
Applicant:	NZ Horizon Hospitality Group Limited
Location:	143 to 193 Moray Place, Dunedin
Application Number:	LUC-2017-48 and SUB 2017-26
Topic:	Further Evidence required by Hearing Panel

This minute is to advise the Hearing Panel have considered the issue of further information required arising from the evidence given during the presentation of the applicant's case at the resource consent hearing, and questions asked by the Commissioners in response to the legal submissions and evidence.

Further Information requested from the Applicant

The information requested from the applicant pursuant to section 41C(3) is as follows:

- The report by Infometrics entitled "Economic impact of Dunedin hotel" dated June 2017, along with additional short and long term employment predictions arising from the development.
- 3 Dimensional renderings of existing building heights and forms in the Dunedin CBD (Part of evidence provided at District Plan hearing by Council staff)
- Shading diagrams amended to differentiate time periods in colour
- Information on sunshine hours for Dunedin during winter period subject of shading analysis
- Information on temperature records for Dunedin during winter period subject of shading analysis
- Additional visual simulations of the views toward the hotel from: the intersection of Moray Place and Upper Stuart St; Moray Place and Lower Stuart Street; a view from the McMillian Stage in The Octagon; and at the intersection of The Octagon and Princes Street.
- The amended plan of Level 4 by Thom Craig Architects dated 1 August 2017 depicting finished ground levels of vehicle entry, exit and internal access around the hotel (with reference to evidence of Antoni Facey)
- Further information in response to questions raised at paragraph 125 of the Section 42A report prepared by Mr Bryce concerning reflectivity to demonstrate that compliance with draft condition 16 can be achieved in an appropriate manner and shall include elevation drawings showing sun angle against the building over the winter solstice, equinox and summer solstice periods.
- A technical response to the traffic issues raised by Mr Carr in his evidence supplied to the hearing panel on 2 August 2017.

In accordance with Section 41C(5A & 5B) and to ensure the process is fair for all parties involved in the hearing, the Hearing Panel have required that all the above information be made available via the Dunedin City Council web-site for all submitters as soon as practicable and by **Wednesday, 9 August 2017** at the latest. While it is intended that the hearing proceedings will continue as scheduled, opportunity will be provided to all submitters to review the above information and respond in writing to Wendy Collard either by mail or email wendy.collard@dcc.govt.nz by **Monday, 14 August 2017**.

The panel note that most of the above information relates directly to matters addressed in the applicant's case, and pre-circulated prior to the hearing. While some of the information (for example, the Infometrics report) is new material to the evidence presented at the hearing, the other information is by way of clarification of evidence already presented.

The Hearing will be reconvened on **Thursday, 17 August 2017** where the Hearing Panel would like to question the author of the Infometrics June 2017 Report and to hear from any party who gives notice that they would like to present evidence on or to speak to the new information requested in this Minute.

Any additional information provided in response to this request is only to address the particular matters noted above and likewise any evidence or comments in response from submitters shall be confined to the same matters.

Expert conferencing of design experts

There is agreement between the urban design experts that a hotel would add to the vibrancy of the city centre and that the site is a suitable location for a hotel. There also appears to be agreement that a contemporary style is appropriate for a new building. Disagreement appears to revolve around building typology, scale (including height), design and appearance, and response to the Dunedin's historic townscape character.

It would assist the Panel for the experts to clarify the extent to which their evidential positions might be modified by changes to the existing design. It would also assist the Panel to understand the experts' positions on several design strategies for incorporating a contemporary hotel on this site.

We request Mr Falconer, as Council's independent advisor, convene a meeting of those design experts (i.e. Ms Skidmore and Messrs Craig, Compton-Moen, McIndoe and Falconer) willing and available to participate and report back on **Friday, 4 August 2017** with an agreed plan for conferencing on these matters. We would anticipate an expert conference report to be provided to the Hearing Panel by **Monday, 14 August 2017** and that the design experts who participated in the expert conferencing would be available on **Thursday, 17 August 2017** for additional questioning by the Hearing Panel if required. Such conferencing would be on the basis of the Environment Court's Code of Conduct for expert witnesses.

Independent Legal Advice

In addition, the Hearing Panel has requested its own independent legal advice on matters raised in the legal submission and evidence concerning the status and relevance of the Townscape provisions of the Operative District Plan compared to the 2nd Generation District plan provisions, and the associated relevant rules in force in relation to the proposal.

A handwritten signature in black ink, appearing to read 'Andrew Noone'.

Andrew Noone
COMMISSIONER/CHAIRPERSON
Date: 3 August 2017