8 July 2015
Service Request No: 325662
File Reference: 0600 725468

Site Address: 1 George Bolt Street, Rongotai (also known as 125-131 Tirangi Road)

Legal Description: Lots 39-51 DP 21360

Applicant: Airways Corporation of New Zealand Limited
C/- Boffa Miskell Limited
PO Box 11340
Wellington 6142

Proposal: To construct, operate and maintain a new 32.5 metre high air traffic control tower at the Airport Retail Park on Tirangi Road for Wellington International Airport; with associated earthworks on a site that is identified in the District Plan as potentially contaminated

Owner: Wellington International Airport Limited

PROPOSAL

1. The proposal is to construct, operate and maintain a new air traffic control tower.

2. The applicant’s Design Statement asserts that the tower has been designed to be a landmark building and sets out the key design parameters of the proposal, along with the reasons why the ‘leaning tower’ design was selected for this site. Key features of the design are also discussed. In summary:
   - The tower will be 32.5 metres high. This equates to 9 storeys, 7 storeys of which will be used for the control tower related operations, with the upper two comprising the viewing cab.
   - At ground level the footprint of the building will be 150m². The total footprint of the building will be 217m².
   - The tower is aligned with the runway to the east, rather than Tirangi Road.
   - The tower will lean into the prevailing northerly wind by 12.5°. It will be unique as no other leaning tower structures lean into the prevailing northerly wind.
   - The leaning design draws on the concept of ‘windy Wellington’ and references the sculpture park along Cobham Drive to the north.
   - The design also draws from the geological conditions of the area, and is intended to draw on the rocky terrain of the south coast with the east and west elevations being the rough sides of the rock and the north and south elevations comprising curtain walls that are smooth rock, ‘polished’ by the sea and wind. This draws reference to ‘The Rock’ international terminal structure.
   - The tower will be lit at night. Four red directional lights will be installed around the top of the cab. In addition, the eastern and western elevations will be lit with an array of LED lights. These will have a kinetic aspect and reflect the wind
conditions, with cold blue light in a southerly and warm orange lighting during a northerly. The strength of the wind will directly relate to the depth of the colour. The lighting will also change during wind gusts and when planes take off or planes land.

- Landscaping at the base of the tower will reference the coastal location, with a series of structured ‘dunes’ to be installed along the eastern and western sides of the building.
- Access to the tower will be restricted, with a palisade fence to be constructed around the periphery.
- Ten staff car-parks will be provided.

3. The proposed building has been designed, and is to be constructed, as a Level 4 structure in accordance with the New Zealand Loadings Standard AS/NZS1170, as it is considered to have a special post disaster function. The design includes base isolation and involves earthworks cuts of up to 4.5 metres to facilitate the construction of the raft and foundations.

4. As the underlying site is potentially contaminated (as defined in the District Plan), the relevant rules of Chapter 11 relating to the use of a contaminated site apply.

5. A generator will be located within the ground floor of the building, along with a fuel tank to store diesel.


7. Signage will be installed to indicate the name of the premises. It is intended that any signage is of a size that meets the District Plan requirements for this area.

Amendments to Design

8. Subsequent to the application being publicly notified the applicant has submitted further plans and information. The information, provided to the Council on 1 July 2015, comprises:

- Clarification of the proposed building materials and landscaping details (refer to Boffa Miskell letter dated 1 July 2015).

- An addendum to the Architectural Drawings and Design Statement prepared by Studio of Pacific Architecture, dated 30 June 2015. The addendum describes the changes as depicted in the amended plans and updates the original Design Statement. Specifically, sections 8.1, 8.2 and 8.3 of the Design Statement dated March 2015 and replaced in full and section 9.2 is expanded to provide details of the proposed building materials and elevation treatments.

- Amended plans, specifically an amended Proposed Site Plan (RC-04 rev 0B) that shows a revised (angled) car-parking layout within the perimeter fence, the removal of the bunds at the base of the tower, and new water tank and pump; an amended Proposed Landscape Planting Plan (RC-05 rev 0B) that shows landscaping details based on the amendments to the site plan; and revised elevations (RC-20 and RC-21 revision 0B) that show minor amendments to the design of the building including the removal of windows from the east and west elevations, the removal of one access from the north elevation and a new glazing layout on the north and south elevations.

- A further assessment of the wind environment and potential wind effects (refer to letter from Opus International Consultants Limited dated 29 June 2015).
The applicant also notes that they will provide additional details on the treatment of the base and landscaping at the Council hearing, including 3D modelling in sketch up to illustrate the proposed design concept and how the building relates to the surrounding Airport site.

SITE DESCRIPTION & CONTEXT

Subject Site:

10. The subject site is at 1 George Bolt Street, Lyall Bay, and comprises the land legally described as Lot 39 DP 21360. This allotment is held in one Computer Freehold Register with Lots 39-51 & 66 DP 21360 (WN 46C/688), which contains the established ‘Airport Retail Park’ and associated car-parking. Lot 39 is located to the immediate north of the main entrance to the Airport Retail Park from Tirangi Road and is currently used is for car-parking. Within Lot 39 are a pumping station, an electrical substation and a large signage structure.

11. The underlying Airport Retail Park site contains 12 large format retail developments, along with a café. A list of the existing retail outlets on the site is provided in the applicant’s Assessment of Environmental Effects (AEE), dated 30 March 2015, which can be read in conjunction with this report. To the north of The Warehouse is Bike Barn, which is not included on the applicant’s list.

12. The underlying site (Lots 39-51 DP 21360) is identified in the Greater Wellington Regional Council’s Selected Land Use Register (SLUR) as being potentially contaminated.

13. An aerial photograph showing the subject site provided at Appendix 1 of this report.

Obstacle Limitation Surface:

14. At section 3.4.1 of the AEE the application describes the Airport’s Obstacle Limitation Surface (OLS) and the implications of this. The subject site is immediately outside the OLS.

Surrounding Context:

15. Kilbirnie and Lyall Bay essentially sit in a basin, bounded by the Strathmore Hills and the Miramar Peninsula to the east, and the Melrose Hills to the west. To the north is Evans Bay and to the south is Lyall Bay. The subject site is visible from a wide range of elevated viewpoints in Melrose, Mt Victoria, Kilbirnie, Miramar, Hataitai Strathmore, Maupua and Seatoun Heights. At close range the site is also visible from parts of Lyall Bay, Rongotai and Kilbirnie.

16. The Kilbirnie/Lyall Bay/Rongotai suburbs contain a mixture of residential buildings, commercial/light industrial and retail activities. Throughout the area there are a number of buildings with large footprints, including those within the Airport Retail Park, the bus depot and two supermarkets at Kilbirnie and the Wellington Indoor Sports Centre. Buildings in the Kilbirnie/Lyall Bay/Rongotai basin are typically one to three storeys in height (ie up to 12 metres). There are very few tall structures, an exception being the 17 metre high ‘Execujet’ hangar at 91 Tirangi Road.

17. Across Tirangi Road to the west of the subject site the land is zoned Business 1 Area and contains various established commercial activities. Approximately two hundred metres to the south is Lyall Bay beach, which is zoned as Open Space B in the District
Plan. The northern end of Tirangi Road, along with Coutts Street to the north, are zoned Outer Residential Area. To the north-west, within the Outer Residential Area, is Rongotai College.

18. The applicant's AEE and associated Design Statement prepared by Studio Pacific Architecture (dated March 2015) include detailed descriptions of the immediate context, including details of the established commercial buildings in the wider area. I adopt the applicant's assessments.

Existing Resource Consents:

19. The existing Airport Retail Park development was established under the resource consent SR No. 91227, which was granted by the Council on 4 November 2002.

20. On 20 December 2014 the Council granted the land use consent SR No. 264301 for an extension to the Airport Retail Park, comprising four additional retail outlets within the land at 113-117 Tirangi Road (Lots 37-38 DP 21360, to the immediate north as shown in the aerial photograph), with associated signage, site access, parking and earthworks. Construction of the extension has now commenced.

RESOURCES MANAGEMENT AMENDMENT ACT 2013

21. The Resource Management Amendment Act 2013 (RMAA) came into effect on 3 March 2015 and this application was lodged on 31 March 2015. Consequently the provisions of the RMAA apply. Of particular relevance, the RMAA changed the resource consent process and timeframes relating to notification and hearings.

DISTRICT PLAN CONTEXT

22. The subject site is located within the Airport and Golf Recreation Precinct Area (Chapter 11 of the District Plan).

23. Within Chapter 11, the Airport Precinct Area has specific rules that recognise the strategic importance of Wellington International Airport (the Airport) to the Wellington Region. Relevant to this application, these rules provide for both the continued use and development of the Airport and for the establishment of activities and buildings ancillary to the Airport's primary function.

24. The Airport Retail Park is within the land to the immediate west of the runway, identified in Appendix 4 of Chapter 11 as the 'West Side Development Area' and Appendix 5 of Chapter 11 as being potentially contaminated land.

25. The following District Plan notations apply to the subject site:

- Planning Map 5 - Hazard (Ground Shaking) Area
- Planning Map 33 - Tirangi Road is identified as a Collector Road in the District Plan Hierarchy of Roads
- Planning Map 35 - Wellington International Airport Ltd Airspace Air Noise Boundary
- Planning Maps 36-37 - Designation G2, Wellington International Airport Ltd Airspace Designation
- Planning Maps 39-40 - Airways Corporation of NZ Ltd - Designation A2, Height Restriction to Preserve Control Tower Visibility
ACTIVITY STATUS

District Plan:

26. The application requires resource consent under the following District Plan rules:

   Rule 11.2.2 – Controlled Activity
   For the use, storage and handling of hazardous substances, being 2000 litres of diesel for the emergency generator associated with the control tower activity. There are no standards and terms under this rule.

   Rule 11.2.4 – Controlled Activity
   For earthworks that disturb or alter the ground of a potentially contaminated site within the Airport Area in the locations identified in Appendix 5 of Chapter 11. There are no standards and terms under this rule.

   Rule 11.4.2 – Discretionary (Unrestricted) Activity
   For the construction of a building within the Airport Precinct Area that is not a Permitted, Controlled or Discretionary (Restricted) Activity. In this case the building is not a Discretionary (Restricted) Activity under Rule 13.3.2 as the standards and terms under this rule restrict the height of the building to 18 metres. There are no standards and terms under Rule 11.4.2.

27. Overall, the proposal must be assessed as a Discretionary (Unrestricted) Activity.

National Environmental Standard:

28. The Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES) took effect on 1 January 2012. The NES was developed as New Zealand has a legacy of soil contamination that is mainly associated with past practices involving storage and use of hazardous substances, and disposal of hazardous wastes.

29. The applicant’s AEE sets out the reasons why the proposal does not require resource consent under the NES, being that a Preliminary Site Investigation (PSI) has been carried out by a suitably qualified expert that has confirmed that it is more than likely that an activity or industry described in the Hazardous Activities and Industries List (HAIL) has not been undertaken on the site and that the site is not a piece of land under Regulation 5(7) if the NES. The PSI, prepared by Aurecon (dated 28 February 2013), is provided at Appendix 6 of the application. Resource consent is not sought under the NES.

NOTIFICATION

30. In accordance with sections 95-95F of the Act the application was publicly notified on Saturday 2 May 2015. A public notice appeared in the Dominion Post on this date and signs were erected on the site. All owners and occupiers of land in the immediate area were served a copy of the application. In addition, notice was served on the Greater Wellington Regional Council, iwi groups, various local residents associations, WIAL and the CAA, and occupiers of outlets within the Airport Retail Park.

31. A total of five submissions, both in opposition to the proposal, were received by the close of submissions on Friday, 29 May 2015 at 4.30 pm. Submissions were received from the following parties:
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<tr>
<th>#</th>
<th>Submitter</th>
<th>Support / Oppose</th>
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<tr>
<td>1</td>
<td>Wellington International Airport Limited (WIAL)</td>
<td>Support</td>
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<td>2</td>
<td>Divyesh Patel</td>
<td>Support</td>
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<td>3</td>
<td>Foodstuffs Properties (Wellington) Limited</td>
<td>Oppose</td>
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<td>4</td>
<td>NZ Air Line Pilots Association (NZALPA)</td>
<td>Oppose</td>
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<td>5</td>
<td>Rex A Mason</td>
<td>Oppose</td>
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32. The submissions are summarised below:

**Submission 1 - WIAL:**
- The control tower is critical infrastructure for operations at Wellington International Airport.
- The site is the best alternative to the existing control tower site in that it provides maximum visibility of the runway and aprons, enables the cab to be raised as high as possible without penetrating the OLS and offers a sufficient footprint for a tower design that adequately provides an optimal operational environment.
- The proposal will meet the future needs of the Airport from a safety and operational perspective.
- The site offers the best outcome in comparison with all sites considered.
- The site offers the opportunity for the development of an iconic building within the Airport Precinct and a landmark identifier for the Airport Retail Park.

**Submission 2 – Divyesh Patel:**
- The proposal takes a leap forward for our city.

**Submission 3 - Foodstuffs Properties (Wellington) Limited (Foodstuffs):**
- Foodstuffs is not opposed in principle to the establishment of a new control tower, but considers that the location of the tower on the subject site will generate significant adverse effects on adjacent sites that are not anticipated by the District Plan.
- The information within the AEE is insufficient to demonstrate that alternative sites were adequately assessed. For example, the application does not explore the use of cameras to enhance visibility from other sites. A more robust alternative sites assessment should be provided.
- The proposed 32.5 metre high control tower is significantly higher than the 12 metre anticipated height of a building on the subject site. This will result in significant shading and visual bulk effects on adjacent properties along the western side of Tirangi Road (including land owned by the submitter).
- It is not clear how the range of uses and high level of amenity anticipated in the Business 1 Area could be established if the control tower is constructed.
- The loss of car-parks within the Airport Retail Park will have a potential 'overspill' effect in terms of parking on Tirangi Road and the adjacent streets.
- The loss of car-parking will cause the Airport Retail Park to become non-compliant with its resource consent and the Council should consider this matter simultaneously with the resource consent application to ensure that parking and traffic matters are considered holistically.
- The application should be declined.
Submission 4 - NZ Air Line Pilots Association (NZALPA):

- There are unacceptable security risks associated with the proposed location and design of the control tower.
- The site has an elevated risk profile due to being located within the Airport Retail Park.
- The application plans do not show adequate physical provision to ensure the safety and security of the building, staff and associated car-parking.
- While the building may comply with CAA safety requirements, these do not adequately address the security of the building and associated car-parking from external threats.
- Security is paramount and should not be compromised to achieve a good urban design outcome.
- If an appropriately high level of security is not provided then the application should be declined.

Submission 5 – Rex A Mason:

- Airways Corporation of New Zealand, as a state owned enterprise, are entrusted to deliver services required to develop, install and maintain critical infrastructure and flight path systems throughout New Zealand and manage air traffic control towers and radar centres. This infrastructure must be fit for the purpose in both our everyday lives and in an emergency.
- To that end, the proposal does not adequately address the suitability of the control tower to withstand a significant tsunami event.
- The Airport will be critical in a major disaster as the main arterial routes are likely to be rendered impassable. Thus we will be reliant on air travel.
- Airways should re-consider the intended design in the intended location and consider its mandatory obligation to create a structure capable of meeting the critical importance Level 4 infrastructure for Wellington.

STATUTORY CRITERIA

33. Under section 9(3) of the Act:

“No person may use land in a manner that contravenes a district rule unless the use-
(a) is expressly allowed by a resource consent; or
(b) is allowed by section 10; or
(c) is an activity allowed by section 10A.”

34. The application is for a Discretionary (Unrestricted) Activity under the District Plan. The Council may grant or refuse consent under section 104B of the Act and, if granted, may impose conditions under section 108 of the Act.

35. Section 104(1) of the Act sets out matters a consent authority shall have regard to in considering an application for resource consent and any submissions received. Subject to Part 2 of the Act ( Purposes and Principles), the matters relevant to this proposal are:

Section 104 (1)(a) “any actual and potential effects on the environment of allowing the activity;”

Section 104 (1)(b) “any relevant provisions of-
(i) a national environmental standard:
(ii) other regulations:
(iii) a national policy statement:
(iv) a New Zealand coastal policy statement:
(v) a regional policy statement or proposed regional policy statement:
(vi) a plan or proposed plan"

Section 104 (1)(c) “any other matter the consent authority considers relevant and reasonably necessary to determine the application.”

36. Part 2 (Sections 5, 6, 7 and 8) of the Act sets out the purpose and principles of the legislation, which as stated in section 5, is “to promote the sustainable management of natural and physical resources”. Section 5 goes on to state that sustainable management should enable “people and communities to provide for their social, economic and cultural wellbeing and for their health and safety whilst (amongst other things) avoiding,remedying or mitigating any adverse effects of activities on the environment”.

37. In addition, Part 2 of the Act requires the Council to recognise and provide for matters of national importance (section 6); have particular regard to other matters (section 7); and to take into account the principles of the Treaty of Waitangi (section 8).

38. An assessment against Part 2 of the Act will be undertaken later in this report.

SECTION 104 ASSESSMENT

39. The first part of this assessment is to anticipate the effects that the proposal may have on the surrounding environment. The second part of the assessment is to consider whether the proposal is consistent with the outcomes sought by any relevant higher order planning documents, and the relevant objectives and policies of the District Plan. The third part of the assessment is to consider whether any other matters apply.

Permitted Baseline:

40. Pursuant to section 104(2), in forming the opinion outlined below as to whether the actual and potential effects on the environment resulting from the application are acceptable, the Council may disregard an adverse effect of an activity if a rule or national environmental standard permits an activity with that effect (permitted baseline).

41. Within the Airport Precinct Area the District Plan permits any activity related to the primary function of the airport, provided that various conditions are met. These conditions are set out under Rule 11.1.1 of the District Plan. With the exception of condition 11.1.1.7, which relates to the use, storage or handling of hazardous substances, all of the conditions under Rule 11.1.1 are met in this case. Therefore the Airport control tower activity and the proposed ancillary activities within the proposed building (excluding the storage of diesel), comprise a Permitted Activity under the District Plan.

42. Rule 11.1.2 of the District Plan permits the construction of a building that relates to the primary function of the Airport, to a maximum height of 12 metres. I note that in this instance resource consent may still be required if the development involved earthworks as these would occur within a potentially contaminated site.

43. Rule 11.1.5 permits the installation of signage on a building in the West Side area with a total maximum area of 20m² on each elevation of the building; or free-standing signage with a height of 4 metres and an area of 8m².
44. Disregarding permitted activity effects was appropriate in this case as use of the permitted baseline is not inconsistent with the wider context of the District Plan and Part 2 of the Act. Accordingly, in assessing the effects of the proposal, I have focussed on the additional effects of the proposal beyond the effects of a credible permitted scenario.

Anticipated Activity:

45. In addition to the above, I note that the District Plan anticipates the construction of buildings within the West Side of the Airport Precinct Area, allowing for buildings associated with the primary function of the Airport to be constructed up to a maximum height of 18 metres as a Discretionary (Restricted) Activity. At a height of 32.5 metres the proposed control tower will exceed this height by 14.5 metres. As noted, the proposed earthworks within a potentially contaminated site require resource consent.

Written Approvals:

46. Pursuant to section 104(3)(a)(ii) the Council must disregard the effects on any party who has provided written approval to the application. No written approvals were provided with the application.

Section 104(1)(a) - Effects Assessment:

47. A full assessment of the potential adverse effects of the proposal was provided in the Section 95-95P Notification Decision Report that precedes this report. The Effects Assessment section of this report discusses these matters are discussed under the following headings: Design; Visual Effects; Shading; Traffic and Parking; Wind; Contamination; Earthworks; Construction; Hazardous Substances and Noise.

48. A copy of the Effects Assessment section of my Notification Decision Report is included at Appendix 2 of this report. This assessment, along with the assessment provided within the applicant’s AEE, should be read in conjunction with the assessment below.

49. In the assessment below I will begin by outlining the positive effects of the proposal. I will then provide a further assessment of the application, under similar sub-headings to those listed above and taking into account the changes as set out in the Proposal section of this report.

Positive Effects:

50. At section 8.2 of the AEE the applicant sets out various positive effects associated with the proposal, including that the proposed control tower:
   - is an essential facility for the ongoing safe and efficient operation of the Airport;
   - has a high quality design and will become a landmark building signifying both the underlying Airport Precinct zoning of the land and the location of the entrance to the Airport Retail Park;
   - will have a high level of resilience with respect to risk from earthquake, tsunami and other natural hazards;
   - represents an efficient use of space in terms of providing for air traffic controllers and future office space for Airways staff;
   - will enhance the vibrancy of the area through the introduction of additional workers and contribute to the economic wellbeing of nearby retail stores and cafes; and
   - fits within the District Plan context, whereby activities related to the primary function of the Airport are anticipated on this land.
51. I agree with the applicant’s assessment with respect to positive effects.

52. The submissions provided by WIAL and Mr Divyesh support the proposal and are also relevant to the assessment of positive effects.

Control Tower Design & Visual Effects:

53. As I noted in my Notification Decision Report:

“The applicant's Design Statement sets out the design parameters of the project, which include the operational requirements of the building, the geological context and the desire to create a landmark building that makes a positive contribution at a local, regional and national level. Notably, as the proposed control tower will have a key regional function in a state of emergency, the design is required to withstand various potential hazards including earthquake, tsunami and flood. From an operational perspective, the building needs to achieve full views of the runway and provide appropriate facilities for control tower staff. The various operational requirements of the building are described in detail in the application. From a design perspective, the applicant seeks to construct a building with a high level of architectural and visual interest, noting that the control tower will ‘inevitably become a landmark building’. As such, it will inherently have a high level of visibility”.

54. The building will be easily recognisable as an air traffic control tower and will be a landmark building signifying both the underlying Airport zoning and use of the land and the entrance to the Airport Retail Park. In my Notification Decision Report I concluded that the tower would be highly visible and thereby create a visual effect that was more than minor. The application was publicly notified on this basis.

55. No submissions comment on the visual effects or design of the building.

56. Tall or unusual buildings can be perceived both positively and negatively. Hence an assessment of the visual effects associated with the building is arguably subjective, based in part on personal taste. Determining whether the visual effects of the proposed building are acceptable it is therefore relevant to rely on the assessments provided by the Council and applicant’s urban design experts (being Graeme McIndoe and Morten Gjerde respectively).

57. Mr McIndoe and Mr Gjerde have assessed the visual and design effects of the building within the context of the District Plan expectations and taking into account their expert understanding of good urban design principles. At the time that the application was lodged the design was generally supported by both Mr McIndoe and Mr Gjerde.

58. Mr McIndoe has provided a further assessment of the proposal taking into account the amendments (dated 5 July 2015). I have provided both of Mr McIndoe’s assessments within the appendices to this report.

59. In his assessment dated 5 July 2015 Mr McIndoe comments that:

1. The building extends well above the height limit, will be prominent in short and long range public views and in view from one of the major gateways to the city. This necessitates a very high quality architectural and urban design outcome.

2. The ‘Leaning Tower’ proposal is conceptually sound and, should the intended qualities be taken through into design of the base, has potential to be of the
necessary landmark quality. While the tower itself is of high quality, the treatment at the base has not been demonstrated to be acceptably resolved.

3. The planning and design of the area around the base, notwithstanding care taken with fence design and planting, appears unacceptably utilitarian (largely due to the nature and location of services), and its quality not consistent with that of the design of the tower itself. It also remains to be described in a way that allows the informed assessment necessary for a project of this significance.

60. Hence, while Mr McIndoe supports the design concept in principle, he notes that the base of the building is a significant element that the amended proposal does not suitably address.

61. The design of the base and landscaping, along with other relevant matters relating to design, are discussed specifically below.

**Base Design and Landscaping**

62. The amended (angle) car-parking layout within the security fence around the perimeter of the site necessitates amendments to the landscaping and open space treatment at the base of the control tower building. The amended car-parking layout and landscaping design is depicted on the plan titled ‘Proposed Site Plan RC-04 rev 0C’. With respect to landscaping, the applicant notes in their letter dated 1 July 2015 that: ‘A blend of soft, hard and structured landscape elements have been proposed to mediate between the functional/security requirements of the tower site and the adjacent public realm’.

63. The most significant change to the design is the removal of the 9 bunds from the base of the tower, five to the east and four to the west of the tower. These bunds were a significant feature of the design concept, in that they were to appear as sand dunes and drew reference to both the concept of wind and, through their concrete structure, the ‘rock face’ design of the building’s eastern and western elevations. The effect of the bunds and associated landscaping, as shown in the plan titled ‘Site Setout Plan RC-04 rev 0A’ (superseded by the plan above), was to provide a strong relationship between the base of the building and the public environment and to ‘ground the building’.

64. Significantly, in his assessment (dated 26 March 2015) Mr Gjerde comments at length on the importance of the relationship of the building to the street context. With respect to the quality of the relationships that will be formed between the proposed building and the street context Mr Gjerde comments:

“The nature of these relationships will influence the way the building and site development are ultimately perceived. Scrutiny of the design is closer when considering these relationships, largely because the potential impacts will be so much greater. The quality of the relationships at this level will turn on relationships of height and scale. They will be affected by the architectural form of the building and by where it is sited relative to other buildings and the public space network”.

65. Mr Gjerde later comments that:

“The site development will be perceived as three related but also distinct parts; the cab, the tower and the site development, particularly the hard landscape feature elements. These three elements must work together compositionally in order for the project overall to be perceived positively. At this level of consideration, the design outcome is largely dependent on the designer’s ability to ‘sculpt’ a beautiful object”.
66. With respect to the amendments to the design treatment at the base of the building, Mr McIndoe has commented at paragraphs 9 and 10 of his report as follows:

9. The previously proposed treatment of the base as a series of planar elements referencing wind-blown sand (as drawn in the perspectives that are part of the application) would have appropriately grounded the tower to its immediate site and referenced the coastal locality (as noted in Mr Gjerde’s urban design report). Such a treatment, while only indicated conceptually in the drawings tabled, could also have been expected to give potential to screen parking, integrate security fencing and provide for appropriate planting. The quality of visual reference has been lost, although since our 24 June meeting, reinstatement of two of the structured landscape bunding elements is positive.

10. The necessary security fencing should be treated as an architectural and hard landscaping element, integrated with the intended design of the base. That integration and the necessary quality is my opinion has not yet been demonstrated. At our 24 June meeting I requested 3D drawings such as from ‘Sketchup’ that would show the effect of the new proposed treatment at the base and related landscaping.
   a. Focus of landscaping design attention on the Tirangi Road edge and views from that edge is appropriate.
   b. This notwithstanding, currently, and including the new water tank this edge appears utilitarian, and because of the visual prominence of utilitarian elements (angle parking and water tank) does not provide a visually strong base for this significant landmark building, and I am not in a position to confirm that it will be acceptable as drawn and in this configuration.
   c. This is a significant structure, and it is essential that its appearance from the street around can be assessed properly, prior to any approval.

67. In summary, Mr McIndoe is concerned about the loss of a strong base to the design of the development; the angle car-parking which is incongruous with the wider car-parking layout, and the visibility of the water tank and pump. He has commented that a suitable design may be achievable, but that he is not able to support the application without first seeing full details of the base treatment. He is not supportive of the design as depicted on the plan titled ‘Proposed Site Plan RC-04 rev 0C’.

68. I have considered Mr McIndoe’s comments and reviewed the plans referenced above (RC-04 rev 0A and RC-04 rev 0C). I agree that the base of the building is a critical element of the design and provides a crucial relationship, at a micro scale, between the building and the public realm. Further, the success of the base design is an important building element that functions to balance out the other compositional elements of the cab and the tower, ‘grounding the building’. I am concerned that the amended car-park layout, providing for one additional secure car-park, compromises the overall design concept and the design outcome in terms of the contribution of the building to the immediate environment. To that end, further consideration of the base design should be undertaken by the applicant and detailed information should be provided prior to, or at, the hearing.

Material and Design Detail

69. At the request of Mr McIndoe, the applicant has provided clarification in relation to building materials and aspects of design detail. These are summarised in the

70. Mr McIndoe has commented that the proposed materials are appropriate. This applies to both of the possible materials the applicant is exploring for use on the eastern and western elevations. He also supports the reduction of windows on these elevations and the removal of the alternative access from the northern elevation. As the applicant has not yet finalised their choice of materials or glazing I recommend that a conditions final details of these be provided to the Council prior to construction completed, with approval from the urban design advisor required if a material not yet specified by the applicant is to be used.

Lighting

71. Also relevant to the assessment of design and visual effects is the proposed lighting of the control tower at night. It is intended this will add to the visual interest of the building. Hence the lighting will draw attention to the tower when it would not otherwise be visible if it was not lit. This intrusion into the night sky may be received positively or negatively by local residents, particularly those who overlook the tower. I note that no submitters have raised a concern with respect to lighting. In my opinion the lighting is not visually obtrusive and is sufficiently separated from any residential properties so as not to create a nuisance effect.

Building Maintenance

72. To mitigate any adverse visual effects that might result in the long term, I recommend that a condition be included requiring that the consent holder undertake maintenance of the tower when necessary to ensure that it retains its 'landmark building' qualities. Maintenance would include the prompt replacement of lightbulbs that fail, the prompt removal of any graffiti and maintaining the glass elevations in an appropriate condition that is consistent with the expectations for design quality as envisaged by this application.

Summary

73. Overall, taking into account the assessments provided by both Mr McIndoe’s and Mr Gjerde, I consider that in principle the design of the building and associated visual effects are acceptable. However, without further information I am unable to confirm, and nor is Mr McIndoe, whether the base of the building is an appropriate design response. My support is contingent upon an acceptable design solution in this regard. The preferable outcome is to revert back to the original parking layout and hard landscaping concept, which I confirm did have the support of Mr McIndoe and I. Alternatively, a more developed concept should be provided prior to, or at the hearing. I also recommend that the applicant provides an assessment from Mr Gjerde that addresses any changes to the design.

Amenity Effects:

74. No residential property owners have made a submission with respect to amenity effects; however, the submission from Foodstuffs expresses a concern about the potential shading, bulk and dominance effects that the building will generate. The proposed building is tall, but has a slim design and small footprint comparison to other buildings in the immediate area.
75. The applicant has provided shading diagrams showing that there will be a small loss of shading at sites along the western side of Tirangi Road between 8.00am and 10.00am, with the worst effects occurring in winter.

76. The District Plan permitted building height for the site is 12 metres. To achieve its function the control tower will have a height of 32.5 metres. It is 20.5 metres higher than a building that could be constructed as a permitted activity on the subject site. That said, the District Plan does anticipate ‘big box’ development on this land and a building with a significantly larger footprint up to 12 metres in height could be constructed as a permitted activity. Such a building adversely affect the amenity experienced at sites along the western side of Tirangi Road to a level that is comparable with, or greater than, the proposed control tower building.

77. Taking into account the applicant’s shading information and the level of development anticipated by the District Plan, as described above, I consider that the shading, bulk and dominance effects on the sites along the western side of Tirangi Road will be acceptable.

Traffic and Parking:

78. The control tower will provide for 3-5 air traffic controllers initially and up to 17 staff in the future. Ten staff car-parks will be provided and the application has been amended to provide five of these inside the security fence. There is a bus stop adjacent to the site, providing staff with an option for commuting.

79. The application, amended plans and submissions have been assessed by Brendon Stone, the Council’s Principal Planner (Transport). Mr Stone’s assessment is included at Appendix 5 of this report.

80. Overall, Mr Stone is supportive of the application on the basis of the following:

- The existing Airport Retail Park (including the northern extension currently under construction) will meet the minimum ancillary parking requirement for the Airport Precinct.
- The on-site servicing arrangements are appropriate.
- There is spare on-site parking available and a “back up” supply of local on-street parking capacity astride wide Tirangi Road; Kingsford-Smith Street and McGregor Street.
- Construction traffic effects can be managed through the implementation of a Construction Management Plan.

81. Turning to the submissions, the following matters relate to traffic and parking effects:

Submission 3 - Foodstuffs Properties (Wellington) Limited
- The loss of car-parks within the Airport Retail Park will have a potential ‘overspill’ effect in terms of parking on Tirangi Road and the adjacent streets.
- The loss of car-parking will cause the Airport Retail Park to become non-compliant with its resource consent and the Council should consider this matter simultaneously with the resource consent application to ensure that parking and traffic matters are considered holistically.

82. Mr Stone’s assessment takes into account the loss of car-parks that would occur as a result of the control tower application and the potential parking demands associated with the Airport Retail Park extension. I note that the consent holder for the Airport Retail Park extension (WTIAL) will comply with their resource consent until such time as the construction of the control tower commences and the consent to construct the
tower is yet to be determined. Mr Stone has commented that there is sufficient car-parking within the Airport Retail Park site to meet the District Plan requirements (ie if 24 car-parks are removed) and that the surrounding road network has sufficient capacity to accommodate overspill at peak times. He therefore considers the traffic effects to be acceptable.

83. Notwithstanding the above, the applicant has advised that a change of conditions application in relation to the resource consent SR No. 264301 is currently being prepared. I recommend that an advice note relating to the requirement to submit that application be included if this resource consent is granted.

Submission 4 - NZ Air Line Pilots Association
- The application plans do not show adequate physical provision to ensure the safety and security of the building, staff and associated car-parking.
- While the building may comply with CAA safety requirements, these do not adequately address the security of the building and associated car-parking from external threats.

84. As noted, the design of the development has been amended to include five angle car-parks inside the perimeter security fence. This change was devised to address NZALPA’s concerns with respect to safety.

85. The proposal, including the amended (angle) parking design, has been assessed by Patricia Wood, the Council’s Vehicle Access and Earthworks Engineer, who has commented that the vehicle parking and manoeuvring provided within the site is generally acceptable, but that the angle car-parks will need a width of 2.4 metres. Additionally, she notes that suitable manoeuvring areas associated with existing Retail Park car-parks will be maintained.

86. Overall, on the basis of the advice provided by the Council’s Traffic and Vehicle Access Engineers, I conclude that the traffic and parking effects resulting from this proposal will be acceptable. As requested by Mr Stone, I recommend that conditions be imposed requiring the applicant to submit a Construction Traffic Management Plan (CTMP) for approval prior to works commencing, and implement the approved plan during the construction period. Specifically, the CTMP should consider impacts on safety and parking supply during busy retail periods such as Christmas and Easter.

Wind:

87. There were no submissions in relation to wind effects. I note, however, that the Council’s consultant wind advisor, Mike Donn, had raised concerns about the potential wind effects that had not been addressed by the applicant at the time that the application was publicly notified. Hence a further assessment is provided below.

88. The applicant’s consultant wind expert, Neil Jamieson of Opus International Consultants Limited, has now provided an addendum to his original assessment. This letter, dated 29 June 2015, will be provided to all parties with this report.

89. In this letter Mr Jamieson further assesses the potential wind effects of the proposed control tower. He contends that wind effects will be localised to the corners of the building, and will be mitigated by the slender design of the tower and set-back provided through the fencing and landscaping elements. He notes that the effects will decrease significantly with distance (from the tower). He also comments that the existing landscaping at the entrance to the Airport Retail Park site provides evidence that planting can establish in this environment.
Mr Jamieson’s conclusion is as follows:

“I believe that the revised landscape plan, including the palisade fence and hard landscaping elements, combined with the existing planting, and the proposed additional planting, have the potential to (a) keep the public away from the windy areas close to the corners of the building, and (b) help to mitigate most of the effects of the building in publically accessible areas further away on George Bolt Street and Trangl Road”.

He notes that various additional measures were considered by the applicant for mitigation of wind effects, but that the applicant was not able to gain support from WIAL (the land owner) for these changes.

At that date of writing this report I have not received any further comments from Mr Donn in relation to the information submitted by the application on 1 July 2015. I note that any wind effects would be localised to the immediate environment and, as suggested by Mr Jamieson can be mitigated to an extent by landscaping (hard and soft). As discussed earlier in this report, the base of the building requires further design consideration before achieving support from the Council. The final design of the base and landscaping may necessitate further comments from Mr Jamieson with respect to the resultant wind effects. I recommend that this information is provided.

Noise:

As noted in my Notification Decision Report, any noise associated with the use of the control tower, including any fixed plant noise, is expected to meet the relevant noise standards set out in the District Plan. I recommend that conditions of consent are included that require the applicant to provide evidence that these requirements are met. On the basis that this is the case, noise effects are considered to be acceptable.

Use of a Potentially Contaminated Site & Hazardous Substances:

Prior to the application being publicly notified it was assessed by Kareema Yousif, the Council’s Environmental Technical Officer, who expressed no concerns in relation to contamination or the storage and use of hazardous substances (diesel) on the site. Ms Yousif has recommended a number of conditions be imposed in relation to these matters, should the application be improved. These are set out at Appendix 6 of this report.

Based on the information provided within the application, the comments provided by Ms Yousif, and the mitigation measures that would be included on the consent (by way of conditions), the effects associated with both the development on a potentially contaminated site and the storage and use of hazardous substances on the site are acceptable in this case.

Earthworks:

As noted in my Notification Assessment Report, earthworks involving cuts of up to 4.5 metres in height are required to achieve base isolation and the level of resilience required by the applicant. The excavation involves approximately 2200m$^3$ of earthworks, with some 1800m$^3$ of material to be removed from the site.

As a result of the earthworks there is the potential for adverse effects on the stability of the land, in addition to the generation of earth debris, dust and silt runoff, and adverse effects related to the transport of excavated material. Ms Wood has recommended a
number of conditions to manage earthworks effects. The recommended earthworks conditions are set out at Appendix 6 of this report.

98. On the basis of these conditions being included on the decision, if granted, I consider that the proposed earthworks and related effects are acceptable.

Construction:

99. Potential construction effects will include noise, vibration, general disruption, and construction traffic effects. The applicant's AEE sets out discusses construction effects in detail and notes that these will be managed through best practice techniques. In addition to this, I recommend that conditions be imposed requiring that a Construction Management Plan (CMP) be submitted to the Council for approval prior to works commencing.

100. On the basis that a CMP would be implemented during the construction period I consider that the potential construction effects of the proposal are able to be effectively managed. Hence any such effects are considered to be acceptable.

Effects Summary:

101. The applicant has advised that further information will be provided at, or prior to, the hearing on the base of the tower. I will require this information to be in a position to confirm whether a satisfactory outcome will be achieved in relation to both urban design and the public wind environment. Subject to satisfactory outcomes being achieved in relation to these matters, and taking into account the assessment above of the actual and potential effects of the development (including positive effects), I consider the effects of the air traffic control tower will be acceptable.

Section 104(1)(b) - Relevant Planning Provisions:

102. In considering this application the Council has had regard to relevant provisions of the following planning documents:
   - A National Environmental Standards
   - A National Policy Statement
   - The New Zealand Coastal Policy Statement
   - The Regional Policy Statement
   - Wellington City District Plan

Higher Order Planning Documents:

103. There are no relevant National Policy Statements in relation to this application. As discussed earlier in this report, resource consent is not required under the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011. No other National Environmental Standards apply.

104. The site is within the inland coastal environment and the New Zealand Coastal Policy Statement (NZCPS) does apply to the site. The NZCPS provides for a range of activities and anticipates development that relates to the provision of infrastructure, promotes development that is complimentary to this environment and seeks to mitigate risk from natural hazards such as storms and tsunami. I note that within section 2 of the Act the definition of infrastructure includes an Airport.
105. The control tower site is set back from the coast (i.e. Lyall Bay) by approximately 200
metres and will be constructed in an environment that is already highly modified.
Hence the building will not detract from the character of the existing environment.
Further, the building has been designed to make reference to the coastal environment
and withstand significant natural hazards. Overall, for the reasons set out above, I
consider that the proposal sits appropriately within the policy framework set out in the
NZCPS. The location of the site within the coastal environment is not a significant
influencing factor in relation to the application.

106. The applicant has identified that Wellington International Airport is classified as
"Regionally Significant Infrastructure" within the RPS. Therefore Policy 8 of the RPS
applies. This policy seeks to protect regional significant infrastructure as this is an
important physical resource that enables people and communities to provide for their
social, economic and cultural wellbeing, and their health and safety. The construction
of an appropriate control tower provides for the ongoing functionality of the Airport
and therefore meets the intention of this policy. The applicant further discusses the
applicability of the RPS at section 9.2 of their AEE. I adopt the applicant's assessment
with respect to the relevant RPS matters.

District Plan Provisions:

107. The objectives and policies of the District Plan reflect the intentions of the higher level
planning documents as discussed above. In addition, they express the aspirations of
the community and the Council in relation to sites within a particular District Plan area
and the city as a whole. Further to this, the assessment criteria under the relevant rules
of the District Plan provide guidance in forming an opinion as to whether or not the
proposal should be supported.

108. The District Plan separates the objectives and policies relating to the Airport and Golf
Course Recreation Precinct into two distinct areas, being the Airport area and the
Miramar Golf Course area. I note that in this case, only the former are relevant.

109. Wellington International Airport is a significant air transport hub that serves the city,
the region and the country. The objectives and policies relevant to the Airport area
recognise the strategic importance of the Airport by providing for its continued use and
development. To that end, activities relating to the core function of the Airport are
typically permitted activities within this area. The District Plan does identify five sub-
areas within the Airport Area (being the Terminal Area, Rongotai Ridge, the Broadway
Area, the South Coast Area and the West Side), and sets out specific development
expectations within these areas. As noted earlier in this report, the subject site is within
the 'West Side'.

110. The applicant provides an assessment of the District Plan objectives and policies at
section 9.3 of the AEE. In accordance with section 42A(1B) of the Act I adopt the
applicant's assessment. Further commentary is provided below.

Objectives and Policies - Assessment:

10.2.1 To promote the safe, effective and efficient operation of the
Airport

10.2.1.1 Provide for activities which will ensure the safe, effective and efficient use
of the Airport area as a strategic transport node for the city, region and
nation.

10.2.1.2 Identify the Airport as an area within the precinct with a distinct character
and uses.
10.2.1.4 Encourage energy efficiency and the development and use of renewable energy within the Airport and Golf Course Recreation Precinct.

111. The above objective and policies seek to provide for activities that will support the ongoing use and development of the land within the Airport Precinct for Airport purposes. The proposed control tower constitutes an activity that is necessary to the core function of the area and is readily recognisable as such. It is undeniable that the provision of an adequate control tower facility will enable the Airport to operate in a safe, effective and efficient manner.

112. The proposed air traffic control tower will be recognisable as having a function directly related to the Airport. Further to this, it is intended that the control tower will be a landmark building that is visually distinctive and creates an additional element contributing to the character of the Airport.

113. The application sets out the various elements of the building design that accord with policy 10.2.1.4, such as the use of curtain walls oriented to the sun to assist with the provision of natural heating/cooling and light.

114. Overall, the proposal is considered to be in accordance with objective 10.2.1 and the related policies.

10.2.4 Protect the character and amenities of identified areas within the Airport area from inappropriate non-airport related uses and development.

10.2.4.6 Encourage high quality retail and other non-airport related activities in the West Side which will improve the shopping and business environment for the public and workers.

115. The proposed control tower is not a non-airport activity and is therefore anticipated within the West Side. Nonetheless, the location of the control tower within the West Side development area of the Airport Precinct has been questioned on the basis that the District Plan sets an expectation that this land will be developed for retail activities, as evidenced by the fact that the Airport Retail Park is located there. I do not agree with this assertion. The West Side sub-zoning does not preclude Airport related activities from occurring within this part of the Airport Precinct. The over-riding District Plan policy intention is to provide for Airport related activities across the entirety of the Airport Precinct zone and, as depicted in the master plan provided with the application and set out within the explanation to policy 12.2.4.6, it is intended that in the long term the West Side will revert to aviation uses. There are other examples of Airport related buildings within the West Side area, such as the Execujet hangar at 91 Tirangi Road.

116. The applicant asserts that locating the proposed control tower within the car-park of the Airport Retail Park will “not inhibit the operation of existing and future non-airport activities”. Taking into account the assessment provided by Mr Stone and the submission from WIAL I agree with this assessment.

117. On this basis I consider that objective 10.2.4 and the related policies have little relevance to this application.

10.2.5 To protect the amenities of areas surrounding, and within, the Precinct from adverse environmental effects.

10.2.5.1 Exercise an appropriate level of control over Airport and ancillary activities for the avoidance or mitigation of adverse effects.
10.2.5.2 Ensure a reasonable protection of residential and school uses from Airport activities by providing controls on bulk and location, ensuring sufficient space is available for landscape design and screening, and by retaining a buffer of land of a recreational nature to the east of the Airport.

10.2.5.3 Control the interrelationship between building forms and the space around buildings to ensure a high level of visual amenity.

10.2.5.4 Manage the noise environment to maintain and where possible enhance community health and welfare.

118. The District Plan qualifies the above objective and policies by noting that the bulk and location provisions for sites within the Airport Precinct are design to protect activities on surrounding land from the impacts of structures that have a size and scale typical within an Airport environment. The proposed control tower is significantly higher than the permitted height for structures on the subject site (being 12 metres) and will have a significant visual effect. Recognising this, the applicant has designed the tower to be a ‘landmark building’ in terms of its design. Due to the function of the tower the additional height is an essential component of the design and, as noted by the applicant, is necessary to meet other statutory requirements (ie Civil Aviation Authority requirements). I agree with the applicant that, from a distance, the control tower will appear as part of the wider Airport environment.

119. The proposed control tower is located within an area that is characterised by retail and light industrial activities. While there may be adverse effects (such as shading or bulk and dominance effects) on nearby sites I consider that any such effects are acceptable, as discussed in the section 104(1)(a) assessment section of this report.

120. The subject site is significantly separated from any schools or residential properties. Given the small size of the site and constraints imposed by the location there are limited opportunities for landscaping or visual screening. Nonetheless, where possible such elements have been including in the design.

121. The proposed control tower will not generate any noise.

122. For the above reasons I consider that the proposal is consistent with objective 10.2.5 and the related policies.

10.2.6 To ensure signage is designed and located in a way which will not detract from the character of the locality, and will not cause a traffic hazard.

10.2.6.1 Manage the scale and placement of signs in order to maintain and enhance the visual amenity of the host building, site, and locality.

123. Any signage on the proposed control tower will be for naming or directional purposes. No large scale signage is proposed. Hence the proposal is consistent with this objective and the relevant policy.

10.2.7 To prevent or mitigate any adverse effects of the storage, use, disposal, or transportation of hazardous substances, including waste disposal, and from the use of contaminated land.

10.2.7.1 Require that the storage, use, handling and disposal of hazardous substances are subject to analysis using the Hazardous Facilities Screening Procedure and, where appropriate, the resource consent procedure in order that any potential or actual adverse effects are managed in such a way as to safeguard the environment.

10.2.7.2 Reduce the potential adverse effects of transporting hazardous substances.
10.2.7.3 Control the use of land for end point disposal of waste to ensure the environmentally safe disposal of solid and hazardous waste.
10.2.7.4 To require hazardous facilities to be located away from Hazard Areas.
10.2.7.5 Manage the bulk storage of aviation fuel.
10.2.7.6 Control activities on any contaminated land.

124. The Council's Environmental Technical Officer, Kareema Yousif, has assessed the application and provided comments with respect to both hazardous substances and the use of contaminated land. Ms Yousif is satisfied that the storage of hazardous substances (ie diesel) can occur safely within the building and that the land can be developed without risk to the safety of people or the environment.

125. On the basis of Ms Yousif's assessments I consider that the application meets objective 10.2.7 and the related policies. Ms Yousif has recommended conditions in relation to contamination that I recommend be imposed if the application is approved.

10.2.8 To avoid or mitigate the adverse effects of natural and technological hazards on people, property and the environment.
10.2.8.1 Identify the hazards that pose a significant threat to Wellington and ensure that areas of high hazard risk are not occupied or developed for vulnerable uses or activities.
10.2.8.2 Ensure that critical facilities and lifelines are not at risk from hazards.
10.2.8.3 Ensure that the natural environment is protected from the adverse effects arising from a hazard event.

126. The most significant hazard likely to compromise the integrity of the proposed control tower is likely to be a significant earthquake. As discussed in the application, the design of the control tower takes into account this risk, with the building being designed to withstand a significant event (such as earthquake or tsunami). Based on concerns raised in the submissions it is intended to amend the design to further provide for tsunami resilience. Notably, it is in the interests of the applicant to construct a building to such a standard as the control tower will be critical to the ongoing operation of the Airport during a significant hazard event.

Objectives and Policies - Summary:

127. Overall, for the reasons outlined above, I consider that the proposed development will be consistent with the relevant objectives and policies of the District Plan.

Assessment Criteria - Assessment:

128. The following assessment criteria are relevant to the application:

Assessment Criteria 11.2.2.2 to 11.2.2.18

129. These assessment criteria relate to the use, storage and handling of hazardous substances. As noted, Ms Yousif has no concerns in relation to the on-site storage and use of diesel, which will be managed using the methods set out in the application and best practice techniques. The proposal is therefore acceptable with respect to the matters set out in these assessment criteria.

Assessment Criteria 11.2.4.5 to 11.2.4.9

130. These assessment criteria relate to the undertaking of earthworks on a site that is potentially contaminated land, as defined in the District Plan. Again, I defer to the
assessment provided by Ms Yousif with respect to contamination and am confident that, subject to suitable conditions being imposed if the consent is approved, the proposal is acceptable with respect to the matters set out in these assessment criteria.

**Assessment Criteria 11.4.2.1 to 11.4.2.9**

131. These assessment criteria relate to the construction of, or alteration to, buildings and structures within the Airport Precinct. The matters raised in the assessment criteria have been discussed in the effects assessment section of this report. The proposal is generally acceptable with respect to these matters. I note, however, that the current iteration of the design has been assessed by Mr McIndoe as not achieving the requirements of assessment criterion 11.4.2.5, which relates to design and requires a development to accord with good urban design principles.

**Assessment Criteria - Summary:**

132. Overall, with the exception of the requirement to achieve ‘good urban design principles’, I consider that the proposed development is acceptable with respect to the matters set out in the assessment criteria listed above.

**Section 104(1)(e) - Other Matters:**

133. Here I will address various additional matters relevant to the application.

**Building Resilience:**

134. The application notes that proposed building will have a special post disaster function, enabling Wellington Airport to remain functional following disaster events including earthquake and tsunami. To achieve this, the building will be constructed as a Level 4 structure in accordance with the New Zealand Loadings Standard AS/NZS1170.

135. Mr Mason (submitter #5) has expressed a concern about the ability of the proposed control tower to withstand a significant tsunami event. The applicant has sought advice relating to tsunami risk and indicated that the design will be amended to address these concerns, as will be further detailed in the evidence that they provide prior to the hearing. On the basis of this change, which will have no discernible effect on the appearance of the tower, I consider that Mr Mason’s concerns have been addressed.

136. Prior to the hearing expert evidence detailing the changes to the design to provide for tsunami resilience will be provided. Having discussed the changes with the application I anticipate that the level of building resilience will be acceptable.

**Obstacle Limitation Surface:**

137. At section 3.4.1 of the AEE the application describes the Airport’s Obstacle Limitation Surface (OLS) and the implications of this. The subject site is immediately outside the OLS. This allows for the building to be constructed to a height that allows for suitable visibility of the runway without creating an obstruction within the OLS. As a result the proposed control tower will meet the requirements of an agreement between WIAL and the Civil Aviation Authority, which seeks to prevent any new obstacles from being constructed within the OLS and to remove any existing penetrations into the OLS where possible. I note that the existing control tower at 81 Tirangi Road is partially within the OLS and that this is a reason why the applicant has not further explored upgrading the control tower in its current location.
WIAL Designations:

138. Designation A2 restricts the height of buildings and structures that may obstruct visibility from the existing control tower. Due to the separation distance between the existing and proposed control tower sites this designation has no relevance to the application.

139. Designation G2 restricts the height of buildings and structures in a much wider area (as shown on planning maps 36, 37 and 38) to ensure visibility for planes approaching and leaving the Airport. The proposal meets the requirements of this designation in that it has WIAL support.

Alternative Sites:

140. The Foodstuffs submission (submitter #3) questions whether appropriate consideration has been given to alternative sites. The application sets out the process through which the subject site was selected, noting that a total of 18 sites were considered and this was the preferred option. That said, it appears that this decision was made on the basis of the functionality of the building and no explicit assessment was made with respect to potential adverse effects on surrounding properties or the wider environment or the suitability of the site in terms of the District Plan objectives and policies. Notwithstanding, I have assessed the selected site above and consider this to be appropriate for the proposed development and use.

141. There are no other matters that need to be taken into account.

ASSESSMENT UNDER PART 2 OF THE ACT

142. Part 2 (sections 5, 6 and 7) of the Act sets out the purposes and principles of the legislation, which as stated in section 5 is "to promote the sustainable management of natural and physical resources." Section 5 goes on to state that sustainable management means enabling "people and communities to provide for their social, economic and cultural well-being and for health and safety" whilst (among other things) "avoiding, remedying or mitigating any adverse effects of activities on the environment".

143. At section 9.1 of their AEE the applicant provides an assessment against Part 2 of the Act, which I agree with. In summary, the applicant notes that there are no relevant section 6 or section 8 matters. With respect to sections 5 and 7 the applicant asserts that:

- The proposal provides for the improved safety of aircraft which contributes to the efficient and effective operation of the Wellington International Airport and its contribution to the city and region's economic and social wellbeing.
- The amenity values of the area are maintained through the establishment of a new control tower of good quality design that is responsive to the local context and geology; and a development that is compatible with the existing Airport environment and retail/commercial/light industrial activities.
- The proposal represents an efficient use of the physical resources of the subject site as it utilises an existing car-parking site which is sometimes under-utilised as car parking space, in an area with an existing high level of built development, and enables the land and existing infrastructure (buildings, roads, public transport, and services) to be more efficiently used.

144. In accordance with section 42A(1)B(b) of the Act I adopt the applicant's assessment with respect to Part 2.
145. Overall, the development is considered to meet the stated intention of Part 2 of the Act in that it represents the sustainable management of a physical resource while providing for an activity that is fundamental to the function of Wellington International Airport, being a significant transport hub that is important at a local, regional and national level.

CONCLUSION

146. Having considered the application and supporting documents and the further information submitted to the Council on 1 July 2015, together with the expert advice provided by various experts for the Council, I consider that the proposal to construct and operate an air traffic control tower on the site at 1 George Bolt Street is acceptable in principle.

147. I note that the proposal has various positive effects and, subject to the matters discussed below, is considered to be in accordance with the relevant objectives and policies of the District Plan. It also meets the intention of Part 2 of the Act.

148. Concerns have been expressed by Mr McIndoe with respect to the design of the base of the building as depicted on the plans submitted to the Council on 1 July 2015, which he does not consider to represent a suitable design outcome. The amendments submitted reduce the overall visual quality of the design and strength of the design concept (of a building leaning into the wind with sand dunes at its base). In particular, the strong relationship between the building and the ground is lost. The changes will therefore diminish how the building is experienced from within the immediate environment.

149. As noted in this report, the applicant intends to provide further information in relation to the design of the base of the tower and landscaping. I recommend that, in addition to any plans and 3D modelling, a further assessment from Mr Gjerde is submitted.

150. It is anticipated that changes to the design and landscaping (hard and soft) at the base of the control tower will have a flow on effect in terms of the wind environment, particularly to the south of the building. Therefore, it is recommended that the applicant provide a further assessment from their wind advisor, Mr Jamieson, that demonstrates the wind effects associated with any changes.

151. On the basis that the base design and landscaping is amended and achieves a satisfactory outcome with respect to urban design and the public wind environment, I anticipate that the adverse effects arising from the proposal will be acceptable and will therefore be able to support the application.

RECOMMENDATION

152. That the commissioner, acting under delegated authority from the Council and pursuant to section 104B of the Resource Management Act 1991, grant consent for the proposal to construct, operate and maintain a new 32.5 metre high air traffic control tower at the Airport Retail Park on Tirangi Road for Wellington International Airport; with associated earthworks on a site that is identified in the District Plan as potentially contaminated at 1 George Bolt Street, Rongotai (Lot 39 within Lots 39-51 DP 21360), subject to the following:

1. That a suitable design for the base of the building and associated landscaping is submitted that achieves a positive outcome in terms of both urban design and wind effects.
Note: The design as submitted with the application on 31 March 2015 would achieve this requirement.

2. That the development is undertaken subject to the conditions and advice notes set out at Appendix 6 of this report (albeit as amended to take into account any amendments to the application required to achieve 1. above).

153. I note that my recommendation is based on the information provided to date. I reserve the right to reconsider this position, or any aspect thereof, should any new information or expert evidence eventuate prior to or at the hearing.

Reporting Officer:

Lisa Hayes
Senior Consents Planner
Resource Consents Team
Wellington City Council

Reviewed by:

Ryan O'Leary
Senior Consents Planner
Resource Consents Team
Wellington City Council
LIST OF APPENDICES

1. Appendix 1 – Aerial Photograph
2. Appendix 2 – Effects Assessment from Notification Decision Report
4. Appendix 4 – Urban Design Assessment 16 April 2015
5. Appendix 5 – Traffic Assessment
6. Appendix 6 – Recommended Conditions and Advice Notes
APPENDIX 2 – ASSESSMENT FROM NOTIFICATION DECISION REPORT

Permitted Baseline:

Pursuant to section 95D(b), in forming the opinion outlined below as to whether the adverse effects will be more than minor and who is an affected person, the Council may disregard an adverse effect of an activity if a rule or national environmental standard permits an activity with that effect (permitted baseline).

Within the Airport Precinct Area the District Plan permits any activity related to the primary function of the airport, provided that various conditions are met. These conditions are set out under Rule 11.1.1 of the District Plan. With the exception of condition 11.1.1.7, which relates to the use, storage or handling of hazardous substances, all of the conditions under Rule 11.1.1 are met in this case. Therefore the Airport Control Tower activity and the proposed ancillary activities within the proposed building (excluding the storage of diesel), comprise a Permitted Activity under the District Plan.

Rule 11.1.2 of the District Plan permits the construction of a building that relates to the primary function of the Airport, to a maximum height of 12 metres. I note that in this instance resource consent may still be required if the development involved earthworks.

Rule 11.1.5 permits the installation of signage on a building in the West Side area with a total maximum area of \(20\text{m}^2\) on each elevation of the building; or free-standing signage with a height of 4 metres and an area of \(8\text{m}^2\).

Disregarding permitted activity effects was appropriate in this case as use of the permitted baseline is not inconsistent with the wider context of the District Plan and Part 2 of the Act. Accordingly, in assessing the effects of the proposal, I have focussed on the additional effects of the proposal beyond the effects of a credible permitted scenario.

Anticipated Activity:

In addition to the above, I note that the District Plan anticipates the construction of buildings within the West Side of the Airport Precinct Area, allowing for buildings associated with the primary function of the Airport to be constructed up to a maximum height of 18 metres as a Discretionary (Restricted) Activity. At a height of 32.5 metres the proposed control tower will exceed this height by 14.5 metres.

Applicant’s Assessment:

Section 8 of the applicant’s AEE identifies a range of potential adverse effects associated with the proposal and provides a comprehensive assessment of these, under the categories of Design of Building, Landscaping and Amenity; Effects on Airport Operations and Development; Effects on Adjacent or Nearby Properties; Traffic and Parking Effects; Efficient Use of Resources and Compact Urban Form; Need for Additional Infrastructure and Public Spaces; Accessibility and Public Transport; Signage; Wind Effects; Effects on Natural Hazards; Land Contamination; Construction Effects and Hazardous Substances.

Adverse Effects:

The proposal is for a Discretionary (Unrestricted) Activity and the Council is not restricted in the matters that can be taken into account in assessing the application.
Further discussion about relevant matters will now be provided. These matters are discussed under the following headings: Design; Visual Effects; Shading; Traffic and Parking; Wind; Contamination; Earthworks; Construction; Hazardous Substances and Noise.

Design:

The application documents include a detailed Design Statement, prepared by the project architect Studio Pacific Architecture (dated March 2015), along with an Urban Design Assessment prepared independent urban design consultant Morten Gjerde (dated 26 March 2015). The applicant’s Design Statement sets out the design parameters of the project, which include operational requirements of the building, the geological context and the desire to create a landmark building that makes a positive contribution at a local, regional and national level. Notably, as the proposed Control Tower will have a key regional function in a state of emergency, the design is required to withstand various potential hazards including earthquake, tsunami and flood. From an operational perspective, the building needs to achieve full views of the runway and provide appropriate facilities for Control Tower staff. The various operational requirements of the building are described in detail in the application. From a design perspective, the applicant seeks to construct a building with a high level of architectural and visual interest, noting that the Control Tower will “inevitably become a landmark building”. As such, it will inherently have a high level of visibility.

Mr Gjerde notes that the building is easily recognisable as an Air Traffic Control Tower and will read from elevated locations as part of the overall Airport facility. For this reason, he anticipates that people will be more receptive to a tower scale building in this location. That is, the form of the building reflects its function. Overall, Mr Gjerde is supportive of the building design.

The applicant’s Design Statement and Urban Design Assessment have been assessed by Graeme McIndoe, the Council’s consultant Urban Design Advisor. In his preliminary assessment Mr McIndoe has commented that the architectural approach to the building is acceptable, that the building will have a high level of functionality in line with the applicant’s requirements and will be of the necessary quality for a landmark building. Mr McIndoe has requested clarification in relation to building materials and landscaping; however, these matters are immaterial to the notification decision.

Overall, based on the information provided within the application and the assessment prepared by Mr McIndoe, I conclude that the effects associated with the design of the building are less than minor. I note that design is a subjective matter and different people will have different opinions on this; however, no specific parties are adversely affected in this regard.

Visual Effects:

Notwithstanding that the design of the building is supported by the abovementioned Urban Design experts, it is necessary to consider the visual effects associated with the construction of a building that is significantly higher than a permitted building on the site (being 20.5 metres over the permitted height). By the architect’s own admission the building has been designed to become a landmark building, that will be instantly recognisable not only for its function but as an indicator of the location of the Airport Retail Park.

I have visited the site and viewed this from various vantage points, including those that have been represented in the visual simulations provided by the applicant (refer to
drawings RC-30 to RC-39). As noted in the Site Description section of this report the site sits in a basin that is characterised by 1 to 3 storey high buildings, often with a large footprint. There are very few over-height buildings in the suburbs of Kilbirnie, Lyall Bay and Rongotai and the only significant tall structure is the 26 metre tall Zephyrometer on Cobham Drive. The proposed control tower will therefore be notably higher than the general urban form.

The Control Tower will be 6.5 metres higher than the Zephyrometer and have a larger footprint, making it highly discernible in views of the wider area, particularly from elevated locations. The tower will be 15.5 metres higher than the Execujet hangar to the north at 91 Tirangi Road. This building is recognisably taller than other buildings in the immediate area but has a large footprint and therefore represents the established character of commercial buildings in the wider area. Taking this into account, I consider that the visual effects generated by the proposed Control Tower will result in a more than minor visual effect.

As described in the Proposal section of this report, the Control Tower will be lit at light. The lighting has been designed to add to the visual interest of the building. The lighting will, therefore, draw attention to the tower when it would not otherwise be visible if it was not lit. This intrusion into the night sky may be received positively or negatively by local residents, particularly those who overlook the tower. Nonetheless, it is an additional visual effect generated by the proposal and result in the building also being highly visible during the hours of darkness. In my opinion the scale of the effects associated with the lighting is at least minor.

The proposal involves the removal of existing vegetation along Tirangi Road during the construction period. Once construction of the tower is completed the applicant will undertake hard and soft landscaping to provide visual softening, as well as for wind mitigation and security purposes. This landscaping will be low in scale compared to the proposed tower and will not mitigate the visual effects of the tower as viewed from the wider area.

In comparison with buildings in the immediate streetscape environment the control tower building is significantly taller but has a smaller footprint. Therefore while the building is not anticipated to generate adverse effects in terms of bulk it has the potential to generate visual dominance effects when experienced from a close proximity. The District Plan permits a 12 metre high building on the subject site and provides for an 18 metre high building to be constructed as a Discretionary (Restricted) Activity. The visual dominance effects associated with a 32.5 metre high building are considered to be more than minor in comparison to both a 12 metre and an 18 metre high building. These effects will be localised to the immediate area and will particularly be experienced within the sites along the western side of Tirangi Road, the tenancies within the Airport Retail Park and within the immediate public environment.

Overall, the visual effects of the proposal are considered to be more than minor.

**Shading:**

The application includes shading diagrams showing the level of shading that will occur as a result of the proposal (refer to plan RC-40). The shading diagrams show that the proposed building will create shading to the west between 8.00am and 10.00am, with the worst effects occurring in winter. By 10.00am shading will primarily fall on Tirangi Road and after this time any shading will fall within the Airport Retail Park site. The applicant has not provided shading diagrams showing the shading effects that would be generated by a permitted (12 metre high) building. I accept the information provided by the applicant with respect to shading effects.
Based on the shading diagrams provided by the applicant I consider that the building will potentially result in shading effects on the sites at 130, 132 and 136 Tirangi Road to the west. The scale of any such effects will be minor.

Traffic and Parking:

The proposed Air Traffic Control Tower will be located in the western part of the car-park that currently serves the Airport Retail Park.

The Control Tower will provide for 3-5 air traffic controllers at any time and up to 17 staff in the future. Ten on-site car-parks will be provided for Control Tower staff parking. Staff will generally access the Control Tower via the new site access to the north that is currently under construction in conjunction with the extension to the Retail Park and exit via the established southern crossing. It is noted that there is a bus stop adjacent to the site, which provides staff with an option for commuting.

The application has been assessed by Brendon Stone, the Council’s Principal Planner (Transport). Mr Stone has commented that staff parking is appropriately provided for and visibility from the site accesses is acceptable. He has not raised any concerns with respect to the ability of the road network to accommodate traffic associated with the Control Tower.

As a result of this application the number of car-parks associated with the existing and extended Retail Park will reduce from 440 to 416. While parking effects associated with the Retail Park are relevant to that activity and not the Control Tower application directly, I note that the current proposal will result in a change to the use of the Airport Retail Park car-park and distribution of car-parking available to the Retail Park. This application assumes that the conditions of SR No. 264301 (being the Airport Retail Park extension application) will be met, with 440 car-parks provided. As a result of this application 24 cars will be displaced from the car-park and there may be additional parking demand within the surrounding road network, including on Tirangi Road and Lyall Parade. Mr Stone has requested clarification of the current use of the parking area and level of over-spill parking in order to gauge the capacity of the road network to accommodate this additional parking demand. The applicant has responded that there is generally no over-spill, apart from at peak times. This is likely to remain the case after the control tower is constructed. Therefore any adverse parking effects associated with the proposal will be localised in nature and no more than minor in scale.

I note that the reduction in car-parking spaces will result in the conditions of SR No. 264301 not being met at the time that construction of the Control Tower commences. Therefore, the applicant has indicated that they will apply for a change of conditions to SR No. 264301. The effects of this proposal will be assessed at a later date and will take into account the fact that, based on the gross floor area of the shops within the Retail Park, the District Plan requires that 414 car-parks are provided. Hence the District Plan standard relating to the supply of parking will be met. There are currently 26 additional parks provided in surplus to the District Plan supply requirements.

The proposal has also been assessed by Patricia Wood, the Council’s Vehicle Access and Earthworks Engineer, who has commented that the vehicle parking and manoeuvring provided within the site will meet the District Plan requirements. Additionally, suitable manoeuvring areas associated with existing Retail Park car-parks will be maintained.

The applicant has clarified that servicing of the site will be provided from the area labelled on the plan reference RC-04 as ‘Containment Area’. The applicant notes the
development is not expected to generate high levels of servicing, with the main requirement being the delivery of diesel on an occasional basis.

Overall, on the basis of the advice provided by the Council's Traffic and Vehicle Access Engineers, I conclude that the traffic effects resulting from this proposal will be no more than minor. No specific parties are adversely affected in this regard.

**Wind:**

The applicant commissioned Opus International Consultants Limited to undertake an assessment of the wind effects resulting from this development. The conclusions of the Opus assessment, titled "Wind Assessment: Proposed Wellington Airport Control Tower" (reference 529F31.00, dated 19 February 2015), are summarised in section 8.11 of the AEE as follows:

"The net effect of the proposed control tower development on wind conditions in pedestrian areas is expected to be a small deterioration in the immediate wind environment, localised to small areas around the windward corners of the building. The hard landscaping elements can be used to mitigate most of the expected effects of the tower, or exclude people from windier areas".

Wind effects are mitigated by the fact that the building is enclosed within a fence, thus creating a set-back between the building and the pedestrian environment. Hard landscaping and dense planting at the north-western and south-western corners provide a further buffer. Shelter can be provided at the entrances to the building to shelter staff from adverse wind effects.

The Opus wind assessment has been assessed by Mike Donn, the Council's consultant wind advisor. Mr Donn has commented that there is potentially a 20% to 30% increase in wind speeds at ground level. He has therefore requested that the applicant provide further information about the pedestrian level wind effects, including an assessment against the wind environment specific to this location.

Based on assessments and comments provided by Opus Consultants and Mr Donn I consider that the proposed tower has the potential to generate wind effects that adversely affect the pedestrian environment. Any such effects would be localised to the area of the building, particularly to the immediate south, and would be minor.

**Contamination:**

Earthworks that disturb or alter the ground of a potentially contaminated site (as defined in the District Plan) in the Airport Precinct Area require resource consent. As noted in the Activity Status section of this report, the application includes a PSI provided by Aurecon (dated 28 February 2013) that concludes that there is unlikely to be contamination present within Lot 39 DP 21360.

The Aurecon report has been assessed by Kareema Yousif, the Council's Environmental Technical Officer. Ms Yousif has confirmed that the report provided with the application meets the requirements for a PSI in accordance with the MFE Contamination Land Management Guidelines and that she agrees with the findings of this assessment. Based on the advice of Ms Yousif, I consider that any exposure of contaminants or risk to human health associated with the construction of the tower foundations will be less than minor. No parties adversely affected in this regard.
Earthworks:

To achieve base isolation and the level of resilience required by the applicant, earthworks involving cuts of up to 4.5 metres are required. The excavation involves approximately 2200m³ of earthworks, with some 1800m³ of material to be removed from the site. As a result of the earthworks there is the potential for adverse effects on the stability of the land, in addition to the generation of earth debris, dust and silt runoff, and adverse effects related to the transport of excavated material. The application states that earthworks effects will be managed using best practice techniques.

I consider that the potential effects of the earthworks can be managed so that they are acceptable with regard to the surrounding environment. Hence any such effects, which will be limited to the construction period, are considered to be less than minor. No parties will be adversely affected by the earthworks.

Construction:

The effects on the local environment associated with the construction of a building are difficult to avoid. In addition to the abovementioned earthworks effects, construction effects associated with the proposal will include noise, vibration and construction traffic effects.

Section 8.14 of the applicant’s AEE discusses construction effects in detail and notes that these will be managed through best practice techniques. Furthermore, a Construction Traffic Management Plan will be prepared and implemented.

Overall, construction effects are temporary in that they are limited to the construction period. For these reasons the construction effects are considered to be no more than minor. No parties will be adversely affected.

Hazardous Substances:

The proposed building will house an emergency generator, necessary to ensure the continuing function of the Airport during emergency situations. The generator and 2000 litre diesel fuel tank will be located within the south-western corner of the ground floor of the building. The fuel storage facility will be designed and constructed to comply with the Hazardous Substances and New Organisms (HSNO) requirements. In addition, this corner of the site will be fenced and heavily planted, thus creating a buffer between the fuel storage and the public environment.

On this basis I consider that the effects associated with the storage of hazardous substances within the site will be less than minor. No parties will be adversely affected in this regard.

Noise:

Any noise associated with the use of the Airport Control Tower will be low and, in any event, is consistent with the expectations of the District Plan (in that the activity is a permitted activity within a 12 metre high building).

All fixed plant associated with the development is required to meet the noise standards set out in the District Plan.

On this basis I consider the noise effects associated with the development to be less than minor. No parties are adversely affected in terms of noise.
APPENDIX 3 - URBAN DESIGN ASSESSMENT 5 July 2015

Urban Design Review

Airport Control Tower, Wellington

For Wellington City Council, attention Lisa Hayes
By Graeme McIndoe, McIndoeURBAN
Date 5 July 2015

Scope
The following includes relevant comment from and adds to my 19 November 2014 memo which summarised notes made and urban design advice given at the meeting with the applicants on that date.

Assessment
1. The building extends well above the height limit, will be prominent in short and long range public views and in view from one of the major gateways to the city. This necessitates a very high quality architectural and urban design outcome.

2. The 'Leaning Tower' proposal is conceptually sound and, should the intended qualities be taken through into design of the base, has potential to be of the necessary landmark quality. While the tower itself is of high quality, the treatment at the base has not been demonstrated to be acceptably resolved (see comments below).

3. The planning and design of the area around the base, notwithstanding care taken with fence design and planting, appears unacceptably utilitarian (largely due to the nature and location of serves), and its quality not consistent with that of the design of the tower itself. It also remains to be described in a way that allows the informed assessment necessary for a project of this significance.

'Leaning Tower'
4. This is a critical part of airport infrastructure, and offers potential to be both a functional facility and also a signature landmark structure. It comprehensively addresses most but not all previously identified challenges.

5. The formal composition with circular 'cab' above a single angled form emphasises verticality and provides a sense of elegance.
   a. The leaning tower is a simple but dynamic sculptural form which is appropriately differentiated from buildings around, contributes a sense of distinction and will allow the tower to be identified at a distance.
   b. The deck cantilevering to the south at the top of this form contributes to the aesthetic dynamism.

6. Height is required to provide the visibility for controllers that is fundamental to control and airport function. Subject to conceptual strength, strong dynamic form and high quality design, height in this location is correlated with positive urban design effects:
   a. A unique and important element such as an airport control tower is part of the defining character of an airport, and can and should be visible and expressed architecturally.
   b. Height contributes to a landmark function, signals the airport, and can be used locally to assist with wayfinding.
c. Tall building here is a positive aesthetic counterpoint to the bulky low shed forms of current large format retail and potential future hanger structures and airport apron. Differentiation from the buildings around is desirable.

7. Relating to idea of a rock leaning into the northerly wind, the concept makes appropriately abstract reference to the local geology and meteorology. Its alignment appropriately is with the airport runway which is its reason for being. This locates it appropriately in its setting. The result of this alignment is a slight angle of the facade to the street edge. That is acceptable as considering context, the runway is of primary importance and the local street is secondary.

Facade design
8. The proposed east and west facade treatment makes abstract reference to rock forms, and is appropriately closed in contrast to the predominantly glazed north and south ‘polished’ facades.
   a. The proposed material options of glass reinforced concrete or matt, pre-finished aluminium (or an alternative approved material) are acceptable. This building makes abstract and metaphorical reference to coastline and rocks, and literal reference is not necessary.
   b. The balance of solid wall and opening on these facades is about right, giving an appropriate contrast with the effectively fully glazed north and south facades.
   c. The revised composition of the north and south walls with removal of some windows is acceptable, simplifying the ‘polished’ component of the façade and in doing so achieving a greater contrast with the rough east side walls.
   d. It will be important that the internal partitioning connects to the north and south curtain walls at mullions. Considering the internal floor plans, that is already achieved except at levels 7 and 8 on the north elevation, and levels 4 and 5 of the south. However in both of these cases, very simple adjustment to the position of internal walls could achieve alignment, with no loss to internal amenity or functionality. This is important in terms of the external appearance of the building.

Design treatment at the base of the building
9. The previously proposed treatment of the base as a series of planar elements referencing wind-blown sand (as drawn in the perspectives that are part of the application) would have appropriately grounded the tower to its immediate site and referenced the coastal locality (as noted in Mr Gjerde’s urban design report). Such a treatment, while only indicated conceptually in the drawings tabled, could also have been expected to give potential to screen parking, integrate security fencing and provide for appropriate planting. The quality of visual reference has been lost, although since our 24 June meeting, reinstatement of two of the structured landscape bunding elements is positive.

10. The necessary security fencing should be treated as an architectural and hard landscaping element, integrated with the intended design of the base. That integration and the necessary quality is my opinion has not yet been demonstrated. At our 24 June meeting I requested 3D drawings such as from ‘Sketchup’ that would show the effect of the new proposed treatment at the base and related landscaping.
    a. Focus of landscaping design attention on the Tirangi Road edge and views from that edge is appropriate.
    b. This notwithstanding, currently, and including the new water tank this edge appears utilitarian, and because of the visual prominence of utilitarian elements (angle parking and water tank) does not provide a visually strong base for this significant landmark building, and I am not in a position to confirm that it will be acceptable as drawn and in this configuration.
    c. This is a significant structure, and it is essential that its appearance from the street around can be assessed properly, prior to any approval.
Secure parking

11. A number of secure car parks is recognised as being essential for functionality, but this should be integrated into the base and landscape design. As previously noted, angle parking here contrasts with the geometry of the layout of car parking around and therefore tends to focus attention on the parked cars. Amendment to layout and location of the 5 spaces proposed, possibly in combination with movement to the palisade fence might be explored.
Scope
The following includes relevant comment from and adds to my 19 November 2014 memo which summarised notes made and urban design advice given at the meeting with the applicants on that date.

Assessment
1. The building extends well above the height limit, will be prominent in short and long range public views and in view from one of the major gateways to the city. This necessitates a very high quality architectural and urban design outcome.

2. The new ‘Leaning Tower’ option is conceptually sound and, should the intended qualities be taken through into design development, has potential to be of the necessary landmark quality.

‘Leaning Tower’
3. This … offers potential to be a highly functional facility and also a signature landmark structure. It comprehensively addresses major challenges identified with the previous ‘Square Tower’ concept.

4. The formal composition with circular ‘cab’ above a single angled form emphasises verticality and provides a sense of elegance.
   a. The leaning tower is a simple but dynamic sculptural form which is appropriately differentiated from buildings around, contributes a sense of distinction and will allow the tower to be identified at a distance.
   b. The deck cantilevering to the south at the top of this form contributes to the aesthetic dynamism.

5. Relating to idea of a rock leaning into the northerly wind, the concept makes appropriately abstract reference to the local geology and meteorology. Its alignment appropriately is with the airport runway which is its reason for being. This locates it appropriately in its setting. The result of this alignment is a slight angle of the façade to the street edge. That is acceptable as considering context, the runway is of primary importance and the local street is secondary. This slight angle can be expected to readily be accommodated at the street edge with careful design of the indicated faceted base, and could contribute to the design of that base.

6. Height is required to provide the visibility for controllers that is fundamental to control and airport function. Subject to conceptual strength, strong dynamic form and high quality design, height in this location is correlated with positive urban design effects:
   a. A unique and important element such as an airport control tower is part of the defining character of an airport, and can and should be visible and expressed architecturally.
b. Height contributes to a landmark function, signals the airport, and can be used locally to assist with wayfinding.

c. Tall building here is a positive aesthetic counterpoint to the bulky low shed forms of current large format retail and potential future hanger structures and airport apron. Differentiation from the buildings around is desirable.

7. The treatment of the base as a series of planar elements referencing wind blown sand appropriately grounds the tower to its immediate site and references the coastal locality. Such a treatment, while only indicated conceptually in the drawings tabled, (we need more information here) can be expected to give potential to screen parking, integrate security fencing and provide for appropriate planting.

a. The necessary security fencing should be treated as an architectural and hard landscaping element, integrated with the intended design of the base.

b. Proliferation of car parking around the base of the tower should be avoided. Essential parking may be required, and this should be integrated into the base and landscape design.

c. While the District Plan calls for planting, from a design perspective extensive planting is not required. Appropriate planting, probably referencing dune species as discussed to emphasise the dune reference of the base might be integrated.

8. The proposed east and west facade treatment makes abstract reference to rock forms, and is appropriately closed in contrast to the predominantly glazed north and south ‘polished’ facades.

a. Care will be required with resolution of the ‘polished facades’ to integrate the range of internal functions including the indicated service rooms and bathrooms while still maintaining explicit reference to the concept of cut and polished rock on the facade.

b. The intended effect of relatively closed west and east sides will need to be maintained. The number and extent of windows on these facades should be minimised.

c. How the corners are resolved will be important to avoid the modulated ‘rock’ west and east sides appearing as a thin planar wallpaper over a conventional office building.

d. That is, the aesthetic treatment needs to maintain the intended abstract expression of the concept of a partially finished rock with contrasting ‘rough’ and ‘polished’ facets, and must avoid this appearing like an office building. (Materiality is important, particularly of the surfaces expressing rock, and we need some indication on the intent for that, not necessarily the final material)

9. The 12 sided cab emphasises the desirable effect of a circular plan form that contrasts with the leaning tower below.
APPENDIX 5 - TRAFFIC ASSESSMENT

Transport Planning Assessment
Wellington City Council

Address
125-131 Tirangi Road/1 George Bolt Street, Rongotai

Proposal

Consent is sought to construct a new 32.5m high airport control tower within an existing car park, zoned "Airport Precinct", at the Rongotai Retail Park close to Lyall Bay beach, which would include dedicated on-site parking for employees working in the tower.

Assessment

In terms of the anticipated effects of the proposed new structure, which would accommodate air traffic controllers, on local vehicular arrangements, the following comments are made:

1. The proposed structure would replace an existing facility located overlooking the runway to the north, albeit in a residential area. Location of the nine story tower on the northern corner of George Bolt Street and Tirangi Road would result in the loss of 24 existing on-site car parking spaces that currently help service the retail park, from 440 to 416. Twelve car parks would be provided for airways staff at the base of the proposed tower, resulting in an overall deficit of 12 off-street parking spaces. There is generally a good supply of on-street parking in the vicinity, as per photographs that can be produced at the hearing. According to the WCC planner, the reduced number of car parks would still comply with the District Plan parking requirement for retail activities, being one ancillary car park for every 50m2 of useable floor space ie 414 spaces for 20,688 of floor space at the retail complex.

2. Tirangi Road is a busy Collector Road with a 15m wide carriageway and receives approximately 62,000 vehicles per week past the subject site. George Bolt Street is a lower speed and quieter (Local) route, accommodating two pedestrian crossings. Direct access to the tower related car parks are accessed from this street albeit via the northern end of the building, with egress from the site from the southern end.

3. As noted at para 5.3.2 of the Assessment of Environmental Effects (AEE) submitted, the reduction in on-site car parking spaces and reconfiguration of the car park layout will in any event require a change to conditions of the resource consent for the retail park extension (SR 264301) pursuant to section 127 of the RMA.

4. With only 3-5 traffic controllers in the building at any one time (para 8.6 of the AEE), traffic generation would be low. The local pedestrian route, cycling and the bus stop on Tirangi Road would remain unaffected by the future control tower.

5. Vehicular access to the site would be as per present arrangements, which provide for good/open sightlines via a low speed and more pedestrianised environment along George Bolt Street. As part of stage 2 of the retail park that is currently under construction, a new more direct vehicular access is planned for directly off Tirangi Road, north of the subject site that would not affect pedestrian traffic across George Bolt Street.

6. In terms of vehicular servicing, a “containment” area sufficient to accommodate an 8m x 2.5m medium rigid truck would be positioned on the eastern side of the building, whilst nearby parking spaces numbers 3-5 would act as service vehicle parks and provide for after hour traffic control related parking.

7. In order for Council to limit negative traffic related construction effects during the earthworks and then development work proposed for this retail site, a Construction Traffic Management Plan (CTMP) will be required, outlining how (heavy) traffic considerations might best be handled, to the benefit of local road users and pedestrians/shoppers. The plan, generally in accordance with paragraph 8.14.1 of the application submitted, would be assessed by Council’s Transport Assets Performance team prior to any work starting on the site.

8. Whilst siting of the proposed tower would result in the displacement of 24 existing on-site shopper car parks, and whilst there is no scope for additional off-street parks, there
is a good supply of kerb-side parking astride wide Tirangi Road to back up the large
number of on-site car parking spaces that would remain. As with other shopping
destinations involving a cluster of retail outlets and other attractions, there would be an
element of efficient “one stop shopping” whereby customers would park the once,
utilising an array of local parking spaces, and walk to surrounding outlets.

9. In terms of secure access to the air control tower, a palisade fence would be
constructed around the building, but would not enclose the entire site.

Submissions

Five submissions were received following the public notification of the proposal, two in
support and three in opposition.
The submissions in opposition raised the issue surrounding the loss of existing off-
street car parks and the potential overspill impact this could have on Tirangi Road and
adjacent streets – and the issue of safety and security as it would affect the ancillary
(control tower) parking from external threats.

Conclusion

In vehicular parking terms, this new building to be constructed within an established car
parking area which was designed to service surrounding bulk retail outlets, would
remove 12 off-street (shopper) car parks, whilst generating demand for commuter
parking for those employees in the control tower who would drive to work. Ten such
parks would be provided around the proposed tower.

The existing Airport Retail Park (including the northern extension currently under
construction) will meet the minimum ancillary parking requirement for the Airport
Precinct. This means that while there may be a different distribution of car parking on
the parent site, there is no actual requirement to still provide 440 parking spaces.
Indeed, the reduction in on-site car parking spaces and the reconfiguration of the car
park layout will in any event require a change to conditions of the resource consent for
the retail park extension (Service Request 264301) pursuant to section 127 of the
RMA.

The anticipated need to service the office building in terms of the arrival of goods
vehicles would it is suggested be readily catered for by the proposed on-site servicing
arrangements.

Various visits by Council transport planning officers during the busy weekend, and
hence worst case, period for when motorists to visit the various “big box” retail outlets
that surround the central car park the subject of the application, confirm the applicant’s
contention that there is spare on-site parking available – and a “back up” supply of local
on-street parking capacity astride wide Tirangi Road; Kingsford-Smith Street and
McGregor Street, as per various photographs that can be produced at the hearing.
Other photographs taken during the less busy working week show an even greater
number of off-street spaces, within the large central and communal car park, being
available.

On this basis, the Traffic team can support the proposed building, amidst a large
communal shopper car park, from a vehicular parking perspective, subject to Council
approval of a future Construction Traffic Management Plan.

The Traffic team

24 June 2016
APPENDIX 6 – RECOMMENDED CONDITIONS AND ADVICE NOTES

Conditions:

General:

(a) The proposal must be in accordance with the information provided with the application Service Request No. 325662 and the following plans prepared by StudioPacific Architecture titled “Airways Wellington Control Tower – Resource Consent Drawings, March 2015”, job no. 1950, drawing nos.:

- RC-01 rev 0 - Location Plan, dated 23.02.15
- RC-02 rev 0A - Tower Site Plan over Existing Retail Park Site, dated 26.03.15
- RC-03 rev 0A - Tower Site Plan over Proposed Retail Park Extension, dated 26.03.15
- RC-04 rev 0C - Proposed Site Plan, dated 30.06.15
- RC-05 rev 0B - Proposed Landscape Planting Plan, dated 30.06.15
- RC-06 rev 0 - Selected Native Species Suitable for Tower Site, dated 23.02.15
- RC-10 rev 0 - Plan Ground Floor, dated 23.02.15
- RC-11 rev 0 - Plan Level 1, dated 23.02.15
- RC-12 rev 0 - Plan Level 2, dated 23.02.15
- RC-13 rev 0 - Plan Level 3, dated 23.02.15
- RC-14 rev 0 - Plan Level 4, dated 23.02.15
- RC-15 rev 0 - Plan Level 5, dated 23.02.15
- RC-16 rev 0 - Plan Level 6, dated 23.02.15
- RC-17 rev 0 - Sub Cab Floor Plan, dated 23.02.15
- RC-18 rev 0 - Cab Floor Plan, dated 23.02.15
- RC-20 rev 0B - Elevations North & East, dated 30.06.15
- RC-21 rev 0B - Elevations South & West, dated 30.06.15
- RC-22 rev 0 - Sections, dated 23.02.15
- RC-23 rev 0 - Cab Cross Section, dated 23.02.15

It is anticipated that these drawing numbers will apply except as amended by further information provided at the resource consent hearing. In particular, the Council has requested that information shown on the Proposed Site Plan, RC-04 rev 0C, is amended to provide for a better base design and landscaping outcome. As a result, other plans listed above are also likely to change.

Design Detail:

(b) Prior to construction commencing the consent holder must submit to the Compliance Monitoring Officer details of the selected materials that will be used to construct the eastern and western elevations of the building (ie the ‘rock faces’).

The following materials are acceptable:

i. Glass reinforced concrete; or
ii. Matte pre-finished aluminium
iii. Another building material that achieves the outcomes described in section 9 of the Architects Design Statement that is approved by the Council’s Compliance Monitoring Officer (in conjunction with the Urban Design Advisor).
(c) Prior to construction commencing the consent holder must submit to the Compliance Monitoring Officer details of the selected glazing that will be used to construct the northern and southern elevations of the building.

**Construction Management Plan:**

(d) Prior to works commencing on the site a Construction Management Plan (CMP) must be submitted to, and approved by, the Compliance Monitoring Officer. The CMP must include:

- A construction Traffic Construction Management Plan that sets out the mitigation measures to manage traffic effects on the surrounding area.
- Measures that will be implemented to ensure the safety of members of the public and users of the Airport Retail Centre car-park during the construction period. In particular, consideration should be given to how the car-park and construction will be managed during peak retail periods (for example Christmas and Easter) to minimise disruption and achieve public safety.
- Measures that will be undertaken in the event that contaminated land is discovered during the construction period.

**Note:** The Compliance Monitoring Officer will approve the Construction Management Plan following consultation with, and acceptance from, appropriate officers within the Wellington City Council (including the Manager of Transport Network Operations).

(e) The Construction Management Plan approved under condition (d) above must be implemented and maintained throughout the entire construction period, and must be modified as directed by the Compliance Monitoring Officer to deal with any deficiencies.

(f) Construction and associated works, including the transport of excavated material from (or to) the site, must only occur within the following hours:

- Monday to Saturday 7:30am to 6pm.
- Quite setting up of site (not including running of plant or machinery) may start at 6:30am.
- No work is to be carried out on Sundays or public holidays.

**Note:**

These hours have been selected from Table 2, NZS 6803: 1999 “Acoustics – Construction Noise”. The Standard applies in all other respects, including the permitted noise levels in Table 2, and all persons undertaking earthworks and management of the site must adopt the best practical option to control noise to a reasonable level.

**Accidental Discovery Protocol:**

(g) If during any site works involving excavation any kōiwi (human skeletal remains), ovenstones, worked stones, middens, charcoal or other Maori cultural material are unearthed, work must cease immediately to enable the project archaeologists to carry out a detailed examination of the area.

The archaeologist or the contractors must notify the NZ Police, Heritage New Zealand, and the Iwi authorities to inspect the site. If as a result of this investigation there is a need for an appropriate ceremony the Iwi authorities’ representatives will arrange for that process at the contractors expense. All
materials discovered will be handled and removed by the Iwi authorities' representative(s) responsible for the tikanga appropriate to their removal and preservation, or re-interment.

(h) The consent holder and any contractors working on the site must familiarise themselves with, and follow the methods within, the Accidental Discovery Protocol condition as set out in condition (g) above.

Earthworks Stability:

(i) The consent holder must use a suitably experienced Chartered Professional Engineer (CPEng) to supervise the engineering aspects of the earthworks and the construction of the retaining structures.

(j) The CPEng required under condition (i) above must ensure the stability of the land and the retaining structures throughout the project. The CPEng must ensure that the work does not cause damage, or have the potential to cause damage, to neighbouring land or buildings.

Engineering Certificate:

(k) The consent holder must provide the Compliance Monitoring Officer with a copy of the producer statement (PS4), for the retaining structures, prepared for the associated building consent. The PS4 must be from a suitably experienced CPEng and provided within one month of the retaining structures being completed.

Dust:

(l) The discharge of dust created by earthworks, transport and construction activities must be controlled to minimise nuisance and hazard. The controls must be implemented for the duration of the site works and continue until the site stops producing dust.

Muddy Water, Earth or Debris:

(m) Run-off must be controlled to prevent muddy water flowing, or earth slipping, onto neighbouring properties or the legal road. Sediment, earth or debris must not collect on land beyond the site or enter the Council's stormwater system. This condition applies for the duration of the site works and until the site has been stabilised.

Transport of material:

(n) Any earth, rock, vegetation or demolition material that falls on the road, footpath, berm or neighbouring property, must be cleaned up immediately. The material must not be swept or washed into street channels or stormwater inlets, or dumped on the side of the road. The clean-up must be carried out to the satisfaction of the Compliance Monitoring Officer.

Contamination:

(o) In the event that unexpected contamination is encountered during earthworks such as presence of odour, staining or anthropogenic fill materials, work must be ceased and a Suitably Qualified and Experienced Practitioner must be engaged, to assess level of discovered contamination and provide their report to the
Compliance Monitoring Officer of the Council. The report must be prepared in accordance with MFE Contaminated Land Management Guidelines No.1.

(p) In the event that a dewatering process takes place during the construction works, the groundwater must be sampled and analysed to determine the level of contamination.

Note: The purpose of this condition is to provide suitable information in order to confirm the appropriate disposal facility.

Landscape Plan:

(q) Prior to construction commencing a final Landscape Plan, taking into account the information shown on the Proposed Landscape Planting Plan (reference RC-05 revision 0C or a subsequent amendment) must be submitted to, and approved by, the Compliance Monitoring Officer.

The Landscape Plan must include the exact materials and detailing to be used in the construction of the hard landscaping elements, fence design and water supply tank and pump cladding or cover.

The Landscape Plan must show a scale; the individual location and species (with both scientific and common names); PB size of proposed plants; and details of plants to be removed or pruned.

Note:
- Details of the planting must be provided prior to the commencement of work to the satisfaction of the Council’s Compliance Monitoring Officer who will consult with the Urban Design Advisor.
- Plant species should be locally sourced from the Wellington area and be suitable for the coastal conditions.

(r) The Landscape Plan, approved under condition (q) above, must be completed by the consent holder within 3 months of completion of construction. The plantings must be monitored for 18 months from time of planting in order to allow for plant establishment to the satisfaction of the Council’s Compliance Monitoring Officer. This includes the removal of weeds within the vicinity of the plantings and the replacement of plants that die or are removed unlawfully within this period in the same location, with the same species and sized plants. Any plants that fail must be replaced at the expense of the consent holder. All plantings must continue to be maintained by the consent holder thereafter.

(s) The Council may undertake a review of landscape conditions (q) and (r) above under section 128 of the Resource Management Act to address any adverse effects of the exercise of the consent in respect of unsuccessful establishment of plants, trees and planting areas. The review may be undertaken within 18 months of the undertaking of the landscape works relating to any one stage of the overall works.

Building Maintenance:

(t) The consent holder must ensure that the building is maintained in a good condition. To achieve this the consent holder must:
- Ensure the windows on the northern and southern elevations are kept in good condition and replaced if necessary due to breaking or staining;
- Ensure light bulbs contributing to the elevation lighting are replaced promptly when necessary;
• Remove any graffiti from the perimeter fencing promptly; and
• Undertake any other maintenance work as required to maintain a positive visual outcome.

Site Access and Parking:

(u) The width of the angle car-parks, as shown on the plan titled RC-04 rev 0C – Proposed Site Plan, dated 30.06.15 (or a subsequent approved amendment), must be a minimum of 2.4 metres.

Fixed Plant Equipment:

(v) Prior to, or at, the time of the application(s) for building consent being made, details of the design specifications for the control of noise from any fixed plant and related equipment, including any proposed noise mitigation measures, must be provided to and approved by, the Compliance Monitoring Officer.

(w) Noise emission levels emanating from fixed plant and equipment (including but not limited to air conditioning, kitchen extraction plant, air handling systems) must be monitored at the commissioning stage by a qualified acoustician. Certification must be provided, to the Compliance Monitoring Officer, prior to the use commencing certifying that noise emissions comply with the noise limits stated in 13.6.1.1.1 of the District Plan.

Diesel Storage:

(x) The Fuel storage facility associated with the on-site generator must be installed in accordance with the Hazardous Substances and New Organisms Act (HSNO). A copy of the HSNO Stationary Containment Certificate must be submitted to the Compliance Monitoring Officer for information purposes prior to occupation of the building.

Monitoring and Review:

(y) Prior to starting work, the consent holder must advise of the date when work will begin. This advice must be provided at least 48 hours before work starts to the Wellington City Council's Compliance Monitoring Officer by either telephone (801 4017) or facsimile (801 3165), and must include the address of the property and the service request number.

(z) The conditions of this resource consent must be met to the satisfaction of the Council's Compliance Monitoring Officer. The Compliance Monitoring Officer will visit the site to monitor the conditions, with more than one site visit where necessary. The consent holder must pay to the Council the actual and reasonable costs associated with the monitoring of conditions (or review of consent conditions), or supervision of the resource consent as set in accordance with section 36 of the Act. These costs* may include site visits, correspondence and other activities, the actual costs of materials or services, including the costs of consultants or other reports or investigations which may have to be obtained.

* Please refer to the current schedule of Resource Management Fees for guidance on the current administration charge and hourly rate chargeable for Council officers.
Advice Notes:

1. The land use consent must be given effect to within 5 years of the granting of this consent, or within such extended period of time pursuant to section 125 of the Act as the Council may allow.

2. Where appropriate, the Council may agree to reduce the required monitoring charges where the consent holder will carry out appropriate monitoring and reporting back to the Council.

3. This resource consent is not a consent to build. A building consent may be required under the Building Act 2004 prior to commencement of construction.

4. This resource consent does not authorise any works which also require consent from the Greater Wellington Regional Council. If necessary, separate consent will need to be obtained prior to commencing work.

5. Noise associated with the demolition and construction work must comply in all aspects with the controls set out in NZS 6803:1999 and all persons undertaking day-to-day activity management will adopt the best practical option at all times to ensure the emission of noise from the site does not exceed a reasonable level in accordance with section 16 of the Resource Management Act 1991.

6. As a result of this resource consent being approved the existing resource consent for the extension to the Airport Retail Park (SR No. 264301) will be non-compliant with its conditions, with respect to the number of car-parks provided and construction occurring in accordance with the plans approved under condition (a) of that application. The consent holder for this application will therefore need to apply for a change of conditions to the decision on SR No. 264301 in accordance with section 127 of the Act.

7. The diesel fuel storage facility must be installed in accordance with the requirements of the Hazardous Substances and New Organisms regulations.

8. No buildings, vehicles, materials or debris associated with construction may be kept on Council land, including the road, without prior approval from the Council.

9. There are recorded archaeological sites in the vicinity of the proposed work. The applicant is advised to contact the Heritage New Zealand for further information. Work affecting archaeological sites is subject to a consent process under the Heritage New Zealand Pouhere Taonga Act 2014. If any activity associated with this proposal, such as earthworks, fencing or landscaping, may modify, damage or destroy any archaeological site(s), an authority (consent) from the Heritage New Zealand must be obtained for the work prior to commencement. It is an offence to damage or destroy a site for any purpose without an authority. The Heritage New Zealand Pouhere Taonga Act 2014 contains penalties for unauthorised site damage.

10. Rights of objection to the conditions specified above may be exercised by the consent holder pursuant to section 357A of the Act. Any objection shall be made in writing, setting out the reasons for the objection within 15 working days of this notification or within such extended period as the Council in any special case may allow.