

BEFORE AN INDEPENDENT COMMISSIONER

UNDER Section 104 of the Resource Management Act 1991

IN THE MATTER of a resource consent application to demolish the Hydro Grand Hotel building and develop a mixed use office, apartment, retail and hotel complex at 10 The Bay Hill, Timaru

SUBMITTER R M Lambie and T C Lambie as trustees of the J & R Lambie Family Trust

BRIEF OF SUPPLEMENTARY EVIDENCE OF CHRISTOPHER JOHN WILSON

WYNN WILLIAMS
LAWYERS
CHRISTCHURCH

Solicitor: Lucy de Latour
(lucy.delatour@wynnwilliams.co.nz)

Level 5, Wynn Williams House,
47 Hereford Street,
P O Box 4341, DX WX11179,
CHRISTCHURCH 8140
Tel 0064 3 3797622
Fax 0064 3 3792467

Introduction

- 1 My full name is Christopher John Wilson. My qualifications and experience is set out in my evidence in chief.
- 2 Although this is a Council hearing, I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

Scope of Evidence

- 3 I have been asked by R M Lambie and T C Lambie as trustees of the J & R Lambie Family Trust (**Trust**) to review and comment on the additional sun studies and elevations filed by the Applicant following the Council hearing on 8 and 9 December, 2015.
- 4 I wish to comment on the following matters:
 - (a) The additional solar studies;
 - (b) The amended elevations;
 - (c) Setback issues; and
 - (d) Window placement.

Solar studies

- 5 I expressed some concern in my evidence in chief about the scale of the solar studies that were provided in the Applicant's section 92 response. The Applicant has provided additional solar diagrams at a 1:200 scale for a small selection of proposed views at both the summer and winter solstices and autumn and spring equinox. Having reviewed these diagrams, I confirm that the views expressed in my evidence in chief, particularly at paragraphs 34-38, remain unchanged.

Elevations

- 6 While the Applicant has provided amended elevations showing the existing ground level, this does not address my concerns in relation to

how the non-compliance with the 20m height limit (and effects associated with the non-compliance) is assessed.

- 7 In addition to the existing ground level and 20m height limit, I would expect to see the height of the proposed building at each point the height limit is breached in order to ascertain the extent of non-compliance (and effects of that non-compliance).
- 8 As a result, the concerns expressed in my evidence in chief have not been addressed and my opinion remains unchanged.

Setback issues

- 9 The Applicant has also provided internal elevations of the northern façade of the proposed development adjacent to the Trust's property. These elevations show that the carpark will be constructed below ground level. In my experience of construction below ground level, the carpark would need some kind of waterproof membrane protection.
- 10 While not directly relevant to the resource consent application, I wish to note that work of this nature would typically require a setback from the boundary; I would expect that any digging between 2-3 metres below ground level would require clearance space of 1-2 metres on each side. This would allow sufficient space for the membrane to be applied. From the elevations that have been provided, I am unsure how this work would be achieved.

Window placement

- 11 In addition, the Applicant has noted that the windows have been adjusted to address the concerns of the Trust relating to privacy. I note that any windows on the northern façade of the hotel building will result in a privacy loss and that raising the levels by 1000mm and reducing the width, the presence of windows along this façade would result in a loss of privacy.
- 12 The reverse sensitivity effects outlined in my evidence will also still arise despite the changes proposed by the Applicant to the windows on the northern façade of the hotel building.

Christopher John Wilson

15 March 2017