

**DISTRICT PLAN AUDIT  
PROPOSED COMMERCIAL BUILDING – SITE 10 – 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, contaminated land and hazardous substances/fuel storage).

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

Item	Central Area Rule	Standard	Site 10 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 for fixed plant.
Vehicle parking	13.6.1.3.1	On-site vehicle parking not to exceed 1 space per 100m <sup>2</sup> gross floor area.	66 on-site basement level carparks are proposed.	Complies - the proposed 66 car parks are well within the permitted activity standard of 1 space /100m <sup>2</sup> , which for the Site 10 building equates to 133 car parks.

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.		Loading area provided accessed from the two-way laneway on the east side of the building - refer Transportation Assessment (Volume 3, Appendix 15).
Site access	13.6.1.3.11	Both Waterloo and Customhouse Quays are identified on District Plan Map 34 as “frontages where vehicle access is restricted”.	Site access will be via <u>existing</u> lights controlled intersections at Customhouse Quay/ Whitmore Street (at the south) and Bunny Street/Waterloo Quay (at the north).	Site access is via the <u>existing</u> accesses at the Whitmore Street intersection (south end) and Bunny Street intersection (north end) - refer Transportation Assessment (Volume 3, Appendix 15). No new vehicle access is proposed.
Noise	13.6.2.1	Noise emission levels from activities should not exceed: - at all times 60dBA (L10) - at all times 85dBA (L <sub>max</sub> )		Complies - noise emission levels associated with the proposed on-site activities, principally publicly accessible activities at ground level, including retail; 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 10 Building	Comment
Building height	Rule 13.6.3.1.3 / Planning Map 32	New buildings in the Lambton Harbour Area are subject to a 0m above mean sea level rule.	The main building has a maximum height of 22.4m above mean sea level.  The rooftop plant has a maximum height of 26.25m above mean sea level.	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 the 0m height as a mechanism to trigger a requirement for 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%).	Achieved building mass on the proposed 2,924m <sup>2</sup> site is 46,161m <sup>3</sup> .	<p>As there is no permitted activity height in the LHA there is effectively no permitted building mass 'allowance' (hence reference to 'achieved' building mass based on a 22m above msl (19.5m above ground) height limit (as indicated as appropriate in the Environment Court decision).</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 effectively addressed in the Lambton Harbor Area by way of the maximum site coverage across the LHA not exceeding 35%; compared to the 100% site coverage that applies elsewhere in the Central Area.</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>The proposed building on Site 10 lies to the north of the viewshaft.</p>	<p>Complies</p> <p>The proposed building on Site 10 does not intrude in the viewshaft - refer Volume 3, Appendix 10 (BuildMedia "Visual Simulation").</p>
Sunlight protection	13.6.3.4	Buildings and structures to be designed and located to maintain sunlight access to identified public spaces.	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>Complies</p> <p>The shading analysis (refer Volume 3, Appendix 14) confirms that there will be no shading from the Site 10 building on Kumutoto Plaza during the 'protected' hours, or indeed at any time of the day or year.</p> <p>Note: the new public open space to be developed on Site 8 is also clear of any shading from the Site 10 building.</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. The rule is covered by a non-notification presumption.
Verandahs	13.6.3.6	Verandahs to be provided on frontages identified on District Plan Map 49a.		<p>Site 10 (or indeed the waterfront overall) is not identified on Map 49a as requiring verandahs.</p> <p>Nevertheless, colonnade protection/pedestrian cover is provided on both frontages. The through site link is also under cover.</p>

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 10 (or indeed the waterfront overall) is not identified on Map 49a as requiring display windows.  Nevertheless, the ground floor of the Site 10 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 10 building) is less than 35%.
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	Site 10 Building	Comment
Hazardous substances	13.3.3.9	Use, storage, handling or disposal of hazardous substances where permitted activity standards under 13.6.2.3 are exceeded.	On-site storage of diesel fuel (1,000 litres) for stand-by emergency power generator.	Consent required under Rule 13.3.3.9 for a Discretionary Activity (Restricted).
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 excavation of the basement level of the Site 10 building will exceed the permitted activity standards.	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 not covered by permitted activity Rule 32.1.	The earthworks associated with the excavation of the basement level of the Site 10 building may (likely will) encounter contaminated material - refer Site Contamination Assessment, Volume 3, Appendix 18.	Consent required under Rule 32.2.1 for a Discretionary Activity (Restricted).  Note: consent also required under the National Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (2011).

