

Cubitt Consulting Limited

RESOURCE MANAGEMENT CONSULTANTS

10 May 2017

District Planning Manager
Timaru District Council
PO Box 522
Timaru 7940

Dear Mark

Land Use 102.2016.141: 5 – 7 Sefton Street East and 10 and 16 – 26 The Bay Hill, Timaru

I refer to the request by the holder of Land Use Consent 102.2016.141 that Condition 2 of the consent be amended under section 133A of the RMA. The amendment seeks to clarify that the condition relates to the need for building consent to be issued only for buildings that will occupy all or part of the existing Hydro Grand Hotel building footprint.

This purpose of the condition was to ensure that the Hydro Grand was not demolished before the replacement building were ready to be erected on the site. The change sought by the consent holder is as follows:

*“The Hydro Grand Hotel building shall not be demolished until such time as building consent is issued for the replacement buildings **occupying all or part of the Hydro Grand Hotel building footprint**, and the finance and construction contracts for those replacement buildings are in place. The consent holder shall provide confirmation of these matters, in writing, to Councils Chief Executive Officer prior to any demolition work commencing”*

I agree with the applicant that the *“amendment is within the scope of a section 133A correction of a defect in the sense that it simply clarifies Condition 2 while continuing to guard against the adverse effect the condition was designed to mitigate, that is the demolition of the Hydro before there is a high level of certainty that development will occur on that part of the site.”*

On that basis, the correction has been made and is shown in the attached decision certificate.

Yours faithfully
CUBITT CONSULTING LTD



Allan Cubitt
Hearings Commissioner