

# ASSESSMENT OF ENVIRONMENTAL EFFECTS REPORT

## PARLIAMENTARY PRECINCT

### 1 MOLESWORTH STREET, WELLINGTON

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## 1 INTRODUCTION

### 1.1 PREAMBLE

The proposal involves the following main aspects:

- A new building (MUS) behind Parliament House to accommodate Parliamentary activities, including relocation of an oak tree.
- A new building (BAL) on the Ballantrae Place frontage for deliveries and services to the Parliamentary Precinct.
- Landscape and paving enhancements to the rear of the Executive Wing and Parliament House to replace vehicle driveways and surface car parking with a pedestrian centred plaza.
- Land use resource consent is required for the proposal under the Wellington City Council Operative District Plan.

### 1.2 REPORT STRUCTURE

After this introduction, the report provides the following information:

- Section 2 provides the context for the proposal, Parliament's objectives for its future accommodation on the Precinct, the identification and description of the proposal, and a summary of consultation undertaken.
- Section 3 provides a compliance assessment and identifies the aspects of the proposal that require land use resource consent.
- Section 4 provides information and assessment of the effects of the proposal, including proposed conditions of resource consent.
- Section 5 provides a conclusion.

## 2 CONTEXT, OBJECTIVES, THE PROPOSAL, AND CONSULTATION

### 2.1 CONTEXT

The Parliamentary Precinct is bounded by Bowen Street, Molesworth Street, Hill Street and Ballantrae Place.

In **Appendix 1** is the Record of Title for the Precinct. The Land is owned by His Majesty the King.

The Precinct has over many years been progressively developed with a variety of buildings, structures and grounds necessary to serve the democratic needs of the people of New Zealand. As these needs have evolved and changed, the buildings, structures and grounds within the Precinct have had to be adapted, altered, added to, and in some cases demolished so that the Precinct can continue to be fit for Parliamentary purposes.

Significant events that historically have shaped the Precinct have included:

- Modification of the original landform and removal of streams and all original surface features.
- Construction of William Wakefield's residence on the now location of the Executive Wing.
- Conversion of residence to Government House.
- Purchase in 1857 and 1865 of additional land to enlarge the Government Precinct.
- Construction of the Provincial Council Chambers and General Assembly Buildings in 1858.
- Additions and alterations to Provincial Council Chambers and converted to Parliament House in 1866.
- Construction of second Government House in 1871.
- Relandscaping in 1894.
- Construction of Parliamentary Library building in 1897-1899.
- Construction of Parliament House 1914.
- Construction of various statues, perimeter walls 1897-1915.
- Demolition of Dominion Museum in 1939 and construction of Broadcasting House commenced in 1940.
- Construction of air raid shelters and underground war cabinet room in 1942.
- Construction of Broadcasting House finished in 1973.
- Construction of Executive Wing commenced 1969 with the Press Gallery constructed in 1981.
- Demolition of Broadcasting House in 1998.
- Construction of new public entrance to Executive Wing and connection to Parliament House in 2004.
- Construction of new pedestrian connection with the Cenotaph in 2015.
- Construction of perimeter security in 2016.
- Construction of larger public entrance to Executive Wing in 2017.

In **Appendix 2** is a letter from the Speaker on behalf of Parliament and the cross-party Committee that is overseeing the proposal on behalf of Parliament.

The letter identifies significant changes affecting Parliament and the Precinct. These include:

- Significant growth of New Zealand's population.
- Increasing diversity of NZ society and the differing needs of respective communities.
- Increased awareness and representation of the bicultural history of New Zealand and the obligations of the Treaty of Waitangi.
- Increasing complexity of public policy and decision-making brought about by Mixed Member Proportional Representation (MMP).
- Increased numbers of Members of Parliament and the increasing numbers of Ministers and portfolios.
- Increased number of political parties being represented within Parliament.
- Increased numbers of visitors and guests being hosted within Parliament, and by Ministers, Members, and staff.
- Increased need for Parliamentary resilience, particularly for efficient and effective Ministerial decision-making in response to major adverse events (such as the Kaikoura and Canterbury earthquakes, other civil emergencies, and the COVID-19 pandemic) and for Parliamentary accommodation with the appropriate level of seismic resilience.
- Increased need for more effective security and safety.
- Desire for the Precinct to remain publicly open and accessible and for more public facilities and functions to be able to be accommodated particularly within Parliament House.
- In response to climate change the Government Mandate for all agencies to be carbon neutral by 2025.

The main consequences of the above dynamics are:

- There is insufficient floorspace on the Parliamentary Precinct to accommodate the necessary Parliamentary functions.
- Parliamentary functions are increasingly having to be located within leased floorspace in buildings outside the Precinct with a range of adverse effects on the operation of Parliament that are cumulatively significant.
- Safety and security within the Precinct need to be enhanced.
- There is increasing expectation that the Parliamentary Precinct and its existing heritage buildings and setting needs to change to better reflect tangata whenua, mana whenua, and Māori heritage, values and culture.
- The Executive Wing is now too small to accommodate all Ministers.

There is also a desire by Parliament to transform the rear part of the Precinct (i.e. behind the Executive Wing and Parliament House) from a vehicle dominated space to a pedestrian centred plaza, thus better complementing the area of the Precinct in front of the Executive Wing, Parliament House and the Parliamentary Library, and enhancing the relationship with the adjoining Bowen Street office campus.

## 2.2 KEY DEVELOPMENT OBJECTIVES

The Speaker's letter contains Parliament's key development objectives for its future accommodation and for the Precinct.

These are:

### ***Best Economic Value – Provide accommodation at the best economic value over the life of the assets.***

- *Greater utilisation of the Parliamentary Precinct will provide the best economic value in the long term and avoid having to lease floorspace.*
- *Increase Efficiency – Improve operational effectiveness and utilisation of the Crown buildings.*
- *Centralise Parliamentary functions on the Precinct and close to Parliament House, thus reducing walking time and promoting the efficient use of Parliamentary time and resources.*
- *Colocation of crucial functions to improve efficiency of Parliament.*

### ***Fit for Purpose – Provide fit-for-purpose workspaces that offer flexibility.***

- *Accommodation that is accessible, flexible and adaptable, creating less disruption and facilitating a more efficient transition between Parliaments.*
- *Restoring the symbolic and physical separation of the Executive and Legislative branches of Government by accommodating all existing Ministers within the Executive Wing.*
- *Enhance Parliamentary communication, collaboration, confidentiality and decision-making through colocation on the Precinct.*
- *Centralise the management of deliveries to the Precinct.*

### ***Consolidate Parliamentary Footprint.***

- *Parliamentary functions currently accommodated in leased premises outside the Precinct will be brought onto the Precinct condensing the footprint.*
- *Centralising Parliamentary floorspace on the Precinct in accommodation that is efficient in location, design and operation.*
- *The provision of new accommodation space will allow existing buildings to be reaccommodated by functions in line with their original design.*

### ***Safety and Security – Ensure security of Precinct occupants and the general public is maintained.***

- *The safety of those working on, and visiting the Precinct is enhanced and threats to security and confidentiality are reduced through the provision of fit for purpose buildings and better management of deliveries.*
- *Improved safety of staff and visitors to the Precinct by pedestrian centred design that incorporates Crime Prevention Through Environmental Design (CPTED) principles.*

***Cultural Partnership – Recognise cultural values and opportunity for codesign elements with early engagement and inclusive design process.***

- *Recognise the importance and significance of Te Tiriti o Waitangi and the Crown's duties to it.*
- *Commitment to partnering and collaborating with tangata whenua recognising their unique relationship to the land and role as kaitiaki.*
- *Recognise mana whenua and acknowledge their rangatiratanga.*
- *Implementing appropriate design and other measures to recognise the progress made in the Crown-Maori relationship since the last significant building development on the Precinct and express this within the new development built form, enhancing existing narrative and cultural identity.*
- *Subsequent engagement with and representation of tangata whenua in the development of opportunities for incorporation of Crown-Maori relationship, information and narrative delivery within public areas of Parliament House.*

***Environmentally Sustainable – Achieve environmentally sustainable design and carbon zero goal.***

- *Create a world-leading example of energy efficiency, moving Parliament closer to carbon zero goals.*
- *Promote environmental sustainability in the location, design, materials and operation of the buildings, and encouraging the greater use of alternative modes of transport to private motor vehicles.*

***Increase Resilience – Incorporate seismic resilience.***

- *Reduced risk of disruption in the event of an emergency / disaster or supply infrastructure failure.*
- *Reduce the potential adverse impacts of an emergency or disaster through resilient design.*
- *Adopt low damage seismic design principles and achieve appropriate post-damage functionality.*

Parliamentary Services on behalf of Parliament has engaged a project team to prepare a proposal to make progress towards achieving the above objectives.

The project team includes The Building Intelligence Group Ltd (Project Managers), Studio Pacific Architecture Ltd (architects), Holmes Consulting Group Ltd (structural engineering), Boffa Miskell Ltd (CPTED), McIndoe Urban Ltd (urban design), Aurecon Ltd (engineering and transportation), Archifact Ltd and Ian Bowman (heritage), WSP Ltd (wind), Heritage Solutions Ltd (archaeology), Arborlab Consultancy Services Ltd (arbor-culture), Engeo Ltd (hazardous substances), Acoustic Engineering Services Ltd (noise) and Peter Coop Consulting (resource consent).

## **2.3 THE PROPOSAL**

The proposal is described in the design statement and shown by the application drawings in **Appendix 3**.

The main aspects of the proposal are:

- A new Parliamentary building (MUS) will be constructed to the rear of Parliament House. The new building (MUS) will be linked to Parliament House by a proposed first floor bridge to provide efficient, safe and covered pedestrian linkage directly to the Debating Chamber.
- An existing oak tree located at the rear of Parliament House will be relocated on the Precinct to make way for the proposed MUS building.
- The MUS building will be constructed to IL4 seismic resilience standard and with plant and other facilities so that it is self-sufficient (in terms of power, water supply etc). This is to enable essential Parliamentary functions to be continued after a major natural disaster. It will also enable the option to relocate into MUS the National Crisis Management Centre which is currently located in IL3 floorspace at the base of the Beehive.
- A new building will be constructed on the Ballantrae Place frontage of the Precinct (BAL) primarily to manage all incoming and outgoing deliveries for the Precinct, thereby enhancing the safety and security of the Precinct. It will also accommodate fixed plant to serve the Precinct.
- Associated with MUS and BAL is the proposed removal of existing surface car parking at the rear of Parliament House and the Executive Wing and replacement with pedestrian centred plaza and landscaping,

thereby positively transforming this existing “backyard” of the Precinct and enhancing pedestrian connections and amenity.

- Necessary for the proposal will be some earthworks, including the removal to a consented landfill of approximately 24,000m<sup>3</sup> of surplus excavated material, and the construction of services/infrastructure. The nature, scale and extent of the proposed works are contained in the “Three Waters and Earthworks” report appended to this AEE.
- The proposed additional floorspace on the Precinct will enable existing floorspace within Parliament House to be reallocated to activities and facilities to promote to the public the history of Parliament and its operation. This important Parliamentary role is currently significantly constrained by the shortage of floorspace on the Precinct.
- Parliament has set environmental sustainability goals for its activities on the Precinct. To achieve these, additional fixed plant is necessary. This has been co-located as much as possible with the proposed MUS and BAL buildings. Some small above ground utility cabinets may be required by the service providers but this is subject to detail design.

The proposal also includes measures to avoid, remedy or mitigate the potential adverse effects.

These measures will include:

- Compliance with the Council’s standard “Recording of Heritage Building” resource consent condition that requires the consent holder to prepare an appropriate record of the part of the heritage building (in this case Parliament House) which is proposed to be modified (by the proposed link bridge).
- Compliance with the Council’s standard Earthworks Management Plan and Geotechnical Supervision conditions. These conditions are proven by experience to avoid or appropriately mitigate the adverse effects of ground disturbance, cutting, filling and retaining works necessary for large-scale building projects in the Central Area of Wellington.
- Compliance with Council’s standard Contaminated Site Management Plan condition. This will ensure the disturbance, handling, transport and disposal of contaminated soil will be appropriately managed.
- Compliance with the Council’s standard Construction Management Plan, Construction Noise Management Plan and Construction Traffic Management Plan conditions. These conditions are proven by experience to avoid or appropriately mitigate the adverse effects of the construction of large-scale building projects in the Central Area of Wellington.
- Compliance with the Council’s standard “Detailed Landscape Plan” condition. This condition is proven by experience to ensure that the proposed pedestrian works, planting and paving works are designed in detail and constructed to a quality and outcome consistent with the application drawings, consistent with the recommendations of the CPTED Assessment prepared by Boffa Miskell Ltd appended to this AEE, and to enhance pedestrian amenity.
- Compliance with the Council’s standard “Building Detail Design” condition of the resource consent. This ensures that specified aspects of the detail external design and appearance of the buildings are certified by the Council’s Compliance Monitoring Officer.
- Compliance with a condition requiring that the relocation of the heritage oak tree is undertaken consistent with the advice contained in the Arboricultural Report prepared by Arborlab Ltd appended to this AEE.

The application for resource consent for the proposal does not include any additions and alterations to the Executive Wing – see section 2.5 of this AEE.

## 2.4 CONSULTATION

### 2.4.1 Consultation with Heritage NZ

In 2017 Parliamentary Service consulted Heritage NZ regarding the construction of more floorspace on the Precinct.

At that time the draft proposal included MUS (but not BAL) plus the possible adaption of the Executive Wing (EW) by removing the earthquake prone rear part of the Executive Wing (known as the “Press Gallery”) and replacing this with a larger addition (MIN) so that all Ministers could be accommodated within the enlarged EW.

In **Appendix 6** is Heritage NZ’s response dated 23 August 2017, plus selected drawings of the then proposal.

Heritage New Zealand's feedback in summary was:

- The provision of purpose-built accommodation for Government on the Precinct and adjacent to Parliament House as proposed *“adds to the recognition of the importance of the entire government machine and the place of democracy”* and that the *“ongoing use of the site for MP's, within new buildings, can be seen to reinforce the heritage values of the entire complex”*.
- The proposal does not affect *“the pre-eminent ceremonial spaces in front of Parliament House or the Beehive”*.
- The proposal *“will greatly increase the amenity. Consequently, appreciation of the historic places and area can increase”*.

The following was specific feedback on the proposed “Members Wing” (MUS):

- The *“new Members Wing is carefully placed with its relationship to Parliament House direct and open”*.
- While it would be preferable for the building to be lower in height than Parliament House, this could be mitigated by its external design and appearance so that it is not *“just another office building”* and that the area between the two buildings is a *“landscaped and mainly pedestrian area”*.

The following was specific feedback on the “new Ministerial Annex” (MIN) design:

*“The new Annexe<sup>1</sup> to the Beehive is carefully located in the proposals to make reference to the existing Annexe. It uses some of the existing architectural vocabulary, the existing form and articulation have provided a starting point which has been extrapolated to a larger but similar form. The location is aligned with the Beehive; lines of connection and form are similar; the use of fins and verticals reference at larger scale the existing annexe appearance. The height of the new Annexe takes its reference point from the top of the Beehive drum before it tapers. The “floating” construction of the annexe gives a sense of smaller physical impact on the ground and manages to suggest that the new Annexe will remain subordinate in a range of ways to the Beehive when viewed from most angles.*

*The design of the new Annexe has been finely judged to provide nine ministerial suites of an appropriate degree of dignity and purpose. Heritage New Zealand believes the design needs to be of excellent materials and detailing to enable the annexe to match close to, but not equalling, the accommodations of the Beehive. Maybe this is achieved by form and height: the Beehive is heroic and of great stature; the Annex of matching stature at a supporting level, while also being more than the average excellent office building. The design needs to be fitting to its future occupants. Heritage New Zealand believes this has been achieved in the overall design of the annexe.*

Heritage NZ's conclusion was *“that the new Ministerial Annex and new Members Wing are appropriate and commensurate with the needs for Ministerial and MP accommodation”*.

Heritage NZ was also consulted on possible internal alterations to the Beehive part of the Executive Wing to displace some existing functions in order to accommodate more Ministers. This option was not supported by Heritage NZ because of the extent to which existing internal heritage fabric, functions and layout would be removed.

Due to the outcome of the 2017 election, design work was placed on hold but was recommenced in 2020.

In April 2020 there was further consultation with Heritage NZ on essentially the same proposal (MUS and MIN).

This time, their primary feedback was:

- The removal of the existing Press Gallery does not follow *“conservation principles”*.
- While the design of the proposed replacement of the Press Gallery (MIN) is *“thoughtfully conceived and relates well to Parliament House, it does not follow conservation principles”*.
- The removal of the Press Gallery will be a *“tremendous loss”* to the conservation of the Executive Wing.

In July 2021 there was further consultation with Heritage NZ because of the extended scope of the proposal i.e. the inclusion of the Ballantrae Place (BAL) building.

Their main feedback in summary for MIN, MUS and BAL was:

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<sup>1</sup> “New Annexe” was the then term used for the proposed replacement of the Press Gallery.

- The heritage assessment reports to be lodged with the application for resource consent should identify and assess the positive heritage effects of the proposal.
- The reports should identify and assess the adverse heritage effects and address mitigation.
- A concern is the extent to which the proposal will adversely affect the extent to which the existing heritage buildings will be able to be seen and appreciated from various viewing points in and around the Precinct including the viewshafts under the District Plan. This should be addressed in the application for resource consent documentation.
- Alternatives which have reduced adverse effects on heritage should be identified and reasons given as to why they have not been adopted.
- Consultation should proceed with tangata whenua to ensure they have appropriate input into the project.

Subsequent to the above feedback, Heritage NZ in its letter dated 14 July 2021 in **Appendix 6** expressed support for the Māori Heritage Council's concern that the Parliamentary Precinct as a whole does not sufficiently recognise tangata whenua, mana whenua, Māori values and cultural landscapes associated with Māori. This is a Precinct wide matter and is one that is being advanced directly with Heritage NZ, Te Āti Awa, Ngāti Toa and Taranaki Whānui ki Te Upoko o Te Ika.

Since HNZ provided the above feedback, the Applicant has revised the scope of the application by removing the aspect relating to the Press Gallery (MIN). This is discussed further in section 2.5 below.

The proposal does however provide the opportunity to begin addressing the above concerns by changing the Precinct. Some of the design opportunities are identified in the Design Statement and application drawings in **Appendix 3** and are further addressed in section 4.2.2 of this AEE. It is proposed that these opportunities will be developed in more detail through further ongoing consultation, particularly with Te Āti Awa, Ngāti Toa and Taranaki Whānui ki Te Upoko o Te Ika.

#### **2.4.2 Consultation with Wellington City Council**

There has been consultation with City Council resource consent officers.

Their main feedback in summary was:

- Concern about the removal of the Press Gallery and a larger replacement.
- Concern at the height and bulk of MUS and opposition to the proposed bridge link to Parliament House.
- Support for the proposed plaza works and relocation of the Museum St gate and walls.
- Support for the proposal from a traffic and pedestrian perspective.
- Support that consultation with mana whenua is continued.
- The Council arborist wanted to ensure that the assessment of effects of the proposed relocation of the oak tree would be comprehensive and prepared by an arborist.
- Various urban design observations/comments were made.

#### **2.4.3 Consultation with Greater Wellington Regional Council**

In May 2021 there was consultation with GWRC regarding the Regional resource consents that will be required for the proposal and proposing that these are applied for after obtaining the land use resource consent under the District Plan and following detailed design of the project. This is primarily because GWRC requires a high level of detail information which can only be provided once the detailed design of the proposal has been completed.

The feedback received from GWRC confirmed the acceptability of the above GWRC consent application proposed timing i.e. applying for Regional resource consents at a later date when detail design has been completed.

The GWRC recommended that consultation takes place with Wellington Water Ltd during the detailed design of stormwater infrastructure and prior to the preparation and lodgement of the applications for Regional resource consents. The Applicant accepts this recommendation.

#### **2.4.4 Consultation with Precinct Properties Ltd**

In 2021 there was consultation with the adjoining owner of the Bowen Street office campus, Precinct Properties Ltd. At the meeting it was agreed that the proposal provided opportunities to achieve mutually beneficial outcomes, including facilitating enhanced pedestrian flows and working together to improve pedestrian safety and amenity.

#### **2.4.5 Consultation with Wellington Architectural Centre**

Since the application for resource consent was lodged in May 2022, there has been consultation with the Wellington Architectural Centre. Their feedback is in **Appendix 20**.

### **2.5 POSSIBLE ADAPTION OF THE EXECUTIVE WING**

Currently the Executive Wing is too small to accommodate the existing number of Ministers that Government needs.

In addition, the rear part of the Executive Wing (known as the Press Gallery) cannot be used because it is earthquake prone.

The inability to accommodate all Ministers within the Executive Wing is a constraint to Ministerial communication, collaboration, confidentiality and decision-making. It also compromises the symbolic and physical separation of the Executive and Legislative branches of Government.

There are a range of possible adaptations to the Executive Wing available to fit in all the Ministers, including the options discussed with Heritage NZ and City Council during pre-application consultation. These included the option of removing the existing earthquake prone rear portion of the Executive Wing (the “Press Gallery”) and building a larger replacement (referred to as “MIN”). This option (MIN) was included in the application for resource consent lodged with the City Council in May 2022.

Since then, consultation with the Wellington Architectural Centre, feedback from the City Council resource consent officers, and feedback that an adapted Executive Wing could be designed to positively contribute to making the Precinct and the Executive Wing more reflective of tangata whenua, mana whenua and Maori values, has caused the Applicant to withdraw the MIN aspect from the application for resource consent.

In the light of the above, further assessments of the range of possible adaptations to the Executive Wing are being undertaken. This includes revisiting the range of possible adaptations to try and fit more Ministers into the existing Beehive portion of the Executive Wing, further assessments of the practicability of retaining and strengthening the Press Gallery, and further consultation with Te Āti Awa, Ngāti Toa and Taranaki Whānui ki Te Upoko o Te Ika regarding adaption options and co-design opportunities, should adaption of the Executive Wing be supported.

At the completion of the above, and if the Executive Wing is proposed to be externally adapted, an application will be lodged for any work requiring resource consent.

## **3 COMPLIANCE ASSESSMENT**

### **3.1 RELEVANT PROVISIONS**

Pursuant to section 104(1)(b) of the RMA, the statutory provisions applicable to the proposal are:

- District Plan provisions – see section 3.2 below.
- The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS). Resource consent is required under the NESCS because it is possible that the volume of contaminated soil that will be disturbed will exceed the volume permitted by the NESCS – see section 3.3 below.
- An archaeological authority is required under the Heritage NZ Pouhere Taonga Act to ensure that any disturbance of archaeological resources is appropriately managed – see section 3.4 below.
- Resource consents will be required from GWRC under Regional Plans – see section 3.5 below.



### 3.2 OPERATIVE DISTRICT PLAN COMPLIANCE ASSESSMENT

District Plan Map 18 shows that the proposal:

- Is within the “Central Area”.
- Is within a “Heritage Area” (the “Parliamentary Precinct Heritage Area”).
- Will involve work to listed heritage building “214” which is “Parliament Buildings 1912-21”,
- Will involve the relocation of listed heritage tree “187” which is an “English Oak”.
- Is within an area which was traversed by “Wai-piro Stream” which is a feature of importance to tangata whenua.
- Is partly within a “ground shaking” hazard area.
- Is not within a Maori Precinct.

In **Appendix 7** is an assessment of the proposal against the rules and standards of the Operative District Plan (ODP) that are considered to apply.

Based on this assessment, it is considered that the proposal requires resource consent under the following rules of the ODP:

- Consent under Central Area Rule 13.3.2 as a Restricted Discretionary Activity for “any critical facility within any hazard area”. Discretion is limited to “the location of the facility”. The District Plan defines “critical facility” as “those network elements that are essential to the functioning of key disaster response systems” including emergency services, lifeline utilities, and services that become a high priority in an emergency. The continued operation of Parliament and the possible National Emergency functions within MUS are critical in an emergency.
- Consent under Central Area Rule 13.3.4 as a Restricted Discretionary Activity for the proposed construction, or alteration of, and additions to buildings and structures (i.e. the whole proposal) with discretion restricted to “13.3.4.1 design, external appearance and siting” and “13.3.4.2 the placement of building mass”. The Plan states that “building work covered by rule 13.3.4 will be assessed against the provisions of the Central Area Design Guide<sup>2</sup>”.
- Consent under Central Area Rule 13.3.8 as a Restricted Discretionary Activity for the extent to which the proposed MUS building results in wind speeds that exceed the standards under 13.6.3.5.2. Discretion is limited to “the effects generated by the standard(s) not met”.
- Consent under Central Area Rule 13.3.8 as a Restricted Discretionary Activity for existing non-compliances with transport standard 13.6.1.3 (see Transport Assessment in **Appendix 14**). Discretion is limited to “the effects generated by the standard(s) not met”.
- Consent under Central Area Rule 13.4.9 as an Unrestricted Discretionary Activity for the construction of the MUS because it exceeds the absolute height standard 13.6.3.1.6 of 27m by approximately 2.0m.
- Consent under Heritage Building Rule 21A.2.1 as a Restricted Discretionary Activity for modification to Parliament House (the proposed bridge connection) with discretion restricted to “21A.2.1.1 historic heritage” and “21A.2.2.2 height, coverage, bulk and massing of buildings (to the extent that these affect historic heritage)”.
- Consent under Heritage Building Rule 21A.2.2 as a Restricted Discretionary Activity for the construction of new buildings (MUS and BAL) on a site occupied by heritage buildings with discretion restricted to “21A.2.2.1 historic heritage” and “21A.2.1.2 height, coverage, bulk and massing of buildings (to the extent that these affect historic heritage)”.
- Consent under Heritage Area Rule 21B.2.2 as a Restricted Discretionary Activity for the demolition of existing structures associated with the proposed new paving and landscaping with discretion restricted to

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<sup>2</sup> The full title is “Central Area Urban Design Guide” and it includes the more specific “Parliamentary Precinct Heritage Area” Design Guide

*“effects on historic heritage” and “design, height, siting and coverage and bulk and massing of buildings (to the extent that these affect historic heritage)”.*

- Consent under Heritage Area Rule 21B.2.3 as a Restricted Discretionary Activity for earthworks within a heritage area with discretion restricted to *“21B.2.3.1 effects on historic heritage”*.
- Consent under Heritage Tree Rule 21C.2.1 as an Unrestricted Discretionary Activity for the proposed relocation of the heritage oak tree.
- Consent under Earthworks Rule 30.2.2 as a Restricted Discretionary Activity for proposed earthworks. Discretion is limited to *“earthworks stability”, “erosion dust and sediment control”, “visual amenity” and “transport”*.
- Consent under Land Contamination Rule 32.2.1 as a Restricted Discretionary Activity for disturbance of contaminated soil with discretion restricted to the matters in 32.2.1.1 to 32.2.1.4.
- Consent under Utilities Rules 23.2.1A and 23.2.1B as a Controlled Activity for the construction of utilities to serve the proposal and precinct with conditions limited to *“siting and visual effects”, “design and appearance”, “safety”, “mitigation of hazards” and “historic heritage values”*.

The application therefore seeks resource consent under the above rules of the ODP.

If it is considered that resource consent is required under any other rules of the ODP, these are sought.

Because on a bundled basis the activity status of the application is Discretionary Unrestricted, in section 4 of this AEE the effects of the proposal are assessed on an unrestricted basis.

### **3.3 NESCS COMPLIANCE ASSESSMENT**

Resource consent is applied for under the NESCS on a precautionary basis in case contaminated soil is encountered during earthworks and that the volume exceeds that permitted by the NESCS.

In **Appendix 8** are Detailed Site Investigation (DSI) reports that make recommendations as to the management of contaminated soil that may be encountered.

Because there is a DSI, consent is sought under Regulation 10 of the NESCS as a Restricted Discretionary Activity.

### **3.4 ARCHAEOLOGICAL AUTHORITY**

The site has been occupied prior to 1900 so there is the potential to encounter archaeological material during earthworks.

The management of archaeological resources is specifically provided for under the Heritage NZ Pouhere Taonga Act 2014. This Act requires that an application for an Archaeological Authority should be applied for and granted before there is ground disturbance where archaeological resources could be encountered. This is so that measures are put in place to ensure that archaeological resources that may be encountered are appropriately managed.

An application for an Archaeological Authority has been applied for and granted by Heritage NZ for the extent to which the proposal will involve ground disturbance/earthworks. A copy of the Authority is in **Appendix 21**. The Authority provides for the appropriate management of archaeological resources should any be encountered during the proposed earthworks.

In view of this, it is considered unnecessary for there to be any resource consent conditions imposed (such as the Council’s standard accidental discovery protocol condition) in relation to the management of archaeological resources.

### **3.5 REGIONAL RESOURCE CONSENTS**

As previously outlined in section 2.4.3 of this AEE, resource consents from GWRC will be required for the project, mainly for the extent of earthworks and the likely need for dewatering.

For the reasons stated in section 2.4.3, these applications will be applied for following the obtaining of land use resource consent for the proposal under the District Plan, and once subsequent detail design has been sufficiently advanced to provide GWRC with the level of detail they require.

## **4 RMA ASSESSMENT**

### **4.1 SECTION 104(1)**

As a Discretionary Activity Unrestricted, Section 104(1) of the Act is applicable.

This states that subject to Part 2, the consent authority must have regard to:

- any actual and potential effects on the environment of the proposal; and
- any measures proposed for the purpose of achieving positive effects to offset or compensate for any adverse effects from allowing the proposal; and
- any relevant provisions of a national policy statement, New Zealand coastal policy statement, a regional policy statement or proposed regional policy statement, and a plan or proposed plan; and
- any other matter the consent authority considers relevant and reasonably necessary to determine the application.

The above matters are assessed below.

### **4.2 EFFECTS ASSESSMENT**

#### **4.2.1 Positive Effects**

The proposal will have the following positive effects:

- The proposed MUS building will enable Members and other Parliamentary functions and activities to be located and centralised on the Parliamentary Precinct with direct and covered access to the Debating Chamber. This will enhance the efficiency and effectiveness of Parliament.
- MUS will reduce or avoid the need for Parliament to rent suboptimal floorspace outside the Precinct and avoid the associated risks, inefficiencies and costs.
- The proposal will enhance the sense of place, vibrancy and dynamism that the District Plan seeks to achieve in the Central Area by locating more people and activities onto the Precinct.
- The proposal will enable floorspace within Parliament House to be converted to public use, education and enjoyment. Greater public accessibility and use of Parliament House will enhance public appreciation and understanding of Parliamentary processes.
- MUS building with its IL4 construction standard and provision for enhanced (compared to a standard office building) plant and self-containment will enable vital Parliamentary activities to be maintained in a major emergency affecting Wellington. It will also provide the National Crisis Management Centre with more appropriate premises to operate from in an emergency.
- The proposed BAL building and its centralised delivery management function will enhance the safety and security of the Parliamentary Precinct and address existing multiple risks.
- The proposed significant reduction in car parking on the Precinct will encourage the greater use by Parliamentary staff of alternative modes of transport in line with the City Council's transportation policies and advocacy. A reduction in carparking will also enable the space to be developed so that it better integrates MUS and BAL with the balance of the Precinct and with the adjoining Bowen Campus.
- The safety and efficiency of the intersection of Bowen Street with The Terrace and Museum Street will be improved, mainly because of reduced vehicle turning movements into and out of Museum Street.
- The proposed pedestrian access, planting and paving together with MUS and BAL will positively transform the western part of the Precinct from a vehicle dominated place to one that is more fitting for a Parliamentary Precinct.

- Pedestrian safety within the Precinct will be improved by the design of the proposed buildings and the plaza being informed by Crime Prevention Through Environmental Design (CPTED) principles.
- The proposed fixed plant will positively contribute to Parliament achieving its environmental sustainability goals and make the Precinct more self-sufficient in energy use.
- The proposal will result in positive hydraulic effects, including reduced stormwater discharge into the Council's reticulated system and reduced contaminants entering the system.

Cumulatively, the above positive effects will be significant and ongoing.

#### 4.2.2 Māori Cultural Effects

The proposal provides design opportunities to better represent, both externally and internally, "*tangata whenua, mana whenua, Māori values and cultural landscapes associated with Māori*" (ref Heritage NZ letter dated 14 July 2021 in **Appendix 6**).

Some of these design opportunities are identified in the Design Statement in **Appendix 3** and on the application drawings.

They include:

- Acknowledgement of Wai-piro Stream in the detail design.
- Design of the exterior of MUS as described in section 3.4.3 of the Design Statement.
- Plant selection for landscaping.
- Paving selection and design.
- Signage, waharoa, and wayfinding location and design.
- Numerous interior design opportunities.

These and other potential design opportunities are proposed to be developed in detail by further ongoing consultation with Te Āti Awa, Ngāti Toa and Taranaki Whānui ki Te Upoko o Te Ika.

Prior to the application for building consents for the construction of MUS and BAL (whichever is the first building consent lodged), the Applicant proposes to prepare (if necessary as a condition of resource consent) a report that:

- Summarises the results of consultation with Te Āti Awa, Ngāti Toa and Taranaki Whānui ki Te Upoko o Te Ika (and with any other Māori).
- Identifies the specific design elements representative of "*tangata whenua, mana whenua, Māori values and cultural landscapes associated with Māori*" that will be included in the finished buildings, plaza and plantings.

#### 4.2.3 Urban Design Effects

The urban design effects of the proposal have been assessed by urban design experts Graeme McIndoe and Chris McDonald of McIndoe Urban Ltd. Their report is in **Appendix 9**.

The report, as required by the District Plan, assesses the urban design effects of the proposal against the Central Area Urban Design Guide (CAUDG) and the more specific "Parliamentary Precinct Heritage Area" Design Guide (PPHADG).

A full assessment of the proposal against the CAUDG is in Appendix 1 of their report and a summary is in section 5.1 of their report. Their assessment is that the proposal is acceptable when assessed against the CAUDG and in fact satisfies the Guide "*in an exemplary way*" (p44) for the reasons summarised in section 5.1 of their report.

A full assessment of the proposal against the PPHADG is in Appendix 2 of their report and a summary is in section 5.2 of their report.

Their assessment is that while the proposal will have some adverse heritage building fabric effects, notably the connection of the link bridge into Parliament House, the proposal *“will achieve other heritage objectives and guidelines”* (p45), including:

- Museum Street will be enhanced as a formed space and a popular pedestrian access route (Guideline 1.3);
- Pedestrian access between Hill Street and Bowen Street will be maintained (Guideline 1.3);
- The proposal generally maintains sight lines to, from and around the site and associated open spaces (Guideline 1.4); and
- The proposal updates security facilities and centralises these in a low impact location (Guideline 1.8).

Other positive heritage effects include:

- The proposal provides the opportunity to address the imbalance that the existing Heritage Precinct and Heritage Buildings have in terms of their European design and character by expressing Maori cultural values more explicitly.
- The proposal will strengthen the role of the Heritage Precinct because it will enable Parliamentary functions to be housed within the Heritage Precinct and close to Parliament House. The proposal will therefore give greater symbolic weight to the Heritage Precinct and to Parliament House.
- The proposal will enhance the rear of the Heritage Precinct, transforming it from an untidy, confusing and vehicle dominated area into one that enhances the setting of the Heritage Buildings and brings clearer spatial definition and a more finished character to Museum Street.

Section 3.3 of the report assesses the extent to which MUS and BAL are sympathetic in siting, massing and geometry with the existing heritage listed buildings on the Precinct. Figures 3.3 and 3.8 support the conclusion that the proposal *“conforms to existing axes, building lines, façade modules and datums”* (p15) and that the proposed height of MUS *“provides an appropriate building height transition”* (p18) in the context of the height and datums drawn from the Beehive, Parliament House and the Bowen State Buildings.

The District Plan building height standard applicable for the location of MUS (standard 13.6.3.1.6) provides for an “upper threshold” and “absolute maximum height” of 27m with the standard stating that *“any building that is built in accordance with the thresholds will be of a scale that is appropriate for the heritage area in which it is located”*. In this respect, the report assesses the effects of the proposed height of MUS as follows:

*“At a little over 27m at its southern end and just under 27m at its northern end, MUS generally meets District Plan expectations for building height west of Museum Street. This height is very similar to that of the recently constructed annexe on the eastern side of Bowen State Building. For an observer at ground level, MUS and the annexe will appear more or less the same height”* (p45).

Reference to Figure 3.3 (p15) of the Report supports the conclusion that the small encroachment of MUS above 27m will not have any unacceptable adverse effects.

The report (p18) assesses the extent to which public views of the west facing façade of Parliament House might be adversely affected by shading caused by MUS. This was a matter raised by the Council’s urban design adviser during consultation. The report concludes that shading from MUS *“is likely to have a limited effect on the perceived legibility of form and detail”* of the west façade of Parliament House, that any adverse effects will be mitigated by the three factors noted on pages 18 and 19, and that shading from a 27m high MUS appears to be accepted by the District Plan (ref standard 13.6.3.1.6).

The effects of MUS on public views are further addressed on page 10 of the report as follows:

*“MUS gives clearer definition to Museum Street. This building also helps to articulate a connection between the Parliamentary Precinct and Bowen Campus. As a near neighbour to Parliament House, MUS alters the context of a national landmark. A frontal view of Parliament’s west elevation is lost. However, the foreground of this view is currently untidy and vehicle-oriented and the viewing location from this surface car park is not one of public significance. Oblique views to Parliament House from Bowen Street and The Terrace are largely retained and enhanced particularly by the landscape and pedestrian improvements proposed”*.

It is therefore concluded that the effects of MUS (including the proposed link bridge) on the public’s ability to appreciate the west façade of Parliament House will not be unacceptably compromised.

The report in section 5.3 includes commentary on the District Plan “viewshafts”. In this respect, the compliance assessment in **Appendix 7** of this AEE confirms that the proposal will not intrude into viewshaft 4A (Whitmore Street) because it does not affect the margins and base of the viewshaft or occupy space between the viewpoint and the focal elements. On this basis, and consistent with the High Court’s decision in *Waterfront Watch*

*Incorporated v WCC* [2018] NZHC 3453, the proposal complies (i.e. does not intrude into) any District Plan viewshafts.

The report in section 6 has 25 conclusions that are supportive of the proposal.

The following paragraph on page 11 of the report provides a fitting summary conclusion:

*“Altogether, the proposal enhances the setting of Parliament House, the Beehive and the Parliamentary Library. It brings clearer spatial definition and a more finished character to Museum Street and to the open spaces that flank this thoroughfare. The development introduces contemporary high quality architecture with envelopes and facades that are shaped by the regulating lines of existing parliamentary buildings. Furthermore, the development resolves the present ad hoc and unsatisfying relationship between the Parliamentary Precinct and Bowen Campus”.*

#### **4.2.4 Heritage Effects**

The heritage effects of the proposal have been assessed by heritage consultant Adam Wild of Archifact Ltd. His assessment is in **Appendix 4**.

His conclusions are:

##### ***Museum Street Building***

1. *The proposed location of the MUS on the heritage precinct is where a new building is anticipated and provided for by both the Operative District Plan (ODP) and the precinct’s conservation plan.*
2. *The ODP states that a building of 27m in height in this location “will be of a scale that is appropriate for the heritage area in which it is located”; I agree. MUS is only marginally higher than 27m and I consider the heritage effects of this small increase to be acceptable.*
3. *The proposed bridge connection between the MUS and PH ensures convenience, efficiency and security for the operation of Parliament. It has been designed conceptually and will be designed in detail to mitigate visual and physical effects to an acceptable extent. It is ultimately a reversible intervention; a test common in considering effects on historic heritage values.*
4. *The proposed MUS building in its proposed landscape and pedestrian setting will enhance this western part of the heritage precinct. This is an area that is currently dominated by surface car parking and vehicle driveways which detract from the amenity of the precinct and the values of the recognised heritage built elements with it and contribute to the perception of the western precinct as being regarded more as the “rear” of Parliament.*
5. *The proposal enhances the western precinct without undermining the primacy of the eastern precinct or the visual interpretation of the function and values associated with Parliament.*
6. *The relocation of the heritage oak tree is necessary to enable the proposed MUS building. Relocation offers the opportunity to improve its setting and positive contribution to the precinct of the heritage oak tree.*
7. *I am satisfied that any adverse shading effects will not unacceptably or inappropriately compromise how Parliament House is used or how it can be viewed.*

##### ***Ballantrae Place Building***

8. *This location on the heritage precinct is where a new building is anticipated and provided for by both the ODP and the precinct’s conservation plan.*
9. *The proposed low building height, the engagement with the existing topography and the upper carpark terrace to the north, the compositional location next to the much taller buildings on the adjoining Bowen State Campus, and the landscaped spaces between them means that effects on the heritage precinct are acceptable.*

Appended to Mr Wild's assessment is further information regarding the effects of the proposal on the visibility of Parliament House.

Parliamentary Service also commissioned heritage consultant Ian Bowman to prepare an assessment of the proposal. This was in view of his input into the preparation of the suite of draft conservation plans prepared for the Precinct. His report is in **Appendix 5**.

Mr Bowman's main conclusions, drawn from section 6 of his report, are:

#### **Effects on the Executive Wing**

The effects of the proposal on the Executive Wing are assessed to be as follows:

*"The magnitude of impact is assessed as being negligible and the significance of the impact of the proposed new MUS and BAL is assessed as having a slight adverse impact, which equate to a less than minor impact".*

#### **Effects on Parliament House**

The effects of the proposal on Parliament House are assessed to be as follows:

*The magnitude of impact is assessed as being minor and the significance of impact of the proposed bridge and two new buildings is assessed as having a moderate/slight negative impact on heritage values on PH before mitigation measures are taken into account. This equates to a minor impact.*

#### **Effects on Parliamentary Library**

The effects of the proposal on Parliament Library are assessed to be as follows:

*The magnitude of impact is assessed as being negligible and the significance of impact of the proposed two new buildings is assessed as having a slight impact on heritage values on the EW before mitigation measures are taken into account. This equates to a less than minor impact.*

#### **Effects on Parliamentary Precinct Grounds**

The effects of the proposal on the grounds are assessed to be as follows:

*The magnitude of impact is assessed as being minor and the significance of impact of the proposed two new buildings and new landscape design is assessed as having a moderate/slight impact on heritage values on the grounds before mitigation measures are taken into account. This equates to a minor impact.*

Appended to Mr Bowman's assessment is further information regarding the effects of the proposal on the visibility of Parliament House.

Mr Bowman recommends some mitigation measures. The design of the link bridge has been refined as a result of Mr Bowman's recommendations and its design will be further refined where practicable at the detail design stage acknowledging the requirement for robust structural support and further possible design input from Te Āti Awa, Ngāti Toa and Taranaki Whānui ki Te Upoko o Te Ika.

#### **4.2.5 CPTED Effects**

The report by Boffa Miskell Ltd in **Appendix 10** confirms that the proposal has been designed with appropriate consideration to Crime Prevention Through Environmental Design (CPTED) principles.

Key findings of the report include:

- There are existing CPTED risks that adversely affect the area of the Precinct that is the subject of the proposal.
- The proposal will successfully address these risks and result in a safer environment.
- The proposal addresses many of the existing operational and servicing challenges which currently pose security risks.

- The proposed reduction of vehicles on-site allows more space for the development of a proposed high-quality pedestrian focused public realm which will positively contribute to the wellbeing and safety of staff by promoting use, activation and surveillance.
- The high level of security monitoring within the Precinct acceptably mitigates any residual CPTED risks.
- The proposal will result in more people on this part of the Precinct, better activating it and providing greater surveillance day and night.
- The proposal is supported from a CPTED perspective.

The report identifies the following CPTED aspects that are recommended for implementation as a condition of resource consent:

- External lighting detail design.
- CCTV monitoring of the area to the north of MUS.
- Window placement in BAL.
- Measures to ensure the safety of people accessing vehicles at night.
- CPTED input into the detail design of the landscape plans, basement ramp and plant within the upper car park.

The Applicant accepts these recommendations and proposes to address them through an appropriate condition of resource consent.

#### 4.2.6 Relocation of the Heritage Oak Tree

The proposed relocation of the heritage oak tree has been assessed by Arborlab Consultancy Services Ltd. Their report 4 November 2021 is in **Appendix 11**.

Key findings of the report include:

- Arboriculturally it would be preferable if the tree was not moved. However, this would preclude the location of the proposed Museum Street building in the optimal location.
- The existing oak tree location has been heavily modified.
- The risk to the health of the tree arising from relocation is low provided that a tree relocation plan is prepared as outlined in the report, including care of the tree following relocation.
- The proposed relocation position is acceptable from an arboricultural perspective and will enhance the setting of the tree and enable the Precinct to be developed in the most optimal way.

For completeness, the following further assessment is provided in relation to the District Plan assessment criteria under Rule 21C.2.1.1:

- The proposed relocation of the tree is necessary so that the Parliamentary Precinct can be developed with the proposed Museum Street building in the optimal location.
- The reason for relocation is not that the tree has a fatal disease or has been damaged beyond repair.
- The reason for relocation is not in order to comply with statutory or legal obligations.
- The tree needs to be relocated so that the Parliamentary Precinct can be developed with the proposed Museum Street building in the optimal location, and the tree can be relocated as confirmed by the report by Arborlab Consultancy Services Ltd.
- The existing location of the tree is in the middle of the Museum St building footprint. For this main reason, the proposed Museum Street building cannot reasonably be altered to retain the tree and meet the objectives of the Applicant.

To prepare the tree for relocation (currently scheduled to occur in late 2023), root ball preparation and minor root pruning has been undertaken. This is summarised in the Arborlab's August 2022 report in **Appendix 11**.

In conclusion, the proposed relocation of the tree will:

- Avoid the loss of the tree.
- Improve its setting.
- Provide for its ongoing health.



- Enable the Parliamentary Precinct to be developed in an optimal way.
- Enhance the overall role and amenity of the Parliamentary Precinct.

A proposed condition of resource consent is that the relocation of the heritage oak tree is undertaken consistent with the advice contained in the Arboricultural Reports prepared by Arborlab Ltd appended to this AEE.

#### 4.2.7 Geotechnical, Earthworks and Soil Contamination Effects

In **Appendix 8** are Contamination Reports, in **Appendix 12** is a Geotechnical Report and in **Appendix 15** is a 3 Waters and Earthworks Report. These reports address the proposed earthworks and how they will be managed.

The geotechnical, earthworks and soil contamination effects of the proposal are assessed to be as follows:

- The geotechnical conditions in the affected areas of the Precinct have been investigated and measures are proposed in the Geotechnical Report to ensure these conditions are appropriately considered at the detail design stage.
- Earthworks are necessary for the proposal. The location, scale and extent of the necessary bulk earthworks for the proposal is summarised in the Geotechnical Report and in section 8 of the 3 Waters and Earthworks Report in **Appendix 15**.
- The location of earthworks is largely confined to the footprints of the proposed MUS and BAL buildings.
- The only adjoining site to the proposed works is the Bowen Campus. No earthworks are proposed near the boundary with this adjoining property. The stability of Bowen Campus will therefore be unaffected.
- The stability of temporary cut faces necessary for the construction of the proposal (for example for the proposed basement of MUS and for the cut face of the bank for BAL) will be ensured by the proposed supervision of the excavations by a Geotechnical Engineer. Building consents for the necessary permanent retaining walls will also be obtained.
- There is potential for contaminated soil to be encountered during excavations. The excavation, handling, and off-site disposal of any contaminated soil will be appropriately managed by the preparation of a Contaminated Site Management Plan (CSMP) as recommended by the Soil Contamination reports.
- The positive effects of the proposed earthworks include creating appropriate foundations, levels and additional basement space for the proposed buildings as well as for the necessary reticulated services. These will be lasting positive effects.
- Any adverse effects will be temporary.

The proposed location, scale and extent of earthworks is similar to other Central Area redevelopment projects where the temporary adverse effects of the necessary earthworks are avoided or appropriately mitigated by compliance with the following conditions:

- The Council's standard Geotechnical Supervision condition.
- The Council's standard Earthworks Management Condition.
- The Council's standard Earthworks and Construction Traffic Management Plan condition.
- The Council's standard Contaminated Site Management Plan condition.

This suite of conditions is proposed.

#### 4.2.8 Wind Effects

Under the District Plan, only buildings that exceed 18.6m are subject to wind speed standard 13.6.3.5.

MUS exceeds 18.6m by approximately 10m.

The wind effects have been assessed by WSP Ltd in their report in **Appendix 13**.

The main findings include:

- The north-south alignment of MUS is a beneficial design feature for minimising the effect of the development on the surrounding wind conditions. MUS presents a relatively small barrier to the prevailing winds which helps to minimise the downwash wind flows it will generate.
- BAL is sufficiently low in height to have a minimal effect on the surrounding wind speeds.

- Although the proposed location for the relocated heritage oak tree is windier overall than the tree's existing location, the maximum gust speed at the proposed location is essentially the same as the existing location. It is therefore expected that there will be no significant change in the maximum wind speed that the tree will be exposed to at the relocation site compared to the existing location.
- Further assessment of the wind effects on the relocated oak tree are in the report prepared by Arborlab Ltd in **Appendix 11**. This includes the finding that the tree "*will be able to adapt to new wind loads over time*" (p24).
- Existing gust speeds over much of the project area exceed the District Plan's safety threshold of 20m/s.
- The overall frequency that winds equal or exceed the cumulative effect thresholds of the District Plan decrease with the proposal.
- Wind speeds in localised areas can be reduced when screens for example are orientated at right angles across the ground level wind flows. However, for other reasons (i.e. CPTED, maintaining pedestrian access, adverse visual effects etc) they may not be practical.

The report finds that "*taken overall, wind conditions are improved with the proposed development, but existing unsafe wind speeds are unaffected as well*" (p23).

Appended to the WSP report in Appendix H is further information requested by the Council's wind effects adviser.

For the proposed pedestrian areas, at the detail design stage it is proposed that wind mitigation along with other design factors (such as visual effects, CPTED, security considerations etc) will be further considered and assessed with the objective of making the proposed on-site pedestrian areas as safe and attractive as practicable.

#### **4.2.9 Transportation Effects**

The transportation effects of the proposal have been assessed by Aurecon Ltd in their report in **Appendix 14**.

The main findings include:

- The safety and efficiency of the intersection of Bowen Street with The Terrace and Museum Street will be enhanced, mainly because of the proposed significant reduction in vehicle movements into and out of Museum Street and reduced conflict with pedestrians.
- Pedestrian safety and amenity within the Precinct will be enhanced, mainly because of the removal of the existing significant areas of surface car parking and associated driveways and replacement with a well designed, landscaped and pedestrian centred plaza.
- Commuter car parking reduction as proposed is consistent with the Council's Parking Policy and District Plan policy and is expected to promote the use of more sustainable modes of transport.
- On site parking for cyclists and end of trip facilities are included in the proposal.
- Traffic flows generated by the Precinct are expected to reduce.
- The existing intersection of Ballantrae Place and Bowen Street, and Ballantrae Place itself, has the capacity to accommodate the traffic flows expected to be generated by the proposal. No upgrade is necessary.

The conclusion is "*the proposal is considered acceptable from a traffic and transport perspective and is expected to increase the safety and functionality of the Parliamentary Precinct*" (p51).

#### **4.2.10 3 Waters Effects**

The effects of the proposal in terms of water supply, wastewater and stormwater reticulation have been assessed by Aurecon Ltd in their report in **Appendix 15**.

The main findings include:

- There is spare capacity in the Council's reticulated wastewater network to accommodate the flows that will be generated by the proposal.
- Flood risk will be addressed by maintaining overland flow paths and adopting appropriate finished floor levels (FFLs).
- Rainwater will be harvested from the roofs of the proposed buildings, thus reducing stormwater discharge into the Council's reticulated system.

- The quality of stormwater discharge into the Council's reticulated system will be improved because of a reduction in surface car parking and because of the proposed stormwater treatment.
- Grey water recycling is proposed for the MUS.
- There is adequate water supply to service the proposal.
- Power and communications infrastructure connections are readily available.

#### **4.2.11 Hazardous Substance Effects**

The proposal involves new tanks for the storage of diesel within the basement of MUS. These are necessary to supply fuel for the emergency generators that are proposed within the basement.

In **Appendix 16** is an assessment of this aspect prepared by Engeo Ltd.

The report makes a number of recommendations for the design and commissioning of the proposed new tanks.

The Applicant accepts these recommendations.

A condition of resource consent is therefore proposed that the proposed new tanks are designed and certified consistent with the findings and recommendations of the report prepared by Engeo Ltd.

There are existing tanks for the storage of diesel for existing emergency generators within the basement of the Executive Wing. These are not proposed to be altered.

#### **4.2.12 Noise Effects**

The noise effects of the proposal will be mainly generated by the operation of fixed plant that is necessary for the two proposed buildings and for the wider Precinct.

The fixed plant includes proposed emergency generator(s) within the basement of the Museum Street building and plant within a screened enclosure on the roof of BAL.

The noise effects generated by mechanical plant for the proposal have been assessed by Acoustic Engineering Services Ltd. Their report is in **Appendix 17**.

The report confirms that with the appropriate selection and screening and/or enclosure of the proposed mechanical plant, the noise generated will not exceed District Plan noise standards.

A condition of resource consent could if necessary be imposed that:

- Mechanical plant is located, selected, designed and operated so that compliance is achieved with District Plan standards for noise emissions from mechanical plant in the Central Area, including from emergency generators.
- Within 6 months of project completion, a noise compliance report is prepared by an acoustic consultant that confirms compliance is achieved.
- If the report identifies any non-compliance, the report shall identify what mitigation measures are necessary in order to achieve compliance and provide a programme for implementation.

#### **4.2.13 Construction Effects**

The project managers, the Building Intelligence Group Ltd, estimate that the duration of construction will be in the order of 4 years, mainly because of the need to stage the works so that Parliamentary functions and security can be maintained.

Typical on site construction aspects include temporary safety fencing, temporary construction sheds, plant and equipment, construction vehicle parking and unloading, temporary protected pedestrian routes etc.

Typical adverse off-site construction effects mainly include the arrival and departure of demolition, earthworks and construction related traffic, construction noise and vibration effects, and pedestrian route disruption.

During construction, Parliamentary activities will continue within the nearby Parliamentary Library, Parliament House and Executive Wing. Accordingly, for its own purposes the Applicant will be requiring contractors

engaged in the construction of the project to manage construction activities to minimise disruption and nuisance to the nearby operation of Parliament.

The proposed location, scale and extent of construction is however not dissimilar to other Central Area construction projects where the temporary adverse effects of construction are successfully avoided or appropriately mitigated by compliance with the Council's standard Construction Management Plan conditions for Central Area projects.

These conditions are proposed.

### **4.3 PROPOSED RESOURCE CONSENT CONDITIONS**

The following conditions of resource consent are proposed:

1. Condition requiring that the proposal is constructed in general accordance with the application drawings and information provided with the application.
2. Conditions reflecting the mitigation measures suggested in the heritage report prepared by Mr Bowman.
3. Council's standard Earthworks Management Plan and Geotechnical Supervision conditions. These conditions are proven by experience to avoid or appropriately mitigate the adverse effects of ground disturbance, cutting, filling and retaining works necessary for large-scale building projects in the Central Area of Wellington.
4. Council's standard Soil Contamination Management Plan condition. This will ensure the disturbance, handling, transport and disposal of contaminated soil will be appropriately managed.
5. Council's standard Construction Management Plan, Construction Noise Management Plan and Construction Traffic Management Plan conditions. These conditions are proven by experience to avoid or appropriately mitigate the adverse effects of the construction of large-scale building projects in the Central Area of Wellington.
6. Council's standard "Detailed Landscape Plan" condition. This condition is proven by experience to ensure that the proposed pedestrian works, planting, paving and exterior lighting are designed in detail and constructed to a quality and outcome consistent with the application drawings, consistent with the recommendations of the CPTED Assessment prepared by Boffa Miskell Ltd appended to this AEE, and with wind mitigation (moderated by other design factors such as visual effects, CPTED, security considerations etc) with the objective of making the proposed pedestrian areas as safe and attractive as practicable.
7. Council's standard "Building Detail Design" condition of the resource consent. This ensures that certain specified aspects of the detail external design and appearance of the buildings (such as the final external materials, finishes and colours) are certified by the Council's Compliance Monitoring Officer.
8. Condition requiring that the relocation of the heritage oak tree is undertaken consistent with the advice contained in the Arboricultural Reports prepared by Arborlab Ltd appended to this AEE.
9. Condition that hazardous substance facilities are designed and certified consistent with the findings and recommendations of the report prepared by Engeo Ltd appended to this AEE.
10. Prior to the buildings being occupied, the consent holder shall submit to the Compliance Monitoring Officer confirmation that CCTV monitoring and measures for the safety of people accessing on site external car parking at night have been put in place as per the recommendations of the CPTED Report prepared by Boffa Miskell Ltd appended to this AEE.

### **4.4 OTHER MATTERS**

There are no "other matters" of significance that at this stage the Applicant is aware of that require assessment.

If any "other matters" are identified by the resource consent reporting officer that require assessment, this will be provided on request.

## 4.5 POLICY ASSESSMENT

In **Appendix 18** is an assessment of the proposal against the objectives and policies of the Operative and Proposed District Plans that are considered relevant. Relevant objectives and policies of the Proposed District Plan have been considered consistent with the direction in s88A(2) of the RMA.

This assessment supports the conclusion that the proposal is consistent with the relevant objectives and policies of the District Plans.

## 4.6 ASSESSMENT UNDER PART 2 OF THE RMA

The Court of Appeal decision in *R J Davidson Family Trust v Marlborough District Council* [2018] NZCA 316 recognised that, while s104(1) is expressed as being “*subject to part 2*”, where the relevant planning provisions have been competently prepared, it may be that the consent authority would feel assured that there was no need to resort to part 2 because to do so would not add anything to the evaluative exercise.

The Central Area provisions of the Operative District Plan are a comprehensive set of objectives, policies, rules and standards supplemented by extensive explanations and notes. They have also been subject to a number of changes and updates. For these main reasons, it is considered that these provisions have been competently prepared in accordance with part 2 and further recourse to part 2 is unlikely to be necessary in relation to their subject matter.

The Heritage provisions of the Operative District Plan on the other hand were drafted over 20 years ago and it is understood they have not been subject to updating or refinement.

If for this reason it is considered that recourse to part 2 is appropriate, the following assessment is provided:

- Section 8 of the RMA requires that the principles of the Treaty of Waitangi shall be taken into account.
- This is addressed in section 4.2.2 of this AEE. In particular, the proposal provides positive opportunities to make progress towards making the Precinct more representative, both externally and internally, of Aotearoa/New Zealand as sought by Heritage NZ’s letter dated 14 July 2021 in **Appendix 6**.
- Section 7 of the RMA lists matters that shall be given “*particular regard to*”. In this respect, particular regard has been given in the design of the proposal to enhancing the “*efficient use and development*” of the Precinct for Parliamentary purposes (principally by adding needed floorspace to the Precinct) and to enhancing the Precinct’s “*amenity values*” and the “*quality of the environment*” (principally by replacing surface car parking with pedestrian plaza space).
- Section 6 of the RMA lists matters of national importance, including “*the protection of historic heritage from inappropriate subdivision, use and development*” and “*the management of significant risks from natural hazards*” which includes earthquakes. This AEE and its assessments support the conclusion that the proposal is appropriate from a heritage perspective.
- The “*management of significant risks from natural hazards*” (inserted into s6 in 2017) is addressed by the design of MUS to provide safer and more resilient accommodation for the National Emergency Management Centre and essential Parliamentary functions in a major disaster affecting Wellington.
- Section 5 of the RMA promotes the sustainable management of resources. Granting consent to the proposal will enable Parliament to use and develop the Parliamentary Precinct to meet its needs and for the benefit of New Zealand as a whole, while avoiding, remedying or mitigating adverse effects.
- Being able to accommodate the activities of Parliament on the Parliamentary Precinct and in safe, centralised and efficient buildings located close to and connected into Parliament House will best provide for, and enhance, Parliamentary activities and decision-making for New Zealand. This will promote the sustainable management of resource as sought by the RMA.

## 4.7 SUMMARY ASSESSMENT

The above information and assessments support the following overall findings:

- The proposal will have a range of positive effects that cumulatively are significant. The positive effects are summarised in section 4.2.1 of this AEE and include economic, social, cultural, safety, environmental, and community effects, and including enhancing the role and functioning of Parliament on its Precinct.

- Potential adverse effects have been avoided, remedied or mitigated primarily by the careful assessment and design approach that has been adopted.
- Conditions of resource consent are proposed to avoid, remedy or mitigate adverse effects.
- The proposal is consistent with relevant Operative and Proposed District Plan objectives and policies.
- There are important Part 2 matters that support the granting of the application.

## 5 CONCLUSIONS

The following are the main conclusions of this report:

1. The existing accommodation for Parliament on the Parliamentary Precinct is inadequate, resulting in adverse effects that are unacceptable to Parliament.
2. Shortage of floorspace on the Precinct is limiting the opportunities to promote the operation of Parliament to the visiting public.
3. Change to the Parliamentary Precinct and its setting is required to better reflect tangata whenua, mana whenua, and Māori heritage, values and culture.
4. The proposal will address these and other important Parliamentary objectives, including to improve the safety and security within the Precinct, provide improved resilience for Parliament in an emergency affecting Wellington, and positively transform the western part of the Precinct.
5. The Operative District Plan anticipates and provides for the proposed MUS and BAL buildings on the Precinct as a Discretionary Activity.
6. The proposal has been carefully designed to positively contribute to the project objectives, to achieve positive environmental effects, and to avoid or otherwise address adverse effects so that they are acceptable overall.
7. The effects of the proposal have been assessed on an unrestricted basis. This AEE and the accompanying reports have identified all the effects of the proposal. The positive effects of the proposal are cumulatively significant.
8. Conditions of resource consent are proposed to avoid, remedy or mitigate the adverse effects that have been identified.
9. The proposal is consistent with the relevant objectives and policies of the Operative and Proposed District Plans.
10. There are Part 2 RMA matters that will be promoted by the granting of resource consent to the proposal.

Resource consent should therefore be granted, subject to the proposed conditions.

**Peter Coop**  
**Resource Management Consultant**

## APPENDICES

1. Record of Title
2. Applicant's Statement
3. Design Statement and Application Drawings
4. Heritage Report – Adam Wild
5. Heritage Report – Ian Bowman
6. Heritage NZ's Responses
7. Operative District Plan Compliance Assessment
8. Contamination Reports
9. Urban Design Report
10. CPTED Report
11. Heritage Oak Tree Relocation Reports
12. Geotechnical Report
13. Wind Report
14. Transport Report
15. Three Waters and Earthworks Report
16. Hazardous Substances Report
17. Noise Report
18. Operative and Proposed District Plan Objectives and Policies Assessment
19. Feedback from Wellington Architectural Centre

20. Copy of Archaeological Authority Granted