

APPENDIX 22

ASSESSMENT OF PROPOSED SITE 9 BUILDING AGAINST THE DISTRICT PLAN OBJECTIVES AND POLICIES FOR THE CENTRAL AREA (INCLUDING THE LAMBTON HARBOUR AREA)

LAMBTON HARBOUR AREA

Objective 12.2.8 To ensure that the development of the Lambton Harbour Area, and its connections with the remainder of the city's Central Area, maintains and enhances the unique and special components and elements that make up the waterfront.

Policy 12.2.8.1 Maintain and enhance the public environment of the Lambton Harbour Area by guiding the design of new open spaces and where there are buildings, ensuring that these are in sympathy with their associated public spaces.

The new Site 9 building incorporates ground floor publicly accessible activities and 'active edge' display windows. Also, the building at first floor level extends out beyond the ground floor 'footprint' thus providing sheltered pedestrian space around the building. During daylight hours, pedestrian access will be available through the building lobby from the west-side (Customhouse Quay) to the harbour-side public spaces. Collectively, these 'features' will ensure that the new building is "in sympathy" with the associated public spaces.

As the Wellington Waterfront Framework Notes (at page 14).

The buildings that face onto public spaces should help to define these spaces, provide for natural surveillance and allow for activities that engage people using these spaces.

Conclusion: the proposed new building is consistent with Policy 12.2.8.1.

Policy 12.2.8.2 Ensure that a range of public open spaces, public walkways and through routes for pedestrians and cyclists and opportunities for people, including people with mobility restrictions, to gain access to and from the water are provided and maintained.

This policy is not directly relevant to the proposal given that the building is set back from the water's edge. However, Site 9 has been confirmed as an appropriate site for a new building in the Lambton Harbour Area and the new building will not impede any existing or proposed public walkways or through routes for pedestrians. As noted above, during daylight hours a pedestrian 'short-cut' will be available through the building lobby.

Conclusion: the proposed new building is consistent with Policy 12.2.8.2.

Policy 12.2.8.3 Encourage the enhancement of the overall public and environmental quality and general amenity of the Lambton Harbour Area.

The new building on Site 9 enhances the overall public and environmental quality and general amenity of the North Kumutoto Area through the removal of an existing at-grade car park (and the associated vehicle movements) as foreshadowed by the Wellington Waterfront Framework, which states at page 19 that:

The entire waterfront is for people not motor vehicles; and

at page 21:

Ideally, surface parking should be progressively removed as development takes place.

Conclusion: the proposed new building is consistent with Policy 12.2.8.3.

Policy 12.2.8.4 Maintain and enhance the heritage values associated with the waterfront.

The proposed new building on Site 9 will not adversely affect any heritage values associated with the waterfront (refer Heritage Assessment - Appendix 9). Particular regard has been taken to ensure that the relationship between the new building and the adjacent Shed 13 is addressed in a manner that will maintain the latter's heritage values.

Conclusion: the proposed new building is consistent with Policy 12.2.8.4.

Policy 12.2.8.5 Recognise and provide for developments and activities that reinforce the importance of the waterfront's Maori history and cultural heritage.

The cultural impact assessment report prepared on behalf of the Wellington Tenth Trust and the Port Nicholson Block Settlement Trust concludes that:

The proposed building on Site 9 raises no particular Maori cultural issues in an area where large buildings were the norm for the last 100 years or more. The building's bulk and form raise no particular cultural issues.

Conclusion: the proposed new building is generally consistent with Policy 12.2.8.5.

Policy 12.2.8.6 Provide for new development which adds to the waterfront character and quality of design within the area and acknowledges relationships between the city and the sea.

The proposed new building incorporates significant 'maritime' / 'working port' references and in so doing acknowledges relationships between the city and the sea. It also achieves, in the opinion of the Technical Advisory Group (TAG), design excellence qualities.

Conclusion: the proposed new building is generally consistent with Policy 12.2.8.6.

Policy 12.2.8.7 Maintain and enhance the Lambton Harbour Area as an integral part of the working port of Wellington.

The construction of proposed new building on Site 9, as proposed, will not adversely affect the "working port of Wellington". It will have no impact on port-related activities in the coastal marine area. Furthermore, the site itself, and adjoining spaces, have not formed part of the 'working port' for many years.

Conclusion: the proposed new building is generally consistent with Policy 12.2.8.7.

Policy 12.2.8.8 To provide for and facilitate public involvement in the waterfront planning process.

In addition to the public consultation process initiated by Council (refer Section 4.1 of the AEE), the Applicant has requested that the application is publicly notified, hence enabling full public involvement in the consenting process.

Conclusion: the proposed new building is consistent with Policy 12.2.8.

Policy 12.2.8.9 Encourage and provide for consistency in the administration of resource management matters across the line of mean high water springs (MHWS).

The proposed new building does not require any regional consent for works across the line of mean high water springs (MHWS).

Consequently, Policy 12.2.8.9 is not relevant to an assessment of the proposed new building on Site 9.

CENTRAL AREA

In addition to the objectives and policies applicable to the Lambton Harbour Area, the following objectives and policies that apply to the Central Area as a whole are also considered to be relevant.

Objective 12.2.1 To enhance the Central Area's natural containment, accessibility, and highly urbanised environment by promoting the efficient use and development of natural and physical resources.

Policy 12.2.1.2 Contain Central Area activities and development within the Central Area.

The Lambton Harbour Area is an integral part of the Central Area.

Conclusion: the proposal is consistent with Objective 12.2.1 and Policy 12.2.1.2.

Objective 12.2.2 To facilitate a vibrant, dynamic Central Area by enabling a wide range of activities to occur, provided that adverse effects are avoided, remedied or mitigated.

Policy 12.2.2.1 Encourage a wide range of activities within the Central Area by allowing most uses or activities provided that the standards specified in the Plan are satisfied.

All of the proposed activities (retail, cafe and office activities) are permitted activities in the Central Area.

Conclusion: the proposal is consistent with Objective 12.2.2 and Policy 12.2.2.1.

Policy 12.2.2.2 Ensure that activities are managed to avoid, remedy or mitigate adverse effects in the Central Area or on properties in nearby Residential Areas.

By maintaining a close relationship with the permissible building heights acknowledged by the Environment Court as 'appropriate' for Site 9, any adverse effects the amenities of the Central Area are avoided. There is no intrusion on the identified viewshafts, and sunlight to Kumutoto Plaza is maintained during the protected hours.

Conclusion: the proposal is consistent with Policy 12.2.2.2.

Objective 12.2.3 To recognise and enhance those characteristics, features and areas of the Central Area that contribute positively to the City's distinctive physical character and sense of place.

Policy 12.2.3.1 Preserve the present 'high city/low city' general urban form of the Central Area.

The proposed new building on Site 9 is consistent with the 'high city/low city' form of the Central Area, and also with the 'stepping down' transition in building height from the 'core' Central Area to the Lambton Harbour Area, where buildings are anticipated to be 'low rise' (in this case 16m/19m) compared to the 60m amsl applying to the inland side of Customhouse Quay (Planning Map 32).

Conclusion: the proposed new building is consistent with Policy 12.2.3.1

Objective 12.2.3 To recognise and enhance those characteristics, features and areas of the Central Area that contribute positively to the City's distinctive physical character and sense of place.

Policy 12.2.3.2 Promote a strong sense of place and identity within different parts of the Central Area.

The proposed new building on Site 9 will make an important contribution to the 'sense of place and identity' of North Kumutoto, being the part of the Lambton Harbour Area where a 'strong connection to the CBD' and a 'higher proportion of buildings on the waterfront', is envisaged.

Conclusion: the proposed new building on Site 9 is consistent with Objective 12.2.3 and Policy 12.2.3.2.

Objective 12.2.5 Encourage the development of new buildings within the Central Area provided that any potential adverse effects can be avoided, remedied or mitigated.

Policy 12.2.5.1 Manage building height in the Central Area in order to:

- *reinforce the high city/low city urban form;*
- *ensure that new buildings acknowledge and respect the form and scale of the neighbourhood in which they are located; and*
- *achieve appropriate building height and mass within identified heritage and character areas.*

The proposed new building on Site 9 is of a 'form and scale' appropriate to its 'neighbourhood' (i.e. North Kumutoto). It achieves an appropriate scale relationship with Shed 13.

Conclusion: the proposed new building on Site 9 is consistent with Policy 12.2.5.1.

Policy 12.2.5.2 Manage building mass to ensure that the adverse effects of new building work are able to be avoided, remedied or mitigated on site.

On the waterfront building mass is achieved through the restriction on site coverage, which must not exceed 35% across the whole of the Lambton Harbour Area. With the addition of the Site 9 building, site coverage across the Lambton Harbour Area will be 23.95%.

Conclusion: the proposed new building on Site 9 is consistent with Policy 12.2.5.2.

Policy 12.2.5.3 Manage building mass in conjunction with building height to ensure quality design outcomes.

Policy 12.2.5.5 Require design excellence for any building that is higher than the height standard specified for the Central Area.

It is the expert opinion of the Technical Advisory Group (TAG) that the proposed new building on Site 9 achieves 'design excellence'.

Conclusion: the proposed new building on Site 9 is consistent with Policies 12.2.5.3 and 12.2.5.5.

Policy 12.2.5.6 Ensure that buildings are designed to avoid, remedy or mitigate the wind problems that they create and where existing wind conditions are dangerous, ensure new development improves the wind environment as far as reasonably practical.

The independent wind assessment concludes that overall the proposed new building will result in an improvement in the local wind environment.

Conclusion: the proposed new building on Site 9 is consistent with Policy 12.2.5.6.

Objective 12.2.6 To ensure that new building works maintain and enhance the amenity and safety of the public environment in the Central Area, and the general amenity of any nearby Residential Areas.

Policy 12.2.6.1 Enhance the public environment of the Central Area by guiding the design of new building development, and enhancing the accessibility and usability of buildings.

The proposed new building will incorporate publicly accessible activities at ground floor level thus enhancing the public environment of the adjacent open spaces. In relation to public safety, the independent CPTED assessment concludes that the proposed Site 9 building will make a significant contribution to the safety of the Kumutoto Precinct.

Conclusion: the proposed new building on Site 9 is consistent with Objective 12.2.6 and Policy 12.2.6.1.

Policy 12.2.6.2 Require high quality building design within the Central Area that acknowledges, and responds to, the context of the site and the surrounding environment.

The Technical Advisory Group (TAG) opinion is that the proposed new building appropriately acknowledges and responds to its context.

Conclusion: the proposed new building on Site 9 is consistent with Policy 12.2.6.2.

Policy 12.2.6.3 Ensure that new buildings and structures do not compromise the context, setting and streetscape value of adjacent listed heritage items, through the management of building bulk and building height.

The proposed building on Site 9 establishes an appropriate relationship with Shed 13, both in terms of building height and building design and materials. The heritage listed gates will be reinstated (Ballance Street) / retained (Waring Taylor Street).

Conclusion: the proposed new building on Site 9 is consistent with Policy 12.2.6.3.

Policy 12.2.6.4 Protect sunlight access to identified public spaces within the Central Area and ensure new building developments minimise overshadowing of identified public spaces during periods of high use.

The proposed new building on Site 9 will not create any shading on Kumutoto Plaza, the identified open space, during the 'protected' hours.

Conclusion: the proposed new building on Site 9 is consistent with Policy 12.2.6.4.

Policy 12.2.6.5 Advocate for new building work to be designed in a way that minimises overshadowing of any public open space of prominence or where people regularly congregate.

Given the proposed height of the Site 9 building, while it will create some shading (as is the case with all new buildings) overshadowing is minimised and, at most times, will be the same or similar as the existing shading created by the much higher buildings in the Central Area (notably Maritime Tower). Furthermore, when there is some shading on some open spaces (e.g. Site 8), others nearby will be free of any shading (e.g. Whitmore Plaza).

Conclusion: the proposed new building on Site 9 is generally consistent with Policy 12.2.6.5.

Policy 12.2.6.7 Protect, and where possible enhance, identified public views of the harbour, hills and townscape features from within and around the Central Area.

The proposed new building on Site 9 does not intrude on the two viewshafts to the immediate north and south of the site (VS 4 and VS 5). The viewshafts are 'protected'.

Conclusion: the proposed new building on Site 9 is consistent with Policy 12.2.6.7.

Policy 12.2.6.10 Encourage the provision of pedestrian shelter along streets and public spaces throughout the Central Area (including within the Pipitea Precinct).

Through the provision of a building 'overhang' on all frontages to the building, including Customhouse Quay and Lady Elizabeth Lane, pedestrian shelter is provided. Sheltered public access through the building will be available during daylight hours.

Conclusion: the proposed new building on Site 9 is consistent with Policy 12.2.6.10.

Policy 12.2.6.12 Maintain and enhance the visual quality and design of ground floor level developments fronting on to streets, parks and pedestrian thoroughfares throughout the Central Area.

Policy 12.2.6.13 Maintain and enhance the commercial character and visual interface of ground floor level developments facing the public space along identified frontages within the Central Area.

The building, with the provision of publicly accessible ground floor uses and extensive 'display window frontage', will provide 'active edges' and a strong visual interface with the adjacent public spaces.

Conclusion: the proposed new building on Site 9 is consistent with Policies 12.2.6.12 and 12.2.6.13.

Policy 12.2.6.14 Encourage new building development in the Central Area to provide ground floor stud heights that are sufficient to allow retro-fitting of other uses.

The height of the ground floor is 3.8m and given the relatively narrow width of the building and hence the consequent transparency within and across the ground floor, the height is considered appropriate for the range of activities proposed. In addition, as noted in the Architect's Design Report (Appendix 2), the nature of the base isolation proposed at the underside of Level 1 creates a sense of 'undercroft'.

Conclusion: the proposed new building on Site 9 is generally consistent with Policy 12.2.6.14.

Objective 12.2.7 To promote energy efficiency and environmental sustainability in new building design.

Policy 12.2.7.1 Promote a sustainable built environment in the Central Area, involving the efficient end use of energy and other natural and physical resources and the use of renewable energy, especially in the design and use of new buildings and structures.

The proposed Site 9 building has been designed to meet these 'building amenity' standards.

Conclusion: the proposed new building on Site 9 is generally consistent with Objective 12.2.7 and Policy 12.2.7.1

Policy 12.2.7.2 Ensure all new buildings provide appropriate levels of natural light to occupied spaces with the building.

All occupied spaces within the building will have good natural light.

Conclusion: the proposed new building on Site 9 is consistent with Policy 12.2.7.2.

Objective 12.2.12 To maintain and enhance access to, and the quality of the coastal environment within and adjoining the Central Area.

Policy 12.2.12.1 Maintain the public's ability to use the coastal environment by requiring that, except in Operational Port Areas, public access to and along the coastal marine area is maintained and enhanced where appropriate and practicable.

The construction of a new building on Site 9 will not impede public access to and along the coastal marine area. Public access to the wharf edge promenade is available from several points within the North Kumutoto precinct. Furthermore, given the scale and nature of the adjoining public spaces (Whitmore Plaza and Site 8), and the provision of sheltered pedestrian access around the building, and, during daylight hours through the building's central lobby, the quality of public access is enhanced.

Conclusion: the proposed new building on Site 9 is consistent with Policy 12.2.12.1.

Policy 12.2.12.3 Ensure that any developments near the coastal marine area are designed to maintain and enhance the character of the coastal environment.

The proposed new building on Site 9 will make a positive contribution to the 'sense of place' of North Kumutoto, an area close to the coastal marine area. The distinctive design of the new building incorporates strong references to its maritime context and setting.

Conclusion: the proposed new building on Site 9 is consistent with Policy 12.2.12.3.