

**ADDRESS:** 5 – 7 Sefton Street East and 10 and 16 – 26  
The Bay Hill, Timaru

**CONSENT TYPE AND NUMBER:** Land Use 102.2016.141.1

**LAPSE DATE:** 21 April 2022, unless the consent has been  
given effect to before this date

**DECISION:**

Pursuant to sections 34A and 104B, and after having regard to matters set out in Part II and sections 104 of the Resource Management Act 1991, I hereby **grant** resource consent application **102.2016.141.1** for the properties located at 5 – 7 Sefton Street East and 10 and 16 – 26 The Bay Hill, which are legally described as Lot 1 DP3530, Part Lots 2 DP3530, Part Lot 3 DP3530 and Part Lot 3 DP11427, and the existing car park at Lot 1 DP302425, for the demolition of a listed heritage building (the Hydro Grand Hotel) and to replace it with a mixed-use complex that will include retail, food and beverage, office, hotel and residential apartment components, as a discretionary activity, subject to the conditions imposed under section 108 of the Act below:

**CONDITIONS**

- 1 The development shall proceed in general accordance with the information and plans submitted with the application and as amended by the evidence and plans produced at the hearing, including the further information submitted on 7 October 2016, and the addition of car parking located on Lot 1 DP302425. The approved consent documentation has been entered into Council records as number 102.2016.141.1.
- 2 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.
- 3 A photographic record of the building shall be undertaken prior to demolition works commencing and during key phases of demolition agreed with the Council's District Planning Manager. This record shall be lodged with the Council and with Heritage New Zealand Pouhere Taonga for their records within six months of the completion of the work.

- 4 Representative items of high heritage value, including: the two coloured/stained glass windows from the stairwell; the bottom timber newel post from the main stair; and at least one concertina steel lift door and frame (to be displayed against a blank wall) will be carefully removed from the existing building, restored and built into a public aspect of the new development, together with appropriate interpretive material and description, to tell the items story.
- 5 Deconstruction of the fabric of the building shall be undertaken in a careful way and where possible recyclable materials will be removed for recycling and incorporation into other building projects (away from this site). Such items may include internal doors and frames, timber windows, roof framing timbers, flooring, or floor framing timbers, to the extent that these items are economically recoverable.
- 6 The on-site car park shall only be used by occupants of the apartments. Office tenants, or hotel guests and staff and shall not be open to the general public.

7 Transport and Car Parking

- (a) A Parking Management Plan is to be prepared by the applicant and shall be implemented by those responsible of the management of the hotel and office accommodation. The purpose of the Plan is to set out how vehicle arrivals and parking will be managed to ensure that conflicts including blocking or delays, do not arise with regards to the arterial transport function of Sefton Street (State Highway 78). The matters addressed in the Parking Management Plan are to include but are not limited to:
  - (i) The allocation of parking spaces between different activities;
  - (ii) How valet parking for the hotel will operate;
  - (iii) How hotel guest arrivals will be managed and how such arrivals will be directed to use The Bay Hill street entrance;
  - (iv) The hours of operation, entry system, and location of any security barrier or screen, should such be installed;
  - (v) The management and location of coach arrivals and unloading;
  - (vi) The management of service vehicles and associated loading to minimise conflict with other car park users;

- (vii) Management of parking on Lot 1 DP302425; and
  - (viii) Those requirements of conditions 6(b) - (d).
- (b) Service deliveries utilising the Sefton Street East (State Highway 78) entrance shall not occur within the hours of 8:00am to 10am and 3:00pm to 6:00pm, Monday to Friday. Service deliveries outside these hours shall be managed to ensure there are no impacts on vehicles entering or exiting the car park building that may cause impedances to Sefton Street traffic.
  - (c) Service vehicles shall not park or be loaded or unloaded on Sefton Street East (State Highway 78).
  - (d) A minimum of five car parks shall be made available for valet parking and hotel drop-off on the ground floor of the parking building adjacent to the internal hotel entrance foyer. These spaces shall remain available at all times and shall not be located behind any security screen or gate should such be installed.
  - (e) The Parking Management Plan is to be submitted to and certified by the Council's District Planning Manager as meeting the outcomes in Condition 6a prior to any buildings being occupied. The Parking Management Plan shall be reviewed six months and again one year after the occupation of any building to assess its effectiveness. The Plan shall be amended as required to achieve the outcomes of Condition 6a, including the adequacy of on-site parking, with any amended plan submitted to and certified by the Council's District Planning Manager.
- 8 In the event that an underground petroleum storage tank is encountered during site earthworks, the removal of that tank is to be supervised by a contaminated land specialist who will carry out an environmental assessment completed in accordance with the Ministry for the Environment *Guidelines for Assessing and Managing Petroleum Hydrocarbon Contaminated Sites in New Zealand (Revised 2011)*. This assessment shall be submitted to Council's District Planning Manager no later than six weeks post removal of the tank(s).
- 9 Any soils remaining in the vicinity of the underground petroleum storage tank shall be suitable for the intended land use. Where such soil is contaminated such that it is not suitable, a Soil Disposal Plan shall be prepared and submitted to the Council's District Planning Manager for approval at least five working days before the commencement of soil removal activities. The Soil Disposal Plan shall provide

details of the suitable disposal facilities for the contaminated soil and shall include an accidental discovery protocol, which is to be followed by the contractor if any unknown contaminant sources are identified during the works.

- 10 A Noise Management Plan is to be prepared by the consent holder and implemented by the operators of any café, restaurant, or bar tenancies within the buildings. The purpose of the plan is to demonstrate techniques as to how the noise standards in the District Plan are to be complied with in relation to any café, restaurant, or bar tenancies. The matters addressed in the Noise Management Plan are to include but are not limited to:
  - (i) Consideration of the need to limit the hours of occupancy of any outdoor dining areas;
  - (ii) Consideration of the need to limit the use and hours of acoustic and amplified music;
  - (iii) Consideration of the need to limit the hours of use and location of glass recycling bins and rubbish skips;
  - (iv) Establishing a noise complaints procedure including recording of these and the actions taken to address any complaints;
  - (v) Specifying an ongoing monitoring programme to confirm compliance with the District Plan noise standards.
- 11 This Noise Management Plan shall be submitted to and certified by the Council's District Planning Manager as meeting the outcomes in Condition 9 prior to any café, restaurant, or bar tenancies being open to customers. The Noise Management Plan shall be reviewed and amended as required to achieve the outcomes of Condition 9, with any amended plan submitted to and certified by the Council's District Planning Manager.
- 12 No later than four weeks prior to the commencement of demolition or construction activities authorised by this consent, the Consent Holder shall prepare and submit to the Timaru District Council's District Planning Manager a Construction Management Plan. The purpose of the Plan is to mitigate effects on the amenity of neighbouring sites and the adjacent street during construction. This Plan shall include, but not be limited to, the following matters:

- (i) The best practicable measures that shall be adopted during construction to avoid, remedy, or mitigate construction effects on the adjoining properties;
- (ii) The contact details of the Lead Contractor and the procedure to be followed in recording and responding to any complaints received;
- (iii) The phases in which work will be undertaken for constructing the three buildings;
- (iv) The timing and duration for each phase, including the working hours within which works will be undertaken;
- (v) Construction noise limits and times when construction and demolition activities can take place and attenuation measures or specific activities and areas in order to comply with NZS6803:1999 Acoustics – Construction Noise;
- (vi) Details of vibration testing of equipment (if any) to confirm that the vibration standards set out in NZS2631:1985-89 Parts 1-3 or equivalent standard are not exceeded;
- (vii) Details of the dust suppression methods to be employed during earthworks to ensure that dust emissions beyond the site boundary are not offensive or objectionable;
- (viii) Details of the methods to be used to avoid trafficking debris on to the surrounding roading network.
- (ix) Details of how the site boundary will be screened and secured;
- (x) Details of how construction traffic will be managed to maintain the safe and efficient functioning of the road network and the location by which the site will be accessed by construction vehicles.

13 The Consent Holder shall not commence demolition or construction of the buildings authorised by this consent until the Council's District Planning Manager has certified in writing that the Construction Management Plan fulfils the requirements of Condition 11. The Construction Management Plan shall be reviewed and amended as required to achieve the outcomes of this consent, with any amended plan submitted to and certified by the Council's District Planning Manager.

- 14 The Timaru District Council may, once per year, serve notice on the Consent Holder of its intention to review, in whole or in part, the conditions of this consent, to deal with any adverse effect on the environment arising from a short-fall in on-site car parking provision. This may include an amendment to the conditions in accordance with Policy 8(19) of the operative Timaru District Plan.
- 15 The Applicant must prepare a planting plan showing the location and species of all planting proposed on site, and:
- (a) The planting plan is to be submitted to and certified by the Council's District Planning Manager before planting takes place.
  - (b) All planting shown in the planting plan shall be provided on site within 6 months of the building construction work being completed.
  - (c) All planting shown in the planting plan shall be well-maintained. Any dead, diseased, or damaged planting is to be replaced within 6 months with plants of a similar species.

Issued at Dunedin on 21 April 2017



Allan Cubitt  
**Commissioner**

Correction to Condition 2 pursuant to section 133 of the Act made at Dunedin on the 10<sup>th</sup> May 2017



Allan Cubitt  
**Commissioner**