

**DISTRICT PLAN AUDIT  
 PROPOSED COMMERCIAL BUILDING – SITE 9 – NORTH KUMUTOTO PRECINCT – WELLINGOTN WATERFRONT**

1. As a new building in the Lambton Harbour Area, consent is required under Rule 13.4.7 for a Discretionary Activity (Unrestricted).
2. The tables that follow provide an audit of the proposed new building against the standards that apply to all new Central Area buildings, including buildings in the Lambton Harbour Area.
3. The audit also covers other rules which trigger the need for resource consent (e.g. earthworks and contaminated land).

**TABLE 1: RULE 13.6.1 - ACTIVITIES, BUILDING AND STRCUTURES STANDARDS**

Item	Central Area Rule	Standard	Site 9 Building	Comment
Noise Fixed Plant	13.6.1.1	Noise emission levels from fixed plant not exceeding: - at all times 55dBA (L10) - 10pm to 7am 70dBA (L <sub>max</sub> )	Roof top plant proposed.	Complies - all roof top plant will be designed and operated to ensure compliance with the Permitted Activity noise emission levels.
Vehicle Parking	13.6.1.3.1	On-site vehicle parking not to exceed 1 space per 100m <sup>2</sup> gross floor area.	There are no on-site car parks	Complies

Servicing	13.6.1.3.4	One loading area must be provided with turning paths based on standard for a medium rigid truck. Minimum height clearance 4.6m.	No on-site loading area is proposed. the building will be serviced from an adjacent loading bay in Lady Elizabeth Lane - refer Section 6 of the Transportation Assessment Report (Appendix 14).	Consent required for a discretionary activity (restricted) under Rule 13.3.3.
Site Access	13.6.1.3.11		Site access will be via Lady Elizabeth Lane from existing lights controlled intersections.	Site access is via the existing accesses at the Whitmore Street intersection (north end) and Brandon Street intersection (south end). Service vehicles visiting the site will use Lady Elizabeth Lane.
Noise	13.6.2.1	Noise emission levels from activities should not exceed: - at all times 60dBA (L10) - at all times 85dBA (Lmax)		Complies - noise emission levels associated with the proposed on-site activities, principally publicly accessible activities at ground level, including retail and café, and commercial office activities above, will not exceed stated levels.  Re 'fixed plant' noise - refer 13.6.1.1 above.

**TABLE 2: RULE 13.6.3 - BUILDING AND STRUCTURES STANDARDS**

Item	Central Area Rule	Standard	Site 9 Building	Comment
Building height	Rule 13.6.3.1.3	New buildings in the Lambton Harbour Area are subject to a 0m above mean sea level rule - refer Planning Map 32.	The main building has a maximum height of 19.98m above mean sea level (AMSL) at its north end. At its south end the maximum height is 16.5m (AMSL).  The rooftop plant has a maximum height of 22.48m (AMSL).	Consent required.  As noted in the Environment Court decision on Variation 11, currently the District Plan does not provide a permissive height limit for buildings in the Lambton Harbour Area. It adopts this technique as a mechanism to trigger a requirement for a resource consent.  Consent required under Rule 13.4.7 for a Discretionary Activity (Unrestricted).

Building mass	13.6.3.2	Building mass not to exceed (75%).		<p>As there is no permitted activity height in the LHA there is effectively no permitted building mass allowance.</p> <p>In any event, the matters over which discretion is retained through the building mass standard (which are amenity of surrounding public spaces, any effect on listed heritage items, the character of the surrounding neighbourhood and on-going access to daylight) are addressed in the Lambton Harbour Area by way of the site coverage standard (13.6.3.8.1) which sets a maximum site coverage across the LHA of 35%; compared to the 100% site coverage that applies elsewhere in the Central Area.</p> <p>With the addition of the Site 9 building the total site coverage across the LHA will be 23.95% - refer attached drawing "Site Coverage of Lambton Harbour Area (2018)".</p> <p>As the Environment Court noted in its decision on Variation 11 [Decision {2012} NZEnvC 74].</p> <p>"[94] ... <i>"While the 35% coverage provision certainly may create a first come, first served, situation it does ensure that as a whole the Lambton Harbour Area will not be over-developed. Further, to have two not necessarily compatible mass/coverage rules in effect over the same area is a recipe for confusion and conflict"</i>.</p>
View protection	13.6.3.3	No building to intrude on any identified viewshaft.	<p>Viewshaft VS4 is a viewshaft from Lambton Quay down Whitmore Street to the inner harbour.</p> <p>Viewshaft VS5 is a viewshaft from Lambton Quay down Waring Taylor Street.</p>	<p>Complies</p> <p>The proposed building on Site 9 does not intrude into either viewshaft - refer Appendix 10, Viewshaft Photos.</p>
Sunlight protection	13.6.3.4	Buildings and structures to be designed and located to maintain sunlight access to identified public spaces.	<p>Kumutoto Plaza to the immediate north of the Meridian Building is an identified public space 'protected' from shading between 12noon - 2.00pm at either Equinox.</p>	<p>Complies</p> <p>The shading analysis confirms that there will be no shading from the Site 9 building on Kumutoto Plaza during the 'protected' hours.</p> <p>Refer Architect's Design report, page 20.</p>

Wind	13.6.3.5	Buildings designed to achieve specified wind standards.		Consent required for a Discretionary Activity (Restricted) under Rule 13.3.8.8. A full wind assessment report has been prepared.
Verandahs	13.6.3.6	Verandahs to be provided on frontages identified on District plan Map 49a.		Site 9, or indeed the waterfront overall, is not identified on Map 49a as requiring verandahs.  Nevertheless, pedestrian cover is provided around the building given the Level 1 floor 'overhang'.
Ground floor frontages and display windows	13.6.3.7	Display windows to be provided along a minimum of 60% of total building width where a building fronts onto frontages identified on District Plan Map 49a.	Display windows must not be blocked off from view from the adjacent public space.	Site 9 (or indeed the waterfront overall) is not identified on Map 49a as requiring display windows.  Nevertheless, the ground floor of the Site 9 building incorporates publicly accessible activities and display windows/active edges.
Site coverage	13.6.3.8.1	The maximum coverage for building development within the total Lambton Harbor Area is 35%.		Complies - site coverage across the total LHA (after completion of the Site 9 building) at 23.95% is less than 35% - refer attached drawing "Site Coverage of Lambton Harbour Area (2018)".
Coastal yards	13.6.3.9	Any development on land adjoining the coast must maintain a minimum yard of 6 metres measured from the line of mean high water springs.		Complies

**TABLE 3: OTHER RULE TRIGGERS**

Item	Rule	Standard	Site9 Building	Comment
Earthworks	30.2.2	Earthworks in the Central Area where the permitted activity standards under 30.1.3 are exceeded.	The earthworks associated with the site's development principally related to the installation of building foundations, including piling.	Consent required under Rule 30.2.2 for a Discretionary Activity (Restricted).
Contaminated Land	Rule 3..2.1	Use and development of potentially contaminated land	The earthworks associated with the site's development will	Consent required under Rule 32.2.1 for a Discretionary Activity (Restricted).

		not covered by permitted activity Rule 32.1.	encounter contaminated material - refer Ground Contamination Assessment, Appendix 16.	Note: consent also required under the National Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (2011).
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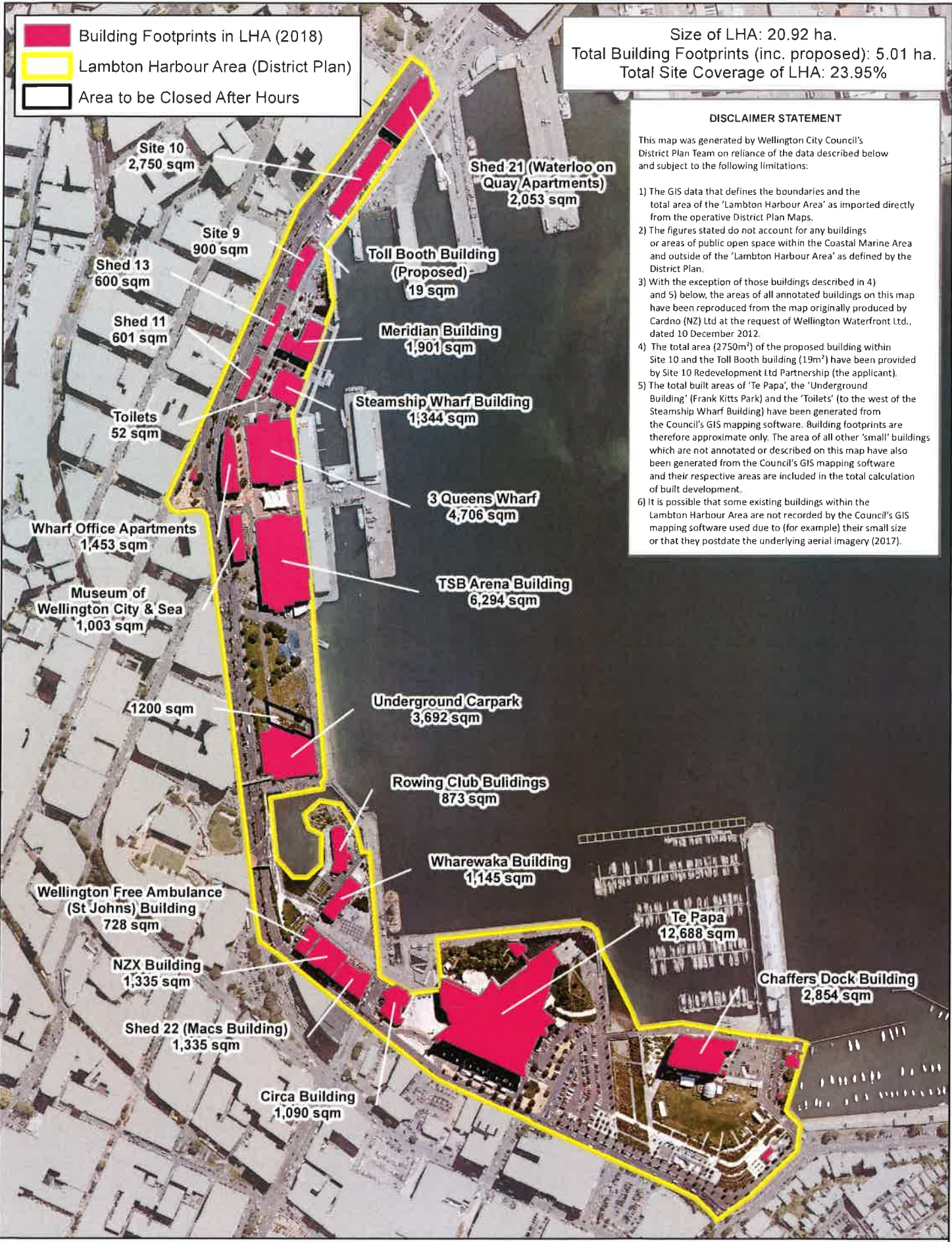
Building Footprints in LHA (2018)  
 Lambton Harbour Area (District Plan)  
 Area to be Closed After Hours

Size of LHA: 20.92 ha.  
 Total Building Footprints (inc. proposed): 5.01 ha.  
 Total Site Coverage of LHA: 23.95%

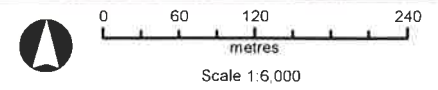
**DISCLAIMER STATEMENT**

This map was generated by Wellington City Council's District Plan Team on reliance of the data described below and subject to the following limitations:

- 1) The GIS data that defines the boundaries and the total area of the 'Lambton Harbour Area' as imported directly from the operative District Plan Maps.
- 2) The figures stated do not account for any buildings or areas of public open space within the Coastal Marine Area and outside of the 'Lambton Harbour Area' as defined by the District Plan.
- 3) With the exception of those buildings described in 4) and 5) below, the areas of all annotated buildings on this map have been reproduced from the map originally produced by Cardno (NZ) Ltd at the request of Wellington Waterfront Ltd., dated 10 December 2012.
- 4) The total area (2750m<sup>2</sup>) of the proposed building within Site 10 and the Toll Booth building (19m<sup>2</sup>) have been provided by Site 10 Redevelopment Ltd Partnership (the applicant).
- 5) The total built areas of 'Te Papa', the 'Underground Building' (Frank Kitts Park) and the 'Toilets' (to the west of the Steamship Wharf Building) have been generated from the Council's GIS mapping software. Building footprints are therefore approximate only. The area of all other 'small' buildings which are not annotated or described on this map have also been generated from the Council's GIS mapping software and their respective areas are included in the total calculation of built development.
- 6) It is possible that some existing buildings within the Lambton Harbour Area are not recorded by the Council's GIS mapping software used due to (for example) their small size or that they postdate the underlying aerial imagery (2017).



**Site Coverage of Lambton Harbour Area (2018)**



Property boundaries, 20m contours, road names, rail line, address & fire points sourced from Land Information NZ. Crown Copyright reserved. Property boundaries accuracy: +/-1m at urban areas, +/-50m in rural areas. Census data sourced from Statistics NZ. Postcodes sourced from NZ Post. Assets (roads, water and drainage) information shown is approximate and must not be used for detailed engineering design. Other data has been compiled from a variety of sources and its accuracy may vary but is generally +/- 1m.

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**Absolutely Positively**  
**Wellington City Council**  
 Ma Heke Ki Pōhaka