

APPENDIX 5

DISTRICT PLAN AUDIT: PROPOSED “ONE TASMAN PUKEAHU PARK” DEVELOPMENT - 1 AND 23 TASMAN STREET

OPERATIVE DISTRICT PLAN

ACTIVITY STANDARDS

Item	Central Area Rule	Proposal	Activity Status	Items over which discretion is restricted	Comment	Consent Required Yes/No
Activity	13.1.1	Residential and retail activities (café); and ancillary car parking.	Permitted Activity		Permitted activities subject to compliance with the standards specified in 13.6.1 and 13.6.2.	No All proposed activities (residential, café and ancillary car parking) are Permitted Activities in the Central Area.
Noise - Fixed Plant	13.6.1.1	Fixed plant.	Permitted Activity		Permitted activity subject to noise emission levels from fixed plant not exceeding: at all times 55dBA (L10) 10pm to 7am 70dBA (L _{max}).	No Will comply. Consent condition(s) requiring compliance is agreed. Refer Marshall Day Acoustics Report “Preliminary Acoustic Design Report” (Appendix 14 to the AEE).
Noise - Insulation and Ventilation	13.6.1.1.2	Minimum performance standards apply in relation to external	Permitted Activity - subject to compliance with minimum			No Will comply.

		sound insulation levels and ventilation for 'noise sensitive activities', including residential.	performance standards.			Consent condition(s) requiring compliance is agreed. Refer Marshall Day Acoustics Report "Preliminary Acoustic Design Report" (Appendix 14 to the AEE).
Vehicle Parking	13.6.1.3.1	On-site vehicle parking.	Permitted Activity		To comply with the permitted activity standard, on-site parking must not exceed one space per 100m ² gross floor area. Total gross floor area is approx. 19,420m ²	No Complies 138 on-site car parks are proposed. GFA ratio is greater than 1 space / 100m ² at approx 1 space/140m ² . Note: the parking is for residents only - it is not available for all-day commuter parking.
Vehicle Parking	13.3.1	Provision of on-site car parking (if greater than 70 spaces).	Discretionary Activity (Restricted)	<ul style="list-style-type: none"> - the movement of vehicular traffic to and from the site - the movement of vehicular traffic within the surrounding street network. 	A Traffic Report required to address the two matters over which discretion is restricted - if the rule applies.	Yes A total of 138 on-site car parks are to be provided. Consent required under Rule 13.3.1 for a Discretionary Activity (Restricted).
Vehicle Parking	13.6.1.3.2	On-site parking	Permitted Activity	All parking to be provided and maintained in accordance with Sections 1, 2 and 5 of the Joint Australian and New Zealand Standard 2890.1-2004 Parking Facilities, Part 1: Off-Street Car Parking.		No Complies Refer to the Transportation Assessment Report (Appendix 15 to the AEE) for details.


Servicing	13.6.1.3.4	On-site servicing.	Permitted Activity		<p>One loading area must be provided.</p> <p>If outdoors, the loading area must have a minimum width of 3m and minimum length of 9m (13.6.1.3.6)</p>	<p>Yes</p> <p>On-site outdoor loading area is provided. However, the location does not meet the standard for distance from lifts as it has been consolidated in a central, easily accessible location for use by all buildings of the multi-building development.</p> <p>Refer to the Transportation Assessment Report (Appendix 15 to the AEE) for details.</p> <p>Consent granted under SR 500876.</p>
Site Access	13.6.1.3.11	Site access	Discretionary Activity (Restricted)		<p>One site access per street frontage, unless a restricted road frontage. Width of vehicle crossing shall not exceed 6m and must be situated 20m from intersection with arterial or principal road.</p>	<p>Yes</p> <p>Site access will be from Tasman Street (via two crossings).</p> <p>Consent required for a Discretionary Activity (Restricted) although technically' the development site comprises two separate "sites", with each site (1 Tasman Street and 23 Tasman Street) entitled to a complying 6m wide vehicle crossing.</p> <p>Refer Transportation Assessment Report (Appendix 15) for details of proposed crossings.</p>

						Consent granted under SR 500876 for the two crossings.
Noise	13.6.2.1	Residential and retail (café) activities, plus ancillary car parking.	Permitted Activity		Noise emission levels from activities should not exceed: - at all times 60dBA (L10) - at all times 85dBA (Lmax).	No Will comply - noise emission levels will not exceed stated levels. Re 'fixed plant' noise - refer 13.6.1.1 above.
Hazardous Substances	13.6.2.3					No Not applicable - no on-site storage of hazardous substances.
Dust	13.6.2.5				Measures to suppress dust during demolition and construction.	Will be addressed in required Demolition & Construction Management Plan (D&CMP) to be approved by Council. Refer Appendix 20 for a Draft D&CMP. Consent for construction of new buildings granted under SR 500876, subject to consent condition addressing dust controls (Condition 25).
Electromagnetic Radiation	13.6.2.6				Assume compliance.	No The requirement is that any on-site activities are conducted to comply with NZS 2772.1:1999 (Radio Frequency Fields).
Discharge of Contaminants	13.6.2.7				Assume compliance - i.e. no discharge of contaminants. Any discharge may require consent from Regional Council.	No Complies - i.e. no discharges.

BUILDING STANDARDS

Item	Central Area Rule	Proposal	Activity Status	Items over which discretion is retained	Comment	Consent Required Yes/No
New Building	13.3.7	New building involving the provision of more than 70 vehicle parking spaces.	Discretionary Activity (Restricted)	<ul style="list-style-type: none"> - the movement of vehicular traffic to and from the site - the movement of vehicular traffic within the surrounding street network. 	A Traffic Report required to address the two matters over which discretion is retained - if the rule applies.	<p>Yes</p> <p>A total of 138 on-site car parks are to be provided.</p> <p>Consent required under Rule 13.3.7 for a Discretionary Activity (Restricted).</p> <p>Refer to Section 5.3.8 of the AEE and the Transportation Assessment Report (Appendix 15 to the AEE) for details.</p>
New Building	13.3.8	New building (which does not comply with standards in 13.6.1 and 13.6.3).	Discretionary Activity (Restricted)	<ul style="list-style-type: none"> - fixed plant noise - vehicle parking, servicing and site access - building height - building mass - view protection - sunlight protection - wind - verandahs - ground floor frontages and display windows. 	<p>Any aspect of non-compliance will require resource consent.</p> <p>Note: the site is not subject to Map 49E (verandah and ground floor frontages and display windows).</p>	<p>Yes</p> <p>Consent required a Discretionary Activity (Restricted) under Rule 13.3.8 for:</p> <ol style="list-style-type: none"> 1. maximum building height; and 2. wind.
Noise Fixed Plant	13.6.1.1				Refer 13.6.1.1 in Table 1 above.	No
Vehicle parking, servicing and site access	13.6.1.3				Refer 13.6.1.3.1 in Table 1 above.	<p>Yes</p> <p>Consent granted for site access and servicing under SR 500876.</p>

Building height	13.6.3.1	<p>The heights the two apartments buildings with the additional floors - Levels 9 and 10 on the Northern Apartments and Levels 6-9 on the Southern Apartments are:</p> <ul style="list-style-type: none"> - 36m (Northern) - 33m Southern) <p>Permitted Activity height is 18.6m above ground</p>	<p>Discretionary Activity (Restricted)</p> <p>Discretion for building height being 35% above the permitted activity level - i.e. 18.6m + 6.51m = 25.11m.</p> <p>Non-Complying Activity if height exceeds the 35% discretion.</p>	<p>The effect of building height on:</p> <ul style="list-style-type: none"> - the amenity of surrounding streets, lanes, footpaths and other public spaces; and - the historic heritage value of any listed heritage item in the vicinity; and - the urban form of the city; and - the character of the surrounding neighbourhood, including the form and scale of neighbouring buildings; and - any adjacent Residential Area 	<p>Maximum building heights are:</p> <ul style="list-style-type: none"> (a) Northern Apartments: 36m to the top of the east 'wing' (Level 10) and 37.7m to the top of the lift over-run; and (b) Southern Apartments: 33m to the top of Level 9 and 33.7m to the top of the lift over-run. 	<p>Yes</p> <p>Consent required under Rule 13.5 for a Non-Complying Activity for the building elements (Northern and Southern Apartments) that exceed the 25.11m above ground restricted discretionary (35%) limit under Rule 13.3.8.14.</p>
Building mass	13.6.3.2	<p>Building mass standard is 75%.</p>	<p>Discretionary Activity (Restricted)</p>	<ul style="list-style-type: none"> - the amenity of surrounding streets and other public spaces; and - the historic heritage of any listed heritage item in the vicinity; and - the character of the surrounding neighbourhood, 	<p>The achieved building mass is 71,530 (78%) against the allowable 68,702m³ (75%) - refer page 37 of the Architectural Design Statement (Appendix 1 to the AEE).</p>	<p>Yes</p> <p>Consent required for a Discretionary Activity (Restricted) under Rule 13.3.8.</p>

				<p>including the form and scale of neighbouring buildings; and</p> <ul style="list-style-type: none"> - whether the proposed building will have on-going access to daylight; and - any adjacent Residential Area. 		
View protection	13.6.3.3	Any intrusion into any identified viewshafts (Appendix 11).	Discretionary Activity (Restricted)	Discretion limited to the effects generated by any intrusion into the viewshaft.	<p>No identified viewshafts cross the site.</p> <p>Viewshaft Vs20 (Tory Street) has a focal element:</p> <p><i>“Buckle Street Barracks and surrounding vegetation, Puke-ahu Hill”.</i></p> <p>There is no intrusion into this viewshaft</p> 	No
Sunlight protection	13.6.3.4	Buildings and structures to be designed and located to maintain sunlight access to identified public spaces.	Discretionary Activity (Restricted)	Discretion limited to the effect of sunlight access to identified public spaces.	Shading from the development will not reach any identified public space.	No -

Wind	13.6.3.5	Buildings designed to achieve specified wind standards.	Discretionary Activity (Restricted)	Discretion limited to the effects resulting from wind above the specified standards. A Wind Report reporting the results of a wind tunnel test is required.	Some wind standards exceeded at specified locations.	Yes Consent required for a Discretionary Activity (Restricted) under Rule 13.3.8. Refer Section 5.3.5 of the AEE and the Wind Report at Appendix 12 to the AEE.
Verandahs	13.6.3.6	Verandahs to be provided on identified frontages.	Discretionary Activity (Restricted)		Neither street frontage (Old Buckle Street or Tasman Street) identified on Planning Map 49E as a frontage requiring verandah cover.	No
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 building fronts onto identified frontages. All three frontages require display windows.	Discretionary Activity (Restricted)		Neither street frontage (Old Buckle Street or Tasman Street) identified on Planning Map 49E as a frontage requiring display windows.	No

NEW CENTRAL AREA BUILDING

Item	Central Area Rule	Proposal	Activity Status	Items over which discretion is retained	Comment	Consent Required Yes/No
Construction or alteration of and addition to buildings in the Central Area	13.3.4	Construct new building(s).	Discretionary Activity (Restricted)	<ul style="list-style-type: none"> - design, external appearance and siting; and - placement of building mass. 		<p>Yes</p> <p>Consent required for a Discretionary Activity (Restricted) under Rule 13.3.4. A Design Statement (Central Area Urban Design Guide) is required to support the application (refer Section 5.3.2 of the AEE and the Urban Design Assessment at Appendix 7 to the AEE).</p>

CENTRAL AREA EARTHWORKS

Item	Earthworks Rule	Proposal	Activity Status	Items over which discretion is retained	Comment	Consent Required Yes/No
Earthworks which do not comply with the permitted activity conditions under Rule 30.1.3	30.2.2	Some of the earthworks will exceed the permitted activity conditions.	Discretionary Activity (Restricted)	<ul style="list-style-type: none"> - earthworks stability - erosion, dust and sediment controls - visual amenity - transportation of material 	Earthworks associated with foundation removal and installation (including piling) will be over an area greater than 250m ² .	<p>Yes</p> <p>Consent required for a Discretionary Activity (Restricted) under Rule 30.2.2.</p> <p>Consent granted for the site earthworks under SR 500876.</p>

DISTRICT PLAN AUDIT: PROPOSED “ONE TASMAN PUKEAHU PARK” DEVELOPMENT - 1 AND 23 TASMAN STREET

PROPOSED DISTRICT PLAN

CITY CENTRE ZONES RULES: LAND USE ACTIVITIES

Item	City Centre Zone Rule	Proposal	Activity Status	Items over which discretion is restricted	Comment	Consent Required? Yes/No
Commercial Activities	CCZ-R1	Cafe	Permitted			No
Residential Activities	CCZ-12	Residential apartments and townhouses	Permitted		Old Buckle Street and Tasman Street are not identified as streets requiring active frontage or requiring verandah coverage; and the site is not contained with a Natural Hazard Overlay - hence, permitted activity status for proposed residential activities applies.	No
Carparking Activities	CCZ-R14					

CITY CENTRE ZONE RULES: BUILDINGS AND STRUCTURES

Item	City Centre Zone Rule	Proposal	Activity Status	Items over which discretion is restricted	Comment	Consent Required? Yes/No
Demolition of Buildings and Structures	CCZ-R18	The existing buildings occupying the site are to be demolished.	Permitted		Demolition of existing buildings and structures is permitted where: “it is required for the purposes of constructing a new building that has an approved resource consent”.	Consent granted “to demolish the existing buildings and create vacant land” under SR 513053.

Construction of Buildings and Structures	CCZ-R20.2	The construction of the additional levels on the Northern Apartments (Levels 9 and 10) and the Southern Apartments (Levels 6-9).	Restricted Discretionary	<p>The matters in CCZ-P4 to CCZ-12 (inclusive)</p> <ol style="list-style-type: none"> 2. The extent of non-compliance with CCZ-S1, CCZ-S2, CCZ-S3, and CCZ-S5 to CCZ S13 inclusive; 3. The Centres and Mixed Use Design Guide, including G107 - City Outcomes Contribution for any building that exceeds the maximum height requirement and either comprises 50 or more residential units or is a non-residential building; 4. The Residential Design Guide; 5. The extent of any identifiable site constraints; 6. The impact of related construction activities on the transport network; and 7. The availability and connection to existing or planner here waters infrastructure. 	<p>Building Height</p> <p>Maximum building heights are:</p> <ol style="list-style-type: none"> (a) Northern Apartments: 36m to the top of the east 'wing' (Level 10) and 37.7m to the top of the lift over-run; and (b) Southern Apartments: 33m to the top of Level 9 and 33.7m to the top of the lift over-run. <p>Outdoor Living Space</p> <p>12 of the 14 apartments in Levels 9 and 10 (86%) of the Northern Apartments have a private outdoor living space (deck or terrace) and 20 of the 40 apartments on Levels 6-9 (50%) of the Southern Apartments have a private outdoor living space (deck or terrace).</p>	<p>Yes</p> <p>Consent required for a Restricted Discretionary Activity for building height above the 28.5m maximum building height.</p> <p>Yes</p> <p>Consent required for a Restricted Discretionary Activity for non-compliance with CCZ-S10 (outdoor living space).</p>
Construction of Buildings and Structures	CCZ-R20.3	The proposed terrace houses and courtyard terraces are below 22m, the minimum height requirement.	Discretionary		The Buckle Street Terrace Houses, Pukeahu Terrace Houses and the Courtyard Terraces are all below the 22m minimum building height.	Consent granted under SR 500876 for the three buildings to be constructed below the minimum building height standard.

CITY CENTRE ZONE – APPLICABLE STANDARDS

Item	Standard	Comment	Applicable? Yes/No
CCZ-S1	Maximum building height	At 37m and 33m respectively, the northern and southern apartment buildings exceed the maximum building height of 28.5m. The respective lift overruns are 37.7m and 33.7m.	Yes
CCZ-S5	Minimum ground floor height	Ground floor heights approved under SR 500876.	Yes
CCZ-S6	Minimum sunlight access - public space	The proposed development will not impede sunlight access to any public space area listed in PDP Appendix 9.	No
CCZ-S7	Verandahs	Verandahs are not required on frontages to Old Buckle Street or Tasman Street	No
CCZ-S8	Active frontage	Old Buckle Street and Tasman are not identified as streets requiring an active frontage	No
CCZ-S9	Minimum size - residential units	All of the proposed residential units (apartments and townhouses) exceed the minimum net floor area.	Yes
CCZ-S10	Outdoor living space	12 of the 14 apartments in Levels 9 and 10 (86%) of the Northern Apartments have a private outdoor living space (deck or terrace) and 20 of the 40 apartments on Levels 6-9 (50%) of the Southern Apartments have a private outdoor living space (deck or terrace). There is a communal BBQ space on an outdoor terrace (refer Drawing RC_1.03).	Yes
CCZ-S11	Minimum building separation distance	Building layout (including minimum building separation distances) approved under SR 500876.	Yes
CCZ-S12	Maximum building depth	Building layout (including maximum building depths) approved under SR 500876.	Yes
CCZ-S13	Outlook space	All of the proposed residential units (apartments and townhouses) provide the required outlook space.	Yes

EARTHWORKS RULES

Item	Earthworks Rule	Proposal	Activity Status	Items over which discretion is restricted	Comment	Consent Required? Yes/No
General Earthworks	EW-R6.2	<p>Earthworks will extend over the entirety of the 5,398m² and therefore exceed the permitted activity standard EW-S1.</p> <p>The earthworks are necessary to facilitate site preparation works, plus establishing building foundations, placement of floor slabs and ground beams, the excavation of lift pits - as detailed in the Structural Effects and Construction Methodology - refer Appendix 16 the AEE.</p>	Restricted Discretionary	<ul style="list-style-type: none"> ▪ Maintaining stability; ▪ Erosion, dust and sediment control; ▪ Effects on landform and visual amenity; and ▪ Transport of cut and fill material. 	<p>The nature and scale of the earthworks proposed are no different from the earthworks approved under SR500876.</p> <p>The earthworks related conditions on SR500876, Conditions 25 (Erosion and Sediment Control Plan), Conditions 28, 29, 30 and 31 (Chartered Professional Engineer and Producer Statements), Conditions 32 and 33 (General Earthworks Conditions), and Condition 34 (Contaminated Material) to be imposed on proposed development subject to the current application.</p>	Consent in place under SR500876.

TRANSPORT RULES AND STANDARDS

Item	Transport Rule	Proposal	Activity Status	Items over which discretion is restricted	Comment	Consent Required? Yes/No
Land use activities						
Trip Generation	TR-R2.2	With 138 on-site carparks the proposed development will exceed the permitted activity standard (TR-S1) of 200 vehicle movements per day.	Restricted Discretionary			<p>Yes - for a restricted discretionary activity under Rule TR-R2.2.</p> <p>The required Integrated Transport Assessment is attached at Appendix 15 to the AEE.</p> <p>Consent required for the additional 26 carparks (138 in total), additional to the 112 approved under SR 500876.</p>
On-site cycling and micromobility paths	TR-R4.1	Onsite cycle storage provided.	Permitted		Complies with Standard TR-S4	No
On-site vehicle parking and manoeuvring	TR-R5.1					Consent granted under SR 500876.
Car sharing activities	TR-R5.1 [sic] - should be TR-R6.1	On-site car sharing space(s) provided.	Permitted		As described in Section 7.5 of the Transportation Assessment Report (Appendix 15 to the AEE), the reduction in the number of vehicle crossings serving the Site provides an opportunity to increase the number of kerbside parks along the adjacent section of Tasman Street, which would usefully include the allocation of at least one dedicated car share space to serve local demand (including residents of the site).	Yes

<p>Design requirements for on-site vehicle parking, circulation and manoeuvring.</p>	<p>TR-S7.2 and TR-S7.7</p>				<p>The Transportation Assessment Report (Appendix 15 to the AEE) records that the proposal does not comply in full with the applicable standards.</p> <p>Refer pages 26-27 of the Report. At page 28, the following comments are made:</p> <p><u>TR-S7.2:</u> whilst the proposed parking space width of 2.4m within the on-site car parks provided at the site deviates from the 2.5m minimum identified in the PDP, these proposed widths fully satisfy the industry standard 2890.1 for residential users, which takes into account the lower turnover of this type of parking, and familiarity of the users; and</p> <p><u>TR-S7.7:</u> the inclusion of vehicle ramps to serve the basement level car parks means the development is considered a Restricted Discretionary Activity. It is noted that the on-site parking arrangements have been designed to satisfy the industry standard AS/NZ2890.1, including in respect to the vehicle ramp gradients.</p> <p>For full details, refer to the Transportation Assessment Report.</p>	<p>Yes</p> <p>Aside from the consent granted under SR 500876 for the provision of 112 on-site car parks, and the associated design and circulation and manoeuvring, given the increase in the number of on-site car parks consent is required for a restricted discretionary activity for the two areas of technical non-compliance.</p>
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