

To:	Commissioner St.Clair
Care of:	jane.hickmott@npdc.govt.nz
From:	Sean Zieltjes (for Ngāti Te Whiti), Karleen Thomson (NPDC), and Darelle Martin (BTW Company / Applicant)
Expert Conferencing Held:	15th June 2024 at 09:00
Venue:	BTW Company, 179 Courtenay Street, New Plymouth, and online via Teams Meeting

IN THE MATTER of the Resource Management Act 1991 ("RMA")

And

IN THE MATTER of an application under section 88 of the Act by KD HOLDINGS LTD to the NEW PLYMOUTH DISTRICT COUNCIL for land use consent application for alterations to an existing building within the City Centre Zone on a coastal frontage site and associated earthworks in close proximity to an Archaeological Site/Site of Significance to Māori.

Joint Witness Statement (JWS) of Experts (Planning)

ATTENDEES

Sean Zieltjes (SZ), Karleen Thomson (KT), and Darelle Martin (DM)

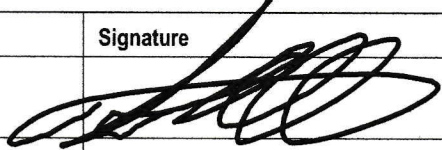


MATTERS CONSIDERED AT CONFERENCING – AGENDA AND OUTCOMES

Three parties are represented at the Expert Conferencing Session, being Ngāti Te Whiti, K.D. Holdings Limited and New Plymouth District Council (NPDC). The purpose of the meeting is to identify areas of agreement and any matters unresolved, without detriment to any of the parties represented.

CONFIRMATION OF JWS

The participants to the JWS, as listed below, confirm that:

- The session has been conducted in accordance with the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023;
- The outcome(s) of the expert conferencing are as recorded in this statement;
- The matters addressed in this statement are within their area of expertise; and
- Each expert has signed the schedule below to confirm their position.

Expert's Name and Expertise	Party	Signature
Sean Zieltjes – Planner	Ngāti Te Whiti hapū	
Karleen Thomson – Planner	New Plymouth District Council	
Darelle Martin - Planner	K.D. Holdings Limited	

AREAS OF AGREEMENT AND DISAGREEMENT

Matter	Reference	Information, and agreement status (with reasons if applicable)
Agreed Facts		
Site and receiving environment	As per section 2 of the application ('original application') dated 17/10/2023.	<p>SZ – In addition to the description in the application, and the LVIA the following observations are made with respect to the existing environment. There are four identified pā sites in the City Centre Zone, and several more in the Mixed-Use Zone that surrounds the City Centre Zone.</p> <p>These are a class of properties zoned for commercial uses but located on sites and areas of significance to Māori (SASM). Built form on these sites, or on the periphery including applied cultural expressions established over the last 5-6 years form a part of a existing environment.</p> <p>Within the City Centre Zone Puke Ariki (the pā) is reflected into the design of Puke Ariki the building, use and site as set out in the LVIA. It is noted that a proposal lodged with NPDC for a new building at 6 Young Street within the MUZ and on the periphery of Puke Ariki also reflects the context into built form (SUB24/50113 & LUC24/48530). Ngā Motu House (formerly the Atkinson Building) at Devon Street West is a further example of cultural values reflected in built form. This property is located adjacent to Maramamao (the largest cultivation area on the periphery of Puke Ariki)</p> <p>The second is at Mawhera where an unimplmented landuse consent LUC20/47704 approved a six storey multi-use building that reflects cultural values in built form.</p> <p>The third is at Te Kawau on which Centre City currently sits. No proposals to redevelop or alter the building in recent years.</p> <p>The fourth is Waimanu at which the application site is located on/in proximity to.</p> <p>Elsewhere properties with a commercial zoning and a SASM include St Mary's located in a Mixed Use Zone adjoining the City Centre Zone within the extent of Pūkākā. Recent upgrades of that site have included the establishment of Te Whare Hononga with built form that reflect that context.</p> <p>Similarly, at 5 Hakirau Street, Moturoa the property is zoned Commercial, and located entirely on Ōtaka Pā. Co-design between the landowner and Ngāti Te Whiti has been on-going for many years and reflected specifically into the provisions of the Commercial Zone to achieve built form that reflects the values of Ngāti Te Whiti, and Ōtaka.</p> <p>There is a Statutory acknowledgement for Te Atiawa along coastal area adjacent to site. The statement of association for the coastal environment is included in the Te Atiawa Deed of Settlement 2016, and also the iwi management plan – Tai Whenua, Tai Tangata, Tai Ao.</p> <p>All – agreed SZ's explanation above forms part of the 'site and surrounding / receiving environment' description.</p>

Matter	Reference	Information, and agreement status (with reasons if applicable)
Proposed activities	As per: <ul style="list-style-type: none"> - Original application - Amendment dated 20th February 2024 (replaced updated site plan and 2x floor plans) - Update dated 2nd July 2024 (proposed cultural narrative plans x4) - See proposed plan set in Appendix A 	All - Agree Living and business service activities are permitted. Building activities and associated earthworks require land use consent.
Consent required	Under PDP rules and NES-CS as per Section 1.3 and Appendix D of original application. Also: <ul style="list-style-type: none"> - Stone marker meets permitted standards as a freestanding sign under rule SIGN-R4 in PDP - Replacement of tarseal with concrete for paving design is a greater scale of earthworks under rules already triggered - Overall discretionary PDP activity status 	<p>SZ – SASM rules remain subject to appeal. Also, there is nuance in the reliance on extents as being fully inclusive of a site, noting that the NPDC Wāhi Taonga and Archaeological Sites programme is on-going. At the time of plan notification extents of A/S and SASM were identified by Ngāti Te Whiti, but are yet to be completed for Ngāti Tuparekino and Ngāti Tawhirkura. The Wāhi Taonga and Archaeological Sites programme records sites using a site recording guide that has generally followed what archaeologist recommends based on non-intrusive archaeological assessment (i.e., surface features visible, or historic maps and writings), on the understanding that rules are triggered in proximity to sites to collectively provide for the protection of sites. There is not a mana whenua appeal on extent. The appeal is seeking building activities within 50 m of sites to require consent.</p> <p>All – Agree SASM – R15 is not applicable (noting that it is subject to appeal).</p> <p>All – agree the SASM and A/S rules applicable are confirmed as such and are not under appeal.</p> <p>All – Agree overall activity status is discretionary.</p> <p>All – Agree CCZ-R20 and R21 are triggered, fully discretionary.</p> <p>All - Two coastal environment rule breaches are agreed (EW and building)</p> <p>All – Agree Transport chapter understood.</p> <p>All – Agree EW chapter is understood.</p> <p>DM - to assess volumes of earthworks and report back in evidence.</p>
S104(1)(a) and clause 7 of Schedule 4: actual and potential effects on the environment		
Is the range of effects assessed appropriate?		All – agreed to add planned character as discussed further below.
Is a permitted baseline relevant?		All - Agree not relevant
Positive Effects	As per original application section 4.2	Not discussed
Mitigating factors and measures	As per original application section 4.3, including the proposed conditions numbered 1, 2 a-f, 3 and 4	Not discussed, but draft conditions are discussed and agreed later in this JWS.

Matter	Reference	Information, and agreement status (with reasons if applicable)
Construction effects	As per original application section 4.4, noting there will be some additional temporary construction effects from implementing pavement design and stone marker	All – agree can be appropriately managed by conditions.
Physical earthworks effects	As per section 4.7 of the original application, noting some additional earthworks will facilitate the replacement of the tar sea to provide for concrete pavement design	All – agree can be appropriately managed by conditions
Archaeological effects	As per section 4.8 of the original application, noting additional earthworks for pavement replacement will be managed in the same way as all others	All – agree can be appropriately managed by conditions
Transport effects	As per section 4.10 and Appendix H of the original application	All – agree can be appropriately managed by conditions
Effects on human health	As per section 4.11 of the original application	All – agree can be appropriately managed by conditions
Matters remaining live for consideration / not agreed		
New topic: Effects on character (planned character)	As per the CCZ of the PDP	SZ – actual activities (living, and commercial) are not out of character. It is the building activities that remain under contention. All – agree these are to be assessed further through evidence SZ - that they not fully resolved through the LVIA
Effects of building activities	Strongly influenced by the Coastal Frontage Site rule trigger and Policy CCZ-P12 that relates to it. As per section 4.6 of the original application, and Design Statement in Appendix B of the same.	All – agreed to consider further
Landscape and visual effects	As per section 4.5 and LVIA of original application. In addition: the proposal does offer cultural narrative, somewhat consistent with the third recommendation of the LVIA which was previously unaddressed.	SZ – LVIA has turned mind to relevant matters reflective on info available at the time, which excludes a full understanding of cultural context. All – agree planned character remains a matter for consideration.
Coastal environment	As per section 4.12 of the original application	All – agreed to consider further
Cultural effects	Some assessment is provided in the Update dated 2 nd July 2024	Discussed how cultural effects assessment can be undertaken and a recent case (e.g., Tauranga Protection Society Incorporated v Tauranga City Council high court decision, which SZ considers sets a precedent). Noted that mana whenua are the best placed to determine adverse effects on mana whenua, and where it is clear, consistent, and genuine this assessment is to be considered determinative. All – agreed to consider further
S104(1)(b) regulatory requirements		
NESCS	Per section 5.3 of original application. No other NES relevant	All – agree NESCS relevant

Matter	Reference	Information, and agreement status (with reasons if applicable)
NPS-UD	Per section 5.4 of original application. No other NPS relevant	All – agree is relevant.
NZCPS	Per section 5.5 of original application.	All – agree is relevant
PDP	Per section 5.6 of original application and Update dated 2 nd July 2024. Step through the rules, standards, objectives and policies of the PDP.	<p>SZ – the outcomes sought by the SASM policies and objectives are not limited to sites listed in appendix 3 (Schedule 3) of the PDP. Recognises the review with the hapū remains on-going, and that the SASM info will change over time. SASM objectives and policies accommodate this change over time. The ODP was more directive that provisions apply to things/sites listed in appendices.</p> <p><u>Strategic Objectives</u></p> <p>All - All 3 Historic and Cultural (HC) are agreed relevant All – Infrastructure and Energy – agreed not directly applicable All – Natural Environment (NE) obs covered are agreed as appropriate. All - Rural Environment obs are agreed not applicable.</p> <p>Tangata Whenua (TW):</p> <p>SZ advised that TW16 – had a deliberate switch in the use of terms through the proposed plan hearings away from 'Māori land' to 'ancestral land', this objective is applicable in so far as the application site is the ancestral land of the hapū.</p> <p>DM agreed to address TW16 in evidence, after reading background of it in the PDP decision report for strategic objectives.</p> <p>SZ - TW15 – is related to cultural effects assessment. Objective is clear on who can talk to effects of tangata whenua.</p> <p>SZ – consider that all TW obs and pols are applicable.</p> <p>All - agree the TW selection is correct (and the omissions are correct). All – Agreed all other matters in the plan are to be read and achieved consistent with the strategic ones.</p> <p><u>City Centre Zone</u></p> <p>SZ and KT – agree CCZ-P3 is applicable, DM disagrees on the basis that 'avoid' and non-complying are linked and policy lists incompatible activities.</p> <p>All – Agreed all other CCZ provisions addressed in Update of 2nd July are applicable, and the omissions were agreed.</p> <p><u>Coastal Environment</u></p> <p>All – Agree CE-P9 applies. All – Agree CE-15 can apply. Agree all other CE provisions addressed in Update of 2nd July are applicable, and the omissions were agreed.</p> <p><u>Historic Heritage</u></p> <p>All – agreed all provisions addressed in Update of 2nd July are applicable, and the omissions were agreed.</p> <p><u>Sites and Areas of Significance to Māori</u></p> <p>All – agree with the SASM provisions addressed (and those omitted).</p>
ODP	Rules to be discussed Provisions to be discussed	All – Agree is not relevant

Matter	Reference	Information, and agreement status (with reasons if applicable)
Regional Policy Statement for Taranaki	As per section 5.9 of original application	All – Agree is relevant, noting its age, and modern objectives of PDP
S104(1)(c) regulatory requirements		
Tai Whenua, Tai Tangata, Tai Ao (statutory document)	Refer to section 5.7 of original application. This requires an updated assessment via evidence, noting the addition of cultural narrative through the Update dated 2 nd July 2024	All – agree as applicable lwi Management Plan and there are no others are at this stage
Ngāmotu New Plymouth City Centre Strategy (non-statutory document)	As per section 5.8 of original application. This requires an updated assessment via evidence, noting the addition of cultural narrative through the Update dated 2 nd July 2024	SZ – noted that a cultural values statement was produced by Ngāti Te Whiti to inform the development of the Ngāmotu New Plymouth City Centre Strategy. All – agree relevant
City and town centre design guide (non-statutory)	As linked in the PDP	All – agree relevant
Part 2		
Part 2	Refer to section 5.10 of original application. This requires an updated assessment via evidence, noting the addition of cultural narrative through the Update dated 2 nd July 2024	All – agree to address, per each section.
Draft conditions		
Draft conditions	As provided by Karleen Thomson in Appendix B. Draft conditions are discussed on the basis that, should the decision be to grant consent, they would be appropriate 'in principle' to manage the activities and their effects. Provision of draft conditions does not suggest an outcome on the decision.	Agreed – KT to circulate amended conditions discussed in person (completed as at time of publishing this JWS). All – agreed to KT's amended conditions as attached to this document, see Appendix B. Agreed – to add full set (both options) of plans to condition 1, condition to be confirmed later should consent be granted. Refer to Appendix F of the Update dated 2nd July 2024 (FOR REVIEW' 3D VIEWS – CULTURAL NARRATIVE" DRAWING SET INCORPORATING OPTIONS 1 AND 2) for this plan set. a
Other matters discussed		

Matter	Reference	Information, and agreement status (with reasons if applicable)
		<p>Agree – DM to list out sites SZ mentioned in surrounding environment description, and the LUC numbers, if known.</p> <p>Note: the following was added post-conferencing. As below, named site and SASM ID number:</p> <ul style="list-style-type: none"> • Puke Ariki Pā #8 • Mawhera Pā – not listed but acknowledged in Brougham Street / Powderham Street area. The relevant land use consent reference is LUC20/47704 (<i>Land Use Consent application for a Six Level Mixed Use Central City Development with Zone Height and Viewshaft Infringements, Removal of a Notable Tree and Partial Damage of an Archaeological Feature</i>). • Te Kawau / Kai-Arohi Pā #735 • Pūkākā Pā #9 • Ōtaka Pā #10 • Ngāmotu House is located at 139 Devon Street West.
Key unresolved issue		
	Does the proposal or built form sufficiently recognise the cultural significance of the site in providing a sense of place and identity?	All – agree as a key issue

ATTACHMENTS

- Appendix A Proposed plans
- Appendix B Draft conditions

Appendix A – Proposed plans



A / 131 Courtenay Street, New Plymouth, 4310
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KD - Molesworth St Alterations - Stage 2

39-41 Molesworth St, New Plymouth

Issued For:
Resource Consent

September 2023



Contents		
Drawing No.	Current Revision	Drawing Name
SK0.02	A	Existing Location Plan
SK0.03	A	Proposed Location Plan
SK0.04	A	Existing Site Plan
SK0.05	A	Proposed Site Plan
SK2.01	A	Floor Plans (Proposed)
SK2.02	A	Floor Plans (Proposed)
SK2.03	A	Floor Plans (Proposed)
SK2.04	A	Floor Plans (Proposed)
SK3.01	A	Elevations
SK3.02	A	Elevations
SK3.03	A	Elevations

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Site Description

LOT 1 & 2 DP 17052
Central City, New Plymouth
Zone: City Centre Zone (Area B)
Wind Zone at Level 0 & Level 1: Very High.
Wind Zone at Level 2 & Level 3: Extra High.
Maximum Wind Calculations at 13.85m: 1.65kPa (ULS). 52.5m/s
Earthquake Zone: 1
Exposure Zone: D
Lee Zone: No
Rainfall Range: 90-100mm
Wind Region: A
Climate Zone: 2

Site Coverage

Site area: LOT 1 = 380m²
Site area: LOT 2 = 511m²
Total area: 891m²

Existing Site Coverage = 402m²
Proposed Site Coverage = 466m²

Line to perimeter of site indicates construction demarcation line. Construction confined to within this area.

NPDC Planning Rules

City Centre Zone - Business Area B Coastal frontage site

1. Max. height = 14m above Ground Level

Location Plan - Existing (RC)
Scale 1 : 500 (A3)

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Job No.	Scale [A3]	Drawing No.	Rev	Issue Date	Drawing Title	Print Date
6801	As indicated	SK0.02	A	September 2023	Existing Location Plan	7/09/2023 11:01:06 am

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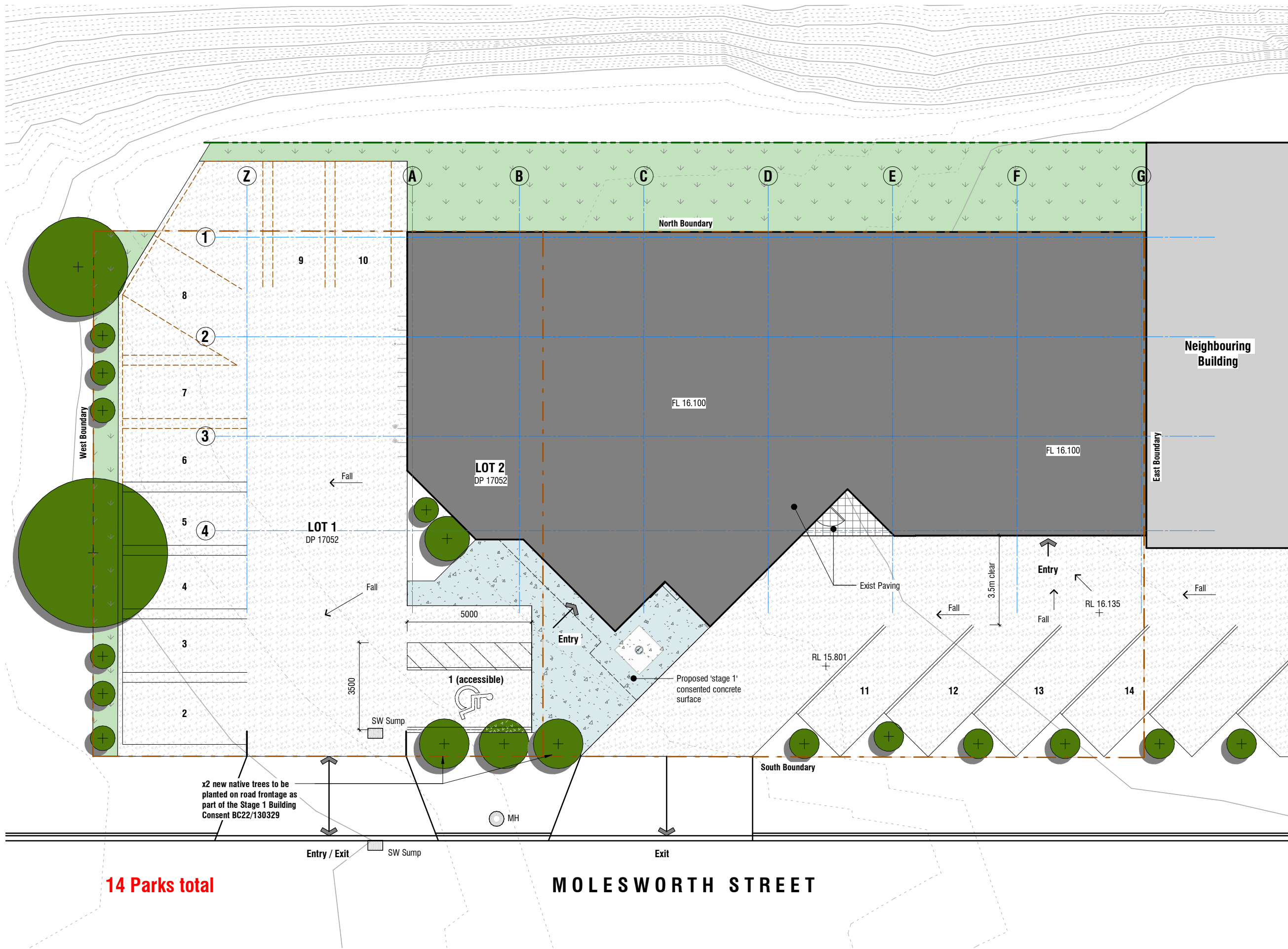
Location Plan - Proposed (RC)
Scale 1 : 500 (A3)

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Job No.	Scale [A3]	Drawing No.	Rev	Issue Date	Drawing Title	Print Date
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14 Parks total

Site Plan - Existing_RC

Scale1 : 150 (A3)

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NPDC Planning Rules

City Centre Zone - Business Area B Coastal frontage site

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Site Finishes Key

- Existing Building
- Neighbouring Building
- Existing Asphalt Parking
- Site planting
- Grass
- Existing Exterior Pavers (60mm cobblestones on 25mm compacted sand)
- Existing Concrete Surface
- New Concrete Surface
- Site Boundary

Job No.	Scale [A3]	Drawing No.	Rev	Issue Date	Drawing Title	Print Date
6801	As indicated	SK0.04	A	September 2023	Existing Site Plan	7/09/2023 11:01:49 am



Document Set ID: 9302547
Version: 1, Version Date: 24/07/2024

Architectural floor plan of Level 0 showing various rooms and areas. The plan includes a Carport (25 m²), Garage (33 m²), Tenancy 1 (168 m²), Store (93 m²), Entry (25 m²), Lift 1, Stair 1, Stair 2, Comms, ACC wc/shr, Clr 1, WC 1, and WC 2. The plan also shows existing windows, a north boundary, and building edges. A table of building areas is provided at the bottom right.

Building Areas (Approximate m²)		
Proposed - Residence		
L0 Residence Interior	= 126m²	(net m²)
L2 Residence	= 270m²	(gross m²)
L2 Deck	= 131m²	
L3 Residence	= 50m²	(gross m²)
L3 Deck	= 52m²	
Total Apartment Area (excluding Decks)	= 320m²	
Tenancy		
L0 Tenancy 1	= 171m²	(net)
L1 Tenancy 2	= 267m²	(net)
L1 Existing Decks	= 30m²	
Total Tenancy Area	= 438m²	

Scale 1 : 100 (A3)

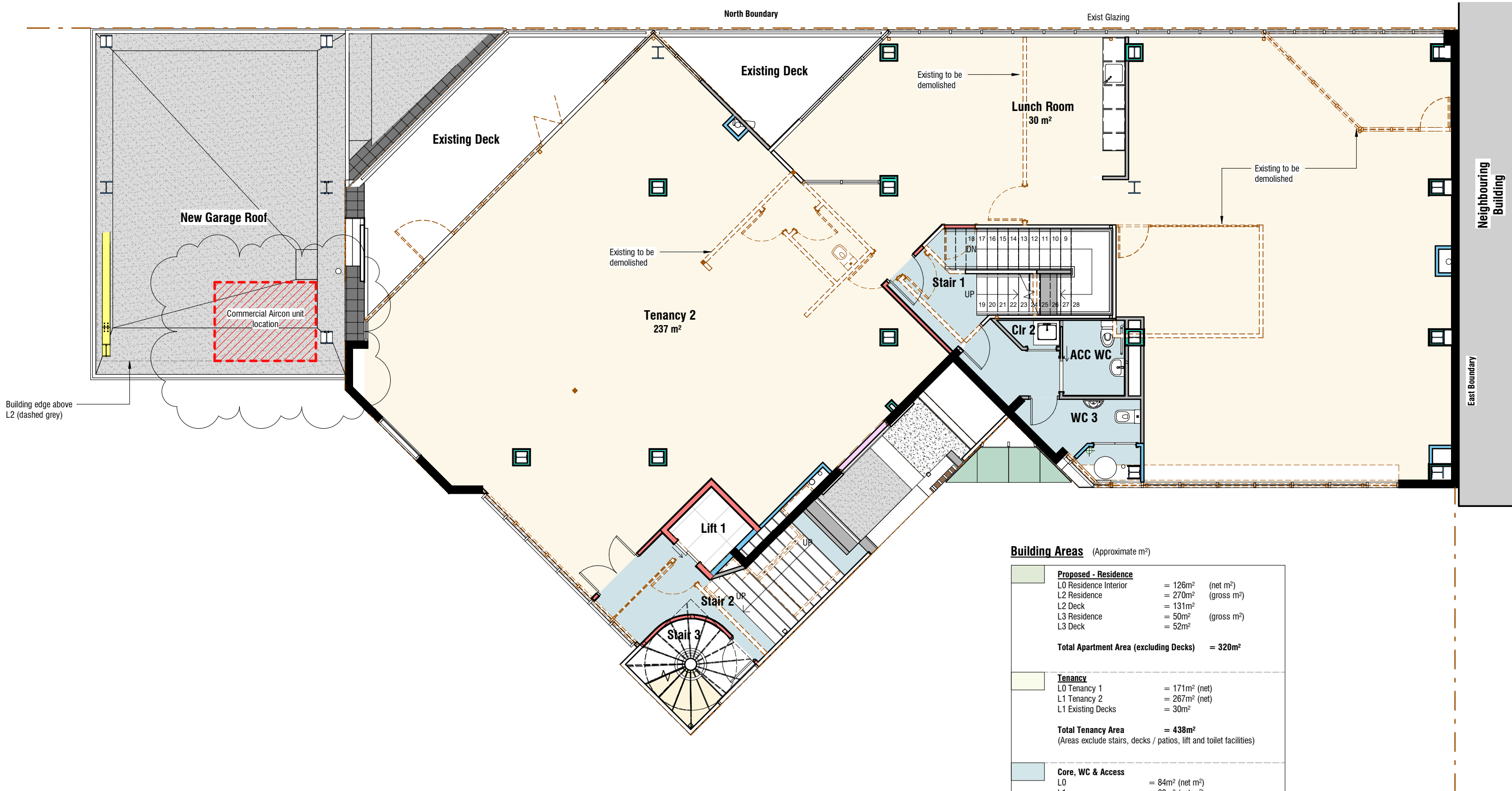
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Job No.	Scale [A3]	Drawing No.	Rev	Issue Date	Drawing Title	Print Date
6801	1 : 100	SK2.01	A	September 2023	Floor Plans (Proposed)	7/09/2023 11:01:56 am



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Building Areas (Approximate m²)

Proposed - Residence		
L0 Residence Interior	= 126m²	(net m²)
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Tenancy		
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L1 Tenancy 2	= 267m²	(net)
L1 Existing Decks	= 30m²	
Total Tenancy Area		= 438m²
(Areas exclude stairs, decks / patios, lift and toilet facilities)		
Core, WC & Access		
L0	= 84m²	(net m²)
L1	= 60m²	(net m²)
L2	= 11m²	(net m²)
Total Area		= 155m²
Total Internal Floor Area (excluding Decks) = 913m² (Approximate m² only)		

L1 Proposed Floor Plan (Office) RC

Scale 1 : 100 (A3)

KD - Molesworth St Alterations - Stage 2

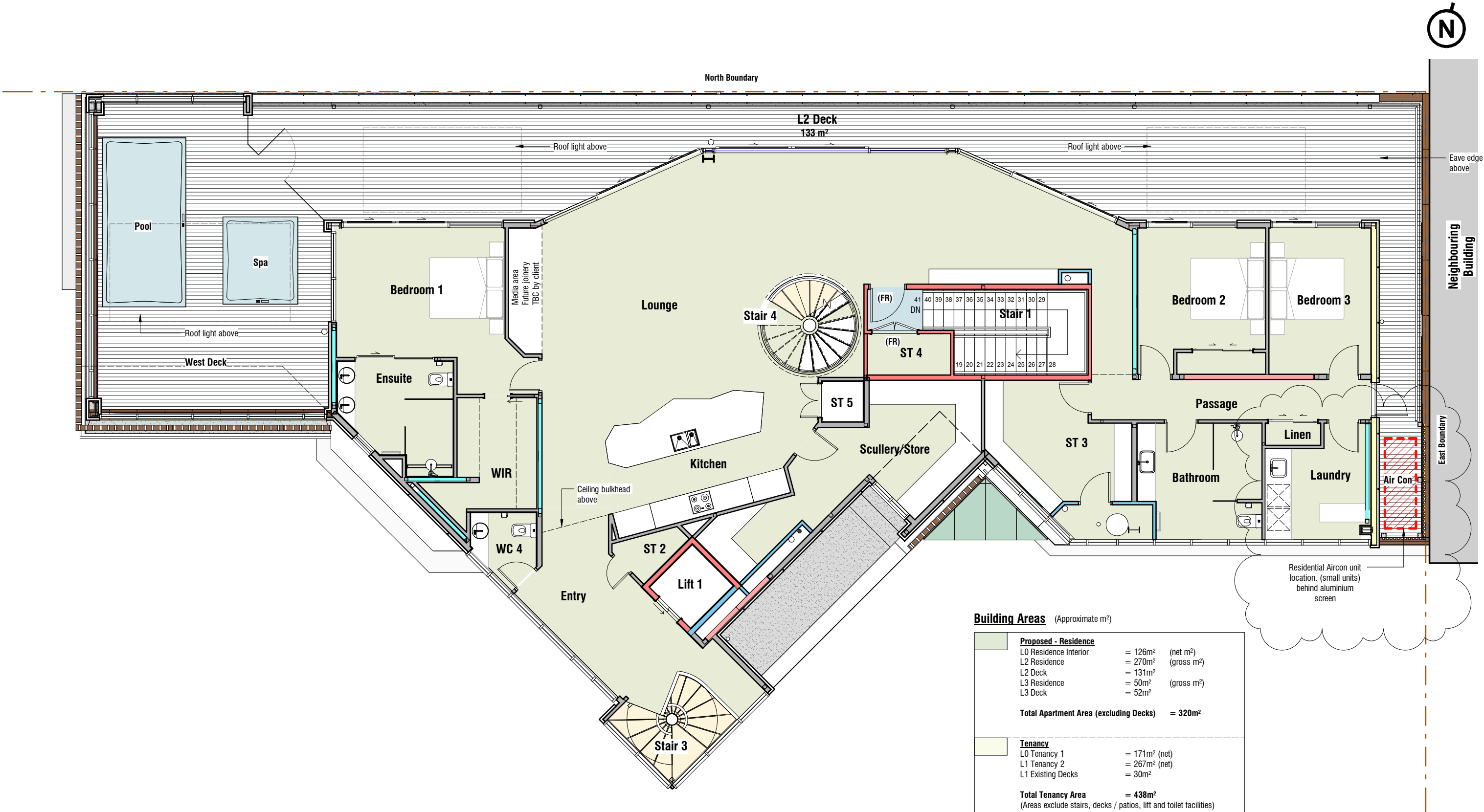
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Job No.	Scale [A3]	Drawing No.	Rev	Issue Date	Drawing Title	Print Date
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L2 Proposed Floor Plan (House) RC

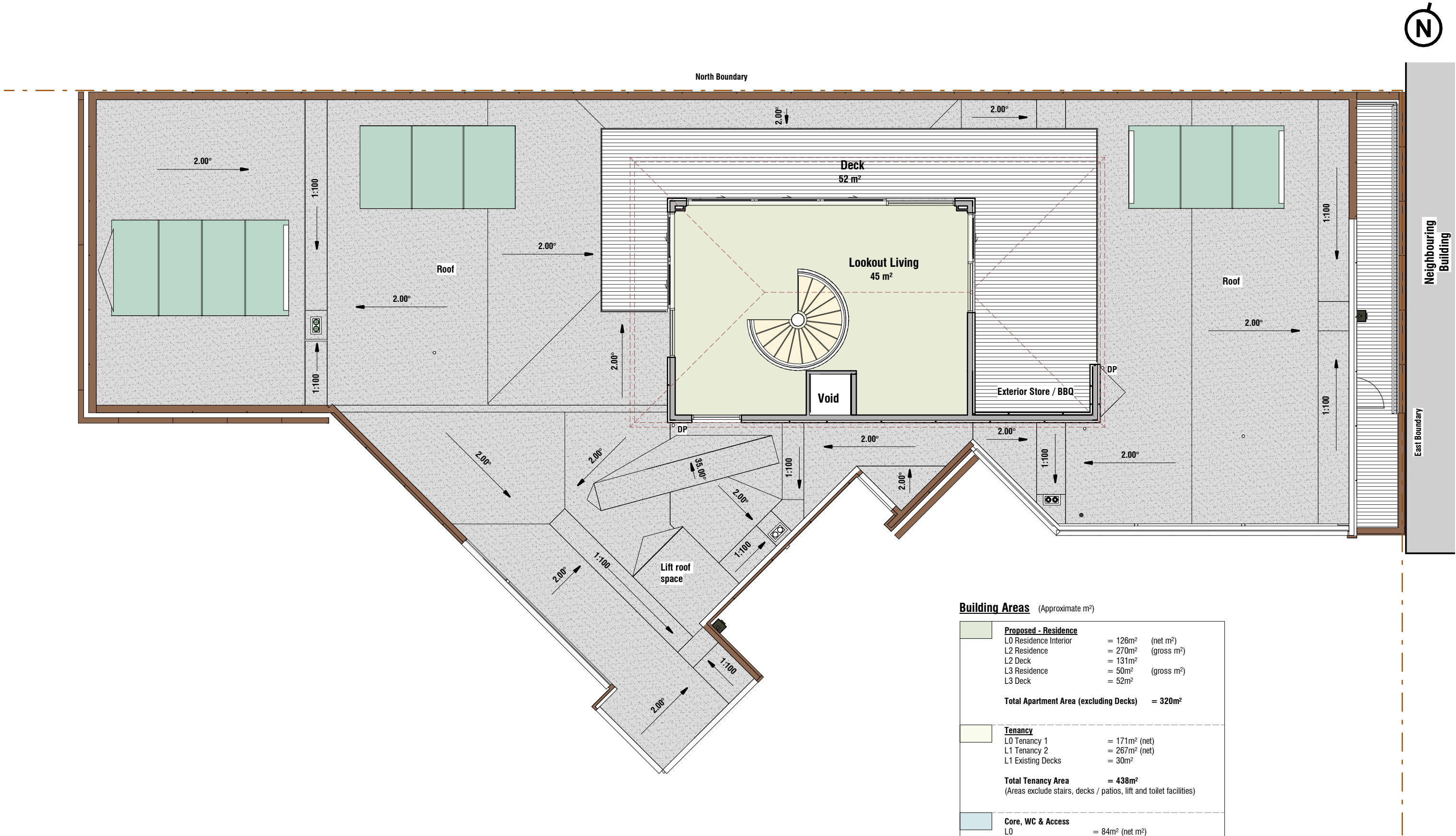
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Job No.	Scale [A3]	Drawing No.	Rev	Issue Date	Drawing Title	Print Date
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Building Areas (Approximate m²)		
	Proposed - Residence	
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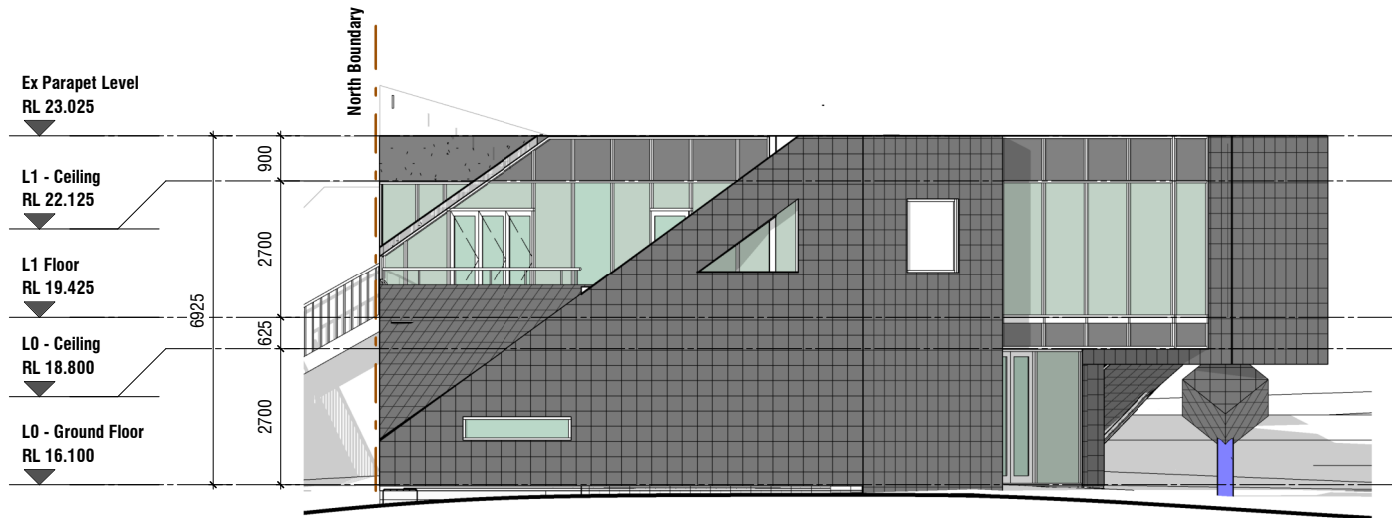
L3 Proposed Floor Plan (House) RC
Scale 1 : 100 (A3)

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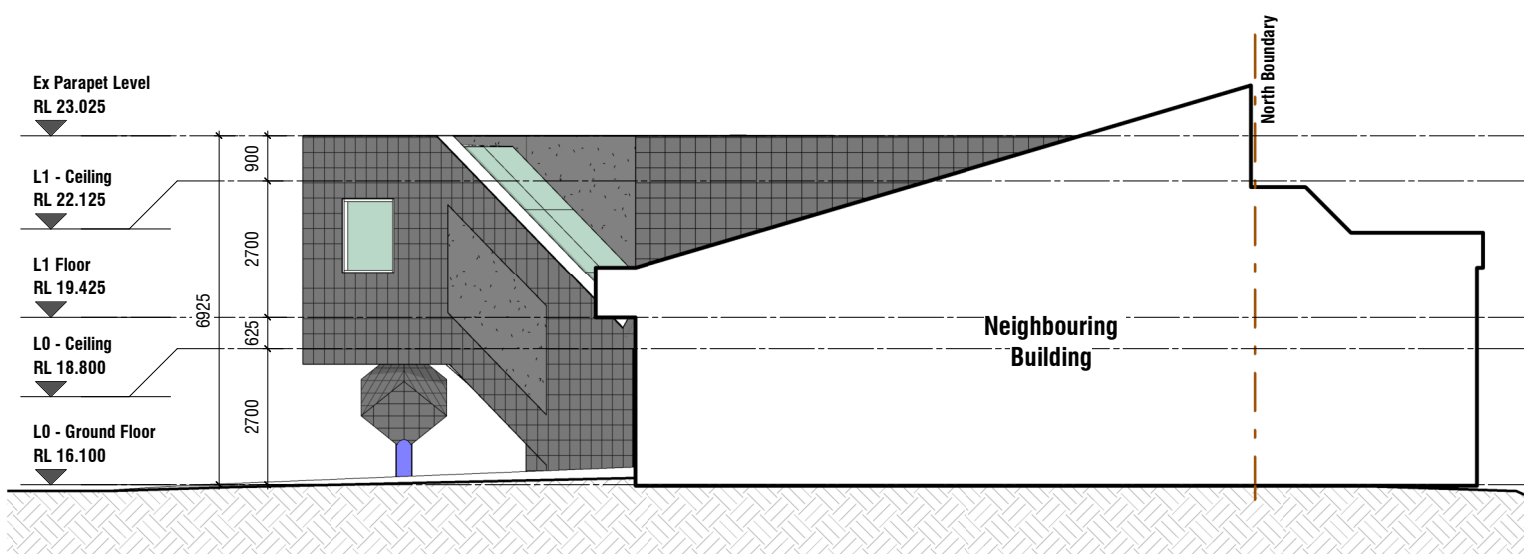
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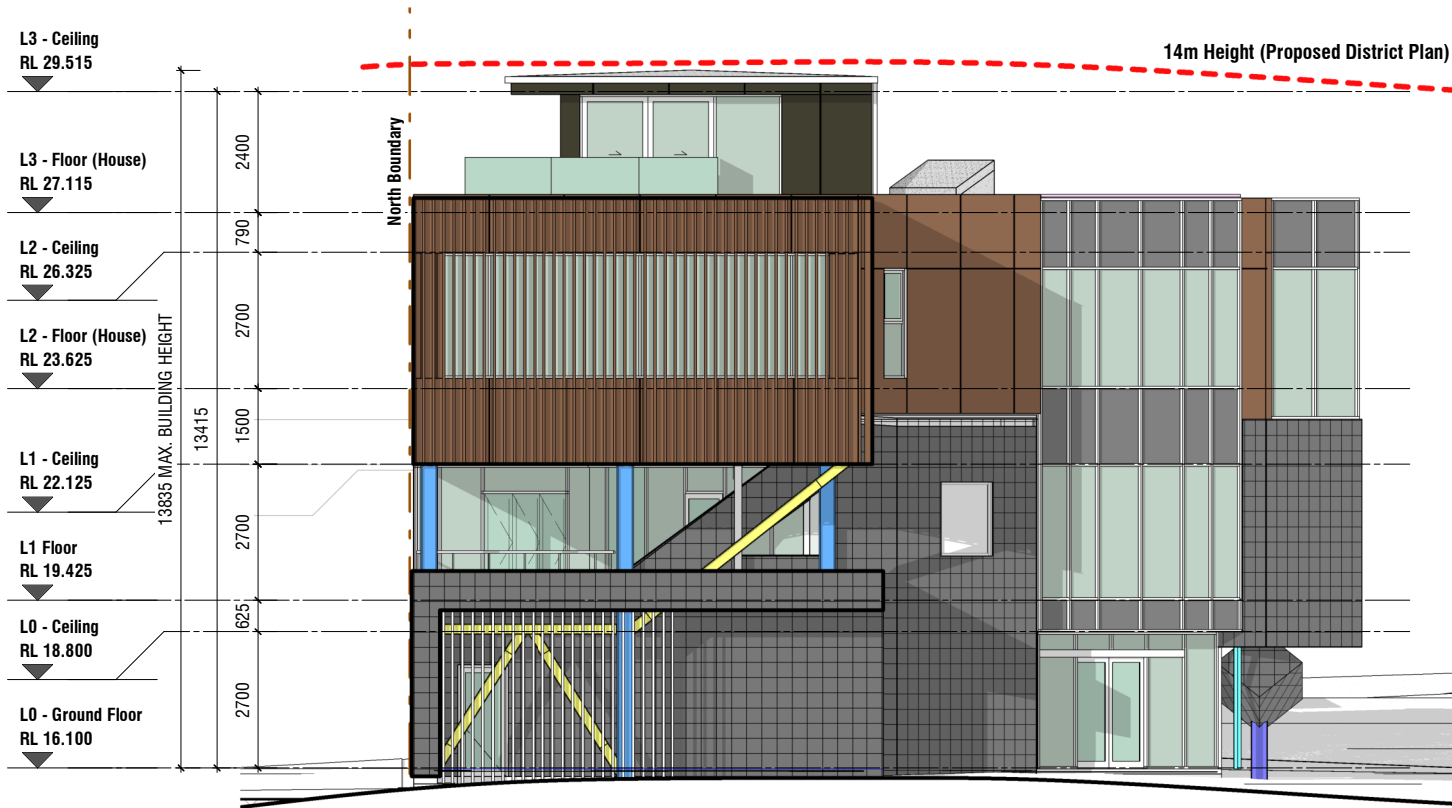
D Elevation (West) - Existing RC

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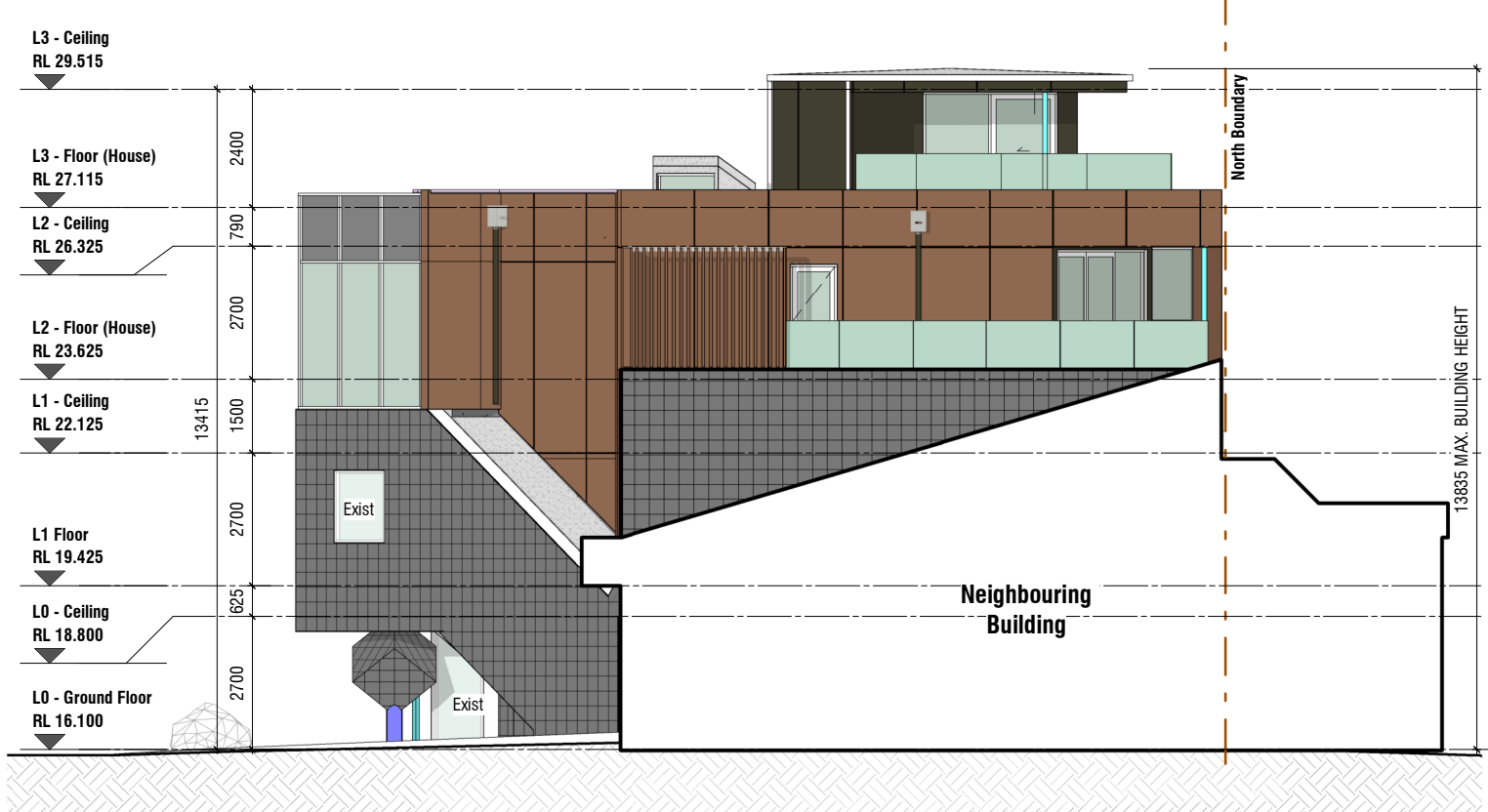
A Elevation (East) - Existing RC

Scale1 : 150 (A3)



D Elevation (West) - RC

Scale1 : 150 (A3)



A Elevation (East) - RC

Scale1 : 150 (A3)

NOTE: NEW GLAZING TO BE DARK TINT, NO MIRROR

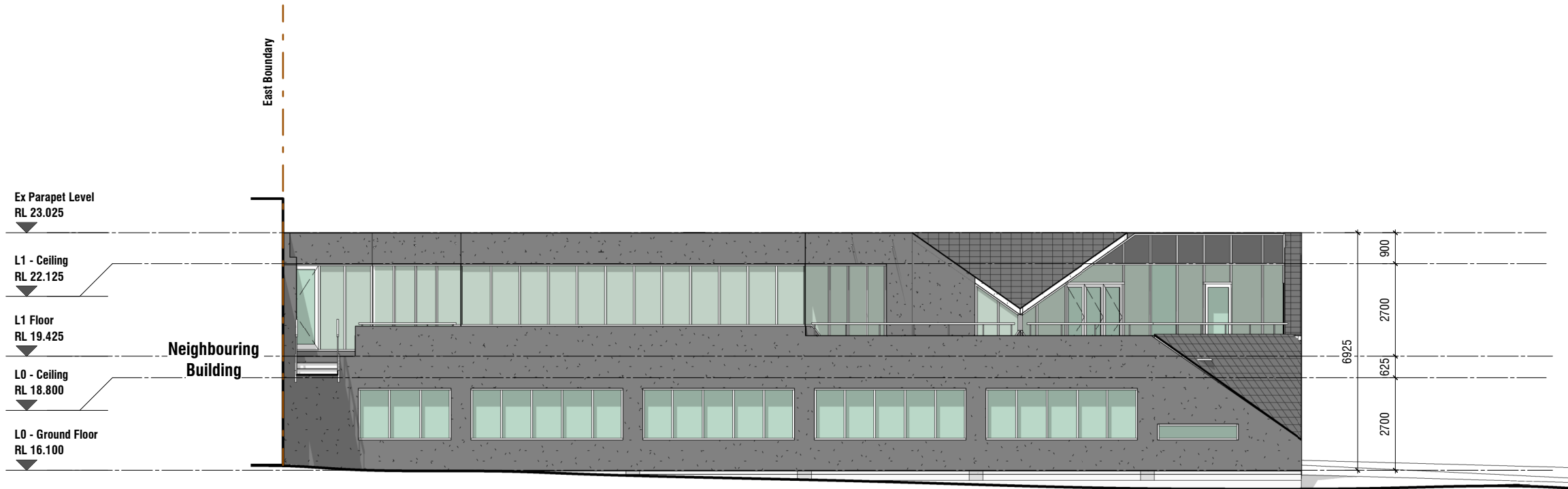
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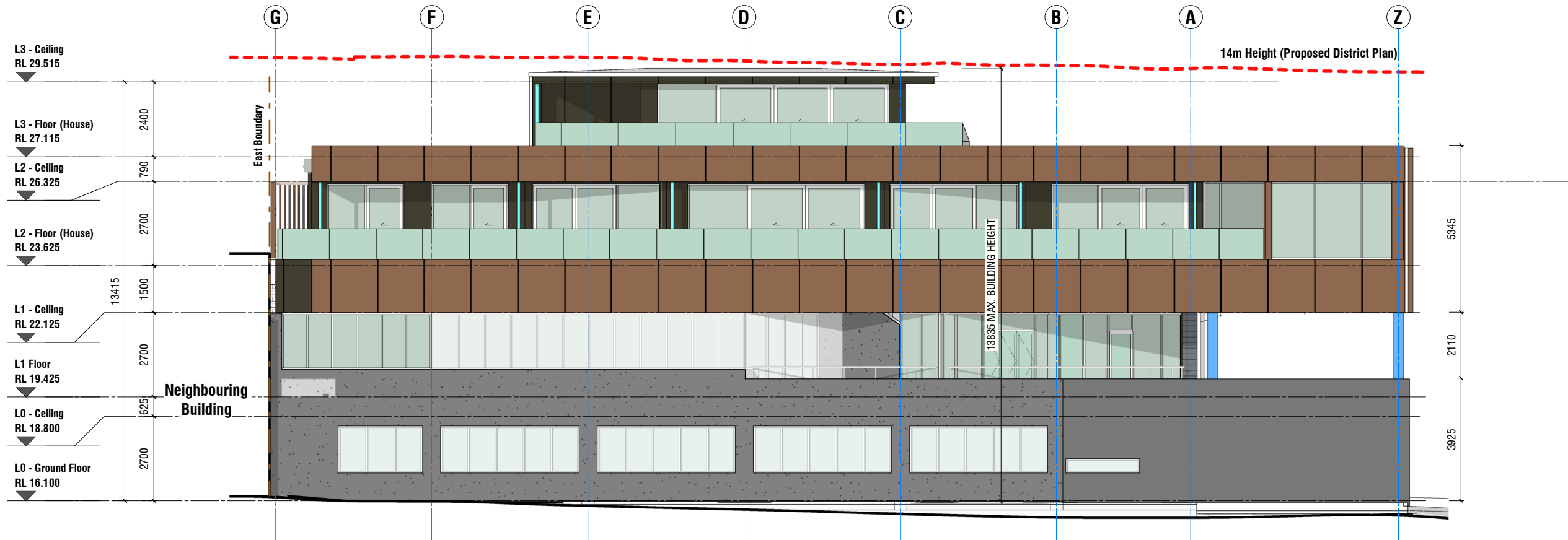
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6801	1 : 150	SK3.01	A	September 2023	Elevations

Print Date
7/09/2023 11:02:34 am

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B Elevation (North) - Existing RC
Scale1 : 150 (A3)



B Elevation (North) - RC
Scale1 : 150 (A3)

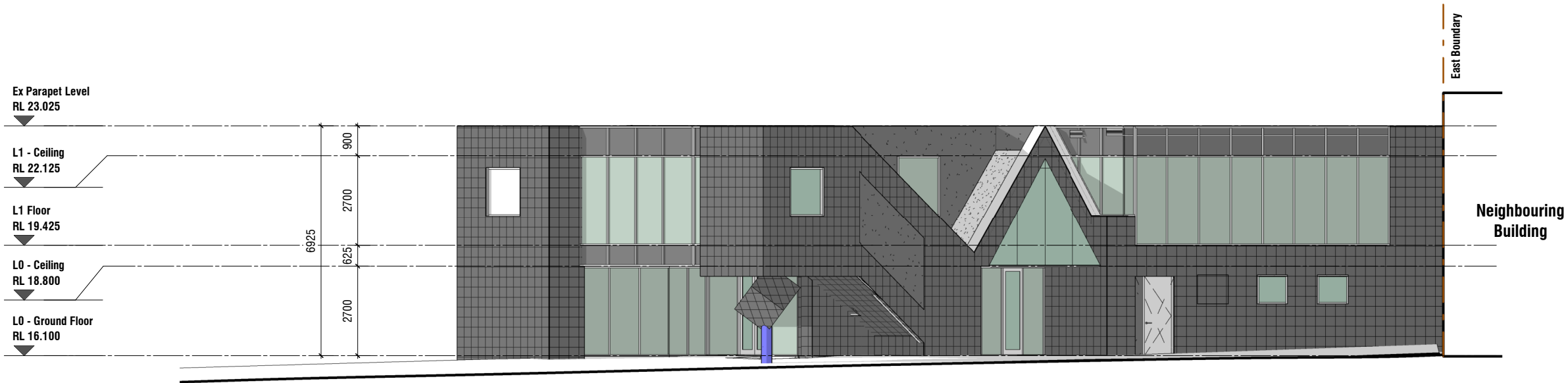
NOTE: NEW GLAZING TO BE DARK TINT, NO MIRROR

KD - Molesworth St Alterations - Stage 2
39-41 Molesworth St, New Plymouth
Resource Consent

Job No.	Scale [A3]	Drawing No.	Rev	Issue Date	Drawing Title	Print Date
6801	1 : 150	SK3.02	A	September 2023	Elevations	7/09/2023 11:02:41 am

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C Elevation (South) - Existing RC
Scale1 : 150 (A3)



C Elevation (South) - RC
Scale1 : 150 (A3)

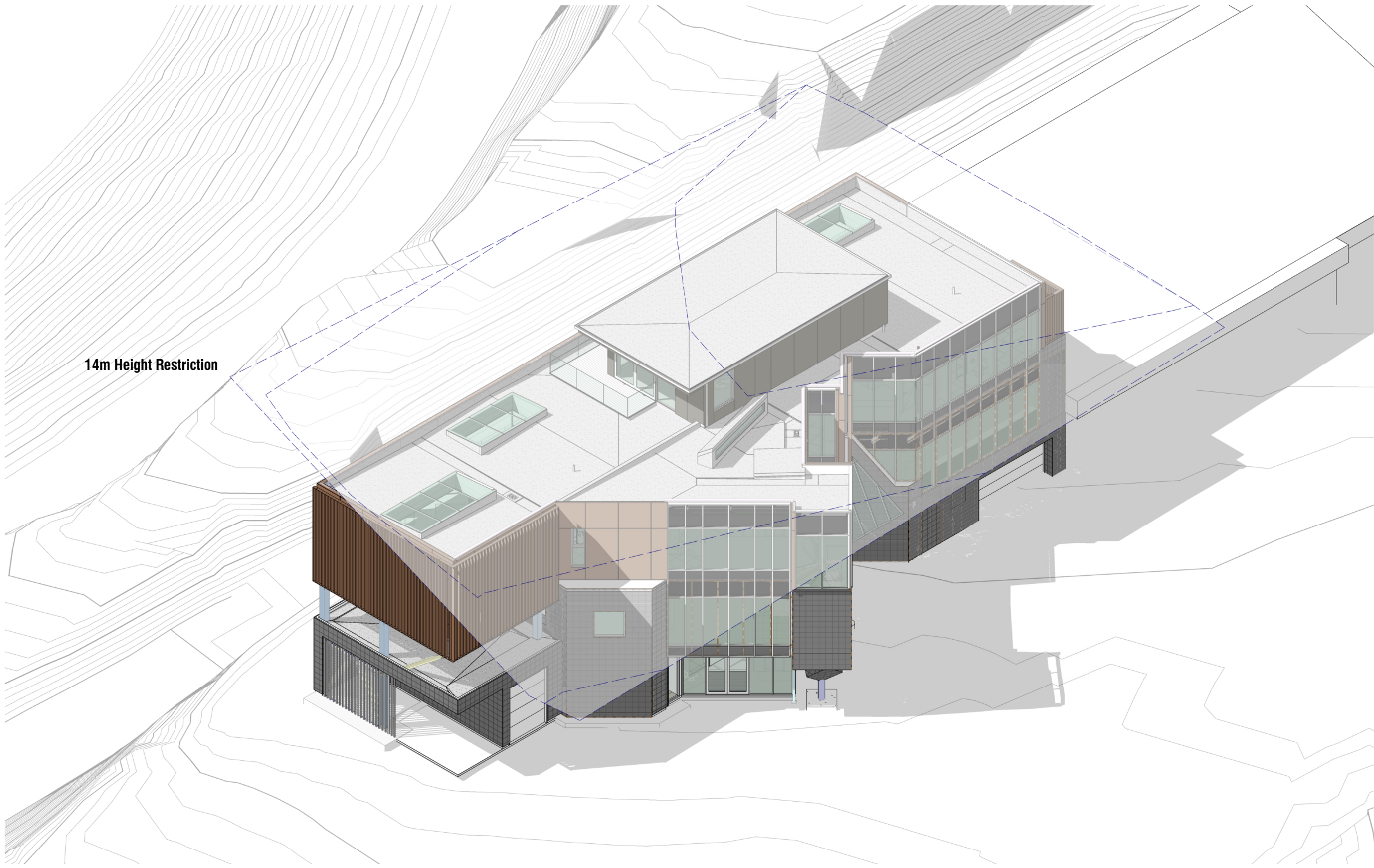
NOTE: NEW GLAZING TO BE DARK TINT, NO MIRROR

KD - Molesworth St Alterations - Stage 2
39-41 Molesworth St, New Plymouth
Resource Consent

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Job No.	Scale [A3]	Drawing No.	Rev	Issue Date	Drawing Title	Print Date
6801	1 : 150	SK3.03	A	September 2023	Elevations	7/09/2023 11:02:47 am

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14m Height Restriction

Height AXO
Scale (A3)

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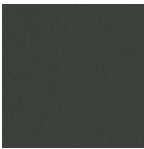
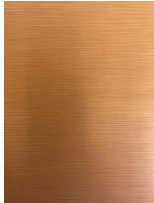
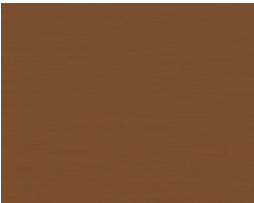
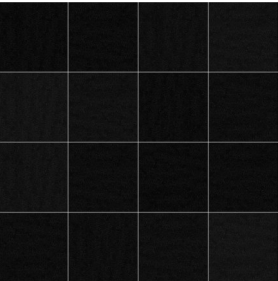


Job No.	Scale [A3]	Drawing No.	Rev	Issue Date	Drawing Title	Print Date
6801		SK3.04		September 2023	Axo View	7/09/2023 11:03:19 am

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Material Key

Scale 1 : 1 (A3)

PROPOSED LOOKOUT		Aluminium - Dark (Topsoil)
PROPOSED APARTMENT	 	Copper (Clay)
EXISTING OFFICE		Black Tiles (Black sand, rocks)





Option 2 - Paving cultural narrative only

FOR REVIEW

3D Views - Cultural Narrative

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KD - Molesworth St Alterations - Stage 2					Status:
Job No.	Scale [A3]	Drawing No.	Rev	Address	Review
6801	1 : 1	SK4.10		39-41 Molesworth St, New Plymouth	Print Date
					31/05/2024 3:47:41 pm

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Option 2 - Paving cultural narrative only

FOR REVIEW

3D Views - Cultural Narrative

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KD - Molesworth St Alterations - Stage 2

Job No.	Scale [A3]	Drawing No.	Rev	Address
6801	1 : 1	SK4.12		39-41 Molesworth St, New Plymouth

Status:
Review
Print Date
31/05/2024 3:47:46 pm

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Option 2 - Paving cultural narrative only

FOR REVIEW

3D Views - Cultural Narrative

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KD - Molesworth St Alterations - Stage 2

Job No.	Scale [A3]	Drawing No.	Rev	Address
6801	1 : 1	SK4.14		39-41 Molesworth St, New Plymouth

Status:

Review

Print Date

31/05/2024 3:47:51 pm

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APPENDIX H

LANDSCAPE PAVING AND STONE PLAN



Appendix B – Draft conditions

Draft Conditions of Consent.

General Conditions

1. The development shall be undertaken in general accordance with the information and plans submitted by the Consent Holder in support of application number LUC23/48350 and officially received by Council on 17 October 2023.

Copies of the approved plans are attached:

- KD – Molesworth St Alterations – Stage 2 – Location Plan Proposed (RC) Job Number 6801 drawing SK0.03 Rev A dated September 2023
- KD – Molesworth St Alterations – Stage 2 – Site Plan Proposed (RC) Job Number 6801 drawing SK0.05 Rev A dated 31 January 2024
- KD – Molesworth St Alterations – Stage 2 – L0 Proposed Floor Plan (office) RC Job Number 6801 drawing SK2.01 Rev A dated September 2023
- KD – Molesworth St Alterations – Stage 2 – L1 Proposed Floor Plan (office) RC Job Number 6801 drawing SK2.02 Rev B dated 8 February 2024
- KD – Molesworth St Alterations – Stage 2 – L2 Proposed Floor Plan (house) RC Job Number 6801 drawing SK2.03 Rev B dated 8 February 2024
- KD – Molesworth St Alterations – Stage 2 – L3 Proposed Floor Plan (house) RC Job Number 6801 drawing SK2.04 Rev A dated September 2023
- KD – Molesworth St Alterations – Stage 2 – D Elevation (West) RC Job Number 6801 drawing SK3.01 Rev A dated September 2023
- KD – Molesworth St Alterations – Stage 2 – B Elevation (North) RC Job Number 6801 drawing SK3.02 Rev A dated September 2023
- KD – Molesworth St Alterations – Stage 2 – D Elevation (South) RC Job Number 6801 drawing SK3.03 Rev A dated September 2023
- KD – Molesworth St Alterations – Stage 2 – Precedents Job Number 6801 drawing SK3.07 Rev A dated September 2023
- (Boon 3D Views – Cultural Narrative Option 1 Patterned Screens drawing SK4.09, SK4.11, SK4.13)
- (Boon 3D Views – Cultural Narrative Option 2 Paving Cultural Narrative, drawing SK4.10, SK4.12, SK4.14)
- (Landscaping & Konatu Stone, SK4.17)

In the case of inconsistency between the application and the conditions of this consent, the conditions of consent shall prevail.

2. The consent holder shall contact the Council's Environmental Planner – Monitoring at least 48 hours prior to any work commencing on the site and advise the officer of the date upon which such works will commence.
3. The consent holder shall pay the Council's costs of any monitoring that may be necessary to ensure compliance of the use with the conditions specified.

Glazing and Façade Treatments

4. All mirrored glazing shall be removed from the facades of the building.

Landscaping

5. A Landscape Planting Plan prepared by a suitably qualified expert in landscaping shall be submitted by the consent holder to the Development Control Lead and certified prior to the commencement of works. The Landscape Planting Plan must include:

- Planting in front of car parks 7-10.
- No less than four specimen trees planted in the north west corner of the site adjacent to the car port. Trees must be no less than 2m tall at the time of planting.
- Specify Plant Species, numbers, size, spacing, layout and grade;
- The consent holder must provide a minimum of 20 working days to Ngati Te Whiti and Ngati Tawhirikura for the opportunity to provide feedback/input on the proposed planting plan.
- Any feedback received from Ngati Te Whiti Hauu and Ngati Tawhirikura on plant species and demonstrate how that has been adopted into the planting plan.

All works shall be carried out in accordance with the Landscape Plan certified in accordance with this condition.

6. Prior to issue of a Code Compliance Certificate or within 12 months of the exterior building construction being completed whichever occurs first, the consent holder shall complete planting in accordance with the Landscape Planting Plan certified in accordance with Condition 5:

Prior to Earthworks/Construction Commencing

Cultural Monitoring

7. No less than 7 working days prior to earthworks commencing on site, the consent holder shall advise Ngati Te Whiti Hapū and Ngati Tawhirikura of the intention to undertake the earthworks, so that they may provide a monitor for on-site cultural monitoring during these earthworks at their discretion.

Erosion and Sediment Control

8. The consent holder must provide an erosion and sediment control plan for certification by the Development Control Lead. Erosion and sediment control measures must be implemented in accordance with the certified erosion and sediment control plan.

Acoustic Design Certificate

9. The consent holder must provide to Council at the time of application for building consent an acoustic design certificate from a suitably qualified acoustic expert to confirm the noise insulation of the dwelling has been designed to meet an internal noise level of 40dB_{L_{Aeq}(24hour)} inside all noise sensitive rooms with ventilating windows open.

Earthworks Management Plan

10. Prior to the commencement of works on site an Earthworks Management Plan prepared by a suitably qualified environmental practitioner shall be submitted to Councils Monitoring Officer for certification. This plan shall include measure for (as relevant):

- (a) Health and safety to inform all contractors of the potential for soil contamination.
- (b) Requirement for use of personal protective equipment.
- (c) Minimising soil disturbance.
- (d) Reinstating the exposed area as soon as practicable.
- (e) Implementing dust management measures as necessary to ensure that there are no air borne particulars.
- (f) Advising Council of the authorized soil disposal facility.

All works must be in accordance with the certified earthwork management plan.

During Earthworks/Construction

Earthworks/Excavation

- 11. Excavation works associated within the site must be kept wholly within the boundary of the development and not encroach past the boundary.
- 12. All disturbed material, silt, sediment and dust shall be retained on the site unless transported off site by a vehicle.
- 13. All disturbed soils and hardfill material removed from site must be tested prior to disposal and disposed of to a facility authorized to receive that material. This excludes cured hardstand material (such as paving/asphalt/concrete) which is cleanfill and is not required to go to an authorized facility.

Construction Noise

- 14. During construction, all construction works must comply with NZS6803:1999 Acoustic Construction Noise.

Accidental Discovery

- 15. If the consent holder discovers archaeological evidence, or suspected archaeological evidence, they shall without delay notify:
 - Ngati Te Whiti Hapū
 - Ngati Tawhirikura;
 - Heritage New Zealand Pouhere Taonga (HNZPT); and
 - New Zealand Police in the case of skeletal remains; and

Stop work within the immediate vicinity of the discovery to allow a site inspection by HNZPT and the Ngati Te Whiti Hapū, Ngati Tawhirikura and their advisors, who shall determine whether the discovery is likely to be extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required. Site work shall only recommence following consultation with the Consent Authority, HNZPT, Ngati Te Whiti Hapū, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.

Cultural Narrative

- 16. The consent holder must incorporate a cultural narrative onsite either Option 1 or Option 2.
 - Boon 3D Views – Cultural Narrative Option 1 Patterned Screens drawing SK4.09, SK4.11, SK4.13

- Boon 3D Views – Cultural Narrative Option 2 Paving Cultural Narrative only drawing SK4.10, SK4.12, SK4.14
- Landscaping & Konatu Stone SK4.17

The stone marker must incorporate “Waimanu” as text and a design etched or carved into the stone.

Post Earthworks

17. All areas of earthworks (excluding any area covered by buildings or hard landscaping) shall be revegetated to achieve 80% ground cover within 6 months of the earthworks being commenced to the satisfaction of Councils Monitoring Officer.
18. All costs in meeting the conditions of these requirements shall be met by the applicant unless otherwise stated.

Ongoing Conditions

19. The consent holder must maintain the landscaping required in Condition 5 on an ongoing basis. In the event that any of the landscaping should die or become diseased they must be replaced with a similar species or plant within the next planting season.
20. The consent holder must maintain the applied cultural narrative for the life of the activity.