

RELEVANT DISTRICT PLAN PROVISION	COMPLIANCE ASSESSMENT
<b>Relevant Rules</b>	
Central Area Rule 13.1.1 – Central Area Permitted Activities	Permits “any activity” subject to compliance with relevant Central Area standards. The proposed uses of BAL and MUS are considered to be permitted activities under Rule 13.1.1.
Central Area Rule 13.3.2 – Critical Facility in a Hazard Area	Part of MUS is within the ground shaking hazard area shown on Map 18 and “critical facilities” are proposed to be within MUS. Consent is therefore required under Rule 13.3.2.
Central Area Rule 13.3.4 – External Building Design Control	Consent is required for MUS and BAL under Rule 13.3.4 for the proposed “design, external appearance and siting” and “placement of building mass”.
Central Area Rule 13.3.8 – Central Area Building Standards Not Met	Consent is required under Rule 13.3.8 for non-compliance with the wind speed standards and a transport standard.
Central Area Rule 13.4.9 – Central Area Building that exceeds the “absolute height” standard	Consent is required under Rule 13.4.9 because MUS exceeds the 27m absolute height standard.
Heritage Building Rule 21A.2.1 – Modification to a listed heritage building	Consent is required under Rule 21A.2.1 for the modification to Parliament House (PH) for the proposed MUS bridge connection.
Heritage Building Rule 21A.2.2 – New buildings on a site on which a listed heritage building or object is located	Consent is required under Rule 21A.2.2 for MUS and BAL because they are on a site on which there are listed heritage buildings (PL, PH and EW).
Heritage Area Rule 21B.2.2 – Changes to landscaping, paving and structures	Consent is required under Rule 21B.2.2 for the proposed landscaping and paving works to the extent that these involve demolition of existing structures within the heritage area.
Heritage Area Rule 21B.2.3 – Earthworks in a Heritage Area	Consent is required under Rule 21B.2.3 for proposed earthworks within the heritage area.
Heritage Tree Rule 21C.2.1 – Relocation of OAK	Consent is required under Rule 21C.2.1 for the proposed relocation of the heritage listed oak tree.
Earthworks Rule 30.1.3 – Earthworks in the Central Area	Rule 30.1.3 excludes earthworks in heritage areas - Heritage Area Rule 21B.2.3 applies instead (see above).
Contaminated Land Rule 32.2.1 and NES for Soil Contamination	Consent is required under Rule 32.2.1 and NES Regulation 10 in case contaminated material is encountered during earthworks.
Utilities Rules 23.2.1A and 23.2.1B	Consent is required under Rules 23.2.1A and 23.2.1B to provide for any above ground utility cabinets and the like.

<b>Relevant Central Area Standards 13.6</b>	
13.6.1.1 Fixed Plant Noise	Noise standards will not be exceeded – see Noise Compliance Assessment lodged with the application.
13.6.1.2 Noise Insulation and Ventilation	Not applicable because the proposal does not involve noise sensitive activities as defined by the District Plan.
13.6.1.3 Vehicle Parking, servicing and site access	The proposal complies with all the relevant standards except as identified in the Integrated Transport Assessment lodged with the application.
13.6.2.1 Activity Noise	Noise generated by the use of the proposed buildings for Parliamentary activities will comply with the noise standards.
13.6.2.2 Lighting	Lighting standards will be met because there are no nearby Residential Areas and the publicly accessible outside areas will be lit in accordance with the standards.
13.6.2.3 Hazardous Substances	The Hazardous Substance Report lodged with the application confirms the proposed hazardous facilities within MUS will meet all applicable standards.
13.6.2.4 Screening	No external storage of materials etc needing screening are proposed.
13.6.2.5 Dust	The dust standards can and will be met because once the proposal has been completed there will be no exposed areas where dust can potentially be generated.
13.6.2.6 Electromagnetic Radiation	The activities within MUS and BAL will comply with the relevant NZ Standard.
13.6.2.7 Discharge of Contaminants	No discharges requiring resource consent are proposed.
13.6.2.8 Street Race	Not applicable to the proposal.
13.6.3.1 Height	MUS exceeds the absolute height standard of 27m and thus resource consent is required under Rule 13.4.9.
13.6.3.2 Mass	Mass standard 13.6.3.2.2 states that <i>“no building mass standards are used for identified heritage areas as building heights have been set to reflect the scale and character of the existing built form, and any new development will be expected to be designed and massed in a manner that protects the heritage values of the area”</i> . The <i>“placement of building mass”</i> for MUS and BAL is however a matter for assessment under Central Area Rule 13.3.4.
13.6.3.3 View Protection	MUS and BAL will not intrude into viewshaft 4A (Whitmore Street) because they will not affect the margins and base of the viewshaft or occupy space between the viewpoint and the focal elements. This compliance assessment is consistent with the assessment

	approach adopted by the High Court in <i>Waterfront Watch Incorporated v WCC</i> (2018) NZHC 3453.
13.6.3.4 Sunlight Protection	MUS and BAL will not affect sunlight access into any public spaces specified by standard 13.6.3.4.
13.6.3.5 Wind	Wind speed standards are not met in some on site locations.
13.6.3.6 to 13.6.3.10	These standards do not apply to the site and proposal.
13.6.4.1 Signs	No signs exceeding the standards are proposed.
13.6.5.1 Subdivision	Subdivision is not proposed.