

Waikato Regional Theatre – Additional Responses

	Request	Action For	Response
HERITAGE			
1.	<p><u>Query 12</u>  <i>The Archifact Tabulation of Heritage Significance addresses part of query 1 “provide a heritage significance ranking for the various features and structures”. It does not provide a robust assessment of effects, as requested. The Archifact Tabulation of heritage Significance is a less detailed rewrite/ summary of some of the Salmond Reed Assessment of Heritage Values Report (pages 5 through 11). The Tabulation does not build on the Salmond Reed assessment. It contains a paucity of new values assessment information.</i>  <i>The Tabulation does present a separate evaluation of the Hamilton Hotel southeast elevation (on Sapper Moore-Jones Place). Archifact assigned a 'considerable' rating to this part of the structure. Salmond Reed evaluated the entire 1923-29 building envelope as exceptional. There are other differences in significance ratings. For example the under stair toilet (17 in the Archifact Tabulation and Salmond Reed pg 9).</i>  <i>The Archifact Tabulation does not contain sufficient information to inform a design decisions relating to conservation of original fabric or inform a Construction Management Plan. I recommend use of the Salmond Reed Assessment in conjunction with the Archifact Tabulation because it provides more detailed information to inform both a Conservation Implementation Plan and/ or a Heritage Construction Management Plan .</i></p>	<p>Archifact                      Jasmx                      Tattico</p>	<p>Discussions with HNZPT, Archifact and Jasmx was held on 21 June 2019.</p> <p>HNZPT are largely supportive of the proposal, however identified specific aspects of the building which they would like more detail on. The approach of including a Heritage Implementation Plan was supported by HNZPT.</p> <p>The HIP is to include but not limited to:</p> <ul style="list-style-type: none"> <li>▪ A clear guide on what the heritage values of the building are;</li> <li>▪ A clear record of features to be removed – a plan relating to this record as well;</li> <li>▪ Proposed methodology to be implemented to detail how the intended maintenance/preservation outcomes will be achieved;</li> </ul> <p>Outstanding issues identified by HNZPT include:</p> <ul style="list-style-type: none"> <li>▪ Final details on the interior;</li> <li>▪ Details on the rear east elevation;</li> <li>▪ Detailing intent for entrance and lobby.</li> <li>▪ Interface between new features and heritage fabric – the treatment of the interface between the new theatre form and the hotel form;</li> <li>▪ Depth of recess on Victoria Street – between the hotel form and new theatre form – the cornice wraps around the building – best to avoid any modifications to the original cornice detail – “cornice to be protected”</li> <li>▪ Restoration details of the street level – intention is to maintain the integrity of original details as much as practicable.</li> <li>▪ Other tangible outcomes of heritage – e.g. what is happening with the Queens Suite, the internal staircase, some original mouldings, stained glass windows, other fixtures etc.</li> </ul> <p><b>Archifact response:</b>                      Reliance on the Salmond Reed report fails to recognise that the report is neither complete nor was it finalised.</p> <p>In accordance with conservation best practice a building or place is assessed as found. Such a process avoids predeterminations as to value and recognises that values are dynamic and can go up and down over time. I am aware from my own professional practice that HNZ recognise this phenomenon and acknowledge that “heritage values can alter (increase or diminish) with time and circumstance, and that significance may be reassessed if impacted by various factors”.<sup>1</sup> It is accepted that assessment of historic heritage value is a subjective process and variation between consultant views is not unusual depending on the criteria used.</p> <p>There appears to be some confusion in terminology around the promotion of either a Conservation Implementation Plan and/ or a Heritage Construction Management Plan when in fact both are different terms for the same exercise. There was discussion on the 15<sup>th</sup> of February 2019 between Archifact and Dr Simmons about the production of a conservation [management] plan. At that time it was recognised that the design was so far advanced that the value of a conservation plan (which conventionally precedes and accordingly informs design responses) had been surpassed. It was agreed that the more relevant document from this stage forward was to be found in the production of a Conservation Implementation Plan.</p>
2.	<p><u>Query 13</u>  <i>“Please provide further details on how heritage elements will be managed and incorporated into the design of the ground floor frontage.” This question is not answered. The response provided by Mr Wilde suggest that there is no involvement of the heritage architects in the design process. He noted conservation and preservation implementation should be a condition of the consent.</i></p>	<p>Archifact                      Jasmx                      Tattico</p>	<p>Below is a summary of the key built heritage elements and how they will be managed through the design and construction process.</p> <ol style="list-style-type: none"> <li>1. Appropriate conservation and re-use of the main timber stair from the original hotel lobby (noting that Jasmx have yet to provide the finer detail that shows how, or even if, the stair will fit the floor to floor heights in its proposed location). HNZPT are comfortable with its relocation and desire that the stair maintains a ‘prominence’ within the new complex. Appropriately skilled joiners should be employed to deal with the original timber fabric, as this needs to be removed, correctly stored, and then reinstated in a new location.</li> <li>2. As per item 1 – with regard to the steel and leaded windows which face the timber stair. These windows are highly decorative, and efforts should be made to re-use them within the new scheme. Appropriately skilled glaziers should be employed to deal with the peculiarities of the original steel window joinery. See attached photos.</li> <li>3. Appropriate conservation and reinstatement of the street frontage to Victoria St. This includes the row of glazed shop frontages at the northern end of the elevation, and the ‘heavier’ masonry element at the southern end (at the junction of Victoria St and Sapper Moore-Jones Pl). HNZPT’s initial advice prefers a dedicated ‘restoration’ of this elevation. We believe that a contemporary reinterpretation of the elevation may be more appropriate given that the use of these units is different now compared to its 1920’s condition – which consisted small shop units to the north, and the hotel bar and restaurant at the south end. We encourage Jasmx to</li> </ol>

<sup>1</sup> Heritage New Zealand Heritage Partnership Agreement, November 2015, p2

	Request	Action For	Response
			<p>understand the original detailing and form of the 1920's façade elements and consider how this may inform a contemporary design. Although we have lost all of the original shop front fabric, local examples found in adjacent buildings may give us clues. The rendered 'ashlar' masonry element at the south end is relatively intact, although comparison to original drawings reveals that window and door layout has changed slightly. Much of the main hotel entranceway remains, although some of it has been covered up – this should be carefully uncovered and restored.</p> <ol style="list-style-type: none"> <li>4. Appropriate conservation and reinstatement of the 'Queens Suite'. HNZPT's initial advice prefers a dedicated 'restoration' of this room within the hotel complex. We believe that reusing some fabric would be a good outcome, but we do not agree that 'rebuilding' the room in another area is an appropriate conservation response. Rather we consider that some useful original fabric can be reused (such as the timber flooring, doors, built-in wardrobes, drawers, makeup table, etc...) , perhaps within a specific boutique hotel suite or as thematic material across the whole of the heritage hotel accommodation – see photos attached. Also, the elements of the layout and/or cabinetry style may be used to 'inform' the other hotel rooms/suites where helpful. Added to this would be some interpretation boards which tell the story of the Queen and Prince Phillip's stay at the hotel and document the rooms as they were.</li> <li>5. General recording of the site and the buildings in order to establish a comprehensive record of the place as it is found today and therefore partially mitigate the overall loss of historic fabric. The level of recording (Level I, II or III) to be agreed with HNZPT in advance.</li> <li>6. Prepare a programme of interpretation which tells the story of the hotel and the wider site over its history, offering an enduring visual and written record of the place. This would be on display in areas appropriate to the new layout.</li> <li>7. HNZPT would like to see the (rear) northeast elevation retain something of its original character. If existing wall openings could be retained in their original locations that would be preferable. We appreciate that this provides a challenge for Jasmax as the new layout changes this to an internal wall with doors accessing hotel rooms. However, if some co-ordination can be attempted to maintain a historic 'rhythm' to the wall, this should be explored.</li> </ol> <p><b>Archifact response</b> It is a perverse reading of the original response to take from it that we were in any way suggesting that there is no involvement of the heritage architects in the design process. This is evidently not the case and our longstanding and on-going consultation not only with the design team across disciplines, but also with Heritage New Zealand attests to our current and continued role. The suggestion of a consent condition was to perpetuate that relationship throughout the project.</p>
3.	<p><u>Query 14</u> A conservation plan should have been prepared prior to the design work. (I don't know if the Salmon Reed Assessment was prepared prior or in conjunction with this work and has informed the design decisions. That assessment is not a conservation plan, but does provide some guidance by rating the significance of the parts of the hotel complex.) With regard to Mr Wilde's interpretation of my email to Shannon at Archifact: I did not confirm acceptance of a Heritage Assessment as a replacement for a conservation plan which should have been prepared at the commencement of this project. The email I sent to Shannon at Archifact on 19 February was a summary of the conversation I had with him. (See below) "Shannon, Please find attached the Draft s92 Review Comments you requested. You noted in our conversation today that Archifact proposed preparing a conservation plan at the commencement of their engagement on the project, but this proposal was not accepted. You also expressed the opinion that the Jasmax design had now advanced beyond the stage where a conservation plan would be useful. You observed a Heritage Assessment has not been done. We discussed preparation of a Heritage Assessment that builds on the Salmon Reed Report. The purpose of the Heritage Assessment would be to inform a Conservation Implementation Plan and assist in the mitigation of effects. I noted that Heritage New Zealand were an affected party and the purpose of the review</p>	Archifact Jasmax Tattico	<p>Heritage Implementation Plan confirmed as agreed approach with NZHPT – details of the HIP are being confirmed and will be an on-going process. However, Item 2 covers the key areas of concern with regard to managing the identified heritage values of the site.</p> <p><b>Archifact response:</b> While we agree that a conservation plan was a recognised way of guiding and informing appropriate response to the recognised historic heritage values of a place, in this instance a conservation plan was not commissioned. That is not however an extraordinary or necessarily inappropriate decision and reflects the approach now adopted in the Auckland Unitary Plan in departing legacy from the Auckland City District Plan in requiring conservation plans be prepared for Category A-ranked places (conservation plans for Category B-ranked places were always a voluntary exercise).</p> <p>Dr Simmons confuses the process in stating that we had agreed that a Heritage Assessment was an acceptable replacement to a Conservation Plan; this is explicitly not what is referred to. Rather in recognition of the conventional process (as described in the paragraph above) and in acknowledging the stage of design development being further advanced than that usefully guided by a conservation plan it is recognised that a Conservation Implementation Pan was the more relevant document and is linked to the equally conventional production of a Heritage Construction Management Plan commonly established through consent conditions</p>

	Request	Action For	Response
4.	<p>comments was to assist in the preparation of a robust resource consent application”.</p> <p><u>Query 15</u> As noted in the email above, a Conservation Plan was proposed, but not accepted at the commencement of the project. Mr Wilde again states the HCC concern about heritage fabric demolition, refurbishment and design be included as a resource consent condition.</p>	<p>Archifact Jasmax Tattico</p>	<p>The following conditions help to outline methods to protect, maintain and enhance the identified heritage values of the former Hotel Building through all phases of the project from pre-construction works to post-construction.</p> <p><b>Built Heritage Conditions</b></p> <p><b>Built heritage – personnel</b></p> <p>1. The consent holder shall engage a suitably qualified and experienced Conservation Architect to observe the construction work and ensure that the proposal is carried out in accordance with the conditions of this consent.</p> <p><b>Detailed Design – hotel building</b></p> <p>2. The Conservation Architect shall consult with the design Architect and Engineers to ensure that the historic heritage values and fabric are appropriately managed through the design phase, in consultation with Heritage New Zealand Pouhere Taonga [HNZPT].</p> <p><b>Built heritage – pre-construction</b></p> <p>3. The applicant shall undertake a full photographic condition survey of the former Hamilton Hotel building prior to commencement of construction works. A digital copy of all photographs shall be provided to Hamilton City Council and a second digital copy should be held on site for the duration of the contract works. <u>(NOTE for Mark: it may be that HNZPT would like to specify an appropriate level of photographic recording... say to include the whole site and other buildings. They may also wish to dovetail it with their own recording requirements through the side agreement.)</u> The contractor will also carry out weekly photographic updates of construction progress (or more frequently as required) to document the ongoing works. This record will be made available for viewing by Hamilton City Council and the appointed Conservation Architect.</p> <p><b>Built Heritage Construction Implementation Plan</b></p> <p>4. At least 10 working days prior to the commencement of the Project, the Consent Holder shall, in consultation with HNZPT, prepare a Built Heritage Construction Implementation Plan (CIP) and submit this separately to HNZPT for comments, and to Council for certification. The purpose of the detailed CIP is to manage the construction process to avoid or mitigate potential impacts on built heritage in the vicinity of the Project.</p> <p>The CIP shall at a minimum include the following:</p> <ol style="list-style-type: none"> <li>A statement of significance of the recognised historic heritage values of the place;</li> <li>Contact details of project stakeholders, including contractor(s), architects, heritage specialist, and the consent holder;</li> <li>Construction schedule, with approximate timing for each phase of construction;</li> <li>Work plan for each construction activity detailing demolition/deconstruction methods for each component of the building, including the requirements for any temporary works;</li> <li>Outline of measures that will be taken to protect existing heritage fabric from damage during construction (including excavation, temporary support and vibration management);</li> <li>Plan for communication with the Council Heritage Specialist, including a schedule for meetings, inspections, and correspondence; and</li> <li>Emergency response and project change procedures, including establishing clear lines of communication and response times.</li> </ol> <p><b>Built heritage – modification approval</b></p> <p>5. In the event that any changes to the approved consent drawings/documents are required, as a result of new information and/or site discovery, the following information shall be provided to Hamilton City Council to carrying out those works:</p> <ol style="list-style-type: none"> <li>Plans and drawings outlining the details of the changes; and</li> <li>Supporting information that details whether the proposed changes will result in any difference and/ or increase in adverse effects on the heritage values of the place.</li> </ol> <p>Only after all the information has been certified by Hamilton City Council as being within scope of this resource consent, shall those changes be implemented.</p> <p><b>Built heritage - post construction</b></p> <p>6. If accidental damage or reduced condition occurs to a historic heritage place because of the works, the Consent Holder or their appointed agent shall be responsible for undertaking remediation to a standard at least equivalent to the condition noted in the pre-works visual condition survey (<b>Condition 1</b>). The process for remediation of accidental damage will be set out in the CIP. This is likely to include any of the following: physical investigation; further research; specifications for any required conservation work; and, further consultation with Hamilton City Council and HNZPT.</p> <p>7. A built heritage monitoring report shall be prepared to document changes or conservation works to any built heritage fabric affected by the proposed works. This will be provided to Hamilton City Council Cultural Heritage Inventory and HNZPT list entry information. This should include (but is not limited to):</p> <ol style="list-style-type: none"> <li>All original building fabric on the exterior walls facing Victoria St and Sapper Moore-Jones Pl;</li> <li>Main hotel entrance doorway;</li> <li>Interior hotel lobby timber staircase (including timber wall panelling and adjacent leaded windows);</li> <li>Cabinetry and building fabric recovered from the Queens Suite;</li> </ol>

	Request	Action For	Response
			<p>The report shall include a photographic record, with supporting drawings and notes sufficient to provide context. This report will be provided to Hamilton City Council and HNZPT within 12 months of completion of onsite works, for the purpose of updating the Hamilton City Council Cultural Heritage Inventory and HNZPT list entry information.</p> <p>8. The Conservation Architect, in consultation with HNZPT and Hamilton City Council, shall undertake a programme of interpretation to be displayed in the new theatre, art gallery and hotel complex as a visual and written record of the development of the place (both the site and its buildings) over time. This should be completed and installed within 12 months of the completion of the contract works.</p> <p><b>Archifact response</b> What is the issue / concern being raised here as it doesn't appear to address the condition being offered up?</p>
5.	<p><u>Summary Comments</u> Mr Wilde's comments suggest the preservation of significant heritage building fabric is being given minimal attention as part of the preliminary design work. As he correctly noted, a Conservation Plan for a significant heritage structure like the Hamilton Hotel is prepared in advance of new building design work to guide designers. Shannon (Archifact) expressed the opinion that the Jasmox design had now advanced beyond the stage where a conservation plan would be useful.</p>	<p>Archifact Jasmox Tattico</p>	<p>Archifact response What is the issue / concern being raised here?</p> <p>The significant factor in the project is the engagement of, and on-going relationship with a qualified and experienced conservation architect through the entire process.</p>
6.	<p><u>Tattico Amended AEE April 2019</u> I read the specific sections of the main body of the current AEE that related to heritage (6.2 and 6.3). I found few changes have been made in the sub-sections relating to Historic Architecture or Archaeology. When I compared the AEE with the Schedule of Responses I was also puzzled by the AEE text. Sub-section 6.2 doesn't seem to take into account the new Artifact Addendum: Tabulation of Heritage Significance or the much more detailed Salmond Reed Assessment of Heritage Values Report (2018). For example: 6.2 AEE Page 34 1st paragraph "The proposed demolition of these structures will have little impact on the heritage value of the former hotel building. The proposed redevelopment of the site will help emphasize the heritage features of the former hotel building. Parts of the hotel building will need to be altered to allow for the new additions, however alterations to the hotel building are limited to works that will enable construction and does not require substantial modification to the hotel building." page 35 Summary "Overall, the proposed demolition works to be undertaken are considered to have minimal impact on the heritage values of the site." The statement contradicts the recent Archifact Addendum: Tabulation of Heritage Significance. The Archifact Addendum identifies several building segments and spaces that will be demolished as having considerable and moderate significance, e.g. part of item 06 [considerable value], all of item 08 [moderate value], 17 under stairs toilet [considerable / moderate value], 18 Queen Suite [exceptional value]. The Salmond Reed values assessment includes higher values for the southern elevation exterior and under stairs toilet and provides more detail about the interior.</p>	<p>Archifact Jasmox Tattico</p>	<p>Since the issue of the initial Section 92 responses, the management approach for preserving, maintaining and enhancing the identified built heritage values have progressed.</p> <p>Initial discussions with Heritage New Zealand have taken place, where it was agreed that a Heritage Implementation Plan was an appropriate method in managing the heritage values of the building. The Heritage Implementation Plan ensures a meaningful approach to heritage preservation which recognises heritage design as a primary focus of the development.</p> <p>The Heritage Implementation Plan will include but will not be limited to outlining the following aspects of the built heritage design and construction work:</p> <ul style="list-style-type: none"> <li>• A clear guide on what the heritage values of the building are;</li> <li>• A clear record of features to be removed – a plan relating to this record as well which clearly outlines the location of each feature. This was suggested by Council's Heritage Specialist at a meeting following the submission of the Section 92 response.</li> <li>• Proposed methodology to be implemented to detail how the intended maintenance/preservation outcomes will be achieved;</li> </ul> <p>The Heritage Implementation Plan will be prepared in collaboration with Archifact, Holmes Consulting, Hamilton City Council and the chosen contractor.</p> <p>The removal/partial demolition of the 1924 addition to the building will result in partial loss of heritage values, however the overall refurbishment works to the original hotel form are considered to make a significant positive contribution to the long-term protection of heritage values of the site. As outlined in Item 2 and will be outlined in greater detail in the Heritage Implementation Plan, specific design considerations have been undertaken to ensure that the Victoria Street frontage will be reinstated to a level as close to the original condition of the building as is practicable.</p> <p>As such, it is considered that on balance, the proposal will result in positive outcomes for the overall heritage landscape within the City Centre.</p> <p><b>Archifact response</b> While the demolition of elements of significance of the site represent an adverse effect (and this is not contested), this is balanced through the relevant RMA lens that recognises both adverse and positive effects that can, as they do in this instance, lead to an appropriate use and development.</p>

	Request	Action For	Response
	There was no reference in the parts of the AEE I read to a Heritage Construction Management Plan or a Conservation Implementation Plan to mitigate effects to heritage fabric.		
<b>TRANSPORT</b>			
7.	<p>As requested, we have reviewed the additional information provided by FLOW in response to HCC's s92 request for further information. In general, there appears to be sufficient information for us to carry out a review of the transport effects.</p> <p>One area of difference is the approach to traffic management – we favour a more conservative approach with a scale of mitigation given the safer risks with high number of pedestrians combined with drop-off and pickups. For example, we favour something like this (which is similar to the framework applied to Claudelands Arena):</p> <ul style="list-style-type: none"> <li>- 0-??? people = no traffic management</li> <li>- ??? to ??? people = some traffic management, e.g. temporary warning signs, etc</li> <li>- ??? to 1,300 people = some temp traffic management before the show and road closure at end of show</li> </ul> <p>The extent and timing of works within Sapper Moore-Jones Place is still unclear, for example I don't think we have any drawings requested in Item 42. My understanding is that this project was only going to be doing the regrading etc necessary to enable trucks to use the service area, with the pedestrian and amenity improvements at some later unknown date. The response to Item 23 and 24 implies Sapper Moore-Jones Place will be a shared space. What do you understand the scope of work in this area to be? This needs to be confirmed so that the effects of truck manoeuvring on pedestrians are understood.</p>	Flow	Please refer to letter from Flow dated 8 July 2019 (refer <b>Attachment A</b> ).
<b>ARCHAEOLOGY</b>			
8.	None – just recommends progressing HNZ authority application process in parallel	Clough	<p>Updates on Archaeological Authority application.</p> <p>Discussions with Tainui are being undertaken.</p>
<b>TREES/ARBORICULTURE</b>			
9.	<p>No further details or an explanation on the potential effects pertaining specifically to the proposed construction of a deck and screen respectively around the two (2) trees to be retained, being a Norfolk Island pine # 16.1 and Bunya pine # 16.3 has been provided.</p> <p>Reference has been made to pruning the respective trees to accommodate the aforementioned structures and noting such work is unlikely to adversely affect either tree. That said modifying the crown structure of a scheduled tree will have obvious influences on the form/balance of a crown shape, hence the latter being</p>	Arbolab Jasmax	<p>The screen and deck will be constructed using pile foundations. The piles have flexibility to be relocated if any roots need to be retained. There is detail within the tree protection methodology in regards to the excavations for the piles and in general the all construction should be made with consideration of the tree in consultation with the arborist. If the tree protection methods are followed, then the effects should be managed.</p> <p>The pruning of the tree will only affect patronage of the theatre. Due to the screen the wider community will not be able to view the trimming. In addition, any pruning will be undertaken with consideration of the shape of the tree and if necessary some 'rebalancing' of the canopy can address any concerns.</p> <p>This is a really complicated question and there's only a little research out there about the effects of streetlights on trees. To answer this in detail we would need to know hours of operation for the screen, the light type and wavelengths and then see if that matches with the streetlight research. I would also add that it's in the middle of Hamilton, so the trees may already be lit at night, so any effects are minimal.</p>

	Request	Action For	Response
	<p><i>an assessment criteria when evaluating scheduled trees. Subsequently such treatment of a scheduled tree could be detrimental to the visual amenity of that tree,</i></p> <p><i>Furthermore, and being of most concern is the potential effects on the long-term health and vitality of each subject tree as a consequence of a screen being placed on the eastern side of the tree canopy of the respective trees. The radiation of the screen from natural sun light and continuous illumination needs to be considered and the section 92 request specifically requested the applicant provide comment on this matter.</i></p>		
10.	<p><i>Secondly no comment has been provided on the 'de-watering' of the site to enable site excavation work and the potential effects on the two subject trees proposed to be retained.</i></p> <p><i>It would also be of assistance to clearly define the potential effects on the scheduled trees that are to be retained and with reference to the Arborlab report page 6 point 6.5 if the closest edge of the foundations is the proposed palisade wall construction?,proposed to be only 7.5m from the Bunya pine and 9.3m from the Norfolk Island pine. (measurement from tree trunk base nearest alignment of works or trunk centre ???).</i></p> <p><i>Based on the tree dimensions provided in the Arborlab report (trunk girth) the tree protection zone around the Norfolk Island pine (#16.1) would be 12m and Bunya pine (#16.2) 16m respectively. I stand to be corrected if the latter calculations are not correct but if so the proposed encroachment into the deemed tree protection zone is invasive and has the potential to have a long-term adverse effect on the health, vitality and potentially stability of the respective trees.</i></p> <p><i>It is the potential cumulative effects of the proposed site works in the first instance and construction work thereafter, including the placement of permeant structures near and around the scheduled trees that has to be given the greatest weight when assessing effects and, in my opinion, in this instance this level of detail has not been provided.</i></p> <p><i>The protection of the subject trees should not, in my opinion, be purely based on a condition of consent pertaining to a 'tree protection methodology' and/or 'tree management plan'.</i></p> <p><i>A matter for clarification. The amended AEE, section 6.4.1 – Tree Removal refers to three trees to be removed numbered 16.1, 16.3 &amp; 16.5. (#16.1 – Norfolk Island pine</i></p>	Arbolab CMW Holmes	<p><i>Unfortunately I cannot asses the effects of de-watering on the trees, however, considering the engineers comments regarding the de-watering and that it is likely only to take place at 5-6m below the existing ground level, any potential affect from works being carried out at that depth is likely to have negligible effect on the trees.</i></p> <p><i>CMW add that, any dewatering required will likely be localised and only affect the western portion of the building where the proposed cuts may intercept the perched ground water table. Given the distance from the western edge of the building to the tree in question and considering that only shallow dewatering would be required, we consider the risk to the tree to be low. Without knowing the extent of the rootzone it is difficult to comment on how dewatering works will impact the tree and so we suggest that protection measures for the tree should be considered during construction where dewatering is required. In the permanent case it is acknowledged that any drainage behind the permanent basement walls may cut off a portion of the water supply to the tree. We also note that any surface water that drained towards the tree will be reduced and that direct rainfall to the tree roots will be reduced by the deck area. We therefore consider a contingency for reduction in water to the tree is recommended for the permanent case.</i></p> <p><i>Irrigation will be provided for to ensure the long-term health of the trees. This will be outlined in the long-term mitigation plan to be developed prior to any construction works commencing around the trees. While the irrigation implementation methods are still in development, there is potential to utilise any run-off from the deck and redistribute it to the ground below. The details around irrigation will be finalised at a later date.</i></p> <p><i>Measurements have been taken from the edge of the trees' trunks. There is a desire to include these trees into the design of the theatre, and we have provided extensive tree protection and mitigation measures to minimise the potential adverse effects. Part of the mitigation is to monitor the health of the trees and at any stage of the monitoring, if the trees are not responding well to treatment, further measures can be introduced.</i></p> <p><i>Using the HCC Root Protection Zone of 9 x DBH, the tree protection zones for the Bunya Pine and N. Island Pine equates to 16m and 12m respectively. This was used to calculate the rootzone alterations to be approximately ~15% in regards to the Bunya Pine and ~2.4% of the Norfolk Island Pine. If using the British and Australian Standards, which calculate 12 x DBH the percentage rootzone alterations would be less than HCC rootzone area calculation. The British and Australian Standards both agree that with arborist input, such as tree protection methodologies and rootzone treatments proposed, the alterations can exceed their recommended 10% (Australian) and 20% (British) rootzone alteration measurements. The proposed rootzone alterations within the N. Island Pine are within both Standards, however, the alterations to the Bunya Pine are at the limits of the Standards, though with the treatments this should be within the tree's tolerances.</i></p> <p><i>It was my understanding the theatre design was amended as much as possible to allow for the retention of the trees. In addition, the tree protection and management should have flexibility to allow for on site design alterations to minimise any potential adverse effect of the trees.</i></p> <p><i>Confirmed - The Norfolk Pine [16.2], Southern Magnolia [16.4] [16.5] will be removed. The Bunya Bunya [16.3] and Norfolk Pine [16.1] will be retained.</i></p>

	Request	Action For	Response
	& #16.3 – Bunya pine have been noted in other correspondence as being retained). The applicant should in the first instance confirm those trees proposed to be removed.		
<b>GEOTECHNICAL</b>			
11.	Overall, the report by CMW is good and demonstrates that the site is suitable for the construction of the theatre taking the risk of geohazards affecting the development into account. However, there are a number of additional points I would like CMW to consider: 1. Please consider effect the proposed development will have on the neighbouring properties: a. The AEE suggests that dewatering will be required during construction. Have the effects of this on the neighbouring properties been considered? Are any drawdown settlements expected? b. Please consider the cut and fill to be undertaken as part of the project. Are these being undertaken close enough to a boundary so as to impact on a neighbouring property?	CMW Holmes	The shallow perched groundwater table is inferred to be between 5.0m and 6.0m below the existing ground levels at an RL of approximately 30m and given the maximum cuts of about 5.0m. As stated in our revised GIR (Rev 1) we anticipate excavations. will be above the perched water level. If the perched water table is encountered we would anticipate only localised dewatering would be required with only a nominal drawdown of ground water beyond the site limits. We also anticipate that fluctuating perched groundwater levels have occurred in the recent passed and that dewatering, if required, would likely induce a stress state that has already been experienced by the soil. As such we would anticipate negligible settlement would arise from dewatering operations and consider the risk to the neighbouring properties to be low. Due to forming deep excavations in proximity to neighbouring properties we would recommend the implementation of a monitoring plan, which would include proposed monitoring locations and trigger levels during the any dewatering works.  Where cuts of up to 5.2m are required close to neighbouring properties temporary (or permanent) retaining structures may be required to ensure stability of the cut and to protect both workers and the neighbouring properties . CMW have provided indicative geotechnical design parameters for retaining walls in our updated geotechnical report. The type of any temporary retaining wall (if required) will be subject to Contractor preference and construction methodology.
12.	2. Please confirm what works, if any, are to be undertaken within the Gully Hazard Zone and consider the effects of the proposal on the gully during construction and once the theatre is completed	CMW Holmes	As part of the proposed development we are lowering the current ground level, which reduces the riverbank height and increases overall stability beneath the site. We have also carried out detailed stability analyses, which assess the effects of the proposed development with respect to the river embankment. Comment on the stability of the embankment for both static and seismic conditions are presented within the recent GIR Rev1. Structures built into the gully hazard area, such as the proposed screens, will be supported on piled foundations and must be designed to accommodate lateral loads from future instability events for the requisite factors of safety. During construction, we anticipate that erosion and sediment controls will be implemented to protect the slope from surface water runoff to prevent excessive water ingress to the slope. We expect that this will be managed by the Contractor during construction. Once the theatre is completed, we anticipate a net decrease rainfall entering the gully system as rainwater is attenuated by the roof and surface drains into stormwater reticulation.
13.	3. Please consider the screen that is to be constructed on the lower slopes	CMW Holmes	These have been considered in terms of slope stability within our report, if you would like some additional inputs then please advise. Pile support to the screen will be based on the report recommendations.
14.	4. Are any retaining walls planned as part of the earthworks? If so, please consider these in the geotechnical report. Once we have answers to these queries we can write some conditions.	CMW Holmes	Refer to 1b above. Temporary retaining walls may be required to support cut faces but design of these is typically left to the construction Contractor. Geotechnical design parameters have been provided in our latest GIR (rev1).
<b>INFRASTRUCTURE</b>			
15.	TBC – engineering designs still to come from applicant	Holmes	Council confirmed that there were no additional queries regarding infrastructure which would have a significant impact on the surrounding environment. Rather any additional queries could be resolved through on-going discussions between the engineers and Council Development Engineer.
<b>URBAN DESIGN</b>			
16.	TBC		n/a
<b>CONTAMINATION</b>			
17.	None – conditions provided (email 1/5/19)		No response required
<b>NOISE</b>			
18.	None		No response required
<b>PLANNING</b>			
19.	Cultural (Queries 4/5) - Reliance on Clough Arch Assessment - Cultural values statement to come?		The Assessment of Maori Values has been completed as well as a draft Archaeological Management Plan.  On-going discussions with local iwi are taking place to finalise any points of interest or areas of concern for iwi.
20.	Overall effects assessment (Query 9) - No response as such to query? No specific section of AEE referred to		The updated assessment of effects is considered to have addressed these matters.
21.	Conditions (Query 11)		Specific detail has been provided in terms of heritage with a suite of conditions provided for Council to review.

	Request	Action For	Response
	<ul style="list-style-type: none"> <li>- Needing more refinement and certainty</li> <li>- Response implies applying for consents for columns in embankment later on. Would make sense to do all in one go?</li> </ul>		<p>The encroachment license for the proposed pile structures within the river embankment is occurring concurrent to this resource consent process.</p> <p>The license is currently with Council who have indicated that they will work through the remaining matters relating to the encroachment following the close of the submission period for the resource consent (completed Thursday 18 July).</p>
22.	<p>External (Queries 63-65)</p> <ul style="list-style-type: none"> <li>- No direct response on Embassy or Promenade (how delivered etc.) Need to understand if this is to be wrapped into application</li> <li>- No drawings showing details of these works (cross references to DD Report incorrect)</li> </ul>		<p>The proposed works are expected to commence at the end of 2019, with completion of the works expected in 2021. This will include the completion of the theatre building and refurbishment of the former Hamilton Hotel building and the Sapper Moore Jones upgrade.</p> <p>The promenade and Embassy Plaza upgrade works are also expected to be delivered in this period, however specific details on how these aspects of the development will be delivered have yet to be confirmed following discussions between the applicant and the Hamilton City Council.</p>
23.	<p>Other</p> <ul style="list-style-type: none"> <li>- Any updated architectural plans as a result of DD report?</li> </ul>		<p>No additional plans have been prepared.</p>