan (CNVMP).

Accepted.

**Monitoring and Review:**

28. Prior to starting work the consent holder must advise of the date when work will begin. This advice must be provided at least 48 hours before work starts to the

Council's Compliance Monitoring Officer either by telephone (801 4017), facsimile (801 3165) or email (rcmonitoring@wcc.govt.nz) and must include the address of the property and the Service Request Number.

Accepted.

29. The conditions of this resource consent must be met to the satisfaction of the Council's Compliance Monitoring Officer. The Compliance Monitoring Officer will visit the site to monitor the conditions, with more than one site visit where necessary. The consent holder must pay to the Council the actual and reasonable costs associated with the monitoring of conditions (or review of consent conditions), or supervision of the resource consent as set in accordance with section 36 of the Act. These costs\* may include site visits, correspondence and other activities, the actual costs of materials or services, including the costs of consultants or other reports or investigations which may have to be obtained.

\*Please refer to the current schedule of Resource Management Fees for guidance on the current administration charge and hourly rate chargeable for Council officers.

Accepted.



**Ian Leary**  
On behalf of IPG Corporation

Dated: 20<sup>th</sup> December 2021