

**Report to the Resource Consents Hearing Commissioner
on a Publicly Notified Resource Consent**

8 May 2023

Service Request No: 514663
File Reference: 1199795

Site Address:	1 Molesworth Street, Pipitea
Legal Description:	Section 1 SO Plan 38114
Applicant:	His Majesty the King C/- Simpson Grierson
Owner(s):	His Majesty the King
Proposal:	Construction and use of new buildings with associated site works and modifications
Activity Status:	Discretionary Activity

PROFESSIONAL BACKGROUND

1. My name is Matthew Brajkovich. I hold the position of Senior Consents Planner at Wellington City Council ('WCC') where I have been employed since 2021. My role involves processing a variety of applications sought under the Resource Management Act 1991 ('the Act') through various parts of Wellington City. I have over six years' planning experience in Auckland and Wellington.
2. I hold the qualification of a Bachelor of Urban Planning (Honours) from the University of Auckland. I am an Intermediate member of the New Zealand Planning Institute.
3. My involvement in this project commenced on 9 June 2021, being the date when I attended a formal pre-application meeting with the applicant to discuss the proposal in preparation for lodgement of a resource consent application. I can confirm that I have visited the application site on numerous occasions, and I am familiar with the surroundings.
4. I confirm that I have read the Code of Conduct for expert witnesses contained in section 7 of the 2014 Environment Court Practice Note and agree to abide by the principles set out therein.

BACKGROUND

5. On 13 May 2022 Simpson Grierson lodged, on behalf of the applicant, an application for resource consent from WCC for the Future Accommodation Strategy ('FAS') Project. This application included a request for the application to be publicly notified.
6. On 4 July 2022 WCC made a request to the applicant for further information under section 92(1) of the Act. Responses were provided to this request.

7. On 7 November 2022 the application was publicly notified in the Dominion Post and on WCC's website. In addition, 37 specifically identified parties were served notice of the application on the same date. Similarly on the same date signs advertising the application were erected at the site's frontages at the intersection of Bowen Street and The Terrace; at the Molesworth Street entrance gates; and at the north-western pedestrian entrance on Hill Street.
8. By close of the submission period at 11.59pm on 5 December 2022 a total of five submissions were received. No submissions were received in support (either in full or in part) and four submissions were received in opposition (either in full or in part). One submission was neutral. No late submissions were received.
9. On 9 December 2022 WCC received a request from the applicant for the application to go directly to the Environment Court for determination under the direct referral process. On 22 December 2022 the request for direct referral was granted by WCC to allow the publicly notified resource consent application relating to the FAS Project to be determined by the Environment Court.
10. On 16 February 2023 WCC completed the preparation of the 'Section 87F Report' and provided a copy to the applicant.
11. On 9 March 2023 WCC received confirmation from the applicant that they have decided to pursue the standard consenting process for the application, rather than direct referral, pursuant to section 87I of the Act. The application is to therefore proceed to a Council resource consent hearing.

DESCRIPTION OF THE PROPOSAL

12. A full description of the FAS Project is provided on pages 4-5 of the applicant's Assessment of Environmental Effects ('AEE'). This AEE is dated 28 September 2022 and replaced the AEE initially submitted with the application to address changes to the resource consent as originally sought. I consider the description provided in the AEE report to be an accurate representation of the proposal. Therefore, I adopt this description.
13. In summary, the FAS Project involves redevelopment throughout the western portion of the site comprising:
 - Construction of a new six-storey building, named the Museum Street Building ('MUS'), to the west of Parliament House, providing Members' accommodation and office space, with a new bridge link to Parliament House. This also involves modification to the western façade of Parliament House.
 - Construction of a new three-storey building, named the Ballantrae Place Building ('BAL'), to the west of the proposed MUS building, providing for centralised incoming and outgoing deliveries for the site, via Ballantrae Place.

- Relocation of the existing heritage listed English oak tree located to the west of Parliament House to make way for the proposed MUS building. The tree will be relocated to the west of the MUS building and incorporated into other landscaping.
- Modification of the site access, car parking and landscaping within the western portion of the site and enhancement of pedestrian spaces and landscaping.
- Associated site works, including earthworks and contaminated soil removal/remediation.

DESCRIPTION OF THE SITE AND SURROUNDS

14. The subject site is Parliament Grounds, being a 4.5592ha irregular shaped site and legally described as Section 1 SO Plan 38114. The site is bound by Hill Street to the north, Molesworth Street to the east, Bowen Street to the south, and Ballantrae Place and the 'Bowen Precinct' office campus to the west (34-44 Bowen Street). The site comprises the landmark government buildings of Parliament House, the Executive Wing ("Beehive"), and Parliamentary Library, surrounded by vegetation and landscaping, paved areas, vehicle access and parking. Included within these areas are the Seddon and Ballance Statues and the heritage listed English oak tree referenced above.
15. The site is located toward the northern end of the Wellington city centre and is surrounded by a range of activities and buildings at varying scales akin to this high-intensity urban environment, including office, commercial, university, government, residential and community uses.
16. The site and existing buildings are highly visible within the context of the surrounding environment, particularly as viewed from the south-west, south and east. This is deliberately the case due to the elevated topography of the site, siting of the buildings, and the several protected viewshafts outlined in the District Plan (and listed below), with particular emphasis on the Beehive within the Executive Wing.
17. Further details of the site and surrounds are provided in the applicant's AEE and associated plans and technical documents, which I adopt.

RELEVANT PLANNING FRAMEWORK

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

18. The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ('NES-CS') enabled the establishment of the Hazardous Activities and Industries List ('HAIL'). HAIL is a list of activities and industries that are likely to cause land contamination resulting from hazardous substance use, storage or disposal. It has been identified that HAIL activities have (or are likely to have) occurred on the site.

19. The FAS Project requires consent under the following regulation of the NES-CS:

<p>Regulation 10 – Restricted discretionary activities</p> <p>The proposal involves the disturbance of soil on a HAIL site. The application includes a Detailed Site Investigation ('DSI') which states that the soil contamination exceeds the applicable standard in Regulation 7. Therefore, consent is required as a Restricted Discretionary Activity under Regulation 10.</p>	<p>Restricted Discretionary</p>
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Operative Wellington District Plan

20. The site is located within the Central Area. The following Operative District Plan ('ODP') notations apply to the subject site:

- Heritage Area: Parliament Grounds (#14)
- Heritage Buildings: The Beehive (#36), Parliament House (#214), Parliamentary Library (#215)
- Heritage Objects: Seddon Statue (#36), Ballance Statue (#37)
- Heritage Tree: Quercus Robur / English Oak (#187)
- Specific Rules: Chapter 13 Appendix 11 Central Area Viewshafts #1, #2, #3, #4A
- Hazard Area: Ground Shaking

21. The following non-District Plan notations also apply to the subject site:

- Heritage New Zealand Pouhere Tāonga ('HNZPT') New Zealand Heritage List: Executive Wing (#9629), Parliament House (#223), Parliamentary Library (#217), Seddon Statue (#230), Ballance Statue (#211)
- Contaminated land (HAIL and SLUR)
- Rainfall flood risk (Wellington Water Ltd modelling)

22. The FAS Project requires consent under the ODP for the following activities:

Central Area	
<p>Rule 13.3.2 – Critical facilities</p> <p>The proposal involves the establishment of a critical facility¹ in a Ground Shaking Hazard Area, which requires consent under Rule 13.3.2.</p> <p>There are no relevant conditions, standards or terms under this rule.</p>	<p>Restricted Discretionary</p>
<p>Rule 13.3.3 – Activities not meeting standards</p>	<p>Restricted Discretionary</p>

¹ As outlined in the AEE, the continued operation of Parliament and national emergency functions are considered to fall under the District Plan definition of 'critical facility'.

<p>The proposal involves activities that do not meet the following standard in section 13.6.1, which requires consent under Rule 13.3.3:</p> <ul style="list-style-type: none"> - Access to the site via Museum Street is located less than 20m to the intersection of Bowen Street and The Terrace, which does not meet Standard 13.6.1.3.17. <p>There are no relevant conditions, standards or terms under this rule.</p>	
<p>Rule 13.3.4 – Buildings</p> <p>The proposal involves construction and alteration of buildings that are not Permitted or Controlled Activities, which requires consent under Rule 13.3.4.</p> <p>There are no relevant conditions, standards or terms under this rule.</p>	<p>Restricted Discretionary</p>
<p>Rule 13.3.8 – Buildings not meeting standards</p> <p>The proposal involves construction and alteration of, and additions to buildings that do not meet the following standards in sections 13.6.1 and 13.6.3, which requires consent under Rule 13.3.8:</p> <ul style="list-style-type: none"> - Access to the site via Museum Street is located less than 20m to the intersection of Bowen Street and The Terrace, which does not meet Standard 13.6.1.3.17. - The proposed MUS building intrudes into Viewshaft 4a which does not meet standard 13.6.3.3.1. - The proposed development results in non-compliances with the safety and cumulative standards for wind speeds, which does not meet Standard 13.6.3.5.2. <p>There are no conditions in this rule in relation to above standards. There are no relevant standards or terms under this rule.</p>	<p>Restricted Discretionary</p>
<p>Rule 13.4.9 – Absolute maximum height</p> <p>The proposal involves construction of a building that is located in the Parliament Grounds Heritage Area and exceeds the absolute maximum height standard in 13.6.3.1.6. In this case, the proposed MUS building exceeds the absolute maximum height of 27m by 2m.</p> <p>There are no relevant conditions, standards or terms under this rule.</p>	<p>Discretionary</p>
<p>Heritage</p>	
<p>Rule 21A.2.1 – Modification and demolition</p> <p>The proposal involves modification to the western façade of Parliament House that is not a Permitted Activity, which requires consent under Rule 21A.2.1.</p>	<p>Restricted Discretionary</p>

There are no relevant conditions under this rule. The relevant standards and terms are met.	
<p>Rule 21A.2.2 – New buildings</p> <p>The proposal involves construction of new buildings (MUS and BAL) on a site containing listed heritage buildings and objects, which requires consent under Rule 21A.2.2.</p> <p>There are no relevant conditions under this rule. The relevant standards and terms are met.</p>	Restricted Discretionary
<p>Rule 21B.2.1 – New buildings in a heritage area</p> <p>The proposal involves construction of new buildings (MUS and BAL) on a site in the Parliament Grounds Heritage Area, which requires consent under Rule 21B.2.1.</p> <p>There are no relevant conditions under this rule. The relevant standards and terms are met.</p>	Restricted Discretionary
<p>Rule 21B.2.3 – Earthworks in a heritage area</p> <p>The proposal involves earthworks in the Parliament Grounds Heritage Area that is not a Permitted Activity, which requires consent under Rule 21B.2.3.</p> <p>There are no relevant conditions, standards or terms under this rule.</p>	Restricted Discretionary
<p>Rule 21C.2.1 – Heritage trees</p> <p>The proposal involves relocation of the heritage listed oak tree that is not a Permitted Activity, which requires consent under Rule 21C.2.1.</p> <p>There are no relevant conditions, standards or terms under this rule.</p>	Discretionary
Utilities	
<p>Rule 23.4.1 – Utilities</p> <p>The proposal involves the installation of an above-ground electricity transformer cabinet not specifically provided for as a permitted, controlled or restricted discretionary activity, which requires consent under Rule 23.4.1.</p> <p>There are no relevant conditions, standards or terms under this rule.</p>	Discretionary
Earthworks	
<p>Rule 30.2.1 – Earthworks</p> <p>The proposal involves earthworks that do not meet the following Permitted Activity conditions in Rule 30.1.2 for earthworks in a heritage area and on a site containing listed heritage items, which requires consent under Rule 30.2.1:</p>	Restricted Discretionary

<ul style="list-style-type: none"> - The cut height and/or fill depth exceeds the maximum of 1.5m under 30.1.2.1(a)(i)/(b)(i); and - The area of earthworks exceeds the maximum of 100m² under 30.1.2.1(a)(iv)/(b)(iii). <p>There are no relevant conditions, standards or terms under this rule.</p>	
Contaminated Land	
<p>Rule 32.2.1 – Contaminated land</p> <p>The proposal involves the remediation, use and/or development of contaminated land, which requires consent under Rule 32.2.1.</p> <p>There are no relevant conditions, standards or terms under this rule.</p>	Restricted Discretionary

23. Overall, the proposal is a **Discretionary Activity** under the Operative District Plan.

Proposed Wellington District Plan

24. On 18 July 2022 WCC notified the Wellington City Proposed District Plan ('PDP'). This resource consent application was lodged prior to notification of the PDP, and therefore it retains the activity status at the time of lodgement pursuant to section 88A of the Act, being under the ODP and NES-CS.

25. However, for completeness, the site is located in the City Centre Zone. The following PDP notations apply to the subject site:

Specific Controls:

- Height Control Areas: 0m, 15m, 27m
- Minimum Sunlight Access – Public Space: NZ Parliament Grounds (green space within Parliament Precinct facing Molesworth Street)

Hazards and Risks Overlays:

- Flooding Hazard: Inundation Area and Overland Flowpath
- Coastal Inundation Hazard: Medium
- Coastal Tsunami Hazard: Low and Medium

Historical and Cultural values Overlays:

- Heritage Buildings: The Executive Wing of Parliament (#36), Parliament House (#214), Parliamentary Library (#215)
- Heritage Structures: Seddon Statue (#36), Ballance Statue (#37)
- Heritage Area: Parliamentary Precinct (#14)
- Viewshafts: The Beehive (VS1), Oriental Bay from Parliament Steps (VS2), The Beehive and The Cenotaph – Whitmore Street (VS4)

- Notable Tree and Notable Tree – Indicative Root Protection Area: English Oak (#187)
- Sites and Areas of Significance to Māori (line): Waipiro Wāhi Tupuna (#140)

Designations:

- WIAL – Wellington International Airport Ltd: Wellington Airport Obstacle Limitation Surfaces (WIAL1)

Wellington Regional Plans

26. In section 2.4.3 of their AEE the applicant outlines that no regional consents from Greater Wellington Regional Council ('GWRC') have been sought for the FAS Project at this time. The applicant notes that they will do this once obtaining the district land use and NES consents. I am satisfied that the regional consents can be sought as separate considerations to the district land use and NES consents, and that the applicant's approach in this regard is reasonable.

Overall Activity Status

27. Overall, applying the most stringent activity status outlined above on a 'bundled' basis, the application is a **Discretionary Activity** under the WCC ODP and NES-CS.

WRITTEN APPROVALS AND CONSULTATION

28. No written approvals have been provided as part of this application.
29. The applicant has undertaken consultation with a number of parties prior to lodgement, specifically including HNZPT, WCC, GWRC, Precinct Properties (as owner of the adjoining Bowen Precinct), and the Wellington Architecture Centre. Details of this consultation are outlined in section 2.4 of the AEE and the associated appendices.

NOTIFICATION AND SUBMISSIONS

30. A total of five submissions were received in relation to the application. The general positions of the submissions are outlined below:

General Position of Submission	Total
Oppose	4
Support	0
Neutral	1
Total Submissions received	5

31. These submissions have been attached as **Annexure 1** to this report.

32. The issues raised by the submissions include:

Issues
Retention of the heritage oak tree.
Adverse effects on historic heritage values of Parliament Grounds and buildings, including concern with the height and positioning of the MUS building, obstructing views to Parliament House, and removal of original fabric.
Intrusion of the MUS building into District Plan Viewshaft 4A.
Adverse impacts on adjacent business, including concern that height and position of the MUS building will affect sunlight and visual amenity on an outdoor terrace.
Disturbance and disruption from noise, dust and traffic during construction.
Adverse effects on local residents due to operational traffic.
Inefficient use of the site.
Not meeting carbon neutrality requirements.
Lack of prior consultation with local residents.

33. While no submissions were in overall support of the application, the following positive issues raised by the submissions include:

Issues
Ongoing use of the site contributes to its overall heritage values.
Preservation of the ceremonial landscape and spaces in front of the Parliament Buildings.
Enhancement of the pedestrian and landscape treatment of the precinct.
The BAL building is suitably tucked away from Parliament House.

STATUTORY CONSIDERATIONS

34. Under section 9(1) of the Act:

No person may use land in a manner that contravenes a national environmental standard unless the use—

- (a) is expressly allowed by a resource consent; or*
- (b) is allowed by section 10; or*
- (c) is an activity allowed by section 10A; or*
- (d) is an activity allowed by section 20A.*

35. Under section 9(3) of the Act:

No person may use land in a manner that contravenes a district rule unless the use—

- (a) is expressly allowed by a resource consent; or*
- (b) is allowed by section 10; or*
- (c) is an activity allowed by section 10A.*

36. The application is for a Discretionary Activity overall. Accordingly, consent may be granted or refused under section 104B of the Act and, if granted, conditions may be imposed under section 108 of the Act.
37. Section 104(1) of the Act sets out the matters that must be given regard to in considering an application for resource consent and any submissions received. Subject to Part 2 of the Act, these matters are:
- (a) *any actual and potential effects on the environment of allowing the activity; and*
 - (ab) *any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and*
 - (b) *any relevant provisions of—*
 - (i) *a national environmental standard:*
 - (ii) *other regulations:*
 - (iii) *a national policy statement:*
 - (iv) *a New Zealand coastal policy statement:*
 - (v) *a regional policy statement or proposed regional policy statement:*
 - (vi) *a plan or proposed plan; and*
 - (c) *any other matter considered relevant and reasonably necessary to determine the application.*

ASSESSMENT UNDER SECTION 104 OF THE ACT

Section 104(1)(a) Effects Assessment

38. The assessment of environmental effects below considers the relevant effects arising from the activity. These effects include:
- Historic Heritage Effects
 - Design and Visual Amenity Effects
 - Māori Cultural Effects
 - Wind Effects
 - Arboricultural Effects
 - Transport and Vehicle Access Effects
 - Earthworks Effects
 - Contaminated Land Effects
 - Hazardous Substances Effects
 - Construction Effects
 - Natural Hazard Effects
 - Three-Waters Servicing Effects
 - Positive Effects

39. There are certain aspects of the assessment where I have relied on the expert advice (attached as **Annexures 2 to 12** to this report) from the following advisors:
- Michael Kelly – Consultant heritage advisor (**Annexure 2**)
 - Sarah Duffell – Urban design advisor (**Annexure 3**)
 - Michael Donn – Consultant wind advisor (**Annexure 4**)
 - Ben Young – Arboricultural advisor (**Annexure 5**)
 - Richie Hill – Consultant arboricultural advisor (**Annexure 6**)
 - Patricia Wood – Transport advisor (**Annexure 7**)
 - John Davies – Earthworks advisor (**Annexure 8**)
 - Suzanne Lowe – Consultant contamination advisor (**Annexure 9**)
 - Kim Thaker – Consultant hazardous substances advisor (**Annexure 10**)
 - Whitney Cocking – Acoustic advisor (**Annexure 11**)
 - Ye Mon Oo – Wellington Water land development engineer (**Annexure 12**)

Historic Heritage Effects

40. The site and setting are rich in historic heritage. As outlined in paragraphs 20 and 21 above, the Parliament Grounds makes up the Parliament Grounds Heritage Area and contains the listed buildings of Parliament House, the Executive Wing and Parliamentary Library, along with the Seddon and Ballance Statues on the eastern side of the site. These buildings and statues are also included in the HNZPT New Zealand Heritage List.
41. The application is accompanied by assessments from two heritage practitioners, conservation architects Adam Wild of Archifact Ltd (Appendix 4 of the application) and Ian Bowman (Appendix 5 of the application). These reports have assessed the impacts of the proposal on the heritage values of the listed buildings on the site and the overall heritage area. The applicant's planner has summarised the conclusions of Mr Wild and Mr Bowman in section 4.2.4 of the AEE. The expert reports have been peer reviewed and analysed by the Council's heritage consultant Mr Michael Kelly, whose assessment is attached as **Annexure 2** to this report. Mr Kelly's report further outlines the heritage significance of the site.

Impact on the Executive Wing and Parliamentary Library

42. Mr Bowman and Mr Wild, on behalf of the applicant, consider that the proposed new buildings will have minor and acceptable effects on the Executive Wing and Parliamentary Library, noting in particular that the BAL building is suitably low in height and prominence and that the MUS building is suitably separated to detract from the heritage values of these buildings. In section 7.0 of his assessment, Mr Bowman considers that no mitigation is required as adverse effects on the Executive Wing and Parliamentary Library are suitably minor.

43. Mr Kelly generally agrees in this regard and considers that *“the effects of [the MUS building] on the Parliamentary Library and Executive Wing will be mostly visual and therefore slight.”*²

Impact on Parliament House

44. Mr Bowman assesses the magnitude of the impact of the proposal on Parliament House to be ‘minor’ and the significance of the impact of the proposed link bridge and new buildings is assessed as having a ‘moderate/slight negative impact’ on heritage values before mitigation measures have been taken into account. In Mr Bowman’s opinion, this equates to a minor impact overall. In section 7.2 of his assessment, Mr Bowman has suggested consent conditions that can, in his opinion, contribute to mitigating adverse effects on Parliament House, particularly in relation to the window removal, impact on original fabric, and views to and from the western side of Parliament House, all from the installation of the link bridge.
45. In relation to Parliament House, Mr Wild assesses that heritage effects of the height of the MUS building are acceptable, noting that the building will only be ‘marginally higher’ than the 27m in the ODP for buildings west of Parliament House. Further, Mr Wild considers that the link bridge will be designed in detail to mitigate visual and physical effects on Parliament House to an acceptable extent and that *“it is ultimately a reversible intervention; a test common in considering effects on historic heritage values.”*³
46. Having regard to the assessments of Mr Bowman and Mr Wild, Mr Kelly assesses that the effects on Parliament House will be significant, specifically as a result of the MUS building and the proposed link bridge. Mr Kelly considers that the height, form and positioning of the MUS building will have consequential effects on Parliament House, in particular that the height and rectangular box-like form of MUS will result in a substantial height difference and transition, and will bring with it adverse shading effects on Parliament House.
47. While Mr Kelly notes that there is no specific mitigation for the height and positioning of the MUS building bar reducing its height, he concurs with the suggested conditions of consent put forward by Mr Bowman in mitigating effects on Parliament House as a result of the link bridge. In particular, he considers that the detail design of the link bridge ensures that it is as light and transparent as possible to minimise its impact on Parliament House and allow for sightlines through the bridge.
48. In relation to the link bridge, Mr Kelly notes this will result in the removal of original building fabric and will interrupt views of the western façade of Parliament House from either direction that are currently unimpeded. Mr Kelly further notes that although this is not the primary elevation, it *“is one of country’s great Imperial Baroque façades and its interruption will be a significant loss.”*⁴

² Annexure 2, Heritage Assessment by Michael Kelly, Page 8

³ Appendix 4, *Assessment of Effects on Heritage*, Archifact Ltd, Page 37

⁴ Annexure 2, Heritage Assessment by Michael Kelly, Page 9

49. Furthermore, regarding Mr Wild's description that the loss of heritage fabric will be reversible, I agree with Mr Kelly's point that the link-bridge could be in place for generations, which, for all intents and purposes, will be a permanent change to Parliament House and its setting. Mr Kelly has however suggested a condition of consent that ensures appropriate photographic record and storage of the removed fabric.
50. Further, the proposal involves the modification of ground levels that obscure views to Parliament House's basement on the western elevation, opposite the proposed MUS building. This is a result of narrowing the width of the existing vehicular access that was formed in the 1995 refurbishment of Parliament House. Further information by way of assessment was provided by Mr Bowman in this regard⁵. Mr Bowman concludes that the effect of the change will be to further reduce the visibility of this part of the western elevation and that this is a minor adverse effect.
51. Based on the expert advice outlined above and the mitigation measures included in the suggested conditions of consent, I consider that the proposal, in particular the height and presence of the MUS building; interruption of visibility to Parliament House's secondary elevation; and the loss of a small amount of heritage fabric on this elevation, will not result in unacceptable adverse effects on its heritage values overall.

Impact on the Grounds

52. Mr Bowman, on behalf of the applicant, has assessed the effects of the proposal on the Parliament Grounds as a whole in section 5.5 of his assessment. Mr Bowman notes that the 'western precinct' is considered to have 'some' heritage value and has undergone a significant amount of modification over time, with many buildings constructed, demolished and replaced over time. Mr Bowman further references the Parliament Grounds Conservation Plan which reiterates that this area has been subject to considerable change. Mr Bowman concludes that the magnitude of impact on the Grounds is 'minor negative' overall and the significance of impact is 'moderate/slight negative'. Overall, this equates to a minor impact in Mr Bowman's opinion.
53. Mr Kelly's assessment in relation to the wider Grounds and heritage primarily discusses this in the context of the setting of Parliament House and the impact on this as a result of the MUS building as described above. However, he has undertaken an assessment of the criteria within Chapter 21B (Heritage Areas) of the ODP. In summary, the proposal aligns with the development vision for Parliament in the Central Area Urban Design Guide (Appendix 3 – Heritage Areas, Parliamentary Precinct) which aims to locate new buildings to the rear (west) of the existing Parliament Grounds to primarily preserve the ceremonial landscape and setting to the front (east) of these buildings. Further, Mr Kelly notes that both new buildings will stand alone and large, and that it is more appropriate for them to be designed to respond to the era of today, rather than to replicate or be directly compatible with the older buildings. Mr

⁵ Appendix 5a

Kelly notes that a modern design will enable the new buildings to add to the richness of architectural history of the Parliamentary Precinct.

54. In a similar vein, Mr Kelly considers that the formation of a more articulated Museum Street will help define the buildings and access and will preserve the pedestrian access between Bowen Street and Hill Street. The landscaping works will further enhance the amenity of this access.
55. Further, while sightlines to the rear of Parliament House will be partially obstructed as discussed above, sightlines to, from and around the precinct as a whole will be largely maintained, particularly from Bowen Street and Molesworth Street.
56. Overall, having regard to the expert advice outlined above, I consider that the overall adverse effects of the proposal on the values of the Parliamentary Precinct Heritage Area have been appropriately mitigated and minimised through the design and placement of the new buildings and will be acceptable.

Earthworks and Landscaping

57. In relation to earthworks, Mr Kelly notes that there is potential, although unlikely, that the works will discover archaeological material during the excavation process. However, Mr Kelly concludes that the archaeological authority granted by HNZPT will be sufficient to manage the possibility of discovering sub-surface material in this regard, and that the prospect of archaeology being uncovered during the work has been acknowledged and catered for appropriately through that process.
58. Mr Kelly raises no further concerns regarding the proposed earthworks and its impacts on the values of the heritage area. In reference to the assessment criteria in Chapter 21B of the ODP, Mr Wild opines that the earthworks enhance the wider heritage area through enabling construction of the proposed development which in turn provides for the on-going efficient operation of Parliamentary functions. I find this an acceptable conclusion.
59. In regard to the proposed landscaping, Mr Kelly supports the proposed landscaping treatment overall, being the integration of the new and old buildings with landscaping, and introducing a new plaza, pedestrian walkways and plantings. Similarly, Mr Kelly supports the relocation of the George V gates.
60. I adopt the conclusions of Mr Kelly in this regard and consider that adverse effects of the proposed earthworks and landscaping on historic heritage values will be acceptable.

Oak Tree

61. Mr Kelly agrees with the applicant's analysis that the listed oak tree sits in a compromised location, surrounded by concrete walls and paving, which offers no context for the tree and no compatibility with any other plantings or features of the precinct. Mr Wild, on behalf of the applicant, has a similar opinion and notes that the

above factors all compromise its heritage value. Mr Kelly concludes that shifting the tree to make way for the MUS building can be supported from a heritage perspective, noting that the tree has already been previously modified for removal and that there has been a loss of any physical context from the period when the tree was planted.

62. I adopt the conclusions of Mr Kelly in this regard and consider that adverse heritage effects associated with the oak tree relocation are acceptable.
63. The tree relocation and the arboricultural effects associated with this have been assessed under the 'Arboricultural Effects' section of this report below.

Submissions

64. HNZPT raised matters pertaining to heritage effects in its submission, in particular raising concerns over the height and positioning of the proposed MUS building in relation to Parliament House, and removal of heritage fabric to install the link bridge to Parliament House. HNZPT reiterates the importance of consent conditions to mitigate adverse effects as has been suggested by Mr Bowman in his assessment and outlined in the AEE. I have incorporated the conditions suggested by Mr Bowman, Mr Kelly and HNZPT into the conditions suggested in **Annexure 13** to this report. I have drafted the conditions with the aim to achieve the outcomes recommended by the heritage experts while including suitable precision and clarity for all involved in their implementation.
65. HNZPT through its submission has also raised positive effects associated with the proposal, which have been summarised in paragraph 33 above and paragraph 139 below.
66. I am satisfied that the issues raised by HNZPT in its submission have been adequately addressed by the heritage experts on behalf of the applicant and WCC as described throughout this assessment.

Conclusion

67. Overall, having regard to the proposal as a whole, Mr Kelly considers that while there are adverse effects on Parliament House as a result of the proposal, the proposal is acceptable from a heritage perspective. Based on the expert advice received and through the imposition of and adherence to the suite of conditions suggested in **Annexure 13** to this report, I consider effects on heritage will be satisfactorily mitigated and are acceptable overall.

Design and Visual Amenity Effects

68. The proposal involves the construction of new buildings within the Central Area under the ODP, and the MUS building intrudes on the context elements in Viewshaft 4a and therefore requires consideration of design and visual amenity effects. On behalf of the applicant, the urban design effects of the proposal have been assessed by urban design experts Graeme McIndoe and Chris McDonald of McIndoe Urban Ltd (Appendix 9 of the application). The report also undertakes an assessment of the

proposal against the Central Area Urban Design Guide ('CAUDG') of the ODP and the more specific Parliamentary Precinct Heritage Area Design Guide ('PPHADG').

69. The application is also accompanied by a Design Statement by Studio Pacific Architecture (Appendix 3a of the application); a CPTED Report⁶ by Boffa Miskell (Appendix 10 of the application); and feedback from Wellington Architectural Centre (Appendix 19 of the application). The applicant's planner thereafter summarises these assessments in sections 4.2.3 and 4.2.5 of the AEE. The applicant's combined analyses find that the proposal will result in acceptable design and visual amenity effects.
70. The applicant's assessments have been reviewed and analysed by the Council's Senior Urban Design Advisor, Ms Sarah Duffell, whose assessment is attached as **Annexure 3** to this report. Ms Duffell generally agrees with and adopts the assessments provided by the applicant and in particular Mr McIndoe. Informed by the CAUDG, these include the aspects of design coherence; relationship to context; siting, height, bulk and form; edge treatment; façade composition and building tops; and materials and detail. More specifically, Ms Duffell makes the following additional conclusions.

Design

71. With regard to the context, Ms Duffell opines that the existing car park space in the western portion of the site is "*a low-quality environment with few redeeming urban design features and an undistinguished sense of place*"⁷ and offers a poor environment for pedestrian access and amenity and CPTED conditions. She considers that the proposal will enhance the space in this regard. Further, Ms Duffell considers that the proposal maintains appropriate consistency with patterns of building siting and logic, with an acceptable introduction of contrast in architectural form and style.
72. With regard to height, bulk and form, Ms Duffell finds the proposed new buildings have acceptable effects in this regard and notes the importance of exterior detailing to visually soften the linear parapet and box-like shape of the MUS building. She has suggested consent conditions requiring detail design be developed and provided for Council certification, which I have included in **Annexure 13** to this report. Ms Duffell also considers this necessary for the link bridge detail design.
73. Overall, Ms Duffell concludes that the proposal meets the CAUDG and considers that the consent conditions suggested (which I have included in **Annexure 13**) can suitably mitigate remaining matters that require further consideration, refinement or control, to ensure acceptable design effects overall.

⁶ Full title: *Future Accommodation Strategy at Parliamentary Precinct: Crime Prevention through Environmental Design Assessment*

⁷ Annexure 3, Urban Design Assessment by Sarah Duffell, Page 4

Viewshafts

74. Parliament Grounds are impacted by three protected viewshafts in the ODP: Viewshafts 1, 3 and 4A. The proposal does not intrude into Viewshafts 1 and 3 but the proposed MUS building will be partially visible in the bottom part of Viewshaft 4A, as shown on Plan P A6-04 (Appendix 3 of the application). Viewshaft 4A is northwards along Whitmore Street, from the Featherston Street intersection, toward the Beehive and Cenotaph. The Focal Elements of this viewshaft are the Beehive and the Cenotaph. The Context Elements are Tinakori Hill (Te Ahumairangi) and Thorndon Residential Area.
75. The intrusion of the MUS building into Viewshaft 4A is the principal issue raised by the Eldin Family Trust in its submission. Ms Duffell has undertaken a thorough analysis of the intrusion of MUS into this viewshaft in section 4.0 of her assessment. Ms Duffell concludes in this regard that *“the effect [of the intrusion by the MUS building] is appreciable but the viewshaft still retains adequate integrity in terms of the identified quality elements.”*⁸ Having considered the expert assessment by Ms Duffell in this regard, I conclude that the adverse effects on the values of the viewshaft will be acceptable.

CPTED

76. Ms Duffell has reviewed the abovementioned CPTED Report by Boffa Miskell provided in the application. Ms Duffell provides a helpful summary this report as follows⁹:

“The report by Boffa Miskell thoroughly assesses the receiving environment in terms of actual crime and of behaviour that concerns the site’s security services. This is summarised in section 2.3 of the report, noting specifically that the site has significantly more serious and complex security considerations than most other sites and also requires the capacity to ‘lock down’ in situations of serious threat. However, this must be balanced with the legislative requirement to allow ‘access to Government’. The site has a dedicated Security Team.”

77. Ms Duffell agrees with the findings and recommendations of the report to enhance safety and security for the public throughout the site. The CPTED Report identifies a number of aspects that are recommended to be addressed by conditions of consent, as outlined in Section 5.2 of the CPTED report. These include external lighting detail design; CCTV monitoring of the plaza spaces; window placement in BAL; safety for people accessing vehicles at night; and other recommendations for landscaping design, basement ramps, etc. I have included these matters in the suggested conditions in **Annexure 13** to this report accordingly. On this basis, I consider these effects to be acceptable.

⁸ Annexure 3, Urban Design Assessment by Sarah Duffell, Page 11

⁹ Annexure 3, Urban Design Assessment by Sarah Duffell, Page 20

Neighbouring Amenity

78. The proposed new buildings have the potential to adversely affect the amenity of neighbouring properties. In this regard, the closest neighbour to the proposed development is the Bowen State Building at 34 Bowen Street, to the west of the site. The Bowen State Building is a Central Area office building that contains Huxley's Bar and Eatery on the ground floor, which utilises an east-facing outdoor terrace for seating. The restaurant and outdoor terrace currently have unencumbered views across the Parliament car park to the rear of Parliament House and the Executive Wing.
79. The principal issue raised by Ben Blinkhorne in their submission is in relation to adverse impacts on this business, including concern that the height and position of the MUS building will affect sunlight and visual amenity on the outdoor terrace. The matters of concern relate to shading and views of the western elevation of Parliament House, to the detriment of the operation of the restaurant and bar.
80. Ms Duffell has undertaken an assessment of these effects in response to this submission in section 5.1.2 of her assessment. This primarily includes analysis of the shading diagrams provided by the applicant. Having regard to her assessment, Ms Duffell finds that the outdoor terrace currently receives direct sunlight during the morning, and after noon the terrace is shaded by the building in which it is located as the sun moves around to the west. Ms Duffell further comments that the shading diagrams supplied indicate that despite an increase in early morning shading, the terrace remains unshaded after 11am and over the lunchtime period, with afternoon shading already generated all year round by the existing buildings. Ms Duffell observes that this indicates that shade itself does not appear to be a matter that would preclude operation of the business.
81. She does conclude in this regard that *"loss of direct sunlight especially in cooler weather is regrettable. However, the submitter has already implemented measures to improve the warmth and shelter of this space, recognising that it is already in shade for the majority of their trading hours."*¹⁰
82. In regard to shading, I note that Policy 12.2.5.10 of the ODP provides for the consideration of 'permitted baseline' scenarios relating to building height and bulk when considering the effects of new buildings in the Central Area on the amenity of other Central Area properties. The policy directs the decision maker to consider the neighbouring amenity effects (shading, dominance, privacy, etc.) to be acceptable for a building constructed to the height and massing limits in the District Plan. In this case, a 27m height limit applies to the portion of the subject site west of Museum Street.
83. I therefore consider that a scenario involving a 27m high building in this location will, by default, generate shading on the outdoor terrace of the neighbouring restaurant during morning hours when there is currently little shading. I do not consider that additional shading as a result of the 2m height exceedance of the MUS building will

¹⁰ Annexure 3, Urban Design Assessment by Sarah Duffell, Page 14

result in an unacceptable amenity outcome for the neighbouring business, noting that it is not an overly sensitive activity (such as a residential dwelling) and operates for the majority of its trading in shade as observed by Ms Duffell above.

84. In regard to views to Parliament, I am of the view that the neighbouring restaurant is currently taking advantage of 'borrowed amenity' over the undeveloped western portion of the subject site. While Parliament House and the Beehive are notable landmarks in this part of the city and views toward them are desirable, the restaurant and its patrons are not entitled to this view and outlook. Primarily, the ODP does not provide for high levels of amenity in the Central Area. Further, in reference to Policy 12.2.5.10 above, consideration can be given to a building up to 27m high in the location proposed which would in any case remove the view to Parliament. In the context of this policy, I consider that the loss of views to the Parliament buildings is an acceptable adverse effect.
85. Furthermore, in this regard, Ms Duffell notes that the combination of the "well-considered" exterior design of the MUS building; its adequate separation from the neighbouring restaurant; and the presence of the relocated oak tree and introduction of new landscaping; will still create a sufficiently pleasant outlook for patrons of the restaurant.
86. All other surrounding Central Area properties, including the cluster of residential homes at 15 to 31 Ballantrae Place and 81 to 93 Hill Street, are considered to be sufficiently separated from the proposed new buildings such that any effects on their amenity will be acceptable.

Conclusion

87. Overall, Ms Duffell supports the proposal from an urban design perspective and concludes that:
 - The assessments provided in support of the application related to urban design matters are thorough and generally agreeable.
 - The development satisfies the CAUDG and PPHADG.
 - The matters raised by submissions in related to urban design have been adequately addressed.
 - Although Viewshaft 4A is altered, the modified view retains positive qualities.
 - CPTED and public safety matters have been adequately considered.
 - The conditions proposed by the applicant are generally agreeable and have been adopted, subject to expansion of detail.
88. Having regard to the expert assessment by Ms Duffell as outlined above, I consider that adverse design and amenity effects will be acceptable. The conditions suggested

by Ms Duffell have been included in those listed in **Annexure 13** to ensure appropriate mitigation and design detail.

Māori Cultural Effects

89. The applicant has undertaken an assessment of Māori cultural effects in section 4.2.2 of the AEE, which should be read in conjunction with this report. The applicant outlines that they have been involved in ongoing consultation with Te Āti Awa, Ngāti Toa and Taranaki Whānui ki Te Upoko o Te Ika in developing the detailed design of the proposed development, particularly the MUS building. Further, sections 2.4 and 6.3 of the applicant's Design Statement (Appendix 3a of the application) discuss the consultation that has been undertaken with mana whenua and other persons considered to hold cultural mana for this site. Their input and interests are reflected in the submitted design for both the building and the landscaping, with opportunities identified for further expression of Māori culture within the building in the future if desired.
90. The site is not subject to a statutory acknowledgement under Schedule 11 of the Act, however it is 'adjacent' to the Government Buildings Historic Reserve and Turnbull House Historic Reserve, which are both statutory acknowledgements under the Port Nicholson Block (Taranaki Whānui ki Te Upoko o Te Ika) Claims Settlement Act 2009. I also note the site sits atop the now-underground Waipiro Stream which is identified in the WCC PDP under the Sites and Areas of Significance to Māori Overlay.
91. As part of the notification process for the application, notice was serviced directly on Ngāti Toa and Taranaki Whānui ki Te Upoko o Te Ika (Port Nicholson Block Settlement) Trust. I note that no submissions were received from these parties.
92. I find myself in agreement with the applicant's assessment in the AEE that the applicant should continue consultation with Te Āti Awa, Ngāti Toa and Taranaki Whānui ki Te Upoko o Te Ika in developing the detailed design of the proposal. This could potentially be included as a condition of consent as suggested by the applicant in section 4.2.2 of the AEE. I have included this in the suggested conditions in **Annexure 13** to this report.
93. I also note that HNZPT has granted an archaeological authority for the works, which includes a suite of appropriate conditions in this regard. I consider this appropriate to suitably manage archaeological effects in this regard and do not see the necessity for additional conditions on the resource consent in relation to archaeology.
94. Having regard to the above, and subject to ongoing consultation, I consider that the adverse effects of the proposal in terms of Māori cultural effects will be acceptable.

Wind Effects

95. The proposed MUS building exceeds a height of 18.6m and requires consideration of wind effects. The application is accompanied by a wind assessment by WSP Ltd (Appendix 13 of the application). The report presents the results of a wind tunnel study of pedestrian wind conditions around the proposed development, including the results

of wind mitigation measures. The report has been prepared in accordance with the requirements in Appendix 8 of the Central Area provisions of the ODP. The applicant's planner has summarised the findings of the wind report in section 4.2.8 of the AEE.

96. The Council's consultant wind advisor, Dr Michael Donn, has reviewed the wind report by WSP, and his assessment is attached as **Annexure 4** to this report. Upon his review, Dr Donn notes that the wind speeds identified in the wind report as both existing and proposed are high, and that 18 of the 27 points measured before and after would still experience wind speeds in excess of the WCC safety limit, even though three of these are slightly improved by the design. Dr Donn further considers that the application documents contain little information on any consideration of wind mitigation measures. In light of Dr Donn's review, further information was requested which the applicant has responded to in Appendix H of the WSP report. This includes further consideration of safe passage through the site during high wind speed periods and integration of wind mitigation measures into the design of the MUS building entrances.
97. Having considered the concerns and requests raised by Dr Donn, WSP, in summary, concludes the following throughout its report:
- Existing wind speeds around the site range from very low to extremely high.
 - The north-south alignment of the MUS building is a beneficial design feature aerodynamically for minimising the effect of the development on surrounding wind conditions.
 - The proposed BAL building is sufficiently low to have a minimal effect on the surrounding wind speeds.
 - The overall effect of the development on wind gusts is neutral, with increases in speeds to the west of the MUS building (which are more channelled) balanced by decreases elsewhere, including to the east of the MUS building (which becomes more sheltered).
 - The maximum gust speed increases from 28m/s to 30 m/s with the development, while the frequency of winds exceeding 2.5m/s and 3.5m/s decreases overall. The safety threshold of 20m/s is exceeded over much of the site, essentially unchanged from the existing situation.
 - The placement of wind mitigation measures such as screens would be beneficial but is limited by vehicle and pedestrian access and by differing property ownership between Parliament and the Bowen Precinct to the west, concluding there is little that can be practicably done to reduce very high wind speeds.
 - The report finds that *"taken overall, wind conditions are improved with the proposed development, but existing unsafe windspeeds are unaffected as well."*¹¹

¹¹ Appendix 13, *Wind tunnel study of Parliament precinct development, Wellington*, Page 24

- In relation to the relocated oak tree, the report finds that 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. The report therefore expects 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, the Arborlab report (Appendix 11 of the application) also considers these effects and finds that the tree *"will be able to adapt to the wind loads over time."*¹² In this regard, Dr Donn observes that the lop-sided shape of the tree at present is primarily attributed to high wind loads on the tree in its existing position and blowback off the rear of Parliament House.
98. Having considered the expert assessments by WSP and Dr Donn, I consider that, subject to further consideration given to wind mitigation measures, these effects will be acceptable overall. I agree with the conclusion in section 4.2.8 of the AEE as follows, and have included this as a suggested condition of consent in **Annexure 13** of this report, including additions suggested by Dr Donn:

"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."

Arboricultural Effects

99. Further to the historic heritage effects assessment above, the arboricultural effects associated with the relocation of the listed oak tree have been assessed within the Arboricultural Report and subsequent Arboricultural Completion Memorandum (Appendices 11 and 11a of the application) provided by Arborlab. These reports have been peer reviewed and analysed by the Council's Team Leader Arboriculture, Mr Ben Young, whose assessment is attached as **Annexure 5** to this report, and consultant arboricultural advisor, Mr Richie Hill, whose assessment is attached as **Annexure 6** to this report.
100. The applicant's planner provides an assessment and summary of the effects of the proposed tree relocation in section 4.2.6 of the AEE, which I adopt. Further, Mr Young and Mr Hill are in agreement with the details and findings of the Arborlab assessments and consider that moving the tree is feasible. Both advisors stress the importance of aftercare for the tree to ensure its success in the new location. Conditions of consent have been included in **Annexure 13** to this report to ensure that the transplanting methodology and aftercare programme are finalised prior to the commencement of works and for the works to be undertaken accordingly.
101. A concern raised through Sandra-Lee Monk's submission is that the proposal will result in the loss of the oak tree, with the submitter recommending that the tree be relocated. In this regard, the proposal involves relocation of the tree to a suitable location nearby

¹² Appendix 11, *Arboricultural Report*, Page 24

on the site. The arboricultural experts are in agreement that this can be done in a manner that avoids loss of the tree and provides for its ongoing health, in addition to offering an improved setting.

102. Based on the assessment provided in the AEE, and the assessments of Mr Young and Mr Hill, I consider that the adverse effects of the proposal in terms of the oak tree relocation will be suitably minimised and mitigated, and are acceptable.

Transport and Vehicle Access Effects

103. In this regard, the proposal involves changes to the site accesses and the circulation of vehicles through the site, including the introduction of a purpose-built deliveries and servicing building (BAL) and a reduction in on-site car parking for staff. The application is accompanied by an Integrated Transport Assessment prepared by Aurecon (Appendix 14 of the application). The findings of the report have been summarised by the applicant's planner in section 4.2.9 of the AEE.

104. The transport aspect of the proposal has been assessed by the Council's Transport and Vehicle Access Engineer, Ms Patricia Wood, whose assessment is attached as **Annexure 7** to this report. Overall, Ms Wood finds the proposal acceptable from a transport perspective, subject to suggested conditions of consent which I have included in **Annexure 13** to this report. Ms Wood reaches the following conclusions in this regard:

- Due to the reduced use of the Museum Street entrance by vehicles, Ms Wood agrees with the applicant that the pedestrian safety and operation of the Bowen Street and The Terrace intersection are expected to improve. Ms Wood also agrees that there will be a better pedestrian environment throughout the site due to the reduced potential for interactions and conflict between vehicle and pedestrians.
- Similarly, while the approximate 20 metre proposed distance between the relocated bollards and the Bowen Street footpath would be less than at present (about 35 metres), Ms Wood considers that there would be sufficient queuing capacity due to the reduced number of vehicles using this route.
- In terms of servicing, Ms Wood advises that the loading areas meet the District Plan requirements and that the height and dimensions of the servicing area are acceptable.
- In terms of trip generation and the surrounding road network, Ms Wood agrees that the trip generation by vehicles parking or visiting the precinct will reduce overall due to the reduction in parking spaces. However, there is an expected increase in traffic movements on Ballantrae Place due to the greater use of that entrance for access. The transport assessment by Aurecon has assessed this in the context of the operation of the Ballantrae Place and Bowen Street intersection and advises that there will be an expected increase in the number of vehicles turning into Ballantrae Place and the potential for increased queuing. Further, the report

models that there could be a 12% increase in daily traffic volume in Ballantrae Place accordingly. However, based on the findings of the Aurecon report, Ms Wood concludes that there is sufficient capacity in the right turn bay on Bowen Street and in Ballantrae Place itself to accommodate the anticipated increased traffic volumes and potential for increased queuing.

- Ms Wood has also suggested a condition of consent requiring the submission of detail design plans in relation to the driveway construction to ensure appropriate levels, gradients and transitions for the access is provided.
105. A concern raised through the Ewen Robertson's submission is around the potential for increased traffic movements on Ballantrae Place due to the modifications proposed on the site and that vehicular access to the site will primarily be via Ballantrae Place. The expert advice outlined above concludes that there is sufficient capacity in Ballantrae Place to accommodate the expected increase in traffic on this road. I also consider that traffic movements from commuter and servicing vehicles are generally to be expected in the Central Area particularly considering the commercial and office activities occurring nearby. I therefore find these effects acceptable.
106. Overall, based on the expert advice of Ms Wood, I consider that the adverse effects of the proposal in terms of transport and vehicle access will be acceptable.
107. Transport effects associated with the proposed earthworks and construction are assessed separately below.

Earthworks Effects

108. The earthworks effects of the proposal relate to ground stability, visual effects, dust, silt and sediment run-off, and the transportation of excavated material. The principal area of earthworks proposed is that associated with the basement excavations, with an estimated cut volume of 24,000m³ and approximately 400m³ of material to be used as fill. The extent of earthworks proposed and how this work will be managed are outlined further in the Contamination Reports (Appendices 8 and 8a of the application), the Geotechnical Report (Appendix 12 of the application), and the Three Waters and Earthworks Report (Appendix 15 of the application), all provided by Aurecon.
109. The earthworks in relation to ground stability, dust, silt and sediment run-off have been assessed by the Council's Earthworks Engineer, Mr John Davies, whose assessment is attached as **Annexure 8** to this report.
110. Regarding stability, Mr Davies has reviewed and agrees with the geotechnical assessment supplied as part of the application. The report reviews the current proposal and the ground conditions in the area, and makes recommendations for temporary and on-going support for the proposed excavations. Mr Davies advises that he considers the proposal to adequately address the long-term stability risks through redevelopment of the site with specific engineered retaining walls. Further, Mr Davies has suggested a suite of consent conditions specifically to ensure the works be monitored by a geotechnical professional, and that a construction management plan be developed

and employed to avoid uncontrolled instability with risk of collapse. Mr Davies is therefore satisfied that the risk of instability can be mitigated, subject to the conditions of consent included in **Annexure 13** to this report.

111. Furthermore, Mr Davies considers that standard industry practices and the adoption of an erosion and sediment control plan ('ESCP') can suitably minimise the risk of erosion, sediment and dust effects resulting from the works. This is to be provided via conditions of consent included in **Annexure 13** to this report.
112. A concern raised through the submissions received is around dust affecting the outdoor seating area of the Huxley's restaurant located on the eastern ground floor of the neighbouring Bowen State Building. It is acknowledged that avoiding dust effects all together is unfeasible, especially on windy days. Mr Davies considers that this can be appropriately addressed through requirements of the conditions including details of how dust in relation to earthworks will be managed and monitored as part of the ESCP. This would ensure that dust effects would be kept to a minimum.
113. With regards to potential visual effects of the earthworks, such effects will be temporary, and the proposed excavations will be built upon by the proposed buildings and retaining walls, with the balance of earthworks landscaped upon the completion of construction. Appropriate use of hard and soft landscaping will be incorporated into the design for the areas of public space surrounding the buildings.
114. Traffic effects associated with the earthworks activity has been assessed by Council's Transport and Vehicle Access Engineer, Ms Patricia Wood, whose assessment is attached as **Annexure 7** to this report. Ms Wood considers that the transportation of excavated material can be adequately managed by a construction traffic plan ('CTP') submitted via conditions of consent to minimise effects on the road network. This is also considered warranted given the large volume of material to be excavated and high number of vehicle movements expected, and the central city location of the site. Overall, Ms Wood advises that the proposal is acceptable from a traffic and vehicle access perspective subject to the conditions included in **Annexure 13** to this report.
115. Overall, having regard to the specialist advisor input above, and noting the relevant conditions that have been suggested, adverse effects associated with the earthworks will be suitably minimised and are acceptable.

Contaminated Land Effects

116. The applicant has submitted two Detailed Site Investigations ('DSI') provided by Aurecon (Appendices 8 and 8a of the application). The Ballantrae Place DSI report indicates that former HAIL activities that may be applicable to the current carpark include category E1 (asbestos) and category G5 (uncontrolled fill). The Ministerial and Museum Street DSI report indicates that former HAIL activities that may be applicable include category A2 (bulk storage – underground storage tanks), category E1 (asbestos) and category G5 (uncontrolled fill).

117. The reports present the results of subsurface testing undertaken in and around the location of the proposal. The reports also outline recommendations for further soil investigation to be undertaken and include mitigation measures, namely the development of a contaminated soil management plan ('CSMP') as there is a potential to come across unexpected contamination during the works.
118. The DSIs have been reviewed by the Council's consultant contaminated land advisor, Ms Suzanne Lowe of AECOM, whose assessment is attached as **Annexure 9** to this report. Ms Lowe has reviewed and agrees with the findings and recommendations of the DSIs submitted in the application and has suggested several conditions of consent to ensure that the potential effects arising from contaminated/potentially contaminated material are appropriately managed.
119. Having considered the reports provided by the applicant and based on the advice of Ms Lowe, I consider that the effects related to contaminated material will be acceptable and that these effects can be adequately controlled through appropriate consent conditions outlined in **Annexure 13** of this report.

Hazardous Substances Effects

120. The proposal in this regard involves installation of new tanks for the storage of diesel within the basement of the proposed MUS building and additional hazardous substances (listed in Section 2: Hazardous Substances on site of the Hazardous Substance Assessment report provided by ENGEO; Appendix 16a of the application). These are necessary as fuel supply for the emergency generators that are proposed within the basement. In addition to the above report, the applicant has provided a HSNO Report also by ENGEO (Appendix 16 of the application). The report makes a number of recommendations for the design and commissioning of the proposed new tanks.
121. A peer review of the management and appropriate considerations for the use and storage of hazardous substances within the facility has been undertaken by the Council's consultant hazardous substances advisor, Ms Kim Thaker of AECOM, whose assessment is attached as **Annexure 10** to this report. Ms Thaker has reviewed and agrees with the findings, procedures and suggested conditions outlined in the applicant's reports. Ms Thaker also suggests additional requirements that can be incorporated into consent conditions, all of which have been included in **Annexure 13** to this report.
122. The storage of diesel fuel for the operation of back-up generators is a common feature of many buildings within the Central Area, particularly for government buildings that contain emergency operation functions. Through compliance with HSNO, and having considered the advice of Ms Thaker, I am of the view that the risks associated with the use and storage of hazardous substances can be appropriately minimised through the HSNO requirements and conditions of consent included in **Annexure 13** to this report.

Construction Effects

123. For land developments and construction projects of this nature and scale, I acknowledge that effects associated with construction works cannot be avoided altogether. The construction of the proposed buildings and other site works will generate accompanying effects such as construction noise and vibration; dust generation; construction traffic; temporary visual impacts; onsite activity; and public access restrictions during the construction works. These effects will be localised and limited to the construction period.
124. The applicant has placed emphasis on mitigation measures in an effort to minimise the scale, extent and duration of construction effects. In particular, the applicant advises that 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, and by extension, surrounding properties and activities.
125. I note various submitters, including Ben Blinkhorne and Ewen Robertson, have raised concerns in relation to disruption and disturbance during the construction phase of the project, particularly noting the presence of nearby residential units on Ballantrae Place and the outdoor seating area for the Huxley's restaurant.
126. Temporary construction noise is acknowledged within the District Plan (Policy 12.2.4.4) as an anticipated effect within the Central Area and is managed using the best practicable option, in accordance with *New Zealand Standard NZS6803:1999: Acoustics – Construction Noise*, as well as applying section 16 of the Act. Construction noise and vibration has been assessed by the Council's Environmental Noise / Compliance Officer, Ms Whitney Cocking, whose assessment attached as **Annexure 11** to this report. On the advice of Ms Cocking, I consider it is appropriate to impose conditions of consent requiring development, certification and implementation of a construction noise and vibration management plan ('CNVMP'), and that the works be managed in accordance with NZS6803:1999.
127. Other relevant construction effects, including those relating to earthworks, traffic, and contaminated soil, have been specifically assessed above and are found to be acceptable in light of the suggested conditions to ensure they are mitigated and managed appropriately.
128. Overall, it is my view that the adverse effects of the proposal associated with construction will be localised and temporary in nature and can be appropriately managed to an acceptable extent.

Natural Hazard Effects

129. The redevelopment site is subject to the known natural hazards of ground shaking and inundation from the 1-in-100 year rainfall flood risk. The flood risk has been assessed by Wellington Water Ltd ('WWL') engineer, Mr Ye Mon Oo, whose assessment is

attached as **Annexure 12** to this report. Mr Oo advises that WWL GIS mapping indicates that there are overland flow paths and minor flooding within the site in the event of an extreme flood event (1-in-100 year with climate change also taken into account). Mr Oo advises that these risks can be appropriately managed by maintaining overland flow paths from Hill Street through the site and setting appropriate floor levels for the extreme flood risk. Mr Oo has suggested consent conditions in this regard that I have included in **Annexure 13** to this report.

130. Further, the proposal involves the establishment of a critical facility in the ground shaking hazard risk area identified in the WCC ODP. Specifically, the applicant has identified that the continued operation of Parliament and the National Emergency functions within the MUS building are critical in an emergency. The applicant advises that this building will be of an IL4 earthquake resilience standard and self-sustaining for approximately two weeks to enable essential Parliamentary operations to continue in a major emergency event affecting Wellington.

131. I also note the following commentary from the Geotechnical Report (Appendix 12 in the application) provided by Aurecon in relation to earthquake risk¹³:

“Wellington is a seismically active region. Bradley Seismic Limited, on behalf of Parliamentary Service, has carried out a site-specific seismic hazard study for the Parliament Precinct. This study, known as Probabilistic Seismic Hazard Analysis (PSHA) has found increased earthquake load demands for the Parliament site as compared to the NZ Seismic Load Standard NZS1170.5. Reasons for the increased load demand are better understanding of the soil characteristics under building footprints and depths to rock. Also, recent scientific advances around the world have identified shortcomings in many Codes with regards to large earthquakes and associated long period shaking events that PSHA studies better address. Parliament Service has decided that all the new structures in the Precinct are to be designed as per the recommendation from the PSHA study including the site liquefaction hazard analysis.”

132. Relying on the advice of the technical experts listed above, I consider that the risks posed for the proposed buildings in relation to natural hazards will be appropriately managed.

Three-Waters Servicing Effects

133. The applicant has provided a Three Waters and Earthworks Report by Aurecon (Appendix 15 in the application) which in this regard assesses the servicing of the proposed development in terms of stormwater drainage, water supply and wastewater drainage, collectively referred to as three-waters. The report outlines the proposed three-waters servicing design in accordance with the applicable design standards and code of practice requirements, and makes recommendations where mitigation is necessary. The report and servicing strategy has been peer reviewed by WWL engineer Mr Ye Mon Oo, whose assessment is attached as **Annexure 12** to this report.

¹³ Appendix 12, *Geotechnical Report for Land Use Resource Consent*, section 4.6, Page 9

134. In terms of water supply, Mr Oo advises that available flow rates are less than Fire Engineering New Zealand ('FENZ') requirements and mitigation measures are required. It is proposed that the new buildings will all harvest stormwater for treatment and use as potable water within the buildings which will reduce the draw on the WCC system and is acceptable. Further, Mr Oo is satisfied with the new water supply connections and water main upgrades proposed by the applicant.
135. In terms of wastewater, Mr Oo advises that WWL modelling indicates that the wider Bowen Street wastewater network has upwards of 30 l/s spare design capacity. This is adequate capacity to support the development – which will have a peak design wet weather flow of around 9 l/s. Mr Oo finds this acceptable along with the proposed wastewater connections and wastewater main upgrades proposed by the applicant.
136. In terms of stormwater, Mr Oo notes that stormwater neutrality will be required for the development, along with stormwater treatment. The applicant is proposing stormwater retention (stormwater reuse within the new buildings) to provide water treatment through removing stormwater volume from the receiving environment. New car parking and road areas will need to be appropriately treated for contaminant loading through the use of rain gardens or similar. These requirements have been suggested as consent conditions.
137. A condition has also been provided limiting the use of bare galvanised, zinc alum, or unpainted metal (including copper) that may result in contamination of stormwater runoff upon corrosion of surfaces.
138. Overall, Mr Oo has also suggested a standard suite of three-waters servicing conditions that I have included in **Annexure 13** to this report, and having regard to the above assessment, adverse three-waters servicing effects will be acceptable.

Positive Effects

139. The applicant has undertaken an assessment of positive effects in section 4.2.1 of the AEE. I agree with this assessment. In particular, I agree and conclude that the positive effects delivered through the implementation of the project will be significant and enduring, and summarise them as follows:
- Enhancement of the efficiency and effectiveness of Parliament.
 - Reduction in the need for Parliament to rent suboptimal floorspace outside of the Precinct.
 - Reduction in earthquake prone building risk.
 - Visual and pedestrian amenity enhancement of the 'back of house' area to the rear (west) of the current parliament buildings, and conversion of this space to a pedestrian oriented environment fit for a precinct.

- Enhancement of public accessibility, use, education and enjoyment within Parliament House.
- Enhancement of the ability for Parliamentary activities and operation of the National Crisis Management Centre to be self-sufficient and maintained in a major emergency event / natural disaster.
- Enhancement of safety and security for deliveries and servicing, and a significant reduction in existing risks.
- Encouragement of greater use of public transport and active transport modes for Parliamentary staff.
- Improvement to the safe and efficient operation of the intersection of The Terrace and Bowen Street.
- Improvement to CPTED outcomes throughout the Precinct.
- Promotion of sustainable energy use.

Effects Conclusion

140. Taking into account the assessment above of the actual and potential effects of the proposal (including both adverse and positive effects), I consider the effects of the proposal will be acceptable. In particular, I consider that the significant positive effects of the proposal, on balance, outweigh the adverse effects of the proposal.

Section 104(1)(ab) Measures to ensure Positive Effects to Offset or Compensate for any Adverse Effects

141. The applicant has not proposed or agreed to any measures to ensure positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity. In this case I consider that no measures are necessary as the overall effects on the environment will be acceptable.

Section 104(1)(b) Relevant Planning Provisions

142. Relevant to the assessment of the application is a hierarchy of planning instruments, each intended to give effect to the Purpose and Principles of the Act. In considering this application, I have had regard to provisions of the following planning documents as specified in section 104(1)(b)(i)–(vi) of the Act:

- National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health
- Other regulations
- National Policy Statements
- The New Zealand Coastal Policy Statement
- The Wellington Regional Policy Statement

- The Operative District Plan
- The Proposed District Plan (objectives and policies only)

Higher Order Planning Documents

143. Other than the NES regulations discussed below, there are no other National Environmental Standards, other regulations or National Policy Statements that are directly relevant to the consideration of this proposal. Similarly, the New Zealand Coastal Policy Statement is not relevant.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

144. An assessment of the proposal in relation to the relevant NES-CS provisions is provided above. It is noted that there are no relevant objectives or policies under the NES-CS. However, the stated policy objective of the NES-CS is explained within the User Guide as follows¹⁴:

“to ensure land affected by contaminants in soil is appropriately identified and assessed when soil disturbance and/or land development activities take place and, if necessary, remediated or the contaminants contained to make the land safe for human use. The NES enables the safe use of affected land by:

- *establishing regulations for five activities that ensure district planning controls relevant to assessing and managing public health risks from contaminants in soil are appropriate and nationally consistent*
- *establishing soil contaminant standards protective of human health and requiring their use when decisions are made under the NES*
- *ensuring best practice and consistent reporting on land affected or potentially affected by contaminants is applied that enables efficient information gathering and consistent decision-making.”*

145. I have had regard to the NES-CS and in particular, the policy objective above. Having drawn on the expert advice discussed in the section 104(1)(a) assessment above, I consider that the proposed works will be consistent with this stated policy objective in that contaminants in soil are identified and assessed when land development is to occur; the site will be remediated and/or contained following the works and made safe for human use; and, the use of the Soil Contaminant Standards under the NES-CS has been applied. Further, the approach to remediation and ongoing management is deemed appropriate, including the transport and disposal of materials taken off the site.

Wellington Regional Policy Statement

146. The Regional Policy Statement for the Wellington Region ('RPS') provides an overview of the resource management issues significant to the region and outlines the

¹⁴ NES-CS User Guide, ME 1092, Ministry for the Environment 2012, Page 6

objectives, policies and methods required to achieve the integrated management of the region's natural and physical resources.

147. Section 4.2 of the RPS contains regulatory policies which need to be given particular regard (where relevant) when assessing and deciding on a resource consent application. The most relevant policies to consider in assessing this application are listed below:

Policy 41: Minimising the effects of earthworks and vegetation disturbance

148. Appropriate silt, sediment and erosion controls will be required to be implemented during the earthworks. Policy 41 recognises that erosion, siltation and sedimentation cannot always be avoided, I consider that appropriate management techniques are necessary to ensure that these effects will be minimised.

Policy 42: Minimising contamination in stormwater from development

149. Mr Oo of WWL has assessed the proposal with respect to stormwater management. Considering his assessment above, conditions of consent have been suggested that will minimise contamination of stormwater runoff through providing on-site stormwater quality treatment and through the minimisation of galvanised, zinc alum or unpainted metal for exterior construction to further manage this effect.

Policy 46: Managing effects on historic heritage values

150. Effects on historic heritage values of the Parliament buildings and Precinct have been assessed extensively by the applicant's and Council's experts. Considering the expert assessments undertaken and the conditions suggested in **Annexure 13**, I consider that these effects have been appropriately managed, including having regard to the matters listed in (a) to (i) in Policy 46.

Policy 48: Principles of the Treaty of Waitangi

151. Conditions have been suggested to ensure accidental discovery protocols are implemented as required ensuring on-going participation by the relevant iwi groups in the event that any material of significance to iwi is discovered during the works. Further, the applicant has offered conditions ensuring the on-going consultation and involvement of the relevant iwi groups through the detail design phase of the development, and wider proposal within the precinct. The proposal is not inconsistent with the principles of the Treaty of Waitangi in my opinion.

Policy 51: Minimising the risks and consequences of natural hazards

152. The known natural hazards affecting the development site include the 1-in-100 year rainfall flood risk and ground shaking. The applicant, in consultation with Wellington Water Ltd, has designed the proposal to minimise risks and consequences of the flooding hazard in relation to the site and surrounding properties. This is assessed in detail in the Natural Hazards Effects section of the section 104(1)(a) assessment

above. In a similar vein, the proposed MUS building has been designed to an IL4 standard for earthquake resilience to ensure the Parliament and emergency management operations in the building remain operational in the event of an earthquake or other natural hazard. As such, the proposal adequately accords with this policy.

Policy 54: Achieving the region's urban design principles

153. It has been assessed and concluded by the applicant's urban design expert and Ms Duffell that the proposal achieves the urban design principles of the WCC ODP, which in turn accords with this policy. This has been assessed in detail in the Design and Visual Amenity Effects section of the section 104(1)(a) assessment above and the Central Area objectives and policies in the section 104(1)(b) assessment below.

Policy 57: Integrating land use and transportation

154. The proposal has been designed with the intention of integrating the land use development with transport considerations, particularly as the proposal involves removing a substantial amount of car parking, with a greater focus on pedestrian and cycle access to and within the site. Further, given the Central Area location of the site, it has good access to public transport (bus and rail in particular) and good connections to the wider CBD. Safe and attractive environments will be provided for walking and cycling as part of the proposal, enhancing physical connections through the site to its immediate surrounds.
155. Further, the assessment undertaken by Ms Wood concludes that the traffic generated by the proposed development can be adequately accommodated within the existing transport network and that there will be minimal impacts on the efficiency, reliability and safety of the network and its users. In relation to Museum Street and its intersection with Bowen Street, the outcome will be positive.

Proposed Change 1

156. Proposed Change 1 to the RPS was notified by GWRC on 19 August 2022. The focus of Proposed Change 1 to the RPS is to implement and support the National Policy Statement on Urban Development 2020 ('NPS-UD') and to start the implementation of the National Policy Statement for Freshwater Management 2020 ('NPS-FM'). The change also addresses issues related to climate change, indigenous biodiversity and high natural character. I have had regard to Proposed Change 1 and consider that no further analysis is required.
157. Overall, I consider that the proposal accords with the general strategic direction of the Wellington Regional Policy Statement.

Operative Wellington District Plan

158. The site is located within the Central Area of the Operative District Plan ('ODP'). The District Plan notations are listed in paragraph 20 above.

Central Area

Containment and Accessibility

Objective 12.2.1: *To enhance the Central Area's natural containment, accessibility, and highly urbanised environment by promoting the efficient use and development of natural and physical resources.*

Policy 12.2.1.1: *Define the extent of the Central area in order to maintain and enhance its compact, contained physical character.*

Policy 12.2.1.2: *Contain Central Area activities and development within the Central Area.*

159. Objective 12.2.1 and the underlying policies relate to containment and accessibility within the Central Area. The site is within the Central Area and the redevelopment allows for the efficient and ongoing use of the existing land resource. In my opinion this objective and associated policies are met. I consider the proposal to be an efficient use of the Central Area land being for government activities at a height and mass that is generally considered acceptable by the relevant experts.

Activities

Objective 12.2.2: *To facilitate a vibrant, dynamic Central Area by enabling a wide range of activities to occur, provided that adverse effects are avoided, remedied or mitigated.*

Policy 12.2.2.1: *Encourage a wide range of activities within the Central Area by allowing most uses or activities provided that the standards specified in the Plan are satisfied.*

Policy 12.2.2.2: *Ensure that activities are managed to avoid, remedy or mitigate adverse effects in the Central Area or on properties in nearby Residential Areas.*

Policy 12.2.2.4: *Control the adverse effects of noise in the Central Area.*

Policy 12.2.2.5: *Ensure that appropriate on-site measures are taken to protect noise sensitive activities that locate within the Central Area from any intrusive noise effects.*

160. The proposal contributes to the wide range of activities occurring within the Central Area through providing an extension to the existing government activities taking place on the site. The proposal also frees up private office space nearby as Parliament activities will be brought on-site as a result of the proposed new buildings, thereby enabling owners to respond appropriately to market needs.

161. Policy 12.2.2.2 recognises that activities within the Central Area have the potential to have effects both within the Central Area and to nearby residential zones. In my opinion, effects generated by the proposed activities can be appropriately controlled through compliance with the relevant performance standards and conditions of consent. In terms of residential zones, the Inner Residential Area is located to the north-west of the site, across Hill Street. The British High Commission is the closest Inner Residential property and is located approximately 60m from the proposed BAL building and 75m from the proposed MUS building. The proposed activities are suitably set back from the Inner Residential Area and will be screened and separated such that adverse effects on these residential properties will be largely avoided.
162. Policy 12.2.2.4 relates, in particular, to potential adverse effects resulting from both fixed plant noise from new noise sources, and noise generated by construction activities. It is my opinion that these can be appropriately controlled through compliance with the relevant performance standards of the District Plan, which should be reinforced by the appropriate conditions of consent. Construction noise will generate noise which will be temporary in nature. In this regard I note Policy 12.2.2.4 states:
- “The plan acknowledges that construction noise has effects on the Central Area but that these are generally temporary in nature. Construction noise is managed using best practical [sic] option, in accordance with NZS6803P:1984 The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work.”*
163. Temporary noise effects are, in my opinion, best managed through appropriate conditions of consent and through compliance with NZS6803:1999. This draws on the expert advice of Ms Cocking discussed above.
164. Further, in regard to Policy 12.2.2.5, I note that there are nearby residential activities in the Central Area that are classed as noise sensitive activities, being the townhouses fronting Ballantrae Place to the east of the site. For the reasons discussed above, I consider that appropriate on-site measures are and will be taken to protect these nearby activities from undue noise effects.
165. Overall, I consider that the proposal meets and is consistent with the Objective 12.2.2 and Policies 12.2.2.1, 12.2.2.2, 12.2.2.4 and 12.2.2.5.

Urban Form and Sense of Space

Objective 12.2.3: *To recognise and enhance those characteristics, features and areas of the Central Area that contribute positively to the City’s distinctive physical character and sense of place.*

Policy 12.2.3.1: Preserve the present ‘high city/low city’ general urban form of the Central Area.

Policy 12.2.3.2: Promote a strong sense of place and identity within different parts of the Central Area.

166. The site is located within the 'low city' area and borders the 'high city' area on the opposite side of Bowen Street to the south. In my opinion, the proposed buildings will preserve the 'high city/low city' urban form. Notably, the height of the MUS building will be considerably lower than the neighbouring office buildings in the Bowen Precinct to the immediate west, and the combination of the MUS and BAL buildings provide an appropriate transition from the taller office buildings to the west and south to the 'low city' form of the existing Parliament buildings and those to the north on Hill Street. This view has drawn on the expert advice of Mr Kelly and Ms Duffell.
167. Policy 12.2.3.2 outlines that 'sense of place' is shaped by both an area's social activity and the character and quality of the building environment. This part of the Central Area has a distinctive character and features derived from its role as the place of Parliament. The proposal seeks to further enhance this sense of place and identity with additional Parliamentary buildings in a setting that will be better than existing. Ms Duffell in this regard finds that the proposal has an appropriate relationship to context and considers that the proposal will enhance the sense of space for the western portion of the site that is currently dominated by low-quality car parking areas.
168. Overall, I consider that the proposal meets Objective 12.2.3 and Policies 12.2.3.1 and 12.2.3.2.

Effects of New Building Works

Objective 12.2.5: *Encourage the development of new buildings within the Central Area provided that any potential adverse effects can be avoided, remedied or mitigated.*

Policy 12.2.5.1: *Manage building height in the Central Area in order to:*

- *reinforce the high city/low city urban form;*
- *ensure that new buildings acknowledge and respect the form and scale of the neighbourhood in which they are located; and*
- *achieve appropriate building height and mass within identified heritage and character areas.*

169. Having regard to the expert design assessment provided by Ms Duffell, the proposal will reinforce the high city/low city urban form whilst acknowledging and respecting the form and scale of the neighbourhood with reference to the adjoining Bowen Precinct, the existing buildings and open spaces in the Parliament Grounds, and the adjacent Central Area sites. I consider that the proposal will be consistent with Policy 12.2.5.1.

Policy 12.2.5.2: *Manage building mass to ensure that the adverse effects of new building work are able to be avoided, remedied or mitigated on site.*

Policy 12.2.5.3: *Manage building mass in conjunction with building height to ensure quality design outcomes.*

170. The proposal has been assessed by Ms Duffell to achieve appropriate building height and mass with reference to the existing buildings and open spaces within the Parliamentary Precinct. Further, she is satisfied with the design outcome achieved and has suggested conditions ensuring appropriate detail design is developed and implemented accordingly.

Policy 12.2.5.4: To allow building height above the specified height standards in situations where building height and bulk have been reduced elsewhere on the site to reduce the impact of the proposed building on a listed heritage item. Any such additional height must be able to be treated in such a way that it represents an appropriate response to the characteristics of the site and the surrounding area.

171. As discussed throughout this report and having regard to Ms Duffell's assessment, I consider that the effects of the height of the MUS building have been appropriately assessed and mitigated through the design of the building. While the MUS building is high, the proposed BAL building is sufficiently low in height to minimise the overall height and impact on the heritage values of the existing buildings and precinct.

Policy 12.2.5.5: Require design excellence for any building that is higher than the height standard specified for the Central Area.

172. In this regard, the proposed MUS building exceeds the maximum building height by up to 2m. Ms Duffell has undertaken an assessment of the proposed MUS building against this policy in an addendum to her assessment, included in **Annexure 3** to this report. Overall, Ms Duffell considers that the MUS building achieves design excellence. I accept Ms Duffell's expert opinion on this and consider that Policy 12.2.5.5 is met.

Policy 12.2.5.6: Ensure that buildings are designed to avoid, remedy or mitigate the wind problems that they create and where existing wind conditions are dangerous, ensure new development improves the wind environment as far as reasonably practical.

Policy 12.2.5.7: Ensure that the cumulative effect of new buildings or building alterations does not progressively degrade the pedestrian wind environment.

Policy 12.2.5.8: Ensure that the wind comfort levels of important public spaces are maintained.

Policy 12.2.5.9: Encourage consideration of wind mitigation measures during the early stages of building design and ensure that such measures are contained within the development site.

173. The proposal has been designed with input from wind experts at WSP Ltd. The report outlines that the proposal has been designed to mitigate as far as practicable wind problems generated from the proposed development and where existing wind conditions are dangerous. A condition of consent is suggested ensuring that wind

mitigation is considered further in the detail design stage alongside other design objectives. Considering the assessment provided by WSP, the proposal will overall maintain the existing wind environment and will generally accord with these policies as a result, subject to further consideration of mitigation measures.

Policy 12.2.5.10: Provide for consideration of 'permitted baseline' scenarios relating to building height and building bulk when considering the effect of new building work on the amenity of other Central Area properties.

174. This policy has been taken into consideration in the assessment on neighbouring amenity undertaken in the section 104(1)(a) assessment above. In the context of this policy, adverse effects on the amenity of other Central Area properties will be acceptable.

Buildings and Public Amenity

Objective 12.2.6: *To ensure that new building works maintain and enhance the amenity and safety of the public environment in the Central Area, and the general amenity of any nearby Residential Areas.*

Policy 12.2.6.1: Enhance the public environment of the Central Area by guiding the design of new building development and enhancing the accessibility and usability of buildings.

Policy 12.2.6.2: Require high quality building design with the Central Area that acknowledges, and responds to, the context of the site and the surrounding environment.

Policy 12.2.6.3: Ensure that new buildings and structures do not compromise the context, setting and streetscape value of adjacent listed heritage items, through the management of building bulk and building height.

175. Based on the expert advice of Ms Duffell and Mr Kelly discussed in this report, and having regard to the applicant's assessments, I consider that the proposed new buildings do not result in an undue compromise of the context, setting and streetscape value of the surrounding heritage items. While the MUS building exceeds the height limit, I consider that the adverse effects have been, and can further be via conditions of consent, mitigated to ensure this outcome is adequately achieved.

Policy 12.2.6.4: Protect sunlight access to identified public spaces within the Central Area and ensure new building developments minimise overshadowing of identified public spaces during periods of high use.

Policy 12.2.6.5: Advocate for new building work to be designed in a way that minimises overshadowing of any public open space of prominence or where people regularly congregate.

176. While there are no identified public spaces (i.e. listed in Central Area Appendix 7) in the vicinity of the rear of the Parliamentary Grounds, the proposal will maintain an

acceptable degree of sunlight access to Parliament's Sculpture Park. However, it is also noted that this 'park' is part of the Parliament site and is zoned for future building development rather than be preserved as a public open space.

Policy 12.2.6.7: Protect, and where possible enhance, identified public views of the harbour, hills and townscape features from within and around the Central Area.

177. The 'identified public views' in this policy refer to the Central Area viewshafts shown in Appendix 11 of the Central Area provisions. As outlined in paragraph 20 of this report, Parliament Grounds is subject to four protected viewshafts in the Operative District Plan: Viewshafts 1, 2, 3 and 4a. The proposed MUS building will be partially visible in the bottom part of Viewshaft 4a. The Focal Elements of this viewshaft are the Beehive and the Cenotaph. The Context Elements are Tinakori Hill (Te Ahumairangi) and Thorndon Residential Area. The extent of intrusion into Viewshaft 4a and this policy are also a matter of concern raised in the submissions.

178. The impact on Viewshaft 4a has been specifically assessed by Ms Duffell in the Design and Visual Amenity Effects section under the section 104(1)(a) assessment above. Having regard to that assessment and Ms Duffell's conclusion that "*I consider that the effect is appreciable but the viewshaft still retains adequate integrity in terms of the identified quality elements*"¹⁵, I consider that the identified views of Viewshaft 4a are adequately protected in accordance with this policy.

179. I note that the proposed development is not visible within any other viewshaft listed in Central Area Appendix 11 and will therefore have no impact on those respective views.

Policy 12.2.6.15: Improve the design of developments to reduce the actual and potential threats to personal safety and security.

Policy 12.2.6.16: Promote and protect the health and safety of the community in development proposals.

180. The proposal has been designed to incorporate CPTED principles as described in the CPTED Report (Appendix 10 of the application). The report outlines measures to enhance the safety of persons within the site and reduce threats. Conditions of consent have been suggested to ensure the measures outlined in the report be implemented accordingly. Further, health and safety will be promoted by the IL4 standard proposed for the MUS building; by the centralisation of deliveries through the BAL building with enhanced security and safety; and by the replacement of surface car parking with a pedestrian oriented plaza that is safe, including safer operation of the Bowen Street / The Terrace intersection through a reduction in vehicle movements. The proposal is therefore considered to align with these policies.

¹⁵ Annexure 2 of this report, Paragraph 4.11, Page 11

Building Amenity

Objective 12.2.7: *To promote energy efficiency and environmental sustainability in new building design.*

Policy 12.2.7.1: Promote a sustainable built environment in the Central Area, involving the efficient end use of energy and other natural and physical resources and the use of renewable energy, especially in the design and use of new buildings and structures.

Policy 12.2.7.2: Ensure all new buildings provide appropriate levels of natural light to occupied spaces within the building.

181. The proposal includes sustainable design and energy efficiency measures as summarised in the reports appended in the application. Further, the applicant outlines¹⁶ that the MUS building in particular has been designed to optimise natural light, avoid excessive solar gain, and enable visual activation and surveillance between occupied spaces and the surrounding proposed plaza and Bowen Street. I consider that the proposal positively contributes to promoting a sustainable built environment in the Central Area.

Signs

Objective 12.2.10: *To achieve signage that is well integrated with and sensitive to the receiving environment, and that maintains public safety.*

Policy 12.2.10.5: Control the number and size of signs within heritage areas and areas of special character.

Policy 12.2.10.6: Ensure that signs contribute positively to the context of the Parliamentary Precinct Heritage Area.

182. The applicant advises¹⁷ that all signage associated with the proposed development will be limited to identification of the buildings, wayfinding and traffic management. I have included in the suggested conditions of consent that this information be provided at the detail design stage for Council certification prior to installation.

Natural and Technological Hazards

Objective 12.2.13: *To avoid or mitigate the adverse effects of natural and technological hazards on people, property and the environment.*

Policy 12.2.13.1: Identify those hazards that pose a significant threat to Wellington, to ensure that areas of significant potential hazard are not occupied or developed for vulnerable uses or activities.

¹⁶ Appendix 18, District Plan Objectives and Policies Assessment, Page 6

¹⁷ Appendix 18, District Plan Objectives and Policies Assessment, Page 6

Policy 12.2.13.3: Ensure that the adverse effects of hazards on critical facilities and lifelines are avoided, remedied or mitigated.

183. The proposal has been assessed by WWL in relation to the flood hazard that traverses the site, and it has been concluded that adequate mitigation measures have been included in the design of the development to avoid or mitigate adverse effects of this hazard.

184. Further, the applicant is committed to designing the proposed MUS building to an IL4 level of seismic resilience which they consider adequate to ensure the ongoing operation of Parliament and the emergency functions in this building during an earthquake hazard. Overall, I consider that the proposal accords with these objectives and policies.

Hazardous Substances and Contaminated Sites

Objective 12.2.14: To prevent or mitigate any adverse effects of the storage, use, disposal, or transportation of hazardous substances, including waste disposal.

Policy 12.2.14.1: Ensure that the use, storage, handling and disposing of hazardous substances does not result in any potential or actual adverse effects on the environment, by requiring that the proposed activity is assessed using the Hazardous Facilities Screening Procedure, and where appropriate, the resource consent process.

Policy 12.2.14.5: In assessing an application for a resource consent relating to hazardous substances, the following matters will be considered:

- *Site layout, design and management to avoid, remedy or mitigate any adverse effects of the activity.*
- *The adequacy of the design, construction and management of any part of a hazardous facility site where hazardous substances are used for their intended function, stored, manufactured, mixed, packaged, loaded, unloaded or otherwise handled such that:*
 - *any significant adverse effects of the intended use from occurring outside the intended use, handling or storage area is prevented*
 - *the contamination of any land in the event of a spill or other unintentional release of hazardous substances is prevented*
 - *the entry or discharge of the hazardous substances into surface or groundwater, the stormwater drainage system or into the sewerage system (unless permitted under a regional plan, resource consent or trade waste permit) is prevented.*
- *Necessity for secondary containment of bulk storage vessels.*

- *Location of and separation distance between the hazardous facility and residential activities.*
- *Location of and separation distance between the hazardous facility and critical facilities and lifelines.*
- *Location of the facility in relation to the nearest waterbody or the coastal marine area.*
- *Access routes to the facility, location and separation distance between the facility and sensitive activities and uses, sensitive environments and areas of high population density.*
- *Transport of hazardous substances to and from the site, including the tracking of waste where it is disposed off-site.*
- *Existing and proposed (if any currently under consideration by Council) neighbouring uses.*
- *Potential cumulative hazards presented in conjunction with nearby facilities.*
- *Potential for contamination of the surroundings of the site and sensitivity of the surrounding environment.*
- *Fire safety and fire water management.*
- *Site drainage and utility infrastructure.*
- *Whether the site has adequate signage to indicate the presence of hazardous substances.*
- *Whether adequate arrangement has been made for the environmentally safe disposal of any hazardous substance or hazardous wastes generated, including whether off-site disposal is a more appropriate solution.*
- *Whether the site design has been subject to risk analysis, such as Hazop (Hazard and Operabilities Studies), to identify the potential hazards, failure modes and exposure pathways.*
- *Where the hazardous facility is located within a Hazard Area, any additional requirements to mitigate the potential effect of a natural hazard event.*
- *Type and nature of the existing facility.*
- *Whether appropriate contingency measures and emergency plans are in place.*
- *Whether the facility complies with the provisions of the Hazardous Substances and New Organisms Act 1996, and whether more stringent controls are required to take account of site-specific conditions.*

185. The District Plan seeks to ensure that people and the environment are not exposed to unnecessary risks generated from hazardous substances and seeks to minimise the risks of exposure from accidental release. In this case, Policy 12.2.14.1 seeks to work in conjunction with the Hazardous Substances and New Organisms Act 1996 to ensure the safe use and storage of hazardous substances. Based on the advice from Ms Thaker, who has reviewed the information included within the application presented, and given the suggested conditions included in **Annexure 13** to this report, Policy 12.2.14.1 will be met in my view.

186. Consideration has also been had to the matters listed in Policy 12.2.14.5. The storage of diesel fuel will in this case support a core function of the proposed building (the operation of emergency generators) and appropriate secondary containment measures will be installed. I have had regard to the matters outlined under Policy 12.2.14.5 and based on the advice of Ms Thaker, I consider that the proposal will be consistent with this policy.

Access

Objective 12.2.15: *To enable efficient, convenient and safe access for people and goods within the Central Area.*

Policy 12.2.15.1: Seek to improve access for all people, particularly people travelling by public transport, cycle or foot, and for people with mobility restrictions.

Policy 12.2.15.2: Manage the road network to avoid, remedy or mitigate the adverse effects of road traffic on the amenity of the Central Area and the surrounding Residential Areas.

Policy 12.2.15.6: Manage the supply of commuter car parking.

Policy 12.2.15.8: Manage on-site parking to ensure any adverse effects on the surrounding street network are avoided, remedied or mitigated.

Policy 12.2.15.9: Require the provision of servicing or loading facilities for each site in the Central Area.

Policy 12.2.15.10: Ensure that the design and location of servicing or loading facilities is appropriate having regard to the nature of the development and the existing or likely future use of the site.

Policy 12.2.15.13: Require all vehicular access to sites to be safe.

Policy 12.2.15.14: Protect and enhance access to public spaces in the Central Area.

187. It has been demonstrated by the transport experts referenced in this report that the proposal will improve the safety and efficiency of people travelling by public transport, cycle or foot, particular in relation to the Museum Street entrance and the reduction in vehicle movements at this interface and within the precinct, and in relation to relocating goods deliveries to a more suitable Ballantrae Place location.

188. In reference to Policy 12.2.15.2, Ms Wood agrees with the applicant's findings that the road network can accommodate the expected traffic movements and that adverse effects will be appropriately avoided or mitigated. Similarly, per Policy 12.2.15.6, commuter parking will be significantly reduced which is consistent with the Council's Parking Policy, the District Plan, and the promoting of sustainable alternative modes of transport.

189. In terms of Policy 12.2.15.8, the proposal will reduce the potential for adverse effects in relation to on-site parking and enhances the positive effects on the surrounding street network for the reasons discussed in this report. Further, the applicant advises that generous provision will be made for e-bike, bicycle and motorbike parking to avoid the need for on-street parking and large amounts of off-street parking. Appropriate end of trip facilities will be incorporated into the detailed design, which I have included in the suggested conditions included in **Annexure 13** to this report.
190. In terms of Policies 12.2.15.9 and 12.2.15.10 in relation to servicing and loading, the BAL building will create a centralised and dedicated goods delivery and goods/rubbish/recycling pick-up facility serving the whole site. In her assessment, Ms Wood has reviewed the servicing arrangement and finds it acceptable from a transport perspective. In a similar vein, Ms Wood and the applicant's transport consultant Aurecon find that the access points at Museum Street and Ballantrae Place will be safe, per Policy 12.2.15.13, and will maintain public access along the street and within the site, per Policy 12.2.15.14.
191. Overall, having regard to the above, I consider that the proposal accords with Objective 12.2.15 and the accompanying policies.

Tangata Whenua

Objective 12.2.16: *To facilitate and enable the exercise of tino rangatiratanga and kaitiakitanga by Wellington's tangata whenua and other Maori.*

Policy 12.2.16.1: Identify, define and protect sites and precincts of significance to tangata whenua and other Maori using methods acceptable to tangata whenua and other Maori.

Policy 12.2.16.3: In considering resource consents, Council will take into account the principles of the Treaty of Waitangi/Te Tiriti o Waitangi.

192. The proposal provides the opportunity for the exercise of tino rangatiratanga and kaitiakitanga by Wellington's tangata whenua and other Māori through the consultation and engagement undertaken by the applicant in developing the proposal and through the detail design stage.

Heritage

Objective 20.2.1: *To recognise the City's historic heritage and protect it from inappropriate subdivision use and development.*

Policy 20.2.1.2: To discourage demolition, partial demolition and relocation of listed buildings and objects while:

- *acknowledging that the demolition or relocation of some parts of buildings and objects may be appropriate to provide for modifications that will result in no more than an insignificant loss of heritage values; and*

- *giving consideration to total demolition or relocation only where the Council is convinced that there is no reasonable alternative to total demolition or relocation.*

Policy 20.2.1.3

Promote the conservation and sustainable use of listed buildings and objects while ensuring that any modification avoids, remedies or mitigates, effects on heritage values of the listed buildings or objects and where relevant:

- *ensures that modifications to the main elevations are minimised, or if possible are unaltered;*
- *any modifications respect the scale of the building or object; and*
- *any modifications maintain the relationship of the building or object with its setting.*

193. The overarching objective of the Heritage provisions in the ODP is to protect historic heritage from “inappropriate” subdivision, use and development. While there will be adverse effects of the proposal on historic heritage values, the proposed use and development are not considered by Mr Bowman, Mr Wild, Mr Kelly, or HNZPT to be inappropriate. The assessments overall conclude that the proposal is appropriate in its effects on heritage values of the listed buildings and heritage area, including consideration of the mitigation measures and consent conditions offered.
194. Policy 20.2.1.2 “discourages” partial demolition of heritage buildings, acknowledging that some modification might be acceptable in certain circumstances. As described by the applicant, an aboveground link bridge between the MUS building and Parliament House is required for operational reasons, which will involve minor modification of the western elevation of Parliament House. The link bridge has been, and will be through further detail design, carefully designed to minimise removal of original heritage fabric and in light of the mitigation measures offered by Mr Bowman and endorsed by Mr Kelly and HNZPT.
195. In relation to Policy 20.2.1.3, the proposal promotes the long-term sustainable use of the existing Parliament buildings, in particular Parliament House, and modifications have been limited to a small portion of the rear (secondary) elevation of the building. The proposal therefore maintains the prominent primary elevation of the Parliament Buildings and its primary setting. While the proposal modifies the immediate setting in the western part of the site, it generally maintains the setting overall, according with this policy.

Policy 20.2.1.4:

Protect the heritage values of listed buildings and objects by ensuring that the effects of subdivision and development on the same site as any listed building or object are avoided, remedied and mitigated.

196. Policy 20.2.1.4 applies to the MUS and BAL buildings and the plaza works within the western portion of the site. The effects of these new buildings and works have been assessed in the section 104(1)(a) assessment above and it has been concluded that adverse effects on the heritage values of the listed buildings, in particular Parliament

House, can be satisfactory mitigated. In particular, the link bridge connection to Parliament House can be mitigated by careful and appropriate detail design, which has been incorporated into the suggested conditions of consent. This approach has also been proposed by Mr Bowman, on behalf of the applicant, and endorsed by Mr Kelly and HNZPT.

Policy 20.2.1.6: Protect buildings, structures, spaces and other features integral to the significance of a heritage area and allow demolition, destruction or relocation, where there are no significant effects on heritage values.

Policy 20.2.1.7: Ensure additions and alterations to existing buildings, any new buildings or subdivision within a heritage area avoid, remedy or mitigate the adverse effects on the heritage values of the heritage area.

Policy 20.2.1.8: Maintain and enhance the heritage values, qualities and character of listed heritage areas.

197. Policies 20.2.1.6 to 20.2.1.8 collectively seek to protect and enhance heritage areas and the contributing buildings, structures and spaces of significance within them, and to ensure that adverse effects are avoided, remedied or mitigated. In this case, they apply to the Parliamentary Precinct Heritage Area. It has been assessed in the section 104(1)(a) assessment undertaken in this report that the values of the Parliament grounds and heritage area overall will be maintained overall and, in some cases, enhanced through the improvements to the pedestrian and landscaped environment within the western portion of the site. It has also been assessed that the adverse heritage effects of proposed new buildings and link bridge can be appropriately mitigated. The proposal is therefore considered to result in an acceptable outcome for the Parliamentary Precinct Heritage Area in accordance with these policies.

Policy 20.2.1.9: Ensure that signs on listed heritage buildings or objects (or sites on which they are located) or within Heritage Areas do not adversely affect heritage values and qualities and avoid unnecessary or inappropriate signage.

198. The applicant outlines¹⁸ that any signage is proposed to be limited to the identification of the MUS and BAL buildings, wayfinding and traffic management to minimise effects on heritage values of the precinct. I have included a requirement that the proposed signage is located and designed accordingly in the suggested conditions of consent in **Annexure 13**.

Policy 20.2.1.10: Protect listed trees from destruction and loss, and control the effects of trimming and changes to ground levels or other activities within the dripline of trees, to only allow these activities when they maintain or enhance the heritage values recognised in the listing of trees in section 20.1.3.

¹⁸ Appendix 18, *District Plan Objectives and Policies Assessment*, Page 8

199. The proposal is to relocate the heritage oak tree and avoid its destruction and loss, and the relocation and aftercare will be appropriately managed. Subject to the successful transplanting of the tree which the relevant experts believe is achievable, it is anticipated that the tree's values will be maintained or enhanced having drawn on the expert advice discussed above.

Policy 20.2.1.11: Avoid, remedy or mitigate the adverse effects of development on the archaeological values of any site.

200. An archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 has been obtained by the applicant. This provides for the monitoring of earthworks and the appropriate management of any archaeological material encountered, and will ensure adverse effects on archaeological values are avoided, remedied or mitigated.

Objective 20.2.2: To facilitate and enable the exercise of tino rangatiratanga and kaitiakitanga by Wellington's tangata whenua and other Maori.

Policy 20.2.2.1: Identify, define and protect sites and precincts of significance to tangata whenua and other Maori using methods acceptable to tangata whenua and other Maori.

201. The site is not within a Māori Precinct identified in the District Plan, however District Plan Map 18 shows that the Parliamentary Grounds were traversed by the Wai-piro Stream, which is a feature of importance to tangata whenua. In addition, as outlined in paragraph 90, I note that the site is 'adjacent' to the Government Buildings Historic Reserve and Turnbull House Historic Reserve, which are both statutory acknowledgements under the Port Nicholson Block (Taranaki Whānui ki Te Upoko o Te Ika) Claims Settlement Act 2009. As discussed throughout this report and the application, the applicant has undertaken consultation with local iwi and the applicant outlines¹⁹ that consultation is ongoing, and it is proposed that elements of the Wai-piro Stream could be reflected in the detail design of the proposal in a way that is acceptable to tangata whenua.

Earthworks

Objective 29.2.1: To provide for the use, development and protection of land and physical resources while avoiding, remedying or mitigating any adverse effects of earthworks and associated structures on the environment.

Policy 29.2.1.1: Ensure that the design and assessment of earthworks and associated structures is coordinated with future land development and subdivision.

¹⁹ Appendix 18, *District Plan Objectives and Policies Assessment*, Page 9

- Policy 29.2.1.3: Ensure that earthworks are designed to minimise the risk of instability.*
- Policy 29.2.1.4: Require earthworks to be designed and managed to minimise erosion, and the movement of dust and sediment beyond the area of the work, particularly to streams, rivers, wetlands and the coastal marine area.*
- Policy 29.2.1.7: Ensure that earthworks and associated structures are designed and landscaped (where appropriate) to reflect natural landforms and to reduce and soften their visual impact having regard to the character and visual amenity of the local area.*
- Policy 29.2.1.11: Ensure the transport of earth or construction fill material, to and from a site, is undertaken in a way that is safe and minimises adverse effects on surrounding amenity and the roading network.*
- Policy 29.2.1.12: Protect koiwi (human remains), taonga, Maori and Non-Maori material and archaeological sites dated from before 1900, by advising applicants of their obligations under legislation and using enforcement powers where necessary.*

202. I have consulted with Mr Davies whose expert advice I have relied on in regard to earthworks. The earthworks proposed are of a scale that is reasonably expected for a Central Area development such as this. Mr Davies has assessed and concluded that the proposal will be managed in terms of minimising instability, and the proposed earthworks and construction methodology design will manage the works such as to minimise erosion, and the movement of dust and sediment beyond the area of the work. Further, a suite of conditions of consent have been suggested in this regard and to further address general works and construction. In addition, the removal of material from the site can be appropriately managed by a construction traffic plan in the opinion of Ms Wood. I consider, based on Mr Davies and Ms Wood advice, that the proposal is consistent with these objectives and policies.

203. In regard to Policy 29.2.1.12, the archaeological authority granted by HNZPT will appropriately manage the potential for disturbance to the underlying archaeological site present in the locality.

Contaminated Land

Objective 21.2.1: To manage the remediation, use, development and subdivision of contaminated and potentially contaminated land so as to avoid or mitigate the risk of adverse effects on human health and the environment.

Policy 31.2.1.2: Minimise and control the adverse effects that may arise from the use, development and subdivision of any contaminated or potentially contaminated land.

Policy 31.2.1.3: Encourage the remediation and/or ongoing management of contaminated or potentially contaminated land as is appropriate for any likely future use of the land.

Policy 31.2.1.4: Ensure that the exposure from the ongoing use of land affected by soil contaminants is managed in a manner that avoids or mitigates the risk of adverse effects on human health and the environment.

204. I have consulted with Ms Lowe whose expert advice in this regard I have relied on. Having regard to Ms Lowe's advice, the use and development of the contaminated land will be appropriately managed and mitigated through the measures proposed by the applicant and those included in the suggested conditions of consent. Implementation of these measures will ensure the proposed works accord with the objectives and policies above.

Operative District Plan Conclusion

205. Overall, I consider that the proposal is generally consistent with the objectives and policies of the Operative District Plan as outlined above.

Proposed Wellington District Plan

206. The Proposed District Plan ('PDP') was notified in July 2022, during the processing of this application. I have therefore had regard to the following relevant objectives and policies of the PDP in accordance with section 104(1)(b)(vi) of the Act. The site is located in the City Centre Zone of the PDP. The PDP notations are listed in paragraph 25 above.

He Rohe Pokapū Tāone / City Centre Zone

Objective CCZ-O1: The City Centre Zone continues to be the primary commercial and employment centre servicing Wellington and the wider region, supported by residential and a diverse mix of other compatible activities that reflect its role and function in the hierarchy of centres.

Objective CCZ-O2: The City Centre Zone plays a significant role in accommodating residential, business and supporting community service growth, and has sufficient serviced development capacity to meet its short, medium and long term residential and business growth needs, including:

- 1. A choice of building type, size, affordability and distribution, including forms of medium and high-density housing;***
- 2. Convenient access to active and public transport activity options;***
- 3. Efficient, well integrated and strategic use of available development sites; and***

4. ***Convenient access to a range of open space, including green space, and supporting commercial activity and community facility options.***

Objective CCZ-03: The scale and form of development in the City Centre Zone reflects its purpose as Wellington’s primary commercial and employment centre, with the highest and most intensive form of development concentrated in the zone relative to other parts of the city.

207. The proposal accords with these objectives through its role in enhancing the operation of Parliament, being an integral activity to the city centre of Wellington, and through providing for increased capacity for Parliament and government activities in the city centre. The scale and form of the proposed development reflect this, taking advantage of underutilised land in the city centre for accommodating growth and needs of Parliament activities.

Objective CCZ-04: Taranaki Whānui and Ngāti Toa Rangatira are acknowledged as the mana whenua of Te Whanganui ā Tara (Wellington) and their cultural associations, and landowner and development interests are recognised in planning and developing the City Centre Zone.

208. The applicant has undertaken the planning and design of the proposal in conjunction with mana whenua. There is ongoing consultation and involvement in the project by Taranaki Whānui and Ngāti Toa Rangatira as summarised in the AEE and Design Statement (Appendix 3a of the application) to ensure that the development recognises their interests.

Objective CCZ-05: Development in the City Centre Zone positively contributes to creating a high quality, well-functioning urban environment, including:

1. ***Reinforcing the City Centre Zone’s distinctive sense of place;***
2. ***Providing a quality and level of public and private amenity in the City Centre Zone that evolves and positively responds to anticipated growth and the diverse and changing needs of residents, businesses and visitors;***
3. ***Maintaining and enhancing the amenity and safety of public space;***
4. ***Contributing to the general amenity of neighbouring residential areas;***
5. ***Producing a resilient urban environment that effectively adapts and responds to natural hazard risks and the effects of climate change;***
6. ***Protecting current areas of open space, including green space, and providing greater choice of space for residents, workers and visitors to enjoy, recreate and shelter from the weather; and***

7. Acknowledging and sensitively responding to adjoining heritage buildings, heritage areas and areas and sites of significance to Māori.

209. Ms Duffell has undertaken an assessment of this policy, which I adopt where applicable to my planning assessment. Ms Duffell concludes as follows:

“The new buildings will reinforce the sense of place of the Parliamentary Precinct and its functions. The development responds to the growth and change of the nation’s government structure over time, requiring a new building that externally moves the Parliament buildings into the 21st century and addresses a part of the site with less-than-ideal existing conditions by converting it from a ground-level car park to a safe, attractive, useable public space. Existing valued open space areas on the eastern side of the site will not be detrimentally affected.

There will not be detrimental impact on the amenity of any residential areas, which are at some distance from the site.

The building has been designed to achieve seismic resistance of IL4 by including base isolation.

The heritage and cultural aspects of the development will be commented on by others, but the commitment to engage with mana whenua and provide expression of Te Ao Maori in the design of the building and surrounding landscaping is noted.”

Objective CCZ-O6: Activities and development near existing and planned rapid transit stops:

- 1. Are located to enable convenient access by local residents, workers and visitors, particularly around transport hubs;**
- 2. Are of sufficient residential scale and intensity to support a frequent and rapid transit network and associated mixed use development; and**
- 3. Provide vibrant, attractive and easily accessible public space.**

210. The combination of more floorspace on the Parliamentary Grounds and enhancement to the publicly accessible spaces throughout the grounds, which is adjacent to Wellington’s main public transport hub, is consistent with and will promote this objective.

Objective CCZ-O7: Adverse effects of activities and development in the City Centre Zone are managed effectively both within the City Centre Zone, and at interfaces with:

- a. Heritage buildings, heritage structures and heritage areas;**
- b. Scheduled sites and areas of significance to Māori;**
- c. Identified public spaces;**
- d. Identified pedestrian streets;**
- e. Residential Zoned areas;**
- f. Open Space and Recreation Zoned areas; and**

g. The Waterfront Zone.

211. It has been assessed and concluded throughout this report that the proposal adequately manages adverse effects on historic heritage values of the Parliament Precinct (including the specifically listed buildings); sites and areas of significance to Māori; and surrounding residential zones and uses. For the reasons discussed in this report, the proposal accords with this objective.

Policy CCZ-P1: Enable a range and diversity of activities that support the purpose and ongoing viability of the City Centre Zone and enhances its vibrancy and amenity, including:

1. *Commercial activities;*
2. *Residential activities, except:*
 - a. *Along any street subject to active frontage and/or verandah coverage requirements;*
 - b. *On any site subject to an identified natural hazard risk;*
3. *Community facilities;*
4. *Educational facilities;*
5. *Arts, culture and entertainment activities;*
6. *Emergency service facilities;*
7. *Marae activities;*
8. *Community corrections activities;*
9. *Public transport activities;*
10. *Visitor accommodation;*
11. *Repair and maintenance service activities; and*
12. *Recreation activities.*

Policy CCZ-P2: Only allow activities that are potentially incompatible with the purpose of the City Centre Zone, where they will not have an adverse effect on its vitality, vibrancy and amenity. Potentially incompatible activities include:

1. *Industrial activities;*
2. *Yard-based retail activities;*
3. *Carparking at ground level;*
4. *Demolition of buildings that result in the creation of vacant land; and*
5. *Ground floor residential activities on streets identified as requiring either an active frontage or verandah coverage and sites subject to an identified hazard risk.*

Policy CCZ-P5: Recognise the benefits of intensification by:

1. *Enabling greater overall height and scale of development to occur in the City Centre Zone relative to other centres; and*
2. *Requiring the available development capacity of land within the zone to be efficiently optimised.*

Policy CCZ-P7: Recognise and enable Taranaki Whānui and Ngāti Toa Rangatira cultural associations and landowner and development interests in the City Centre Zone by:

- 1. Providing for the development of papakāinga, kaumātua housing and affordable Māori housing on their landholdings;*
- 2. Managing new development adjoining scheduled sites of significance to Māori; and*
- 3. Collaborating on the design and incorporation of traditional cultural elements into public space within the zone.*

212. The proposed building will support the purpose and ongoing viability of the Parliamentary Precinct Area by concentrating Parliamentary activities onto one site for efficiency of function. It will also introduce buildings that signify the ongoing development of Parliamentary activities on the site into the present time and into the future. Further, the proposal supports Policy CCZ-P2 in eliminating a potentially incompatible and discouraged activity, being ground level car parking, and replacing it with new buildings and high-quality landscaping and public space. This further contributes to enhancing the vibrancy and amenity of the City Centre Zone as sought by CCZ-P1.

213. In terms of Policy CCZ-P5, Ms Duffell considers that the building proposed is of a height and scale that is compatible with the Zone outcomes, and with the nature of the site and setting. In addition, the proposal supports Policy CCZ-P7 as discussed under CCZ-O4 above.

Policy CCZ-P8: Provide for good quality new development and supporting public space that reinforces the City Centre’s identity and unique sense of place at a city scale, including its:

- 1. Surrounding topography and harbour setting;*
- 2. Rich Māori and tauwiwi/non-Māori history;*
- 3. Compact, walkable city structure;*
- 4. Diversified and vibrant mix of activities;*
- 5. Visually prominent buildings and variety of architectural styles; and*
- 6. Diversity of accessible, well designed civic and public space.*

214. The sense of place has been previously assessed by Ms Duffell. In regard to this policy, Ms Duffell specifically notes the following, which I adopt where applicable to my planning assessment:

“The development [sic] this policy by reinforcing and building on the location’s identity as the seat of the nation’s government.

The Māori and non-Māori history of the site is reflected in both the building and the landscaping via a narrative developed with appropriate representatives of mana whenua. The new building will be visually prominent from certain viewpoints, but sits within a collection of buildings that it supports and explains in terms of the development of government activities on the site over time. The introduction of a 21st-century building into

this context to follow behind 19th- and 20th-century buildings is an appropriate response to development and expansion of this site over time.”

- Policy CCZ-P9: Require new development, and alterations and additions to existing development, at a site scale to positively contribute to the sense of place and distinctive form, quality and amenity of the City Centre Zone by:*
- 1. Recognising the benefits of well-designed, comprehensive development, including the extent to which the development:*
 - a. Acts as a catalyst for future change by reflecting the nature and scale of the development proposed within the zone and in the vicinity and responds to the evolving, more intensive identity of the neighbourhood;*
 - b. Optimises the development capacity of the land, particularly sites that are:*
 - i. Large; or*
 - ii. Narrow; or*
 - iii. Vacant; or*
 - iv. Ground level parking areas;*
 - c. Provides for the increased levels of residential accommodation anticipated; and*
 - d. Provides for a range of supporting business, open space and community facilities; and*
 - 2. Ensuring that development, where relevant:*
 - a. Responds to the site context, particularly where it is located adjacent to:*
 - i. A scheduled site of significance to Māori;*
 - ii. A heritage building, heritage structure or heritage area;*
 - iii. An identified character precinct;*
 - iv. A listed public space;*
 - v. Identified pedestrian streets;*
 - vi. Residential zones;*
 - vii. Open space zones; and*
 - viii. The Waterfront Zone;*
 - b. Responds to the pedestrian scale of narrower streets;*
 - c. Responds to any identified significant natural hazard risks and climate change effects, including the strengthening and adaptive reuse of existing buildings;*
 - d. Provides a safe and comfortable pedestrian environment;*
 - e. Enhances the quality of the streetscape and the private/public interface;*
 - f. Integrates with existing and planned active and public transport activity movement networks, including planned rapid transit stops; and*
 - g. Allows sufficient flexibility for ground floor space to be converted to a range of activities, including residential along streets that are not subject to active frontage and/or verandah*

coverage requirements and sites free of any identified natural hazard risk.

215. This policy aims to achieve quality design outcomes for development in the City Centre Zone. In this regard, Ms Duffell concludes the following, which I adopt where applicable to my planning assessment:

“The development positively contributes to the sense of place, quality and amenity of the location by presenting a comprehensive development that responds to the constraints and opportunities of the site. It redevelops a part of the site with poor urban design amenity and presents a design which complements development of government activity on the site while explicitly expressing a modern response that befits the times.

...

Site conditions are much improved, with better landscaping, more purposeful and considered pedestrian conditions and inclusion of cultural references. User safety on the site has been satisfactorily considered, and generally, public access to the site will still be permitted in much the same manner as at present.

The building itself is designed to a high standard of resilience.

The development supports this policy.”

Policy CCZ-P11: *Require over and under height, large-scale residential, non-residential and comprehensive development in the City Centre Zone to deliver City Outcomes Contributions as detailed and scored in the Centres and Mixed Use Design Guide (CMUDG) guideline G107, including through either:*

- 1. Positively contributing to public space provision and the amenity of the site and surrounding area; and/or*
- 2. Incorporating a level of building performance that leads to reduced carbon emissions and increased climate change resilience; and/or*
- 3. Incorporating construction materials that increase the lifespan and resilience of the development and reduce ongoing maintenance costs; and/or*
- 4. Incorporating assisted housing into the development; where this is provided, legal instruments are required to ensure that it remains assisted housing for at least 25 years; and/or*
- 5. Enabling ease of access for people of all ages and mobility.*

216. While the City Outcomes Contributions as laid out in the CMUDG has not been ‘scored’ I do note the proposal does address points 1-3 above for the reasons discussed in this report. Specifically, the proposal enhances the publicly accessible spaces within the western portion of the Parliament Grounds; and provides for a high-level of building performance, being a high seismic resilience and promoting sustainable energy use.

Policy CCZ-P12: Recognise the evolving, higher density development context anticipated in the City Centre Zone, while managing any associated adverse effects including:

- 1. The impacts of building dominance and the height and scale relationship;*
- 2. Building mass effects, including the amount of light and outlook around buildings; and*
- 3. The impacts on sunlight access to identified public space; and*
- 4. The impacts of related construction activity on the transport network.*

217. This policy recognises the evolving, higher density development context anticipated in the City Centre Zone, while managing any associated adverse effects including the impacts of building dominance and the height and scale relationship and building mass effects, including the amount of light and outlook around buildings. For the reasons discussed in this report the proposal has Council advisors' overall support for the heights and placement of buildings.

Te Takenga ā-Hītori / Historic Heritage

Objective HH-O1: Historic heritage recognised [sic] for its contribution to an understanding and appreciation of the history, culture and sense of place of Wellington City, the Wellington region, and New Zealand.

Objective HH-O2: Historic heritage is retained and protected from inappropriate use, subdivision and development.

Objective HH-O3: Built heritage is well-maintained, resilient and kept in sustainable long-term use.

218. The application and proposal appropriately recognise the significance and contribution of the historic heritage values of the Parliament Grounds and buildings in accordance with HH-O1.

219. Objective HH-O2 aligns with ODP Objective 20.2.1 in protecting historic heritage from "inappropriate" use and development. The proposal accords with this objective for the reasons discussed in paragraph 193 of this report.

220. The proposal aligns with Objective HH-O3 in that it promotes the sustainable long-term use of the existing Parliament Buildings, in particular Parliament House, through providing appropriate accommodation and services to enable the efficient on-going operation of Parliament functions.

Policy HH-P4: Enable works to built heritage that:

- 1. Increase the resilience through seismic strengthening, either in isolation or as part of additions and alterations;*
- 2. Support providing a sustainable long-term use;*

3. *Increase accessibility and support means of escape from fire; or*
4. *Provide the opportunity to promote, enhance, recover or reveal heritage values.*

221. The proposal is consistent with this policy to the extent that the MUS building and the works to Parliament House will support the sustainable long-term use of the existing Parliament buildings by enabling more Parliamentary activities to be located on the precinct and close to, and linked into, Parliament House. This will increase accessibility for MP's and Parliamentary staff and in turn contribute to enhancing and promoting the heritage values of Parliament.

Policy HH-P5: Encourage the preparation of conservation plans and take them into account when considering the effects of development proposals on the identified heritage values of built heritage.

222. The Parliament Grounds are subject to several conservation plans, which have been considered in the expert assessments of Mr Bowman and Mr Kelly in assessing this development proposal. In particular, Mr Bowman considers that the proposal is in accordance with the conservation plan for Parliament House.

Policy HH-P7: Provide for additions and alterations to, and partial demolition of heritage buildings and heritage structures where it can be demonstrated that the work does not detract from the identified heritage values, having regard to:

1. *The extent to which the work:*
 - a. *Supports the heritage building or heritage structure having a sustainable long term use;*
 - b. *Promotes, enhances, recovers or reveals heritage values;*
 - c. *Retains the main determinants of the architectural style or design of the heritage building or heritage structure;*
 - d. *Is compatible with the scale, form, proportion and materials of the heritage building or heritage structure;*
 - e. *Respects the identified relationship of the heritage building or heritage structure with its setting;*
 - f. *Enables any adverse effects on identified heritage values to be reversed;*
 - g. *Minimizes the loss of fabric and craftsmanship;*
 - h. *Is in accordance with any conservation plan that has been prepared by a suitably qualified heritage professional;*
 - i. *Increases structural stability, accessibility and means of escape from fire;*
 - j. *Fulfils the intent of the Heritage Design Guide;*
2. *The visibility of the work from street frontages;*
3. *Whether the works would lead to cumulative adverse effects on identified heritage values;*
4. *Whether there has been any change in circumstances since scheduling in the District Plan, including damage from natural disaster;*

5. *Any advice that has been obtained from a suitably qualified heritage professional including Heritage New Zealand Pouhere Taonga; and*
6. *The identified heritage values of the heritage area, where located within a heritage area.*

223. Mr Kelly has undertaken a detailed analysis of the proposal (specifically the alterations to Parliament House to install the link bridge) against this policy in section 6 of his assessment, which I accept. In summary, and having considered Mr Kelly's assessment, I consider that the proposed work generally accords with this policy in not detracting from identified heritage values, having regard to points 1 to 6 above.

Policy HH-P8: Provide for new buildings and structures, and modifications to existing non-scheduled buildings and structures on the same site as heritage buildings or heritage structures where it can be demonstrated that the work does not detract from the identified heritage values, having regard to (1) the extent to which the work:

- a. Is compatible with the scale, form, proportion and materials of the heritage building or heritage structure;*
- b. Respects the identified relationship of the heritage building or heritage structure with its setting; and*
- c. Fulfils the intent of the Heritage Design Guide.*

224. In a similar vein, Mr Kelly has undertaken a detailed analysis of the proposal (specifically the new buildings) in section 6 of his assessment. In this regard, Mr Kelly notes that while new buildings in the general locations proposed are supported, the height of the MUS building will be *“out of scale with the prevailing height of both Parliament House and the Parliamentary Library”* and considers that the MUS building's size and location *“will challenge the presence and status of, particularly, Parliament House.”* These conclusions pull against clauses (1)(a) and (1)(b) in this policy and Mr Kelly through his analysis alludes to this policy not being met.

225. The applicant's analysis²⁰ concludes that the proposal accords with this policy having drawn on the expert advice of their urban design and heritage experts, particularly stating that the proposal has been informed by consideration of the Heritage Design Guides and that the effects of the overall building height on Parliament House are acceptable. The applicant also considers that further mitigation measures will be implemented through the detail design which are reflected in the proposed conditions of consent.

226. I find myself in agreement with Mr Kelly's analysis that this policy is not directly met so therefore there is inconsistency, however I consider, on the advice of the heritage experts involved, that mitigation measures including those in the suggested conditions of consent, can further contribute to maintaining heritage values to an acceptable extent.

²⁰ Appendix 18, *District Plan Objectives and Policies Assessment*, Page 12

Policy HH-P13:

Provide for additions and alterations to, and partial demolition of buildings and structures within heritage areas where it can be demonstrated that the work does not detract from the identified heritage values of the heritage area, having regard to:

- 1. The extent to which the work:*
 - a. Supports buildings and structures having a sustainable long term use;*
 - b. Promotes, enhances, recovers or reveals heritage values;*
 - c. Respects the valued neighbourhood patterns of the heritage area including any predominant architectural style or design;*
 - d. Is compatible with the scale, form, proportion and materials that have been identified as part of the heritage values of the heritage area;*
 - e. Responds to the relationships between buildings and structures within the heritage area;*
 - f. Enables any adverse effects on heritage values to be reversed;*
 - g. Minimizes the loss of heritage fabric and craftsmanship;*
 - h. Is in accordance with any conservation plan that has been prepared by a suitably qualified heritage professional;*
 - i. Increases structural stability, accessibility and means of escape from fire; and*
 - j. Fulfils the intent of the Heritage Design Guide;*
- 2. The relative contribution of the building or structure to the identified values of the heritage area;*
- 3. The visibility of the work from street frontages;*
- 4. Whether the works would lead to cumulative adverse effects on the identified heritage values of the heritage area;*
- 5. Whether there has been any change in circumstances since scheduling of the heritage area in the plan, including damage from natural disaster; and*
- 6. Any advice that has been obtained from a suitably qualified heritage professional including Heritage New Zealand Pouhere Taonga.*

227. Mr Kelly has undertaken a detailed analysis of the proposal (specifically the alterations to Parliament House to install the link bridge) against this policy in section 6 of his assessment. The conclusions reached in the assessment against Policy HH-P7 above are similar and can also be applied here to this policy. Overall, having regard to the assessments undertaken, it is considered that the proposed alterations to Parliament House will not detract from the heritage values of the heritage area in accordance with this policy.

Policy HH-P14:

Provide for new buildings and structures within heritage areas where it can be demonstrated that the works will not detract from the identified heritage values of the heritage area, having regard to (1) the extent to which the work:

- a. *Respects any valued neighbourhood patterns of the heritage area including any predominant architectural style or design;*
- b. *Is compatible with the scale, form, proportions, design and materials of the heritage area;*
- c. *Is sited to maintain a consistent pattern of front façade alignment; and*
- d. *Fulfils the intent of the Heritage Design Guide.*

228. In Mr Kelly's analysis of this policy, he refers to his conclusions made against policies HH-P7 and HH-P8 above. For the reasons discussed above, I consider that the proposed MUS building does not directly meet the outcome sought by this policy so therefore there is inconsistency. However, in a wider sense the proposal does maintain the heritage values of the overall heritage area, particularly the open spaces and setting at the eastern and southern areas of the site. I again note that the ceremonial landscape and setting in the eastern part of the site (front of the Parliament buildings) will be maintained entirely, and the enhancements made to the pedestrian environment and landscaping throughout the western portion of the site will create much more of a 'campus' feeling rather than being a 'back-of-house' area dominated by car parking.

Other

229. Additionally, I have considered the objectives and policies noted below. The proposal can be serviced to meet the Three Waters objectives and policies as the applicant has provided appropriate three-waters servicing which has been reviewed by Wellington Water which has provided conditions to enable servicing of this site.

230. The proposal is generally in accordance with the PDP objective and policies as set out below, and the Council relevant advisors have reviewed the relevant issues and are in support of the proposal with the provision of conditions which have been included in **Annexure 13** to this report.

Te Tūāhanga o Ngā Wai e Toru / Three Waters

- *Objectives THW-O1 to THW-O3*
- *Policies THW-P1 to THW-P5*

Tūnuku / Transport:

- *Objective TR-O1*
- *Policies TR-P1 to TR-P3*

Te One Hawa / Contaminated Land

- *Objectives CL-O1 and CL-O2*
- *Policies CL-P1 to CL-P3*

Ngā Matū Mōrearea / Hazardous Substances

- *Objectives HS-O1 and HS-O2*
- *Policies HS-P1 and HS-P2*

Ngā Mōrearea ā-Taiao / Natural Hazards

- *Objective NH-O1*
- *Policies NH-P2 and NH-P6*

Ngā Rākau Rangatira / Notable Trees

- *Objectives TREE-O1 to TREE-O3*
- *Policies TREE-P3 to TREE-P6*

Ngā Wāhi Tapu ki te Māori / Sites and Areas of Significance to Māori

- *Objectives SASM-O2 and SASM-O3*
- *Policy SASM-P4*

Ngā Rāhui Tirohanga / Viewshafts

- *Objectives VIEW-O1 and VIEW-O2*
- *Policies VIEW-P1 to VIEW-P3*

Ngā Mahi Apu Whenua / Earthworks

- *Objective EW-O1*
- *Policies EW-P2 to EW-P7 and EW-P16*

Te Oro / Noise:

- *Objective NOISE-O1*
- *Policies NOISE-P1 to NOISE-P4*

Ngā Tohu / Signs

- *Objective SIGN-O1*
- *Policies SIGN-P1 and SIGN-P3*

Ngā Hau / Wind:

- *Objective WIND-O1*
- *Policies WND-P1 to WIND-P4*

Proposed District Plan Conclusion

231. Overall, I consider that, while the proposal does not directly accord with all objectives and policies listed above so there is some inconsistency, the proposal in the round is generally consistent with the outcomes sought by the Proposed District Plan.

Section 104(1)(c) Other Matters

Heritage New Zealand Pouhere Tāonga

232. The subject site includes several items that are registered as a Historic Place Category 1 in the New Zealand Heritage List, including the Executive Wing (Beehive), Parliament House, Parliamentary Library, and the Ballance and Seddon Statues. I note that the applicant has consulted with HNZPT throughout the design and development phase of

the proposal, and its advice is included in Appendices 6 and 6a of the application, along with its submission on the resource consent application.

233. Further, the site is a known place of pre-1900 human activity and is defined as an archaeological site under the Heritage New Zealand Pouhere Tāonga Act 2014. The applicant has obtained an archaeological authority (consent) from HNZPT to undertake the earthworks and construction work for this project. The archaeological authority includes conditions that must be met in addition to any conditions of the resource consent if granted. Ultimately, it would be the consent holder's responsibility to ensure that any HNZPT requirements are satisfied should resource consent be granted.

Code of Practice for Land Development

234. The Council's 2012 Code of Practice for Land Development, operative from December 2012, is a revision of the former Code of Practice for Land Development 1994 that is referred to in the District Plan. It is the Code of Practice for Land Development 2012 that holds the current technical standards required by the Council for the design and construction of earthworks, roading, water supply, wastewater, stormwater, and public open spaces. Whether the infrastructure will be vested with the Council or be a private asset, it is important that these assets are constructed to the Council's current standards.
235. With particular regard to water supply and wastewater, these standards must be met before the Council will allow a property to be connected to the City's water supply and wastewater system. However, it is not the intention of the Council to stifle innovation and ingenuity of design. Where the outcome will be a better-quality living environment, proposed alternative solutions for infrastructure design, other than for water supply and wastewater, should be negotiated with the Council to ensure that the Code of Practice for Land Development 2012 basic requirements are met.
236. Based on the advice provided by WWL, Mr Davies and Ms Wood, it is considered that the proposal can generally be constructed to meet the standards contained in the Council's Code of Practice for Land Development 2012.

Parliament Conservation Plans

237. A suite of conservation plans has been prepared for the Parliamentary Precinct which have been considered in the above assessments and in particular those undertaken by Mr Bowman and Mr Wild on behalf of the applicant and Mr Kelly on behalf of WCC. Mr Bowman, the co-author of the conservations plans, finds that the proposal is largely consistent with the conservations plans.

Any Other Matters

238. I have considered whether there are any other matters other than those identified above which need to be considered when assessing the application. It is my opinion that there are no other matters which need to be taken into account.

OVERALL EVALUATION OF PART 2 OF THE ACT

239. Consideration of an application under section 104 of the Act is subject to Part 2 (sections 5, 6, 7 and 8) of the Act. Part 2 sets out the purpose and principles of the Act. 'Subject to' gives primacy to Part 2 and is a primary consideration when applying the provisions of the Act.
240. In achieving the purpose of the Act, Part 2 requires the consent authority to recognise and provide for matters of national importance (section 6); have particular regard to other matters (section 7); and to take into account the principles of the Treaty of Waitangi (section 8).
241. A detailed evaluation of Part 2 matters is mostly helpful where there are deficiencies in the lower order planning documents. In this case, I consider the planning and regulatory framework discussed throughout this report to be sufficient to determine the outcome of the application. However, I have carried out an assessment against the relevant Part 2 matters below for completeness.

Section 5: Purpose

242. The purpose of the Act as stated in section 5 is *“to promote the sustainable management of natural and physical resources”*. Section 5(2) goes on to state that sustainable management means:

“managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

Section 6: Matters of National Importance

243. In relation to managing the use, development, and protection of natural and physical resources, section 6 sets out the matters of national importance which are to be recognised and provided for in relation to all decisions under the Act, including this resource consent application. I consider that the following provisions of section 6 are relevant and provide my view and reasoning on each of these provisions accordingly.

(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.

244. As assessed throughout this report and within section 4.2.2 of the AEE, the applicant has been involved in ongoing consultation with Te Āti Awa, Ngāti Toa and Taranaki Whānui ki Te Upoko o Te Ika in developing the detailed design of the proposed

development, particularly the MUS building. Further, sections 2.4 and 6.3 of the applicant's Design Statement (Appendix 3a of the application) discuss the consultation that has been undertaken with mana whenua and other persons considered to hold cultural mana for this site. Their input and interests are reflected in the submitted design for both the building and the landscaping, with opportunities identified for further expression of Māori culture within the building in the future if desired.

245. The archaeological authority granted by HNZPT will ensure the earthworks and construction of the proposal protect and manage the potential for archaeological material to be discovered during these works.

246. Having considered the application, I consider that the proposal appropriately provides for the above matter of national importance.

(f) the protection of historic heritage from inappropriate subdivision, use, and development.

247. Protection of historic heritage from *inappropriate* subdivision, use and development is the recurring outcome aimed to be achieved by the lower-order planning documents to give effect to section 6(f) of the Act. Particular regard has been had for achieving this outcome. While there will be adverse effects of the proposal on historic heritage values, the proposed use and development are not considered by Mr Bowman, Mr Wild, Mr Kelly, or HNZPT to be inappropriate. This has been assessed further under the section 104(1)(a) and 104(1)(b) assessments above.

(h) the management of significant risks from natural hazards.

248. One of the primary objectives of the proposal as outlined by the applicant is to make Parliament more resilient and reduce risks from natural hazards. In particular, construction of the new MUS building will provide safer and more resilient accommodation for the National Emergency Management Centre and essential Parliamentary functions in a major disaster event affecting Wellington, such as an earthquake. These elements of the proposal positively contribute to the applicant being able to manage, by way of avoiding or minimising, significant risks from natural hazards.

Section 7: Other Matters

249. Section 7 includes matters that the consent authority shall have particular regard to in relation to all decisions under the Act, including this resource consent application. I consider that the following provisions of section 7 are relevant and provide my view and reasoning on each of these provisions accordingly.

(b) the efficient use and development of natural and physical resources.

250. The proposed development and the construction of the proposed buildings will be appropriately located within the Central Area where the infrastructure and transport services are provided to service the activities. It is also located in an area containing a

mix of public open space and commercial development. The majority of the redevelopment site is currently used for at-grade carparking. The proposal will be a more efficient use of natural and physical resources than its current use as a car park. Further, it will free up additional commercial office space in the surrounding locality as Parliament's functions are brought back onto the site itself.

(c) *the maintenance and enhancement of amenity values.*

251. 'Amenity values' is defined under section 2 of the Act as "*those natural or physical qualities or characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes*". In this instance, the proposal will maintain and enhance the amenity values of the western portion of the Parliament Grounds, through introducing new buildings, plazas and landscaping treatments that create a pleasant and inviting space for the public, rather than its existing operation as a low-quality, car park. Further, the proposed works in this regard will reduce potential conflicts between vehicles and pedestrians and will maintain overall the wind environment at pedestrian level.

(f) *the maintenance and enhancement of the quality of the environment.*

252. I note that under the Act, 'environment' includes (a) ecosystems and their constituent parts (including people and communities); (b) all natural and physical resources; and (c) amenity values. 'Environment' also includes the social, economic, aesthetic and cultural conditions which affect matters (a) to (c) or which are affected by those matters. In a similar vein to the paragraph above, the proposal will maintain and enhance the quality of the environment throughout the western portion of the Parliament Grounds for the reasons discussed. In addition, the existing land resource will be more efficiently utilised for building purposes rather than at-grade commuter car parking. Further, the proposal will contribute to enhancing the social and cultural environment of Parliament through introducing new elements that move away from the 'Eurocentric' theme of the Grounds at present.

(g) *any finite characteristics of natural and physical resources.*

253. The availability of land is a finite resource, particularly land within an existing urban environment served by existing infrastructure and services. Having considered the application, I consider that the development of the proposed buildings on this site is appropriate in the circumstances, while balancing with the heritage values of the precinct and not detracting from the ceremonial landscape and setting to the east of the existing Parliament buildings.

(i) *the effects of climate change.*

254. The applicant has outlined through their application that the proposal has been designed to take into account the effects of climate change, and that it incorporates measures to counter its consequences. The applicant has also outlined that the design of the building will contribute to the precinct being carbon neutral by 2025. It also

directly promotes the use of public transport and through the provision of end-of-trip facilities for staff and a significant reduction in car parking.

(j) *the benefits to be derived from the use and development of renewable energy.*

255. The proposed development incorporates renewable energy sources, including solar panels on the roof of the MUS building. Solar panels have also recently been installed on the roof of Parliament House. These positively contribute to utilising renewable energy and reducing reliance on energy generated by non-renewable sources.

Section 8: Treaty of Waitangi

256. Section 8 states that all persons exercising functions and powers under the Act shall take into account the principles of the Treaty of Waitangi. The Treaty and its principles are an important part of the cultural and constitutional identity of New Zealand. Treaty principles interpret the Treaty as a whole, its underlying meaning, intention and spirit to provide further understanding of the expectations of the signatories.

257. I am satisfied that section 8 has been met in that the applicant has taken into account the principles of the Treaty of Waitangi through their engagement with mana whenua in developing the proposal and will continue to through the detail design stage.

Part 2 of the Act: Conclusion

258. Drawing from the conclusions of this report, I consider that the proposed development will be consistent with the purpose of the Act (section 5), and Part 2 more generally. Specifically:

- The proposal represents the sustainable management of the existing land resource to enhance the operation of Parliament functions and accommodate its needs.
- The proposal adequately protects historic heritage values overall.
- The proposal will maintain and enhance amenity values and the quality of the environment in the western portion of the site to the rear of the existing Parliament buildings.
- The proposal appropriately manages risks and consequences from natural hazards.

259. Subject to further consideration of mitigation measures in relation to effects on historic heritage values of Parliament House and on the public wind environment, which may both require further information and analysis, I am satisfied that the proposal will promote the sustainable management of natural and physical resources in accordance with the purpose of the Act, and in accordance with Part 2 of the Act more generally.

CONCLUSION

260. In summary, I consider that adverse effects can be appropriately avoided or mitigated (or can be balanced against the significant positive effects); that the proposal is generally consistent with the direction in the relevant statutory planning documents; and that the proposal will promote the sustainable management of natural and physical resources in accordance with the purpose of the Act. In my view, subject to adequate consideration of the detail design to mitigate adverse heritage and wind effects (as outlined above), consent could be granted.
261. I therefore conclude that, when the proposal is assessed against the matters in section 104(1)(a) to 104(1)(c) of the Act, the resource consent should be granted subject to the suggested conditions set out in **Annexure 13** to this report.

RECOMMENDATION

262. That the Hearings Commissioner, acting under delegated authority from the Council and pursuant to section 104B of the Resource Management Act 1991, **grants consent** for the FAS Project on the site at **1 Molesworth Street, Pipitea** (being Section 1 SO Plan 38114), subject to the conditions set out in **Annexure 13** to this report.
263. I note that my recommendation is based on the information provided to date. I reserve the right to reconsider this position, or any aspect thereof, should any new information or expert evidence eventuate prior to or at the hearing.

Reporting Officer:



Matthew Brajkovich
Senior Consents Planner
Resource Consents Team
Wellington City Council

ANNEXURES

- Annexure 1 – List of Submitters and Copies of Submissions
- Annexure 2 – Heritage Advisor Assessment
- Annexure 3 – Urban Design Advisor Assessment
- Annexure 4 – Wind Advisor Assessment
- Annexure 5 – Arboricultural Advisor Assessment 1
- Annexure 6 – Arboricultural Advisor Assessment 2
- Annexure 7 – Transport Advisor Assessment
- Annexure 8 – Earthworks Advisor Assessment
- Annexure 9 – Contamination Advisor Assessment
- Annexure 10 – Hazardous Substances Advisor Assessment
- Annexure 11 – Acoustic Advisor Assessment
- Annexure 12 – Wellington Water Assessment
- Annexure 13 – Suggested Conditions of Consent

Annexure 1

List of Submitters and Copies of Submissions

Parliament FAS Project: List of Submitters

No.	Submitter Name	Overall Position
1	Sandra-Lee Monk	Oppose
2	Heritage New Zealand Pouhere Tāonga	Neutral
3	Eldin Family Trust	Oppose
4	Ben Blinkhorne	Oppose
5	Ewen Robertson	Oppose

From: [Website Team](#)
To: [BUS: Consent Submissions](#)
Subject: Submission on notified resource consent application for 514663
Date: Tuesday, 15 November 2022 10:34:31 pm

Submitter details

First name: Sandra-Lee
Last name: Monk
Address: 38 Bancroft Terrace,
Suburb: Newlands
City: Wellington
Phone: 0274477511
Email: sandra.monk@xtra.co.nz

Application details

Applicant name: Simpson Grierson on behalf of Parliamentary Services
Site address: 1 Molesworth Street, Pipitea
Service request number: 514663
Submission: I / we object the application
Oral submission at the hearing: I / we do not wish to speak in support of mine / our submission
How long will you need for your presentation:
If others make a similar submission:

Aspects of the application that you support or oppose:
I oppose destruction of the tree marked as 100 on document 3---fas-architectural-drawings.pdf
Page 32 – Layout ID P A2-45. Tree 100 – to be removed

Aspects of the application that you are neutral towards:
all other aspects

The reasons for my / our submission are:
This is a beautiful healthy oak tree. It would be wasteful to kill it.

The decision I / we would like Wellington City Council to make is:
I request every option be considered to relocate this oak - if not in parliament grounds or the Bowen precinct then in some other public space in Wellington.



HERITAGE NEW ZEALAND
POUHERE TAONGA

Tairangahia a tua whakarere;
Tatakihia ngā reanga ō āmuri ake nei
Honouring the past; Inspiring the future

1 December 2022

File ref: 12023-009

Resource Consents Team
Wellington City Council
PO Box 2199
Wellington 6140

Email: consent.submissions@wcc.govt.nz

Tēnā koe

**SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA TO RESOURCE CONSENT
APPLICATION FOR NEW BUILDINGS AT PARLIAMENT – SR 514663**

To: Wellington City Council

Name of Submitter: Heritage New Zealand Pouhere Taonga

1. Heritage New Zealand Pouhere Taonga (HNZPT) is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) for the identification, protection, preservation and conservation of New Zealand’s historical and cultural heritage.
2. **This is a submission on an application from Parliamentary Services for a resource consent:**
 - To develop new buildings, landscaping and paving at the Parliamentary Precinct.
3. **Heritage New Zealand Pouhere Taonga is not a trade competitor for the purposes of Section 308B of the Resource Management Act 1991.**
4. **The specific parts of the application that this Heritage New Zealand Pouhere Taonga submission relates to are:**
 - The adverse impact of the proposed development on historic heritage values.
5. **Heritage New Zealand Pouhere Taonga submission is:**
 - On balance, our submission is neutral. As described in greater detail below, there are some aspects of the proposal that HNZPT can support and others that—because of their

potentially deleterious effects on the heritage values of Parliament House and the Executive Wing (The Beehive), both Category 1 historic places—are worrying. However, the combination of conditions devised to mitigate adverse effects and the laudable parts of the proposal mean that HNZPT remains neutral overall on the resource consent application for the proposal.

6. The reasons for the HNZPT position are as follows:

It should be noted that the earlier HNZPT responses to the proposed development, as included as appendices to the application, included references to the demolition of the Press Gallery and replacement with a new building in that location. This no longer forms part of the current application.

Summary of heritage recognition

The landscape in which the proposed new buildings and features are located is of outstanding and special heritage value, and unique within New Zealand. The significance of the Government Centre Historic Area has been recognised through its entry on the New Zealand Heritage List/Rārangi Kōrero (List No. 7035). The Government Centre Historic Area also includes a number of individually listed Category 1 historic places, including the following:

- Parliament House, List No. 223;
- Executive Wing (the Beehive), List No. 9629;
- Parliamentary Library, List No. 217;
- The Ballance Statue, List No. 211; and
- The Seddon Statue, List No. 230.

These historic places are also included in the District Plan heritage schedule.

Positive aspects of the proposal

The new buildings will not alter the purpose and functioning of the precinct as a whole. They are aimed at improving the utility and performance of the entire site by providing much needed accommodation for Members of Parliament and Ministers at a level which is commensurate with their positions in government.

The new Museum Street Building (MUS) is for Members of Parliament (MPs). The provision of accommodation for MPs close to Parliament House in a purpose-built facility underscores the importance of the government and reinforces the sense that the precinct overall is the symbolic heart of New Zealand's democracy. The ongoing use of the site for MPs within a new building contributes to reinforce the heritage values of the entire complex.

The MUS is located in part of the site that mainly features a carpark with all the attendant aesthetic shortcomings. While provision for cars may be viewed as a necessity, such a function does not result in high quality outdoor space, but rather charmless storage of vehicles with only the historic oak tree for visual relief. It also means that pedestrians are never quite sure where they belong, limiting the activation of that side of the Parliamentary landscape. Because of these factors, the reinvention of this space for a narrow new building surrounded by pleasant landscaping intended to increase pedestrian traffic on that side of Parliament will greatly increase the amenity value of the area.

Regarding the ceremonial landscape and spaces at the front of Parliament House and the Executive Wing, the MUS building is mostly obscured by the two older buildings.

Impacts on proposed new buildings on heritage values

The proposals make changes to places of outstanding heritage: the historic structures, the historic area and to the surrounds of outstanding historic places. The overall aesthetic is changed on the west side of Parliament House and the Beehive. The new buildings will change the ratio of built mass to open landscape. In order to avoid looking like an undistinguished modern building within a varied precinct of architecturally distinctive edifices, mitigating factors for the proposals can reinforce the 'government heritage' character if implemented.

When making additions to existing heritage buildings or adding structures within a defined heritage precinct, it is important to ensure that any new work is of a scale and location that it does not dominate the existing heritage buildings and respects their setting. The proposed MUS is too tall and positioned too closely to Parliament House, which are related issues (more space can accommodate more floors and vice versa). In its current form, MUS obscures views of Parliament House's intricate west façade and overshadows the heritage building.

The MUS sits a bit too snugly, arguably it is jammed in between Parliament House and the recently renovated Bowen State Building. It might be described as providing stepped visual transition between Parliament House and the taller Bowen State Building, and the adjacent and even taller Charles Fergusson Tower, completed in 1975, the heights of which are further accentuated because of their position on a gentle rise up to the west. In addition to its close proximity, the principal mass of the proposed MUS is roughly two storeys higher than Parliament House. The MUS additionally has a two-storey entrance volume pushing east and connected to the heritage building by a bridge at the first floor. In total, all of these elements crowd Parliament House and obscures views of its decorative wester face. Fortunately, the MUS proposal is not so high that it can be seen from most of the ceremonial landscape on the east side of the building.

The connection from new building to Parliament House

The proposed new building includes an enclosed walkway at the first-floor level, which will necessitate the removal of an original window in the former Deputy Speakers lounge and removal of fabric to enable the connection and waterproofing of the bridge.

A walkway is needed by members to cross between the new building and Parliament House. The elevated walkway needs to be of a design that is consistent with the dignity and purpose of Parliament. It does not have to replicate the style and motifs of the older building, but should exhibit a high degree of quality in design and materials. Additionally, the connection to Parliament House constitutes a partial removal of building fabric, which should be kept to an absolute minimum. Important detailing and distinguishing features should be protected. Care should be taken to only very lightly connect to Parliament House so that it can continue to be read in as a whole without the penetration. The penetration should be reversible.

HNZPT agrees with Mr. Bowman¹ that the main issues are the window removal, the impact on original fabric where the bridge is attached to Parliament House, the obscuring of views through the bridge by the principal supports and articulation of the windows in the exterior walls, and the impact on views from and to Parliament House and the Parliament Library. Mr Bowman has suggested some mitigation measures, which are addressed below.

Ballantrae Place Building

The proposed Ballantrae Place Building is of less concern to HNZPT with regards to impacts on heritage, due to both its location within the precinct, and the height and bulk of the building, which are comparatively modest. This building, containing services and the location for deliveries, will be almost entirely hidden from Parliament House by the Museum Street Building. In this regard HNZPT agrees with Adam Wild's conclusion that the effects of the Ballantrae Place building on the heritage precinct are acceptable.²

Oak Tree

While HNZPT acknowledges the value of the historic Oak Tree as noted in the Conservation Plan and referenced in Adam Wild's heritage report, the tree itself is not included in the New Zealand Heritage List/Rārangi Kōrero, and HNZPT does not hold any additional information regarding the historical values of the tree. It is hoped that the tree can be successfully relocated to the new proposed location within Parliament grounds.

Concluding statement

There are parts of the proposal that HNZPT can more strongly support than others. The overall pedestrian activation and relandscaping to make the area more approachable and aesthetically pleasing will only enhance the use and appreciation of the Parliamentary Precinct. The Ballantrae Place building is suitably functional given its purpose and is tucked away from most view from Parliament House. While HNZPT does not fully oppose the concept for the MUS, in our opinion it is either too tall or its too close to Parliament House with the current height. The two-storey entry and the linking first-floor bridge also reduce views and ability to see Parliament House.

Other conceptual proposals – including the reconfiguring the interior of the Beehive drum – would also have adverse effects on heritage. The current proposal may well be the best among a range of others also having adverse effects. Without an assessment of all the concepts to confirm this, it is hard to say whether this is the best outcome. However, it can be said to be a reasonable outcome that will still feature the irreversible loss of open space on the west side of Parliament.

Mitigation measures

The Assessment of Environmental Effects (Peter Coop 28 September 2022) includes a suite of recommended conditions. Proposed condition 2 reads: '*Conditions reflecting the mitigation measures suggested in the heritage report prepared by Mr Ian Bowman*'.

¹ Ian Bowman, "Heritage Impact Assessment Future Accommodation Strategy," p60.

² Adam Wild, "Assessment of Effects on Historic Heritage," [Future Accommodation Strategy], p38.

HNZPT agrees with the intent of this condition, but as worded in the AEE it lacks precision and clarity.

Section 7 of Ian Bowman's report proposes a number of mitigation measures which, taken together, would reduce the impact of the proposal on the heritage values of the Parliamentary Precinct and its constituent parts. HNZPT agrees in general with the mitigation measures suggested by Mr Bowman. Specifically, HNZPT agrees that there should be protection plans in place to safeguard heritage fabric during construction, that a suitably qualified and experienced conservation architect be engaged to provide input into all design work and implementation, and that all work is appropriately recorded.

HNZPT requests the following (or equivalent) conditions be included if consent is granted to the application:

1. That prior to construction commencing Temporary Protection Plans (TPP), including measures to protect existing heritage fabric are prepared and submitted to Council in accordance with best international practice.
2. That all work on scheduled heritage buildings is recorded in accordance with Level I of HNZPT Archaeological Guidelines Series No.1 *Guidelines for the Investigation and Recording of Buildings and Standing Structures*, November 2018.
3. That a qualified and experienced conservation architect be engaged to provide input into all design work and implementation.
4. Prior to any construction work commencing the consent holder shall submit detailed design drawings and specifications to Council for written certification. These drawings and specifications must be in general accordance with the plans submitted for consent; must be prepared by an appropriately qualified person; and, designed to:
 - i. minimise damage to the heritage fabric in accordance with best practice to the extent practicable;
 - ii. minimise aesthetic or structural impact on Parliament House;
 - iii. confirm that the connecting bridge between MUS and Parliament House be structurally independent, designed to be as visually unobtrusive as possible; and attached to the heritage building as lightly as practicable; and
 - iv. use appropriate, high-quality materials.

HNZPT considers that these (or equivalent) conditions will serve to mitigate adverse effects on heritage values to an acceptable level.

7. Heritage New Zealand Pouhere Taonga seeks the following decision:

- Consent is granted, subject to conditions to mitigate adverse effects on heritage values, and proactive and thoughtful consideration of the comments and advice contained in this submission with regard to the issue of MUS building height and proximity to Parliament House during the detailed design stage.

Heritage New Zealand Pouhere Taonga does wish to be heard in support of its submission.

If others make a similar submission, HNZPT will consider presenting a joint case at the hearing.

Yours sincerely



Dr Jamie Jacobs
Director / Kaiwhakahaere Matua
Central Region / Te Takiwā o Te Pūtahi a Māui
Heritage New Zealand Pouhere Taonga

Address for service

Heritage New Zealand Pouhere Taonga
Central Region *Te Takiwā o Te Pūtahi a Māui*
PO Box 2629
Wellington 6140
Ph: 04 494 8325
Contact person: Dean Raymond
Email: draymond@heritage.org.nz

Copy to:

Matt Conway
Simpson Grierson
PO Box 2402
Wellington 6140
Matt.conway@simpsongrierson.co.nz

SUBMISSION ON RESOURCE CONSENT APPLICATION BY PARLIAMENTARY SERVICES

To: Wellington City Council

Name of submitter: Trustees of the Eldin Family Trust

1. This is a submission on an application from His Majesty the King (care of Parliamentary Services) for a resource consent with service request number 514663. The application is for a resource consent for land use and associated construction for two new buildings in the Parliamentary Precinct at 1 Molesworth Street, Pipitea.
2. The submitters are the Hon Sir Douglas White KC, John Meads and Dan Williams as trustees of the Eldin Family Trust (“the Trustees”). The Trustees could not gain an advantage in trade competition through this submission.
3. The specific parts of the application that this submission relates to is the construction of the proposed MUS and BAL buildings into Viewshaft 4A (Whitmore Street) of the Operative District Plan (ODP).
4. The Trustees oppose the application to the extent it will result in buildings that intrude into Viewshaft 4A.
5. The background to this submission is the following parts of the applicant’s assessment of environmental effects:
 - 5.1 Appendix 7 assesses the proposal against the rules and standards of the ODP. It asserts that the MUS and BAL buildings will not intrude into Viewshaft 4A because they will not affect the margins and base of the viewshaft or occupy space between the viewpoint and the focal elements.
 - 5.2 Appendix 18 assesses the proposal against the objectives and policies in the ODP. It again asserts that the proposal will not intrude into any District Plan viewshaft as the basis for that assessment.
6. The Trustees disagree with the assertions that the proposal will not intrude into Viewshaft 4A.
7. The application acknowledges that the new MUS building is partially visible in Viewshaft 4A.¹ In particular, the MUS building is proposed to

¹ Assessment of Environmental Effects, Appendix 3, Photograph P A6-04, revision 2.

be located squarely in the viewshaft, spatially between the Beehive building and the backdrop of Tinakori Hill. It decreases the extent of Tinakori Hill that is visible in the viewshaft, and will change the backdrop to the bottom left corner of the Beehive. The MUS building extends to the margin of the viewshaft.

8. This is a clear breach of standard 13.6.3.3.1 of the ODP, which states that “No building or structure shall intrude on any viewshaft as shown in Appendix 11”.
9. The applicant’s stated position is that there is only an intrusion into a viewshaft if the structure will affect the margins and base of the viewshaft or occupy space between the viewpoint and the focal elements. The applicant relies on the High Court decision in *Waterfront Watch* as the basis for this proposition.
10. The *Waterfront Watch* decisions in both the High Court and Environment Court do not stand for that proposition. That case did not relate to a proposal for a new or altered building to intrude into a viewshaft. There is no suggestion in either decision that an “intrusion” is only established if it occupies space between the viewpoint and a focal element or affects the margins and base of the viewshaft.²
11. The Environment Court’s conclusion in *Waterfront Watch* was that there was no intrusion into the relevant viewshaft, because in its assessment there would be no change in the ability to see either focal or context elements from the viewshaft.³ The High Court did not take issue with that assessment.⁴
12. This case is different. The MUS building proposed by the applicant will clearly impact on the views of Tinakori Hill (a context element) and change the backdrop to the Beehive structure (a focal element). It changes the relationship between the Beehive and Tinakori Hill. The new structure therefore intrudes into the viewshaft, and so the construction of the new structure is a discretionary activity pursuant to rule 13.3.8.
13. The applicant has not assessed the environmental effects of the intrusion or its consistency with Policy 12.2.6.7 of the ODP. Nor are there any appropriately certified drawings that allow an accurate assessment of visual effects as required by section 3.2.2.17.

² *Waterfront Watch Inc v Wellington City Council* [2018] NZHC 3453 at [20] and [46]–[48]; *Waterfront Watch Inc v Wellington City Council* [2018] NZEnvC 39 at [24]–[25].

³ *Waterfront Watch Inc v Wellington City Council* [2018] NZEnvC 39 at [24]–[25].

⁴ *Waterfront Watch Inc v Wellington City Council* [2018] NZHC 3453 at [46]–[48] and [54].

14. In light of these deficiencies, the Trustees submit that the resource consent application should be declined to the extent it would result in the MUS building intruding upon the viewshaft.
15. The Trustees wish to be heard in support of this submission. If others make a similar submission then the Trustees will consider presenting a joint case with them at the hearing.
16. The Trustees request pursuant to section 100A of the Resource Management Act 1991 that you delegate your functions, powers and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority.

Dated: 2 December 2022

The Hon Sir Douglas White KC
For the Trustees of the Eldin Family Trust

Electronic address for service of submitters:
Duncan.ballinger@stoutstreet.co.nz
Telephone: 04 915 9278
Postal address: PO Box 117, Wellington 6140
Contact person: Duncan Ballinger, Barrister

From: [Website Team](#)
To: [BUS: Consent Submissions](#)
Subject: Submission on notified resource consent application for 514663
Date: Sunday, 4 December 2022 8:00:41 pm

Submitter details

First name: Ben
Last name: Blinkhorne
Address: 30 Salamanca Road
Suburb: Kelburn
City: Wellington
Phone: 0272493051
Email: ben.b@kapura.co.nz

Application details

Applicant name: Her Majesty the Queen
Site address: 1 Molesworth Street
Service request number: 514663
Submission: I / we object the application
Oral submission at the hearing: I / we wish to speak in support of mine / our submission
How long will you need for your presentation: 10 minutes
If others make a similar submission:

Aspects of the application that you support or oppose:

1. Height and position of the proposed Museum Street Building in relation to the Bowen State Terrace
2. Proposed construction of steps and bleachers in the West Courtyard leading up to the Bowen State Terrace to create a pedestrian thoroughfare between the Museum Street Building and Bowen State Building
3. Noise disturbance and construction dust in the area during the build period

Aspects of the application that you are neutral towards:

The reasons for my / our submission are:

My responses are on behalf of Kāpura, the company that owns and operates Huxley's restaurant and bar which is located on the eastern ground floor of the Bowen State Building. Our leased premises also includes the outdoor bar and dining area on Bowen State Terrace.

1. Height and position of Museum Street Building. Two of Huxley's unique selling propositions are its morning sunshine (venue trades from 7.30am) and its unobstructed views of Parliament House. The proposed Museum Street Building would severely reduce the direct sunlight hours our venue receives and completely block views of Parliament House. This would cause a negative economic impact to Huxley's operation as it would lose two of its key unique selling propositions.
2. West Courtyard steps and Bowen State Terrace pedestrian thoroughfare. Figure 1.15 in McIndoe Urban's Parliamentary Precinct Future Accommodate Strategy (FAS) Urban Design Assessment dated 27 Sep 2022 is a view of the Bowen State Terrace to the north-east. The Bowen State Terrace forms part of Huxley's lease with its landlord Precinct Properties Holdings Limited. When the agreement to lease was signed in Feb 2022 (prior to McIndoe Urban's assessment) our premises plan always included an expansion of

Huxley's footprint into the leased terrace area. Construction of an enclosed outdoor bar and seating area with a retractable roof is now complete. Figure 4.4 of McIndoe Urban's report proposes a pedestrian route directly through our leased outdoor bar area which we are opposed to for two reasons i) it's not possible based on the Huxley's bar/seating configuration ii) if our bar/seating was removed it would have a detrimental impact on Huxley's financial viability.

3. Noise disturbance and construction dust. Highly likely patrons will avoid Huxley's, particularly the outdoor terraced area, during the construction period due to noise and dust associated with construction of the building in such close proximity to Huxley's. This will have an also adverse economic impact on the venue.

The decision I / we would like Wellington City Council to make is:

The decision Kāpura would like Wellington City Council to make is to reject the resource consent application for the Museum Street Building. At a minimum, if the building is granted consent, the West Courtyard link to the Bowen State Building requires significant redesign so it does not impede Huxley's ability to trade from our leased area on the Bowen State Terrace

From: [Website Team](#)
To: [BUS: Consent Submissions](#)
Subject: Submission on notified resource consent application for 514663
Date: Monday, 5 December 2022 4:33:04 pm

Submitter details

First name: Ewen
Last name: Robertson
Address: P O Box 11486
Suburb: Manners Street
City: Wellington 6142
Phone: 021897160
Email: ewen.sharon@hotmail.com

Application details

Applicant name: Her Majesty the Queen
Site address: 1 Molesworth Street, Wellington
Service request number: 514663
Submission: I / we object the application
Oral submission at the hearing: I / we wish to speak in support of mine / our submission
How long will you need for your presentation: 15 minutes
If others make a similar submission:

Aspects of the application that you support or oppose:

I oppose the application in its entirety.

Aspects of the application that you are neutral towards:

Nil

The reasons for my / our submission are:

The applicant has failed to demonstrate a need for this accommodation particularly when there are vacant office space in proximity to Parliament that could be utilised.

The design and construction of this proposal does not meet the governments own Carbon Neutral Government Programme (CNGP) requirements for new buildings.

There will be an unreasonable increase in traffic volumes on Ballantrae Place that will adversely impact the residents of the town houses in this street.

There has been no effort to consult with residents of Ballantrae Place prior to lodging this application.

Residents of Ballantrae Place have been subjected to construction noise and traffic for several years with the development of the Bowen Campus. There have been numerous complaints because of excessive noise and the disruption to residential activities has been excessive. The residents do not wish to experience this for a further period during this construction programme.

The assessment of environmental effects also lacks robustness, it fails to treat the residential community with any respect and care.

The decision I / we would like Wellington City Council to make is:

Decline this application in its entirety.

Annexure 2

Heritage Advisor Assessment

Michael Kelly

Heritage Advisor Assessment on Resource Consent Application

7 February 2023

Service Request No: 514663

Site Address: 1 Molesworth Street, Thorndon, Wellington

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1. Introduction

The government of New Zealand, on behalf of His Majesty the King, wishes to build two new buildings at the rear of Parliament House to be accompanied by the removal of ground level parking, the relocation of a heritage oak tree and the demolition of existing ground level paving and infrastructure to allow for the landscaping of open spaces between buildings. The planned work is part of a Future Accommodation Strategy, intended to, among other things, consolidate Parliamentary accommodation within the boundaries of the Parliamentary precinct. There are other outcomes sought by the applicant and these are outlined in the applicant's AEE.

Parliament House, the Parliamentary Library and the Executive Wing (Beehive) are all listed on the Operative District Plan (and Proposed District Plan), as are the Seddon and Ballance Statues. Together, with the landscaping, street furniture, vegetation and open space around the buildings, they form the Parliamentary Precinct Heritage Area, one of the most important heritage areas in New Zealand. The summary of significance of the area states:

The heritage area is unique as the centre for government in New Zealand, and as such has outstanding cultural heritage value. The area, through its site and buildings and longstanding governmental history, exemplifies the political and social history and development of New Zealand. Historically, Parliament Buildings and the Parliamentary Library have an obvious but very significant heritage integrity. They have served the same purpose since they were constructed; rare indeed. ... The area has authenticity and integrity because of the retention of significant fabric from the time of the construction of each individual building, statue, monument or object, and for the conservation of the 1920s landscape, including the trees and open spaces.¹

The aforementioned buildings and statues are also listed Category I by Heritage New Zealand Pouhere Taonga. The Parliamentary precinct forms part of the Government Centre Historic Area.

¹ See <https://wellingtoncityheritage.org.nz/areas/14-parliament-grounds?q=> [retrieved 11 January 2022]

The aspects of the scheme relevant to heritage are, in summary, as follows:

- A new Parliamentary building – Museum Street Building – is proposed to be constructed at the rear of Parliament House. At just over 27 metres (five storeys high) and rectangular in plan, the building will be slightly higher than the recommended height limit for the site under the Operative District Plan. It is proposed to connect this building to Parliament House by a link bridge at first floor level on the west elevation via an existing window. This is intended to give relatively direct access to the Debating Chamber.
- The second new building, part submerged, three storeys at its highest and also rectangular in plan, will be constructed adjacent to Ballantrae Place and behind the Museum Street Building to manage the movement of deliveries - incoming and outgoing – for the Precinct.
- There will be earthworks, approximately 24,000m³ of excavated material and accompanying this will be the installation of services, other infrastructure and building foundations.
- Along with the buildings, the removal of exterior, ground level car parking will also allow for the construction of new landscaping – a plaza, plantings and pedestrian paths.
- An historic oak tree, dating back to the 1860s, located at the rear of Parliament House will need to be relocated to make way for the proposed MUS building.²
- The George V gates will be moved towards Bowen Street, mainly for security reasons, with old walls retained and matching new walls constructed.

2. Further Information Required

None required.

3. Legislative Requirements

Resource Management Act 1991:

Section 6 of the Resource Management Act 1991 (the Act) requires the Council to recognise and provide for matters of national importance, including:

- *6(e) The relationship of Māori and their culture and their traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*
- *6(f) the protection of historic heritage from inappropriate subdivision, use, and development.*

² Note that, although I have assessed the effects of the tree's relocation, I am not an expert on heritage trees and I have only covered matters that I feel qualified to comment on.

Operative District Plan:

The following heritage provisions in the Operative District Plan apply:

Rules

21A.2.1 Any modification to any listed heritage building or object which is not a Permitted Activity, or the demolition or relocation of any listed heritage building or object, except:

- *modifications required to erect signage (which require consent under rule 21D)*

is a Discretionary Activity (Restricted) in respect of:

21A.2.1.1 Historic heritage

21A.2.1.2 Height, coverage, bulk and massing of buildings (to the extent that these affect historic heritage).

21A.2.2 On a site on which a listed heritage building or object is located:

- *The construction of any new building*

is a Discretionary Activity (Restricted) in respect of:

21A.2.2.1 Effects on historic heritage

21A.2.2.2 Height, coverage, design, external appearance and siting and the bulk and massing of buildings (to the extent that these affect historic heritage).

21B.2.1 The construction of any new building or any modification to any existing building on a site within a heritage area that is not provided for as a permitted activity in 21B.1, is a Discretionary Activity (Restricted) in respect of:

21B.2.1.1 Effects on historic heritage

21B.2.1.2 Design, height, siting and coverage and the bulk and massing of buildings (to the extent that these affect historic heritage).

21B.2.3 Earthworks which are not a Permitted Activity are a Discretionary Activity (Restricted) in respect of:

21B.2.3.1 Effects on historic heritage.

21C.2 Discretionary Activities (Unrestricted)

21C.2.1 The:

- *destruction, removal or partial removal of any listed tree that is not a Permitted Activity*
 - *the trimming of any listed tree that is not a Permitted Activity*
 - *any activity within the dripline of a listed tree that is not a Permitted Activity*
- is a Discretionary Activity (Unrestricted). Objectives and Policies:*

Policies

20.2.1 *To recognise and protect the City's historic heritage and protect it from inappropriate subdivision use and development*

20.2.1.3 *Promote the conservation and sustainable use of listed buildings and objects while ensuring that any modification avoids, remedies or mitigates, effects on heritage values of the listed buildings or objects and where relevant:*

- *ensures that modifications to the main elevations are minimised, or if possible are unaltered;*
- *any modifications respect the scale of the building or object; and*
- *any modifications maintain the relationship of the building or object with its setting.*

20.2.1.4 *Protect the heritage values of listed buildings and objects by ensuring that the effects of subdivision and development on the same site as any listed building or object are avoided, remedied and mitigated.*

- 20.2.1.7 *Ensure additions and alterations to existing buildings, any new buildings or subdivision within a heritage area avoid, remedy or mitigate the adverse effects on the heritage values of the heritage area.*
- 20.2.1.8 *Maintain and enhance the heritage values, qualities and character of listed heritage areas.*
- 20.2.1.10 *Protect listed trees from destruction and loss, and control the effects of trimming and changes to ground levels or other activities within the dripline of trees, to only allow these activities when they maintain or enhance the heritage values recognised in the listing of trees in section 20.1.3.*
- 20.2.1.11 *Avoid, remedy or mitigate the adverse effects of development on the archaeological values of any site.*

Proposed District Plan:

The heritage provisions in the PDP have legal effect. The following heritage objectives and policies apply:

Objectives

HH-O1	<p>Recognising historic heritage</p> <p>Historic heritage recognised for its contribution to an understanding and appreciation of the history, culture and sense of place of Wellington City, the Wellington region and New Zealand.</p>
HH-O2	<p>Protecting historic heritage</p> <p>Historic heritage is retained and protected from inappropriate use, subdivision and development.</p>
HH-O3	<p>Sustainable long-term use</p> <p>Built heritage is well-maintained, resilient and kept in sustainable long-term use.</p>
TREE-O1	<p>Purpose</p> <p>Notable trees are recognised for their contribution to the city’s amenity, history, ecology and sense of place and cultural value to mana whenua.</p>
TREE-O2	<p>Protecting notable trees</p> <p>Notable trees are protected from inappropriate modification, subdivision, development and destruction.</p>
TREE-O3	<p>Maintaining notable trees</p> <p>Notable trees are maintained to a safe and healthy standard.</p>

Policies

<p>HH-P7</p>	<p>Additions, alterations and partial demolition of heritage buildings and structures</p> <p>Provide for additions and alterations to, and partial demolition of heritage buildings and heritage structures where it can be demonstrated that the work does not detract from the identified heritage values, having regard to:</p> <ol style="list-style-type: none"> 1. The extent to which the work: <ol style="list-style-type: none"> a. Supports the heritage building or heritage structure having a sustainable long-term use; b. Promotes, enhances, recovers or reveals heritage values; c. Retains the main determinants of the architectural style or design of the heritage building or heritage structure; d. Is compatible with the scale, form, proportion and materials of the heritage building or heritage structure; e. Respects the identified relationship of the heritage building or heritage structure with its setting; f. Enables any adverse effects on identified heritage values to be reversed; g. Minimizes the loss of fabric and craftsmanship; h. Is in accordance with any conservation plan that has been prepared by a suitably qualified heritage professional; i. Increases structural stability, accessibility and means of escape from fire; j. Fulfils the intent of the Heritage Design Guide; 2. The visibility of the work from street frontages; 3. Whether the works would lead to cumulative adverse effects on identified heritage values; 4. Whether there has been any change in circumstances since scheduling in the District Plan, including damage from natural disaster; 5. Any advice that has been obtained from a suitably qualified heritage professional including Heritage New Zealand Pouhere Taonga; and 6. The identified heritage values of the heritage area, where located within a heritage area.
<p>HH-P8</p>	<p>New buildings and structures, and modifications to existing non-scheduled buildings on the site of a heritage building or structure</p> <p>Provide for new buildings and structures, and modifications to existing non-scheduled buildings and structures on the same site as heritage buildings or heritage structures where it can be demonstrated that the work does not detract from the identified heritage values, having regard to:</p> <ol style="list-style-type: none"> 1. The extent to which the work: <ol style="list-style-type: none"> a. Is compatible with the scale, form, proportion and materials of the heritage building or heritage structure; b. Respects the identified relationship of the heritage building or heritage structure with its setting; and c. Fulfils the intent of the Heritage Design Guide.

Heritage Areas

HH-P13	<p>Additions and alterations to, and partial demolition of buildings and structures within heritage areas</p> <p>Provide for additions and alterations to, and partial demolition of buildings and structures within heritage areas where it can be demonstrated that the work does not detract from the identified heritage values of the heritage area, having regard to:</p> <ol style="list-style-type: none"> 1. The extent to which the work: <ol style="list-style-type: none"> a. Supports buildings and structures having a sustainable long term use; b. Promotes, enhances, recovers or reveals heritage values; c. Respects the valued neighbourhood patterns of the heritage area including any predominant architectural style or design; d. Is compatible with the scale, form, proportion and materials that have been identified as part of the heritage values of the heritage area; e. Responds to the relationships between buildings and structures within the heritage area; f. Enables any adverse effects on heritage values to be reversed; g. Minimizes the loss of heritage fabric and craftsmanship; h. Is in accordance with any conservation plan that has been prepared by a suitably qualified heritage professional; i. Increases structural stability, accessibility and means of escape from fire; and j. Fulfils the intent of the Heritage Design Guide; 2. The relative contribution of the building or structure to the identified values of the heritage area; 3. The visibility of the work from street frontages; 4. Whether the works would lead to cumulative adverse effects on the identified heritage values of the heritage area; 5. Whether there has been any change in circumstances since scheduling of the heritage area in the plan, including damage from natural disaster; and 6. Any advice that has been obtained from a suitably qualified heritage professional including Heritage New Zealand Pouhere Taonga.
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HH-P14	<p>New buildings and structures within heritage areas</p> <p>Provide for new buildings and structures within heritage areas where it can be demonstrated that the works will not detract from the identified heritage values of the heritage area, having regard to:</p> <ol style="list-style-type: none"> 1. The extent to which the work: <ol style="list-style-type: none"> a. Respects any valued neighbourhood patterns of the heritage area including any predominant architectural style or design; b. Is compatible with the scale, form, proportions, design and materials of the heritage area; c. Is sited to maintain a consistent pattern of front façade alignment; and d. Fulfils the intent of the Heritage Design Guide.
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TREE-P6	<p style="text-align: center;">Repositioning and Relocation</p> <p>Only allow the repositioning or relocation of notable trees where it can be demonstrated that:</p> <ol style="list-style-type: none"> 1. Repositioning or relocation is necessary to enable the efficient development and operation of infrastructure; and 2. Alternatives that would otherwise retain the notable tree in its current position have been explored but are not practicable; and 3. Methods proposed are consistent with best arboricultural practice.
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Greater Wellington Regional Council - Regional Policy Statement:

The loss of heritage values as a result of inappropriate modification, use and destruction of historic heritage is considered to be a regionally significant issue, and an issue of significance to the Wellington region’s iwi authorities. Objective 15 of the GWRC regional policy statement requires that Historic heritage is identified and protected from inappropriate modification, use and development

4. Assessment

Operative District Plan:

Applicant

The applicant has sought separate advice in the form of AEEs from two heritage practitioners, conservation architects Ian Bowman and Adam Wild. The following is a synopsis of their conclusions. Their full analyses are included in the Operative District Plan assessment (below in tabular form).

Bowman

Parliament House

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 ... before mitigation measures are taken into account. This equates to a minor impact.

Executive Wing and Parliamentary Library

Mr Bowman regards the impact of the changes on the other heritage buildings (Beehive [Executive Wing] and the Parliamentary Library as slight adverse.³

The grounds

Of the effects on the grounds, Mr Bowman states:

³ Taken from section 6.0 of Bowman I 2022, Heritage Impact Assessment, New buildings, Parliamentary Precinct, Wellington. The wording is not consistent for both buildings, but it is not clear if that is intentional or a typo. In both cases the effect is considered to be ‘minor’.

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.

Wild

Museum Street Building

With regard to height, Mr Wild considers that the building will only be ‘marginally higher’ than 27m so the heritage effects of this small increase are acceptable.

He considers that the link bridge will ensure ‘convenience, efficiency, and security for the operation of Parliament’ and that it will be ‘designed in detail in order 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’.

He considers that the ‘proposed MUS building in its proposed landscape and pedestrian setting will enhance this western part of the heritage precinct ... without undermining the primacy of the eastern precinct or the visual interpretation of the function and values associated with Parliament.’

He notes that relocation of the heritage oak tree is necessary to enable the Museum Street Building to be constructed and that this will offer ‘the opportunity to improve its setting’.

Ballantrae Place Building

Mr Wild considers this building’s effects on the heritage area as acceptable, citing the proposed building’s low height, its engagement with the existing topography, its location next to taller buildings on Bowen State Campus and the use of landscaping between the buildings.

Wellington City Council

The use of the area to the rear of the three Parliamentary buildings for two new buildings and associated landscaping is supported. This purpose has been signalled in the operative district plan and the Parliamentary Precinct Heritage Area guidelines also anticipates new buildings in this general location.

Museum Street Building

The effects of this building on the Parliamentary Library and Executive Wing will be mostly visual and therefore slight. The effects on Parliament House on the other hand will be significant. Although the operative district plan has a height limit of 27 metres on this site and the proposed building only just exceeds it, its relative proximity to Parliament House means the effects will be consequential. The transition in height from the old building to the new will be substantial, while the rectangular, box-like form of the latter will be significantly higher than Parliament House, bringing with it the shading issues inevitable with such a disparity in size. It will be far larger than any building constructed in this general area before. Overall, a shorter building would be preferable.

Link bridge

The other significant effect of the Museum Street Building is the proposed link bridge, which is intended to be the main avenue for public movement between it and Parliament House.

This will require the removal of a window and some masonry and will introduce the form of the bridge into views along a façade – from either direction – that are currently unimpeded. Although secondary to the primary, east elevation, this is one of the country’s great Imperial Baroque façades and its interruption will be a significant loss. Ground level movement between the buildings would be vastly preferable, even if this was to require the loss or removal of heritage fabric on Parliament House’s ground floor.

Ballantrae Place Building

The location of this building on the western edge of the area and its relatively low-rise form mean it will have no more than a modest effect on the heritage area and its individual heritage buildings.

Earthworks

Earthworks will be required for all aspects of the project. It is possible, but not likely, that archaeology will be discovered during the excavation process. An archaeological authority has been consented by HNZPT. This is sufficient to manage the possibility of discovering sub-surface material.

Landscaping

The construction of new landscaping will require the demolition of existing infrastructure, along with considerable earthworks. The outcome will see the incorporation of the new and old buildings into integrated landscaping, including a new plaza, pedestrian walkways and plantings. This treatment is supported, although the obscuring of part of the basement of Parliament House (north end) is not an ideal outcome.

Heritage Oak Tree

The listed oak tree currently sits in a compromised location, surrounded by concrete walls and paving. It forms part of an unsatisfactory open space that offers no context for the tree and no obvious compatibility with any other plantings.

The tree has already been prepared for removal once before - in 1986-87. In the light of that and given the loss of any physical context from the period when the tree was planted and established, shifting the tree to make way for the Museum Street Building can be supported.

It is noted that the applicant’s arborist has concluded that the tree can be safely moved and this view is supported by the Council’s independent peer review.

5. Operative District Plan assessment

Criterion	Applicant – Bowman	Applicant – Wild	WCC
<p><i>Rule: 21A.2.1 Any modification to any listed heritage building or object which is not a Permitted Activity, or the demolition or relocation of any listed heritage building or object, except:</i></p> <ul style="list-style-type: none"> <i>• modifications required to erect signage (which require consent under rule 21D) is a Discretionary Activity (Restricted) in respect of:</i> <p><i>21A.2.1.1 Historic heritage</i> <i>21A.2.1.2 Height, coverage, bulk and massing of buildings (to the extent that these affect historic heritage).</i></p>			
<p><i>21A.2.1.3 The extent to which the work significantly detracts from the values for</i></p>	<p><i>Architectural</i> The removal of the window will remove an original element from the west elevation and impact an important</p>		<p>The construction of the link bridge and the removal of the window and other elements will be notable changes. They will affect part of a</p>

Criterion	Applicant – Bowman	Applicant – Wild	WCC
<i>which the building or object was listed.</i>	<p>historic space, the former Deputy Speaker’s lounge. The west elevation is assessed as having high heritage values, rather than Exceptional, which is the assessment of the east elevation.</p> <p>The construction of the covered walkway will enclose and obscure a significant tripartite window, pilasters and pediment element on the west elevation.</p> <p><i>Context or group</i> The group value of three interdependent buildings will be reduced with two additional buildings and a significant modification to the EW added to the precinct, one building being significantly taller than PH.</p> <p><i>Public esteem</i> Unknown</p> <p><i>Authenticity</i> There will be a minor loss of authenticity of materials and setting from the proposal.</p>		<p>distinguished, coherent and unbroken Imperial Baroque façade that is one of the great secondary elevations in New Zealand architecture. The attention lavished on this elevation is a sign that it was intended to be seen and appreciated.</p> <p>Of the two main effects, one is the loss of the window and surrounding fabric – all original fabric; the other is the loss of the unencumbered view of the rear elevation. The bridge will enter Parliament House almost halfway along the rear elevation and it will undermine views of the façade. The loss of the window fabric has been described as reversible, but it could be in place for generations, which, for all intents and purposes, will be a permanent change.</p>
<i>21A.2.1.4 The extent to which proposals meet the provisions of any</i>	The building lies within the Parliamentary Precinct Heritage Area.		See assessment below under Parliamentary Precinct Heritage Area design guidelines.

Criterion	Applicant – Bowman	Applicant – Wild	WCC
<i>relevant Design Guide addressing additions or alterations to buildings of heritage significance.</i>	The requirements of the guidelines are described and assessed below.		
<i>21A.2.1.5 The nature, form and extent of the proposed work and the extent to which the work:</i>			
<i>• retains the main determinants of the style and character of the building or object and in respect of buildings, particularly the street elevation. The Council seeks to ensure that modifications to street elevations are kept to a minimum, and if possible not altered at all. If necessary, preference shall be given to altering rear or secondary elevations.</i>			The changes are to the rear elevation and adjoining areas.
<i>• respects the scale of the original building or object. The Council</i>			The link bridge will not be a dominant structure in itself, but its location on the first floor and

Criterion	Applicant – Bowman	Applicant – Wild	WCC
<i>seeks to ensure new work is not visually dominant, particularly where rooftop additions are proposed.</i>			halfway along the Parliament House rear elevation means that it will be highly intrusive in views from either end of that elevation.
<i>• is sympathetic in form, proportions, materials, colours and the patina of materials of the existing building or object.</i>			Some effort has been made in the design to harmonise the structure with Parliament House, but for obvious reasons, the bridge will be built of modern materials that are likely to be markedly different from those of the older building.
<i>• avoids the loss of historic fabric and the destruction of significant materials and craftsmanship.</i>	The window described above will be removed.		The proposal will require the removal of the window of the former Deputy Speaker’s office and some stonework. The fabric will be retained and kept in storage but some damage will be unavoidable. There is no guarantee the window will ever be returned to the building.
<i>• maintains the relationship of the building or object with its setting.</i>	The setting of the EW, PH and PL is divided between the Eastern, Western and Ballantrae precincts in the Parliament Grounds Conservation Plan. The Eastern precinct is assessed as having exceptional significance and the precinct, buildings and their relationships facing the precinct		There will be significant changes to Parliament House’s setting arising from the construction of the new building, the link bridge and the hard landscaping. Most particularly, the open nature of the area adjacent to the west elevation of the building

Criterion	Applicant – Bowman	Applicant – Wild	WCC
	<p>are unaffected by the proposal.</p> <p>The Western Precinct has some significance with (sic) the Ballantrae has low significance. Adaptation is appropriate for areas with some or low significance.</p> <p>However MUS will modify the setting significantly as it six storeys, it is as wide as PH and it is in close proximity to it. Views to and from the west elevation of PH will be obscured fully or partially. A full assessment of impacts on the landscape are (sic) described below. BAL will have no impact on PH because it will be fully obscured by MUS.</p>		<p>will end, the link bridge will obscure what are presently uninterrupted views of that elevation and changes to the road and ground level will obscure some of the basement level of Parliament House at its northern end. Wider views of the west elevation will also be prevented because of the presence of the Museum Street Building. These are all to the detriment of the setting of Parliament House.</p>
<p>• <i>respects the historic or other values for which the building was listed.</i></p>	<p>See 21A.2.1.3.</p>		<p>For the main part, Parliament House is not directly affected that much by the proposal, with the obvious exceptions of the link bridge and the obscuring of the building's base at its northern end. The most significant effects are the loss of the open setting and the scale of the new building, which is significantly taller than Parliament House.</p>

Criterion	Applicant – Bowman	Applicant – Wild	WCC
<i>21A.2.1.6 Whether the restoration of former architectural design elements maintains a high level of authenticity. The Council will require evidence of the design of missing elements.</i>	The proposal reduces the authenticity of PH by the removal of the window.		The removal of the window and some masonry will diminish the authenticity of the rear elevation of Parliament House.
<i>21A.2.1.7 Whether the removal of existing unsympathetic additions to a building or object can be achieved without altering the significance of the building or object.</i>			Not relevant.
<i>21A2.1.8 The extent to which the work is necessary to ensure structural stability, accessibility, and means of escape from fire and the extent of the impact of the work on the heritage values of the building. The Council will seek to ensure that in any case every reasonable alternative</i>	The work is required to give access from the new building to PH.		Access from the new building to Parliament House will be required, so the issue is how this is achieved. This can be achieved at ground level (with some obvious, negative effects on heritage fabric) but the applicant has chosen to do this at first floor level via a link bridge. The bridge will allow more efficient access to the debating chamber from the new building but this is not absolutely necessary to allow movement between the two buildings. [Note: the

Criterion	Applicant – Bowman	Applicant – Wild	WCC
<i>solution has been considered to minimise the effect on heritage values.</i>			proposed design will not allow a sub-ground floor link.]
<i>21A2.1.9 Whether in respect of work involving listed interiors or listed interior items, the original plan form of the building, the primary spaces and their sequential layout, and any significant architectural features and significant finishes are respected or conserved.</i>			N/A
<i>21A2.1.10 The extent to which the work is necessary to enable the continued use of the building.</i>	The proposed new walkway will allow direct access from the new building to PH.		Some sort of link between the two buildings is necessary to enable the continued use of Parliament House. If the link bridge is not built, some other access between the two buildings will be required. It should be noted that regardless of how access is provided, Parliament House will continue to be used.

Criterion	Applicant – Bowman	Applicant – Wild	WCC
<p><i>21A.2.1.11 Whether professional heritage or conservation advice has been obtained from the NZHPT or any other professionally recognised expert in heritage conservation.</i></p>	<p>The author has been consulted as have HNZPT.</p>		<p>Conservation architects Ian Bowman and Adam Wild and HNZPT have all been consulted.</p>
<p><i>21A.2.1.12 Whether work is in accordance with a conservation plan prepared for the building or object and peer reviewed by the Council.</i></p>	<p>The proposal is consistent with policies 6.1.1.3, 6.1.1.9, 6.1.1.14 and to actions 6.1.2.7 and 6.1.2.10 of the conservation plan.</p>		<p>The author of the Parliament House conservation plan (Ian Bowman) judges that the proposal is consistent with the plan. The plan is not entirely definitive on the subject of the importance of retaining the integrity of the west elevation. The plan gives the west elevation ‘High’ significance, which is defined as ‘indicates that the space or element has a secondary role in understanding the distinct heritage significance of the place’. The plan places no specific restrictions on the treatment of areas of ‘High’ significance beyond ‘spaces and fabric as being of lower heritage value [lower than exceptional] are less constrained and therefore better suited to adaptation, if required’ (see 6.1.2.9).</p>

Criterion	Applicant – Bowman	Applicant – Wild	WCC
			Action 6.1.1.3 states that ‘Retention and conservation of the extant Campbell exterior and interior design features and fabric should be a prevailing consideration in any future decisions on modifying or changing the use or configuration of the building.’ Again, this does not necessarily preclude the kind of intervention envisaged by the link bridge proposal but it does imply that retention and conservation of Campbell-era fabric is the most significant consideration.
<i>21A.2.1.13 Whether the site has or is likely to have significant archaeological values, and whether the effects on those values by the proposal can be adequately avoided, remedied or mitigated.</i>			The possibility of uncovering archaeology will be managed under the archaeological authority process. This should ensure that any significant archaeological values will be properly managed.
<i>21A.2.1.14 Whether there is any change in circumstances that has resulted in a reduction of the building's heritage</i>			No meaningful change has taken place since Parliament House’s listing.

Criterion	Applicant – Bowman	Applicant – Wild	WCC
<i>significance since the building was identified in the plan</i>			
<i>21A.2.1.15 The extent to which the building or object has been damaged by fire or other human generated disaster or any natural disaster.</i>			N/A
<i>21A.2.1.16 Whether it is necessary to save the building or object from damage or destruction arising from ground subsidence, landslip, flooding or other natural disaster.</i>			N/A
<i>21A.2.1.21 Whether adaptive reuse of a listed building or object will enable the owners, occupiers or users of it to make reasonable and economic use of it.</i>			N/A
<i>21A.2.1.22 The public interest in enhancing the</i>			N/A

Criterion	Applicant – Bowman	Applicant – Wild	WCC
<p><i>heritage qualities of the City and in promoting a high quality, safe urban environment.</i></p>			
<p><i>Rule: 21A.2.2 On a site on which a listed heritage building or object is located:</i></p> <ul style="list-style-type: none"> <i>• Any modifications to the exterior of any existing building (that is not a listed heritage building) that extends the existing building footprint (at ground level) by more than 10% or adds an additional storey (or stories) beyond the existing building envelope; or</i> <i>• The construction of any new building is a Discretionary Activity (Restricted) in respect of:</i> 		<p>In addition to his assessment of the effects against the relevant criteria under rule 21A.2.2 (see 21A.2.2.3-5 below) Mr Wild has also assessed the effects of the proposed alteration to the rear of Parliament House against the rule itself. (See Appendix 1 for this assessment).</p>	

Criterion	Applicant – Bowman	Applicant – Wild	WCC
<p>21A.2.2.1 <i>Effects on historic heritage</i> 21A.2.2.2 <i>Height, coverage, design, external appearance and siting and the bulk and massing of buildings (to the extent that these affect historic heritage).</i></p>			
<p>21A.2.2.3 <i>The extent to which the proposal detracts from the values for which the building or object was listed.</i></p>	<p>See 21A.2.1.3.</p>	<p>Two factors arising from the construction of the proposed MUS Building have potential to directly and adverse effect the values for which PH was listed, these being:</p> <ul style="list-style-type: none"> • the effects arising from the proposed bridge link connection; and, • the proximity of the proposed MUS Building to the western elevation of PH. <p>The WCC ODP recognises that PH has significant architectural value due to its design, both externally and internally, for the execution in high quality and durable materials, and for the skills of the architect and tradesmen employed. It is a prominent</p>	<p>See 21A.2.1.3.</p>

Criterion	Applicant – Bowman	Applicant – Wild	WCC
		<p>Edwardian Baroque building that is the physical focus of the parliament grounds. The building plan, elevations and detailing reflect a high level of skill. The design is regarded as John Campbell’s finest. HNZPT recognise that while left incomplete, though carefully conserved, PH is the most monumental Baroque building in New Zealand.</p> <p>The bridge connection directly affects one of the principal windows on the west elevation of PH, and it will affect the view of the west elevation to a degree, but those effects should be measured against the benefit derived from the greater programme enhancing the purpose and use of the heritage precinct. The effects of the bridge connection are reversible.</p>	
<p>21A2.2.4 <i>The relationship of the surroundings of the site to the listed heritage building or object.</i></p>	<p>See 21A.2.1.5 above.</p>	<p>The Appendix 4 Parliament Grounds Conservation Plan (p.64) recognises that “the Western Precinct has been subject to considerable change. [...] It contains some heritage fabric and generally has moderate sensitivity to change although the area around the Museum Street oak requires special</p>	<p>See 21A.2.1.5.</p>

Criterion	Applicant – Bowman	Applicant – Wild	WCC
		<p>consideration.” The Significance Assessment in the Parliament Grounds Conservation Plan (p73) describes the Western precinct as having “some” significance, although this qualifier is not defined.</p> <p>At 5.2 of the Appendix 4 Parliament Grounds Conservation Plan (p79-82) Threats are considered and at 5.2.1 consideration of the “loss of heritage value, significance and authenticity” is addressed through the following.</p> <p>5.2.1(f) addresses consideration of: “The development of large-scale, high-rise buildings adjoining, or in the vicinity of, Parliament Grounds that fail to provide a respectful framework for the parliamentary precinct and which could negatively compromise views and the landscape character, experience and environmental conditions of the grounds”</p> <p>and at 5.2.1 (j): “the introduction of additional buildings or structures, extensions to buildings, the upgrading of landscape fabric within the precinct, and</p>	

Criterion	Applicant – Bowman	Applicant – Wild	WCC
		<p>modification to the ground's boundaries".</p> <p>These considerations are further qualified by "general" conservation policies including that at 6.1.1.3 which states: "Make the retention and protection of Parliament Grounds' strong sense of place and heritage values the primary goal in any and all considerations around grounds modification, or new use proposals."</p> <p>While "planning, management, and use" policies at 6.1.20 and 6.1.1.21 which (respectively) target: "Proposed new uses that are incompatible with the heritage values of the grounds or the wider parliamentary precinct should not be supported" and "any appropriate new uses should be located in spaces which have low - moderate heritage value and relatively low sensitivity to change, and should be limited to the extent of that space's size and vulnerability".</p>	

Criterion	Applicant – Bowman	Applicant – Wild	WCC
		<p>The suite of conservation plans prepared for the Precinct and its principal assets recognise that new development should be focussed on the “rear” or west side of PH and the Precinct. In addition, the new building height standards of the District Plan provide for a 27m building height “west of Museum St”. Appropriately located and proportionally referenced, the proposed MUS Building is an appropriate addition within the historic heritage area.</p>	
<p><i>21A2.2.5 Whether the site has or is likely to have significant archaeological values, and whether the effects on those values by the proposal can be adequately avoided, remedied or mitigated.</i></p>	<p>Having been occupied prior to 1900 the site is likely to have significant archaeological values.</p>	<p>Museum Street and the western side of the Parliamentary Precinct has long been associated with a variety of occupations that predate the arrival of Parliament to the area in 1865. The site of the former Government House stables is recorded as an archaeological site on the New Zealand Archaeological Association site recording scheme (R27/422).</p> <p>Provision in any consent for the proposed MIN Building of an accidental Discovery Protocol would provide mitigation for any adverse effects arising from new construction.</p>	<p>The site has been occupied since the mid-19th century so there is a possibility that archaeology will be found during excavations. It should be noted that much of the site has been occupied by a variety of buildings over its post-European history so there may be little left to uncover.</p> <p>The site of the former Government House stables is recorded by the New Zealand Archaeological Association site recording scheme (R27/422). It is not known if this site is extant or not.</p>

Criterion	Applicant – Bowman	Applicant – Wild	WCC
		The project will require an Authority from HNZPT and will, in hand with on-going consultation with NZHPT, be supported by engagement of an archaeologist to oversee excavation.	The granting of an Archaeological Authority by HNZPT and the presence of an archaeologist on site should ensure that archaeological values are appropriately managed.
<p><i>Rule 21B.2.1 The construction of any new building or any modification to any existing building on a site within a heritage area that is not provided for as a permitted activity in 21B.1, is a Discretionary Activity (Restricted) in respect of:</i></p> <p><i>21B.2.1.1 Effects on historic heritage</i> <i>21B.2.1.2 Design, height, siting and coverage and the bulk and massing of buildings (to the extent that these affect historic heritage).</i></p>			

Criterion	Applicant – Bowman	Applicant – Wild	WCC
<i>21B.2.1.3 The extent to which the form, mass, proportion and materials of the new building or structure is compatible with the original architectural style predominant in the heritage area.</i>			Both new buildings will be stand alone and large, so it would not be appropriate for them to be designed in a way that is compatible with the older buildings in the area. It is more appropriate for them to respond to the era they are designed in and to add to the richness of architectural history of the Parliamentary precinct.
<i>21B.2.1.4 The extent to which the new building or structure is positioned or sited to maintain continuity of front façade alignment of buildings in the vicinity.</i>			N/A
<i>21B.2.1.5 The extent to which proposals meet the provisions of any relevant Design Guide and particularly in respect of the Heritage Areas within the Central Area, the provisions of the Central Area Urban Design Guide.</i>			See assessment under Parliamentary Precinct Heritage Area guidelines.

Criterion	Applicant – Bowman	Applicant – Wild	WCC
<i>21B.2.1.6 For modifications, alterations and additions the Council will have regard to relevant assessment criteria under Rule 21A.2.1.</i>	The proposal reduces the authenticity of PH by the removal of the window.		See assessment under 21A.2.1.
<i>21B.2.1.7 Whether professional heritage or conservation advice has been obtained from the NZHPT or any other professionally recognised expert in heritage conservation.</i>			Advice has been provided by conservation architect Ian Bowman and HNZPT has been consulted.
<i>21B.2.1.8 Whether work is in accordance with the conservation plan prepared for the area.</i>			A suite of conservation plans has been prepared for the Parliamentary precinct by Ian Bowman et al.
<i>21B.2.1.9 Whether the site has or is likely to have significant archaeological values, and whether the effects on those values by the proposal can be</i>			See 21A2.2.5.

Criterion	Applicant – Bowman	Applicant – Wild	WCC
<i>adequately avoided, remedied or mitigated.</i>			
<i>Rule 21B.2.3 Earthworks which are not a Permitted Activity are a Discretionary Activity (Restricted) in respect of: 21B.2.3.1 Effects on historic heritage.</i>			
<i>21B.2.3.2 Whether the earthworks will result in the loss of heritage values for which the area was listed.</i>		The heritage values of the area include its archaeological values. The site of the former Government House stables is recorded as an archaeological site on the New Zealand Archaeological Association site recording scheme (R27/422). The area has been associated with a history of development, including demolition, and the potential for the accidental discovery of archaeological material is likely to be high. Such a discovery does not necessarily result in the loss of heritage values overall. The Parliamentary Precinct Contextual Overview conservation plan (p1) recognises the “physical and sensory	There is a low but not negligible likelihood of archaeology being uncovered during excavations. Archaeology is not one of the values that the area was listed for so its discovery or removal would not lead to a loss of heritage values that the area was listed for anyway.

Criterion	Applicant – Bowman	Applicant – Wild	WCC
		<p>richness of the area”. It describes the “spaciousness” of the area and the “relationship to surrounding places”, including prominent views. The conservation plan (p4) recognises the “distinctive, relatively low scale nature” of the major buildings in the PP while “the adjacent streets create a distinct, physical border and act to separate the formality and scale of the major buildings from their larger and generally more dominant neighbours”. Excavation facilitating a basement level enables connection to existing subterranean facility and ensures the proposed MUS Building is no higher than is necessary. The WCC note that although the group of Parliamentary buildings is heterogeneous in period and style, the high quality of design and materials used, their relationship in the landscape and open nature of the wider setting and their common governmental history establishes a strong sense of architectural and historic cohesiveness to the precinct. The proposed excavation does not change that sense of openness or cohesiveness across the site. As a consequence the proposed scope and</p>	

Criterion	Applicant – Bowman	Applicant – Wild	WCC
		extent of earthworks will not result in the loss of heritage values for which the area was listed.	
<i>21B.2.3.3 The extent to which earthworks will enhance the use or appreciation of a listed heritage area.</i>		The establishment of a new building on Museum Street to accommodate all members of the Parliament not otherwise accommodated within the EW within the PP and providing a direct and secure access for those accommodated in that building to PH. The proposed earthworks associated with the MUS Building enable realisation of the core project brief that seeks to provide accommodation for Members of Parliament on the PP and close to PH.	N/A.
<i>21B.2.3.4 The extent to which earthworks are necessary to provide for the protection or conservation of buildings, structures or features constituting a heritage area.</i>		Earthworks associated with the establishment of the proposed MUS Building, while not necessary to provide for the protection or conservation of buildings, structures or features constituting a heritage area in themselves, enable works that enhance the wider heritage area.	N/A.
<i>21B.2.3.5 Whether the site has or is likely to have significant</i>		Museum Street and the western side of the PP has long been associated with a variety of occupations that predate the	See 21A2.2.5.

Criterion	Applicant – Bowman	Applicant – Wild	WCC
<p><i>archaeological values, and whether the effects on those values by the proposal can be adequately avoided, remedied or mitigated.</i></p>		<p>arrival of Parliament to the area in 1865. The site of the former Government House stables is recorded as an archaeological site on the New Zealand Archaeological Association site recording scheme (R27/422). Provision in any consent for the proposed MIN Building of an accidental Discovery Protocol would provide mitigation for any adverse effects arising from new construction. The project will require and Authority from HNZPT and will, in hand with on-going consultation with NZHPT, be supported by engagement of an archaeologist to oversee excavation.</p>	
<p><i>Rule 21C.2.1 The:</i></p> <ul style="list-style-type: none"> •<i>destruction, removal or partial removal of any listed tree that is not a Permitted Activity</i> •<i>the trimming of any listed tree that is not a Permitted Activity</i> •<i>any activity within the dripline of a listed tree that is not a Permitted Activity</i> 			

Criterion	Applicant – Bowman	Applicant – Wild	WCC
<i>is a Discretionary Activity (Unrestricted). Objectives and Policies:</i>			
<i>21C2.1.1 In respect of any listed tree:</i>			
<i>The necessity for carrying out the works</i>		<p>The location and form of the proposed MUS building has been determined by a range of spatial and functional factors which requires placement over the area occupied by the heritage Oak tree. Without relocation of the Oak tree the feasibility of the proposed MUS building would be improbable in its proposed location.</p> <p>The Parliament Grounds conservation plan (p71) recognises the values of the Museum Street Oak as being ‘exceptional’ and that the Oak tree has a “primary role in understanding the distinct heritage significance of the place”. The conservation plan (p64) acknowledges that the “western precinct has been subject to considerable change” and recognises that “the area around the Museum Street oak requires special consideration.” The proposed</p>	<p>Construction of Museum Street Building will require the removal of the oak. It cannot proceed with the tree in its current location. Assuming consent is granted for the former then a new site will have to be found. The chosen location is directly west of its current site, which is the nearest available option.</p>

Criterion	Applicant – Bowman	Applicant – Wild	WCC
		relocation site for the heritage Oak tree is immediately west of its current location. Compositionally, this site frames both the Ballantrae Place entrance to the MUS building and the new West Courtyard space.	
<i>Whether the tree has a potentially fatal disease or has been damaged beyond recover.</i>		See arborist report submitted with the application for resource consent.	The arborist report states that the tree is healthy.
<i>The need for compliance with any statutory or legal obligation under other legislation.</i>		The presence of the oak tree in this location from the mid-1860s implies that any proposed relocation will likely require an Archaeological Authority form HNZPT.	Archaeological oversight will be required for the move. It is assumed this will be provided for under the Archaeological Authority from HNZPT.
<i>Whether the tree can be, or needs to be, relocated.</i>		See arborist report.	The arborist report states that the tree can be moved.
<i>Whether the proposal can be altered to achieve greater protection or preservation of the tree while still meeting the objectives of the applicant.</i>		Alternatives to the proposed relocation of the Oak tree have been explored, but they are not acceptable to the Applicant – see Applicant’s statement in the application for resource consent.	In the circumstances, given the tree has to be moved, the outcome is probably as optimal as can be gained.
21C.2.1.2			

Criterion	Applicant – Bowman	Applicant – Wild	WCC
<i>In respect of any activity carried out within the dripline of any listed tree:</i>			
<i>Whether the proposed activity within the dripline is likely to damage the tree or endanger its health.</i>		See arborist report.	The arborist report states that the tree can be moved without damaging the tree.
<i>The necessity for carrying out the works.</i>		Assessed under 21C2.1.1.	See 21C2.1.1.
<i>The means for excavation of any piles, footings, driveways etc, and the impact of the work upon the existing and future health of the tree.</i>		Not considered applicable.	N/A.
Central Area Urban Design Guide, Appendix 3 – Heritage Areas, Parliamentary Precinct			
<i>Objectives (PP) 01.1 To ensure that the Parliamentary Precinct Heritage Area’s buildings and structures</i>			

Criterion	Applicant – Bowman	Applicant – Wild	WCC
<p><i>are retained and conserved.</i> <i>(PP) O1.2 To ensure that the dignified open spaces at the front of Parliament buildings are retained and enhanced.</i> <i>(PP) O1.3 To ensure that there is minimal impact on the immediate setting of the area by buildings and structures on adjacent land.</i> <i>(PP) O1.4 To ensure continuity of public access to the formal forecourt area in front of Parliament Buildings</i></p>			
<p><i>(PP) G1.1 No heritage building should be altered externally, except to reinstate lost features or remove non-contributing fabric. There should be no interruption of original rooflines, parapet lines and elevations in this area.</i></p>	<p>(EW) N/A</p> <p>(PH) The west elevation of PH will be physically modified by the removal of the window and the addition of the bridge from the proposed new building.</p> <p>(PL) N/A</p>		<p>The proposal fails this guideline in that the link bridge will require the removal of a window from the west elevation of Parliament House and the attachment of a structure (the link bridge) to the west elevation.</p>

Criterion	Applicant – Bowman	Applicant – Wild	WCC
<i>(PP) G1.2 Locate any new buildings in Parliament Grounds at the rear of Parliament Buildings, the Beehive and the Parliamentary Library.</i>	<p>(EW) The [new buildings] will be sited to the rear of Parliament House and the Parliamentary Library.</p> <p>(PH) Does not apply as this is not a new building.</p> <p>(PL) The [new buildings] will be sited to the rear of Parliament House and the Parliamentary Library.</p>		The new buildings will be located to the rear of the Parliamentary Buildings.
<i>(PP) G1.3 Maintain Museum Street as a formed space between the existing buildings and any new buildings; and maintain the pedestrian access between Hill St and Bowen Street.</i>	A realigned Museum Street will be maintained, although in a different location to the original. Museum Street has been realigned at least twice since 1865.		The formation of a more articulated Museum Street will help define the buildings and the access way. The pedestrian way between Bowen Street and Hill Street will be maintained.
<i>(PP) G1.4 General sight lines to, from and around the area and the associated open spaces and wherever possible enhanced.</i>	<p>(EW) General sightlines to and from the EW will be largely unaffected. Views of the EW along Hill Street, not a major sightline or vista, will be modified.</p> <p>(PH) Sightlines of PH will be impacted from the west of the building. As the proposed new building is taller than PH, it will obscure views of it from the</p>		The principal effect of the new structures (the Museum Street Building) will be to block views of Parliament House from the west (both immediate and more widely from that direction). The link bridge will partially interrupt views of Parliament House from south and north. Views to and from the other

Criterion	Applicant – Bowman	Applicant – Wild	WCC
	<p>immediate further distant west. The projecting wing of the proposed new building and the bridge will partially obscure PH from the north and south.</p> <p>(PL) General sightlines to and from the PL will be largely unaffected. Views of the PL through the trees along Hill Street will not be affected.</p>		heritage buildings will be largely unaffected.
(PP) G1.5 Assess any proposed new buildings on immediately adjacent land to ensure they will not have adverse effects on the wider setting of the area.	N/A		N/A
(PP) G1.6 Encourage the removal of visually and aesthetically discordant features, e.g. underground car-parking entries.	N/A		N/A
(PP) G1.7 Any proposed changes to the general layout of Parliament Grounds on the Molesworth Street	N/A		N/A

Criterion	Applicant – Bowman	Applicant – Wild	WCC
elevation, should be undertaken to enhance the existing values of the area.			
(PP) G1.8 Any necessary security measures should take into account traditional public access and views both to and from the front of Parliament.	N/A		N/A
(PP) G1.9 Consider the possibility of uncovering archaeological material when any earthworks or subsurface investigation are planned.			See 21A2.2.5. The prospect of archaeology being uncovered during the work has been acknowledged and appropriately catered for.
(PP) G1.10 Enhance views of all the elevations of the Cenotaph, including keeping large vegetation clear of the structure.			N/A

6. Proposed District Plan assessment

HH-P7 – Additions, alterations and partial demolition of heritage buildings and structures

Provide for additions and alterations to, and partial demolition of heritage buildings and heritage structures where it can be demonstrated that the work does not detract from the identified heritage values, having regard to:

1. *The extent to which the work:*

- a) *Supports the heritage building or heritage structure having a sustainable long-term use;*

The construction of the Museum Street Building will provide accommodation for MPs and their staff in a location close to Parliament House and the link bridge will provide access to and from that building. A link between the buildings is essential for the function of the Museum Street Building but how that is achieved is the pivotal issue.

- b) *Promotes, enhances, recovers or reveals heritage values;*

N/A

- c) *Retains the main determinants of the architectural style or design of the heritage building or heritage structure;*

The addition of the link bridge will lead to the loss of a small part of the fabric on Parliament House's secondary elevation.

- d) *Is compatible with the scale, form, proportion and materials of the heritage building or heritage structure;*

The link bridge is modern in style and use of materials but some effort has been made to make it fit with the older building. Given the requirements of the bridge to be lightweight and flexible, compatibility in these matters will always be difficult to achieve.

- e) *Respects the identified relationship of the heritage building or heritage structure with its setting;*

The link bridge will diminish the setting of Parliament House by interrupting views of the west elevation from both directions (north and south).

- f) *Enables any adverse effects on identified heritage values to be reversed;*

The intervention can be reversed.

- g) *Minimizes the loss of fabric and craftsmanship;*

The loss of fabric and craftsmanship will be confined to that relatively small portion of the building that will have to be removed to accommodate the link bridge.

- h) *Is in accordance with any conservation plan that has been prepared by a suitably qualified heritage professional;*

The applicant's agent (conservation architect Ian Bowman) considers that the proposal is in accordance with the conservation plan for Parliament House. The plan gives the west elevation 'High' significance but places no specific constraints on the treatment of that elevation beyond 'spaces and fabric as being of lower heritage value are less constrained and therefore better suited to adaptation, if required' (see 6.1.2.9).

Action 6.1.1.3 states that 'Retention and conservation of the extant Campbell exterior and interior design features and fabric should be a prevailing consideration in any future decisions on modifying or changing the use or configuration of the building.' Again, this does not necessarily preclude the kind of intervention envisaged by the link bridge proposal. [See 21A.2.1.12 for a fuller explanation of this assessment].

i) Increases structural stability, accessibility and means of escape from fire;

The proposal will increase accessibility and, presumably, means of escape from fire.

j) Fulfils the intent of the Heritage Design Guide;

The Design Guide Heritage, provides guidance on new development and heritage. Much of this relates to buildings within conventional street arrangements, but the relevant guidelines are as follows:

G7. New development on the sites of heritage buildings, heritage structures and within heritage areas should consider the setting of the site, area, building or structure. Defining and valued patterns can be determined by analysing the setting for the development, and by referring to the Wellington Heritage Inventory report for the heritage area.

Considerable thought was given to the location of the two proposed buildings. The purpose of the buildings largely dictates their locations and the consequences for the existing heritage buildings arise from those needs. In the case of the Museum Street Building, there is an obvious requirement that it be located close to Parliament House. An effort has also been made to plan a more coherent avenue out of Museum Street, with the new building and landscaping framing the west side of the street.

G8. Carefully consider the compositional relationship between new developments and heritage buildings, and between new developments and the defining or valued pattern of heritage areas. Carefully consider:

- *The siting and alignment of new buildings.*
- *The alignment of front façades on new buildings.*
- *The alignment of key horizontal elevational elements of new buildings or additions to existing buildings – including roofs, cornices, parapets, verandahs and floor lines.*

See G7. Some consideration has been given to the arrangement of the buildings to achieve some streetscape and landscape coherence.

G10. Contrast is discouraged where it:

- *creates a focus for attention on the new development; and*
- *reduces the appreciation of architectural or landmark values; or*
- *degrades townscape values of a collective group of buildings, or the townscape values of the heritage site, area, building or structure.*

- *also consideration can be given to the alignment of floor levels and window heads and sills.*

The size of the Museum Street Building will be such that, regardless of its design, it will inevitably draw attention from Parliament House and the other heritage buildings in the area. The building's design makes no attempt to marry in with the heritage buildings, but given the size of the building and the ornate architecture of Parliament House, that would be unfeasible and inappropriate.

G11. Consider the dimensional relationship between new developments and heritage buildings, and between new developments and the defining or valued pattern of heritage areas, including:

- *Overall building heights.*
- *Proportions and heights of secondary forms on a larger building with the primary forms on the smaller.*
- *Widths of frontage modules.*
- *Overall building widths*

See G10. The primary issue is the relative heights of the proposed Museum Street Building and Parliament House. The disparity is significant, with the former a potentially overwhelming presence.

G14. New buildings in heritage areas should not reproduce or replicate the appearance of existing façades.

Criterion met.

G26. New development should seek to enhance the quality of the settings of heritage buildings and heritage structures, including those in heritage area.

The proposed landscaping of the area adjacent to the new and old buildings, including the plaza and pedestrian access, will enhance the overall quality of the setting within the area.

G28. Consider the contribution of open spaces to the values of heritage areas.

There will be a diminution in the extent of open space at the rear of Parliament Buildings, but there will still be considerable open areas, particularly at the south of the site and in pockets around the new buildings.

2. The visibility of the work from street frontages;

The work will be visible from Bowen Street and, more distantly, The Terrace.

3. Whether the works would lead to cumulative adverse effects on identified heritage values;

There is no indication at this point that the proposal will lead to further or cumulative adverse effects on heritage values.

4. Whether there has been any change in circumstances since scheduling in the District Plan, including damage from natural disaster;

No change.

5. *Any advice that has been obtained from a suitably qualified heritage professional including Heritage New Zealand Pouhere Taonga; and*

Advice was provided by conservation architect Ian Bowman and Heritage New Zealand Pouhere Taonga was consulted as part of planning of the work.

6. *The identified heritage values of the heritage area, where located within a heritage area.*

Parliament House is a key building in a heritage area of the highest national significance. The proposed link bridge will be part of major change to the area but the effects on Parliament House will be relatively small compared to the size of the building and the overall scale of the project.

HH-P8 – New buildings and structures, and modifications to existing non-scheduled buildings on the site of a heritage building or structure

Provide for new buildings and structures, and modifications to existing non-scheduled buildings and structures on the same site as heritage buildings or heritage structures where it can be demonstrated that the work does not detract from the identified heritage values, having regard to:

1. *The extent to which the work:*

- a) *Is compatible with the scale, form, proportion and materials of the heritage building or heritage structure;*

The proposed Museum Street Building and Ballantrae Place Building will be significant additions to the rear of the listed Parliamentary buildings. Of the two, the former will have a much greater effect on the heritage buildings, mostly because of its height. Most particularly, it will be noticeably taller than Parliament House, the building it sits directly behind. To that extent, it will be out of scale with the prevailing height of both Parliament House and the Parliamentary Library.

- b) *Respects the identified relationship of the heritage building or heritage structure with its setting; and*

The area set aside for the new buildings is a much modified and relatively undistinguished area and there are only some aspects of the existing landscape that can be historically linked with the extant heritage buildings. So, the construction of new buildings in this area can be supported. The major considerations are the size and location of the buildings. The Museum Street Building's size and location will challenge the presence and status of, particularly, Parliament House.

- c) *Fulfils the intent of the Heritage Design Guide.*

See HH-P7 above.

HH-P13 – Additions and alterations to, and partial demolition of buildings and structures within heritage areas

Provide for additions and alterations to, and partial demolition of buildings and structures within heritage areas where it can be demonstrated that the work does not detract from the identified heritage values of the heritage area, having regard to:

1. *The extent to which the work:*

- a. *Supports buildings and structures having a sustainable long term use;*

It is assumed that Parliament House will retain its long-term use regardless of whether the link bridge or any other link to the Museum Street Building is constructed.

- b. *Promotes, enhances, recovers or reveals heritage values;*

N/A.

- c. *Respects the valued neighbourhood patterns of the heritage area including any predominant architectural style or design;*

N/A.

- d. *Is compatible with the scale, form, proportion and materials that have been identified as part of the heritage values of the heritage area;*

The link bridge is part of new work using modern materials that will obviously be different from the old fabric of Parliament House. There will be some design work required to mitigate the effects of this incompatibility.

- e. *Responds to the relationships between buildings and structures within the heritage area;*

N/A. The new buildings will be built in an area that currently does not contain buildings and which will be significantly redeveloped. So, beyond the links to the old buildings, a mostly new landscape of buildings, plantings, paving and street furniture will be formed.

- f. *Enables any adverse effects on heritage values to be reversed;*

The removal of the window for the link bridge can be reversed.

- g. *Minimises the loss of heritage fabric and craftsmanship;*

The opening to be created will be the minimum necessary and the window can be reinstated if the opportunity arises.

- h. *Is in accordance with any conservation plan that has been prepared by a suitably qualified heritage professional;*

See HH-P7, 1 a.

- i. *Increases structural stability, accessibility and means of escape from fire; and*

The proposal will increase accessibility and, presumably, means of escape from fire.

- j. *Fulfils the intent of the [Heritage Design Guide](#);*

See HH-P7 above.

2. *The relative contribution of the building or structure to the identified values of the heritage area;*

The proposed work will take place on the west elevation of Parliament House, a building of the highest heritage significance and a key contributor to the Parliamentary Precinct Heritage Area. The precinct is one of the country's most significant heritage areas.

3. *The visibility of the work from street frontages;*

The work will be somewhat visible from a short section of Bowen Street and to a much lesser extent The Terrace.

4. *Whether the works would lead to cumulative adverse effects on the identified heritage values of the heritage area;*

There is no indication that this work will lead to later work that will have adverse effects on the heritage values of the heritage area.

5. *Whether there has been any change in circumstances since scheduling of the heritage area in the plan, including damage from natural disaster; and*

No change.

6. *Any advice that has been obtained from a suitably qualified heritage professional including Heritage New Zealand Pouhere Taonga.*

Conservation architect Ian Bowman was consulted over the proposal, along with HNZPT.

HH-P14 – New buildings and structures within heritage areas

Provide for new buildings and structures within heritage areas where it can be demonstrated that the works will not detract from the identified heritage values of the heritage area, having regard to:

1. *The extent to which the work:*

- a. *Respects any valued neighbourhood patterns of the heritage area including any predominant architectural style or design;*

N/A.

- b. *Is compatible with the scale, form, proportions, design and materials of the heritage area;*

See HH-P8.

- c. *Is sited to maintain a consistent pattern of front façade alignment; and*

N/A.

- d. *Fulfils the intent of the [Heritage Design Guide](#).*

See HH-P7.

7. Conclusion

The proposal to construct two new buildings to the rear (west) of the present Parliamentary buildings is supported in principle. The site is appropriate for new buildings and the planned landscaping for areas around the buildings and adjacent to Parliament House will enhance the wider area significantly from its current use and appearance.

Specific conclusions:

The location of the proposed Museum Street Building will be very close to Parliament House and this, together with its height and bulk, will make it a dominant presence next to the heritage building. The building's location and required capacity appear to be fixed so if the building is to proceed there is no obvious mitigation for this issue.

The construction of the link bridge between the Museum Street Building and Parliament House will be a poor heritage outcome. The west elevation of Parliament House is one of the country's finest secondary elevations and a great example of Imperial Baroque architecture in its own right. The removal of an existing window and the obscuring of views of the elevation are a significant price to pay for enhanced accessibility. If there is no way to put this link underground, then ground level would be far preferable to a bridge.

The location and general arrangement of the Ballantrae Place Building has few implications for heritage values.

The relocation of the oak is unavoidable if the Museum Street Building is to be constructed in the proposed location. As the moving of the oak has been deemed feasible by an arborist (and endorsed by a peer review) then this can be supported.

The landscaping work, including the plaza, pedestrian walkways, plantings and street furniture, is supported, as is the moving of the George V gates. The obscuring of part of the basement of the west elevation of Parliament House (opposite the north end of the Museum Street Building) is not ideal, although it should be noted that it is not covered over; just sitting behind a lightwell. If the prevailing ground level is set, then this matter cannot be ameliorated.

Based on the above assessment the proposal is acceptable on heritage grounds.

Suggested Changes to Proposal:

The following conditions/advice notes should be included on the decision:

Suggested Conditions

- If the link bridge is approved, the design should ensure that it is as light and as transparent as possible to minimise its impact on the immediate environment.
- The final design will be approved by WCC heritage advisors.
- Appropriate advice should be sought from relevant experts on all heritage-related aspects of the project.
- Adopt other mitigation measures as proposed by Ian Bowman in his AEE (section 7.2), including the protection of heritage fabric during work.
- Photographic record

1. The consent holder shall submit to the Council (Compliance Officer in consultation with the Cultural Heritage Advisor) a photographic record in digital format, and labelled with a location and date, and these locations should be noted on a plan or elevation.

Prior to carrying out the photographic record, the consent holder shall liaise with the Council (Compliance Officer in consultation with the Cultural Heritage Advisor) to agree the positions from where photos are to be taken. The archival photographic record shall be submitted at the following stages, or upon request:

- a) Prior to Development:
Undertake a photographic record showing the existing external fabric on the west elevation (window and surrounding stonework) before it is removed, and including:
 - Photographs of the window and associated fabric in situ;
 - Overall views from different angles; and
 - Views of any significant details of the window.
- b) During Development:
Photograph the removal of the window and its aftermath, including
 - Storage of the window and its surrounds
 - Work to remediate the loss of fabric.
 - The installation of the bridge.
- c) Following Development (but no later than three months of the completion of construction):
Photographic record of the completed works, taken from the photographic record locations used for a) above.

Suggested Advice Notes

Archaeological sites

This proposal may affect a recorded archaeological site(s), being R27/422. [Note that the location of this site is not known with accuracy, nor is it known if it is still extant.] It is also possible that the area contains unrecorded archaeological sites.

Work affecting archaeological sites is subject to a consent process under the Heritage New Zealand Pouhere Taonga Act 2014. An archaeological authority (consent) from Heritage New Zealand Pouhere Taonga (HNZPT) must be obtained for works to proceed if the archaeological site has the potential to be modified or destroyed. It is illegal to modify or destroy an archaeological site without obtaining an archaeological authority.

The applicant is advised to contact HNZPT for further information prior to works commencing.

The proposal **is** eligible for resource consent fee reimbursement.

Name:
Michael Kelly
Heritage Consultant

Peer reviewed by:

Noel Luzzi
Senior Heritage Advisor

Check the box to confirm that your time has been recorded in Project Partner.

Appendix 1: Adam Wild comment on Rule 21A.2.2

As both PH is (and the proposed MUS Building) will be base isolated, the bridge connection needs to be designed to accommodate these differential movements and this is achieved through the bridge structure being treated as its own building founded on four columns while a seismic joint within the bridge connection completes the seismic separation.

To create the bridge link, the removal of the central window and modification of the existing facade detailing associated with that window element will be required. This detail enables the lightest possible junction with the fabric of PH. The alteration will be mindful of the potential reversibility of the detail and original fabric that will be removed from PH to accommodate the bridge connection to the MUS Building will be salvaged and carefully stored on site.



The SPA Design Statement Figure 33 showing the 3-part window where the link bridge will enter PH. The red line indicates where the stone will be cut away. The black line shows where the bridge link will contact the PH façade.

The proposed MUS Building is an appropriate addition within the historic heritage area.

The scale, form, mass, height, and proportions of the proposed MUS Building draw directly from those evident in the adjacent historic heritage buildings of the EW and PH. The heritage area height control standard 13.6.3.1.5 of the Central Area provisions of the District Plan provide for an “upper threshold” of 27m and includes the statement 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”. The long axis of the proposed building reflects directly the overall plan width (north / south) of the adjacent PH. While the proposed height is taller than that of PH, the proposed elevation provides a reference to the “datum” of PH through articulation in the cladding detail of the elevations in the MUS by way of a horizontal line at that level. This datum reference sits within the overall narrative of the elevational treatment of the MUS. This

treatment is further articulated at the junction of the bridge link to PH, representing the front opening of the “cloak” that wraps the new building.

The WCC guidelines and the suite of conservation plans prepared for the Precinct and its principal assets recognise that new development should be focussed on the “rear” or west side of PH and the Precinct. In terms of location the location optimises the relationship between the MUS Building, PH, and the Bowen State building. Appropriately located and proportionally referenced, the proposed MUS Building is an appropriate addition within the historic heritage area.

I am aware that the Council urban designer and Ian Bowman have expressed concerns that the shading of the west façade of PH by the MUS Building (mainly in summer) will decrease the extent to which PH will be visually appreciated and thus detract from its heritage value. I do not consider this transient effect adversely affects the heritage values of PH or its primacy within the Parliamentary Precinct. Rather, I believe the enhancement of the Museum Street axis, framed in the first instance by PH, is reinforced by the MUS Building. Collectively the relationship between the two buildings emphasises the values of PH and enhance the perception of what has traditionally been considered a “rear” elevation. This emphasis is also a response to the wider western precinct approach to the integration of the Parliamentary Precinct and the adjoining Bowen Campus.

Annexure 3

Urban Design Advisor Assessment

Sarah Duffell

In the matter of	The Resource Management Act 1991
and	
In the matter of	Land use resource consent under the Wellington City Council Operative District Plan for the construction of two new buildings at 1 Molesworth Street in the Parliamentary Precinct.
By	Simpson Grierson on behalf of Parliamentary Services

**STATEMENT OF EVIDENCE OF
SARAH DUFFELL (URBAN DESIGN)
ON BEHALF OF WELLINGTON CITY COUNCIL
20 January 2023**

1.0 INTRODUCTION

- 1.1 My name is Sarah Duffell; I am employed by Wellington City Council in the position of Senior Urban Design Advisor RMA in the Urban Design team. My main task in this role is to undertake urban design assessment of resource consent applications against the design-related provisions of the District Plan.
- 1.2 I have a Bachelor's degree in Regional Planning with Honours (Massey University), and a Master of Arts in Urban Design with Merit (University of Westminster). I have 19 years of experience as an urban designer, mostly within the field of design review. This is preceded by ten years of experience as a planner in both New Zealand and the UK.

2.0 BACKGROUND

- 2.1 This report provides advice on urban design aspects of the proposal by His Majesty the King to construct two new buildings for government purposes behind the existing Parliament House building. The applicant describes the proposal as:

"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 24,000m³ 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.”¹

- 2.2 I am familiar with this part of Wellington City. I have visited the application site and general area on numerous occasions since the application was first lodged, most recently on January 11 2023.
- 2.3 I have reviewed the application lodged in August 2022. The application includes a comprehensive Urban Design assessment, and several other documents that are relevant to Urban Design assessment of this proposal. Documents reviewed include:
- Architectural Drawings for Resource Consent, Future Accommodation Strategy by Studio Pacific Architecture, Ref: 2650 dated September 2022 (including plans P A0 visualisations, P A1 Existing (EXT), P A2 Proposed Landscape (LAN), (P A3 (removed)), P A4 Proposed Museum Street Building (MUS), P A5 Proposed Ballantrae building (BAL) and P A6 Supporting Information)
 - Supplements: Sun Studies by Studio Pacific Architecture, Plans titled A6 SK-001 – SK-008
 - Design Statement for Future Accommodation Strategy by Studio Pacific Architecture (Davis/Brixton), Issue 20220920: Revision C
 - FAS Urban Design Assessment by McIndoe Urban dated 27 September 2022
 - FAS Crime Prevention through Environmental Design assessment by Boffa Miskell, September 2022
 - Feedback from Wellington Architectural Centre, 29 July 2022
- 2.4 I have given consideration to the contents of the heritage reports and the arborist’s reports.
- 2.5 I have reviewed the five submissions received, most particularly those that comment on matters related to urban design.
- 2.6 The site is zoned ‘Central Area’ and is also covered by the Parliamentary Precinct Heritage Area. Any proposals for development in this Precinct are assessed against the Central Area Urban Design Guide (CADG) with particular reference to the location-specific guidelines of the Parliamentary Precinct Heritage Area (PPHA) appendix.
- 2.7 Both the Beehive and Parliament House have notations as heritage buildings in the District Plan, and there is a listed oak tree to the west of these buildings which this proposal would affect. All locations under consideration are contained within the Parliamentary Precinct Heritage Area. This proposal is also being reviewed for separate comment by an advisor from the Cultural Heritage Team.
- 2.8 The area is also subject to three protected viewshafts in the Operative District Plan: Viewshafts 1, 4 and 4a.
- 2.9 The proposal has been the subject of a number of pre-application meetings, all of which I have attended and for which I have provided written feedback.
- 2.9 For the purpose of this report the following abbreviations are used:
- MUS Proposed Museum Street Building
 - BAL Proposed Ballantrae Building
 - PH Parliament House
 - ODP Operative District Plan
 - PDP Proposed District Plan

¹ AEE, pages 4-5

- CADG Central Area Design Guide
- PPHADG Parliamentary Precinct Heritage Area Design Guide
- CPTED Crime Prevention through Environmental Design
- WCC Wellington City Council

3.0 ASSESSMENT

3.1 The application includes a variety of supporting material related to urban design assessment. If there is agreement between the WCC Urban Design advisor and the applicant's Urban Design assessment, the RMA allows the option of WCC adopting that part of their report. Due to the volume of material being considered this option will be exercised where practical.

3.2 Central Area Design Guide

3.2.1 The report by Mr McIndoe, the applicant's Urban Design advisor, is thorough and generally agreeable. My position is therefore to recommend that it is adopted and therefore becomes representative of the Council's own views, subject to including the additional views below.

3.2.2 The report by Mr McIndoe includes at Appendix 1 a detailed assessment against the Central Area Design Guide. In addition to his assessment, the following points should be noted:

Section 1 Design Coherence

The applicant's assessment is agreeable and can be adopted.

Section 2 Relationship to context

The applicant's assessment is generally agreeable, and can be adopted with the following additional points made:

O2.1 It is my opinion that the existing car park space that is the proposed site of the MUS building can currently be considered a low-quality environment with few redeeming urban design features and an undistinguished sense of place. The setting for the listed oak tree is poor, presenting a mature tree standing in an isolated setting. Pedestrian access quality and CPTED conditions in and around this part of the site are poor. The new development will enhance the space, improve the setting for the tree and provide better ground-level conditions for people.

G2.1 The proposal maintains consistency with patterns of siting and compositional logic but introduces contrast in architectural form and style. This is acceptable because of the significance of the building and the uniqueness of the function it serves within the Wellington city context. It is also acceptable because it continues the narrative of development of government activities on the site from the 19th century to the present day.

G2.2 Positive precedents referred to are the strong compositional references of the adjacent buildings and the decision to provide a seismically superior structure in an environment of known risk. References to Māori heritage and culture in the design are also highly positive.

G2.3 Consistency via compositional coherence with adjacent buildings is evident.

Section 3 Siting, height, bulk and form

The applicant's assessment is generally agreeable, and can be adopted with the following additional points made:

O3.2 The MUS and BAL buildings will have little direct impact on the Beehive in terms of detracting from its essential qualities of setting or architecture. The regard given to the listed oak tree in terms of proposing its relocation is agreeable. It will be part of a nicer, more considered vegetated setting in the new location.

- G3.5 The requirement for enhanced seismic resistance has to some extent dictated the shape of MUS, requiring it to have a box-like form with consequent reduced opportunity for transition in scale or form. Exterior detailing will, to a small extent, visually soften the linear parapet and boxy shape of the building.
- G3.11 Wind effects have not been assessed. Mr McIndoe states *“If elevated wind speeds occur in the West Courtyard, mitigation – using trees or constructed shelters – will need to avoid crowding the heritage oak or splitting the courtyard longitudinally”*.² I agree with this position, and consider that should any modification be required to the landscaping or layout of the courtyard, this should be subject to further review by the WCC Urban Design Team. This matter would be suitable for inclusion as a consent condition.

Section 4 Edge treatment

The applicant’s assessment is generally agreeable, and can be adopted with the following additional point made:

- G4.8 Broadly this statement is fine, but the design of the columns of the link bridge are potentially an issue in terms of creating a safe, inclusive environment. As shown they are a double-pole structure but with the outer poles not reaching to ground level, possibly creating visual confusion and a physical hazard (see image below).

However, the opportunity for further enhancement of the bridge and other items as the design is finalised is noted. A condition can therefore be included requiring the final design of this to be submitted for UD approval, with the applicant requested to note the above concerns.



Figure 4.6 Raised terrace at the end of Museum Street with ramp at left and steps beyond leading up towards Hill Street.

3

Section 5 Façade composition and building tops

The applicant’s assessment is generally agreeable, and can be adopted with the following additional points made:

² Urban Design report, page 54

³ Urban Design report, page 36

- O5.2 Removal and modification of the fabric of the heritage-listed Parliament House is not an optimal outcome, which is not entirely justified on the grounds of elevated link bridges being an access response seen elsewhere within the precinct. The difficulty of an underground link due to seismic condition differences between MUS and PH is appreciated, however it should be noted this would be a better outcome for heritage. Ideally the proposal would not involve destruction of heritage fabric but in terms of urban design outcomes, the response provides sheltered access between the buildings and the location and of the proposed link has been carefully considered.
- G5.8 The matter of MUS building intruding into Viewshaft 4a is discussed in a later section of this report.

Section 6 Materials and Detail

The applicant's assessment is generally agreeable, and can be adopted with the following additional points made:

- O6.2 As per comments above on O5.2.
- G6.1 References to both the building's structural elements and patterns and motifs of Māori art and culture is noted.

- 3.2.3 Mr McIndoe's report makes the following conclusions in respect of assessment against the Central Area Urban Design Guide. I agree with these conclusions.

"In summary, the proposal satisfies the requirements of the design guide in an exemplary way:

- *A high level of design coherence is critical given the architectural, heritage and cultural value of the Parliamentary Precinct. Coherence has been achieved with this proposal.*
- *MUS, BAL and associated open spaces respect their unique context. Most notably, they do so by referencing the compositional logic of existing buildings within the parliamentary complex.*
- *MUS gives clearer spatial definition and a more finished character to Museum Street.*
- *Building height, bulk and form achieve a positive relationship with adjoining buildings and open spaces.*
- *MUS presents carefully made frontages to Museum Street and the new West Courtyard. High-quality architecture and improved spatial definition dispel the current back-of-house condition.*
- *Roofs are recessive features on MUS and BAL.*
- *Visual modules are expressed three-dimensionally through the layering of structure, glazing (with decorative ceramic frit) and external tubular lattice. Units of composition vary in size and sometimes shape. All are well-proportioned and come together in sophisticated arrangements.*
- *Façade articulation delivers an appropriate level of visual interest. At the same time, the combination of simple architectural volumes and bold repetitive modules relates positively to more grandly-scaled neighbours.*
- *Materials and detailing are resolutely contemporary in style. High-quality architecture helps the new structures to integrate with heritage buildings from several eras."*

- 3.2.4 The proposal is considered to meet the Central Area Design Guide. Any other matters are commented on above, and conditions would be able to cover the remaining matters which require further consideration, refinement or control.

3.3 Parliamentary Precinct Heritage Area Design Guide.

- 3.1 The PPHA guidelines state:

The Parliamentary Precinct heritage area is nationally significant. It is one of the most important historic precincts in the country and features perhaps the best known group of buildings in the country. The area, through its site and buildings and longstanding governmental history, exemplifies the political and social history and development of New Zealand.

- 3.2 The Heritage Advisor for WCC will also give detailed comment about the values and significance attached to this Precinct. Of note for urban design consideration is the description of the extent of the Precinct, with this stating:

“At the rear of the Parliamentary buildings, the boundary line is drawn along the common property line to the adjoining state service buildings and incorporates the entirety of Museum Street and the sculpture park on the site of the former Broadcasting House. This will enable any future development of the present car-park to be managed in a way that does not adversely affect the heritage values of the area”.⁴

- 3.3 Mr McIndoe also carries out an assessment of urban design-related matters against the PPHADG, included as Appendix 2 to his report.
- 3.4 Each of the objectives and policies of the guide are now considered in turn from the perspective of Urban Design assessment, with additional comments as required to address any matters of Mr McIndoe’s assessment.

Objectives

O1.1 To ensure that the Parliamentary Precinct Heritage Area’s buildings and structures are retained and conserved.

The proposal retains all the current buildings and structures within the Precinct, choosing an additive approach to increasing the amount of office space on the site.

The Heritage Advisor will comment on the extent to which the objective of ‘conservation’ of buildings and structures is achieved.

Relocation of the existing listed oak tree can be supported, and the proposed new location would be an agreeable outcome in terms of urban design considerations and enhancing the spaces around the buildings. This feasibility of this exercise will be more appropriately commented on by an arborist.

O1.2 To ensure that the dignified open spaces at the front of Parliament buildings are retained and enhanced.

No development is proposed in the area in front of Parliament buildings. This objective is achieved.

O1.3 To ensure that there is minimal impact on the immediate setting of the area by buildings and structures on adjacent land.

Not applicable.

O1.4 To ensure continuity of public access to the formal forecourt area in front of Parliament buildings.

This objective is achieved, no change is proposed to the design of or access to the formal forecourt area which will be able to function in the manner it does at present. The proposal also improves the quality of pedestrian access around the wider site by modifying an area

⁴ CADG Appendix 3 – Heritage Areas, page 4

currently used for car parking with a pedestrian-focused landscaping plan that integrates with other spaces on and around the site, including the forecourt area.

Guidelines

- G1.1** *No heritage building should be altered externally, except to reinstate lost features or remove non-contributing fabric. There should be no interruption of original rooflines, parapet lines and elevations in this area.*

The proposal does not meet this guideline as it requires alteration of the western elevation of Parliament House to accommodate the link bridge. The matter of external alteration of heritage fabric on this elevation will be commented on by the Heritage Advisor.

The guideline does not specify whether ‘interruption’ of original rooflines or parapets is physical or visual. No physical modification is proposed to these elements of PH or the Beehive, but there will be visual interruption of Parliament House rooflines and parapet lines resulting from the introduction of a new building into the context. The compatibility of the building with the context is discussed previously.

- G1.2** *Locate any new buildings in Parliament Grounds at the rear of Parliament Buildings, the Beehive and the Parliamentary Library.*

This guideline is met.

- G1.3** *Maintain Museum Street as a formed space between the existing buildings and any new buildings; and maintain the pedestrian access between Hill St and Bowen Street.*

This guideline is met, and Mr McIndoe’s comments should be noted in support.

- G1.4** *General sight lines to, from and around the area and the associated open spaces and wherever possible enhanced.*

Both proposed buildings will introduce forms into a previously unbuilt space, but this space currently has low amenity quality. The new proposal has specifically considered views and sightlines, and responded to protecting or enhancing these with the proposed building designs. Mr McIndoe’s comments on this matter are also agreeable.

- G1.5** *Assess any proposed new buildings on immediately adjacent land to ensure they will not have adverse effects on the wider setting of the area.*

The possible effects a new building can have on a wider setting relate to siting, height, bulk, form and external appearance, while the effects that may be created as a result of the above include matters such as alteration to sunlight access or shading, or changed wind conditions. (I disagree with Mr McIndoe’s position that this guideline is not applicable.)

The siting, height, bulk, form and external appearance have been considered previously in this report. Sunlight access has also been discussed, and is further considered in Section 5 of this report which responds to submissions. The possible alteration of wind conditions around the existing precinct has been covered above.

- G1.6** *Encourage the removal of visually and aesthetically discordant features, e.g. underground car-parking entries.*

The MUS building will have underground parking entry in a context-compatible location. The proposal will also remove a surface-level car park and replace it with a building surrounded by landscaped space intended for pedestrian access.

- G1.7** *Any proposed changes to the general layout of Parliament Grounds on the Molesworth Street elevation, should be undertaken to enhance the existing values of the area.*

Not applicable. There will be no modification to the layout of Parliament ground on the Molesworth Street side of the site.

G1.8 *Any necessary security measures should take into account traditional public access and views both to and from the front of Parliament.*

As stated, there will be no alteration to the front/eastern side of the site. Additionally, construction of the Ballantrae Building will remove any security risk of inbound goods and services to a discrete location on the site. This is beneficial for the security and ongoing protection of the both the existing Beehive Building and the wider site.

G1.9 *Consider the possibility of uncovering archaeological material when any earthworks or subsurface investigation are planned.*

The applicant has applied for, and had granted, an Archaeological Authority by Heritage New Zealand/Pouhere Taonga.

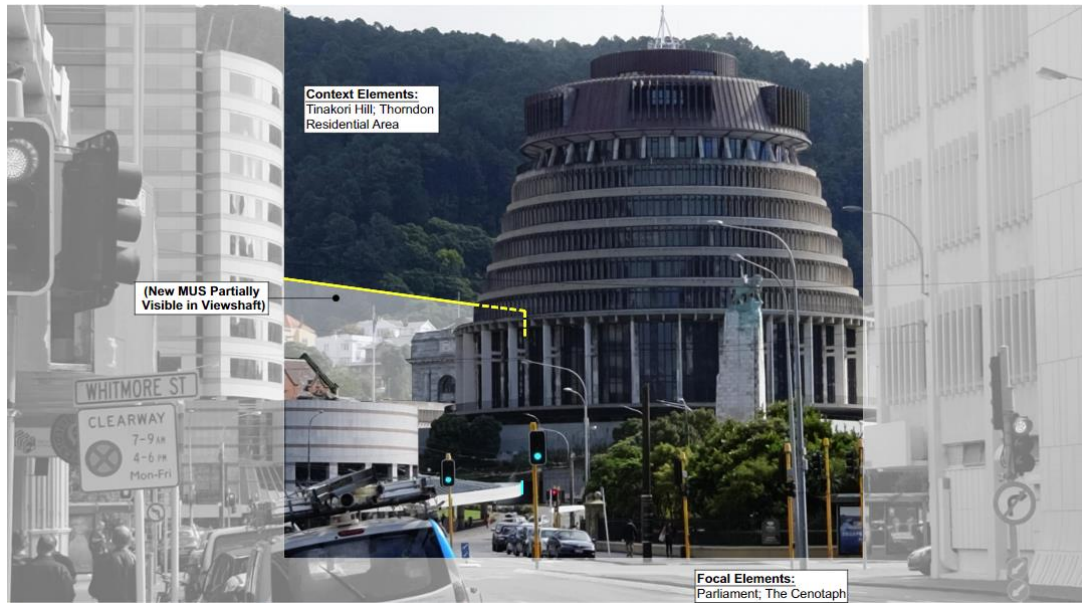
G1.10 *Enhance views of all the elevations of the Cenotaph, including keeping large vegetation clear of the structure.*

The proposal does not impact on elevations of the Cenotaph, either physically or visually.

- 3.5 In summary, the Parliamentary Precinct design guidance is generally met, with the exception of the matter relating to alteration of original heritage fabric. The Heritage Advisor's position on this should be considered. The advice of an Arborist should be preferred when considering the feasibility of relocating the listed tree, as it will provide significant amenity benefit if successful.

4.0 IMPACT ON VIEWSHAFTS

- 4.1 Parliament Grounds are impacted by three protected viewshafts in the Operative District Plan: Viewshafts 1, 3 and 4a.
- 4.2 Viewshaft 1 is westwards along Bunny Street towards Parliament. Images supplied by the applicant on Plan P A6-02 show that the new building will not be visible in the area protected by the viewshaft.
- 4.3 Viewshaft 3 is north-westwards along Bunny Street towards Parliament from the footpath outside the Railway Station. Images supplied by the applicant on Plan P A6-03 show that the new building will also not be visible in the area protected by this viewshaft.
- 4.4 Viewshaft 4a is northwards along Whitmore Street, from the Featherston Street intersection. The MUS building will be partially visible in the bottom part of this viewshaft – see image below, from Plan P A6-04 of the application, where the visible part of the MUS building is shown shaded and surrounded by the yellow line. (The extent of intrusion into Viewshaft 4a is also a matter of concern to Submitter 3.)



4.5 The Focal Elements of this viewshaft are the Beehive and the Cenotaph. The Context Elements are Tinakori Hill (Te Ahumairangi) and Thorndon Residential Area.

4.6 When assessing an application to intrude on an identified viewshaft Council will consider:

- *whether the development frames the view horizontally or vertically from the edges of the viewshaft. The relationship between context and focal elements should be maintained.*
- *whether the development breaks up the view vertically or horizontally. This in general will be unacceptable unless the intrusion is minor.*
- *whether the development intrudes upon one or more of the view's focal elements. This in general will be unacceptable.*
- *whether the development removes existing intrusions or increases the quality of the view, particularly in relation to focal elements.*
- *in the case of proposed verandahs, the extent to which it would be screened by another verandah or building element in the foreground, or contained within the outline of a building (that is not a context or focal element) in the background.*

4.7 In respect of the intrusion into Viewshaft 4A:

- i. The MUS development would not frame the view but will truncate the bottom of it from a V-shape to a square shape. It also completely obliterates the Thorndon residential area from the viewshaft, removing the reference to the mid-ground relationship between the central city to the suburbs with the hills behind. This is not a good outcome for the viewshaft as currently described.
- ii. Considering Focal Elements, the MUS building will have little impact on the Cenotaph. The visual impact on the Beehive is slightly more, introducing a 'backdrop building' to this structure at a closer range than the residential area behind. However, the Beehive will remain dominant as the foreground element.
- iii. Tinakori Hill (Te Ahumairangi) will remain as a contextual element in the background, with the ridgeline unaltered and a substantial mass of the forested slope behind the CBD still clearly visible.
- iv. The intruding structure is not a verandah.

⁵ Application plan P A6-04

- 4.8 Also of note is that the permitted height limit in the area captured within the Viewshaft is 27 metres, and the MUS building is of approximately that height. It is therefore highly likely that even a building of compliant or lesser height would intrude into the area within the viewshaft.
- 4.9 The issue for consideration is whether these conditions are severe enough to warrant suggesting that the MUS building is completely unsuitable for the context due to Viewshaft intrusion. Viewshaft 4a is clearly impacted, but I consider that rather than it being ruined it will be moderately altered but still of value.
- 4.10 Instead of having a foreground, middle ground and forested backdrop that suggests transition from city to suburbs to hills, the view will have a more abrupt visual transition created by the roofline of the MUS building that would suggest the business area of the city in close proximity to the wooded hills behind. Although this condition is not entirely what the viewshaft originally sought to protect, I consider it is an alternative that is not entirely unappealing. I would therefore suggest that when making a decision this would not need to be considered an unsurmountable urban design concern.
- 4.11 Mr McIndoe's report also contains an assessment in respect of viewshafts. I generally agree with the points he makes, however, I disagree with the statement made that "*MUS has no appreciable effect on Central Area Viewshafts*"⁶. Rather, I consider that the effect is appreciable but the viewshaft still retains adequate integrity in terms of the identified quality elements. I agree with his statement any building of a permitted height limit in the Museum Street area would produce the same effect. I also agree that BAL is not visible in any protected viewshaft.

5.0 SUBMISSIONS

- 5.1 Public notification of the application attracted five submissions, as outlined below and with their primary concerns that relate to urban design matters summarised.

5.1.1 Submission 1 Sandra-Lee Monk (Oppose)

Issue(s): Retention of listed tree

The application proposes relocation of the oak tree to a more peripheral location on the site. I consider that if successful, this will place the oak in a better location for amenity of both buildings and public spaces, and place it in a more compatibly vegetated setting.

5.1.2 Submission 2 HNZPT (Neutral)

Issue(s): Adverse impact on historic heritage values

HNZPT noted that the purpose and function of the precinct as a whole will not be altered, but MUS building considered to be too tall and too close to Parliament House, and loss of unbuilt space is regrettable. Views of the western elevation of PH would be obscured. HNZPT suggest a number of conditions.

The submitter does not specify from where they consider the views of Parliament House will be obscured, or to what extent or in what way, or whether they are referring only to public views or intend to include views from all places such as inside adjacent buildings. It is worthwhile to consider the views of this façade, in terms of from where they are most visible and most valued.

It is my observation of the situation that the western elevation is not the primary elevation of the building, although it is strongly architecturally detailed and an impressive secondary elevation. The façade does not contain any important doors or entrances, although windows are of regular size and spacing. The ends of the exterior are more ornately detailed than the centre. The façade appears particularly striking in the afternoon, when sunlight accentuates the decorative detailing by introducing contrast between light and shadow.

⁶ Urban Design assessment, pg 47

From Ballantrae Place, Parliament House will not be visible once the MUS building is constructed. The nature of Ballantrae Place at the point where Parliament House is most prominently in view is from the access road to the car park. By the submitter's own admission, the nature of this space as the foreground to Parliament House on the western side is has "*attendant aesthetic shortcomings*"⁷. My view is that despite the building being handsome, neither this elevation or the view catchment for it are likely to be places specifically sought out by many people for views that are special or distinguished. (See picture below, from Ballantrae Place.)



The dwellings in Ballantrae Place have only a very limited view of Parliament House, primarily obtained from the area in front of the garages or obliquely from the south-facing decks or upper floor windows. Intervening trees also limit the visibility of the building.

The main public view of Parliament House would be from the area around the intersection of Bowen Street, The Terrace and Museum Street or from within the sculpture park. From Bowen Street the façade of the building will still be largely appreciable once MUS is constructed, although there may be additional restriction of afternoon sunlight to the western elevation that (at the moment) puts extra highlights the architectural detailing of this façade on sunny days.

From Hill Street Parliament House is largely obstructed from view by mature vegetation which will be retained. The applicant's plans P A6-18 indicate the views from Hill Street and confirm the lack of visibility of MUS.

It is not usual practice for Urban Design review to comment on view from inside private properties. However, in this respect I note that the buildings most affected building(s) would be those on the Bowen Campus, where the view of Parliament House will be largely obscured by MUS. These are fully commercial buildings with no residential component and around 20 metres separation distance. I do not consider that the view of an office building from an adjacent office building would be an unexpected condition for this situation, or that the new building would be so close as to significantly detrimentally affect amenity or outlook for the Bowen Campus buildings.

My conclusion is that the western elevation will be obscured from view, but only from middle- and long-range views, and not entirely. Because this elevation of the building is not being physically altered (apart from insertion of the link bridge) the views of this elevation will change from further ones to close-range ones, largely appreciable from the space between the buildings.

The submitter does not have the same concerns about the proposed building for services in Ballantrae Place, a position I agree with.

⁷ Submission 2, page 2

The proposed MUS building will have no visual impact on the view of the front (eastern elevation) of Parliament House from the public space on the eastern side of the site.

The submitter also mentions the *“irreversible loss of open space on the west side of Parliament”*⁸. It is worth considering the value of this space in terms of the Parliamentary Precinct as a whole. The Parliamentary Precinct Design Guide considers the rear of the buildings to be the ‘lesser elevation’ and has little to say about the quality of spaces at the rear of the buildings. The principal open space is considered to be that at the front of the Parliamentary complex.

From an Urban Design perspective, ground-level car parking in the Central Area is quite possibly the least efficient and least attractive use within the zone and one that is actively discouraged. Although this space is ‘open’ (or more correctly ‘unbuilt’) its use is not for leisure or recreation, therefore it is considered to have low urban design value for the overall site in its current form and any improvement is to be encouraged.

The objectives and guidelines of the PPDG concentrate on retention and enhancement of the open spaces at the front of Parliament. Furthermore, guidance indicates that new buildings should be relocated to the rear of Parliament buildings and that Museum Street should be retained as a formed space. The current application would meet both these guidelines, and if more building is required within the precinct the highly preferable urban design outcome is to locate it to the rear of Parliament House. More specific discussion on the extent to which the proposal is considered to agree with the PPDG can be found in the previous section of this report.

Views from the vicinity of the sculpture park and the adjacent terrace are discussed below in relation to Submission 4.

5.1.3 Submission 3 Trustees of the Eldin Family Trust (Oppose)

Issue(s): The extent to which the building will intrude into Viewshaft 4A.

This matter is discussed in Section 4 above.

5.1.2 Submission 4 Ben Blinkhorne on behalf of Kapura (Oppose)

Issue(s): Adverse impacts on adjacent business, including concern that height and position of MUS will affect sunlight and visual amenity on outdoor terrace.

This submission raises the matter of detrimental effect on the operation of the restaurant/bar at the base of the Bowen State Building, including its use of an east-facing outdoor terrace. The matters of concern relate to shading and views of the western elevation of Parliament House.

Shading diagrams have been supplied by the applicant. They range from 9am onwards and indicate that:

1. In mid-winter (21 June), the restaurant outdoor terrace area would be shaded by the MUS building between 9.30am and 11.30am (no data was supplied for 7.30am – 9.30am).
2. On 21 March the outdoor terrace would be shaded by the MUS building until between 11am and noon.
3. In mid-summer (December 21) the outdoor terrace would be shaded until 11am.
4. On September 21 the outdoor terrace would be shaded by the MUS building until 11am.

The business trades from 7.30am till late Monday to Friday, with morning being the time when the terrace space currently receives direct sunlight. After the middle of the day the terrace is shaded by the building above the restaurant as the sun moves around to the west.

I have visited the site and confirm that the outdoor terrace has a pergola with a retractable translucent roof and interior fixed heating. The terrace is surrounded by a solid wall of

⁸ Submission 2, Page 4

approximately 1.1-1.3 metres high on three sides, and the structure has the option of plastic walls which roll up or down. (See photos below, taken by myself on 11/01/2023.)



The shading diagrams supplied by the applicant indicate that despite an increase in early morning shading, the terrace remains unshaded after 11am and over the lunchtime period. Afternoon shading is already generated all year round by the building in which the restaurant is situated, indicating that shade itself does not appear to be a matter that would preclude operation of the business.

Loss of direct sunlight especially in cooler weather is regrettable. However, the submitter has already implemented measures to improve the warmth and shelter of this space, recognising that it is already in shade for the majority of their trading hours. These measures will hopefully allow continued operation of their business in much the same manner as at present. The minor loss of amenity to this area caused by additional morning shading is not considered to be a significant urban design issue.

On the matter of views, I agree that the western elevation of PH would be largely obscured by the new building in the view from the restaurant's terrace.

The matter for consideration is whether the change in foreground views would be an objectionable urban design condition of enough substance to warrant recommending that the consent is declined. It is my opinion that this is not the case. The exterior of the building has been thoughtfully detailed and there is adequate separation distance between the new building and the terrace. Although it will be closer, it will not be too close, and it has a well-considered external appearance.

The outlook from the terrace will also benefit from the amenity of the relocated oak tree, and the existing conditions for enclosing and warming the space means that the business owner will hopefully be able to continue to operate much as they do now.

The submitter also raises the issue of the applicant's UD report showing a possible pedestrian route through their leased outdoor area. I note that Mr McIndoe indicates that this is in the nature of a possible secondary connection within the wider area – it is not a proposed formal route, and there are plenty of other routes around the terrace. The submitter's point about this does not raise urban design concern.

5.1.2 Submission 5 Ewen Robertson (Oppose)

Issue(s) **Inefficient use of site, carbon neutrality, traffic, noise, and consultation with local residents.**

Most of these do not fall within the scope of UD consideration or will be commented on in more detail by other advisors.

In respect of local construction disruption and successful integration and management of a building site within the context, the Urban Design team requests that while the site is under construction, any hoarding around the construction site that will be visible from a public area is finished with either creative or interpretive material about the site or the project. This will not specifically address this submitter's concerns about noise and dust but will improve the appearance of the site within the neighbourhood and provide public information about the project. This can be a matter required by a condition.

5.2 **Comments on proposed conditions requested by submitters.**

5.2.1 HNZPT request four conditions (or equivalent) for inclusion if the consent is granted. Their requested conditions 1 and 2 relate to heritage fabric of the buildings, UD has no further comment on these. Requested condition 3 asks that a qualified and experienced conservation architect be engaged to provide input into all design work and implementation, UD would endorse this request. Requested condition 4 also appears to relate to heritage fabric, although it is unspecific about the nature and scope of drawings to be supplied or for what reason. The Heritage Advisor should comment on this request.

5.2.2 None of the other submitters request any conditions.

6.0 **OBJECTIVES AND POLICIES OF THE PROPOSED DISTRICT PLAN.**

6.1 The application was lodged prior to the Proposed District Plan being notified. Therefore, consideration is only required of the relevant urban design-related objectives and policies of this document.

6.2 The site is in the City Centre Zone in the proposed District Plan. The purpose of this zone is to enable and reinforce the continued primacy of the Wellington central city area as the principal commercial and employment centre servicing the city and metropolitan region. The City Centre Zone is the commercial heart of Wellington and the wider region and New Zealand's Capital City. It is also a major employment hub for the region and contains a vibrant and diverse mix of inner city living, entertainment, educational, government and commercial activity. Relative to other areas of the city it exhibits a heightened intensity and scale of development.

6.3 In terms of the PDP objectives and policies, those most relevant to Urban Design are

- **Objectives CCZ-01, CCZ-03, CCZ-04, CCZ-05, CCZ-07**
- **Policies CCZ-P1, CCZ-P2, CCZ-P5, CCZ-P7, CCZ-P8, CCZ-P9, CCZ-P12**

These are commented on below. As the PDP is in the early stages of being finalised, these policies and the comments given might be given limited weighting in terms of the final decision.

6.3.1 **Objectives**

CCZ-01 Purpose

The City Centre Zone continues to be the primary commercial and employment centre servicing Wellington and the wider region, supported by residential and a diverse mix of other compatible activities that reflect its role and function in the hierarchy of centres.

This proposal does not adversely affect the role or function of the City Centre Zone. Rather, it enhances both the visibility and the provision of central government-related facilities by clustering buildings onto one site that is already recognised as the seat of national government, with logical, considered connections both within the buildings and around the wider area. These are positive urban design outcomes.

CCZ-03 Urban form and scale

The scale and form of development in the City Centre Zone reflects its purpose as Wellington’s primary commercial and employment centre, with the highest and most intensive form of development concentrated in the zone relative to other parts of the city.

The proposal reflects the importance of the centre of government for New Zealand and intensifies government activity within the Parliamentary Precinct.

CCZ-04 Ahi Kā

Taranaki Whānui and Ngāti Toa Rangatira are acknowledged as the mana whenua of Te Whanganui ā Tara (Wellington) and their cultural associations, and landowner and development interests are recognised in planning and developing the City Centre Zone.

Sections 2.4 and 6.3 of the applicant’s Design Statement discusses the consultation that has been undertaken with mana whenua and other persons considered to hold cultural mana for this site. The specific cultural narrative that the project responds to is:

“Te Tai Whakarunga –the upward tide which speaks to the location of the Parliamentary Precinct and the Bowen Campus and references the hills, landscapes and waterways which were formed during the geological movement associated with the surfacing of Te Ika-a-Māui -the great fish of Māui.”⁹

Their input and interests are reflected in the submitted design for both the building and the landscaping, with opportunities identified for further expression of Māori culture within the building in the future if desired.

CCZ-05 Amenity and design

Development in the City Centre Zone positively contributes to creating a high quality, well-functioning urban environment, including:

Reinforcing the City Centre Zone’s distinctive sense of place;

Providing a quality and level of public and private amenity in the City Centre Zone that evolves and positively responds to anticipated growth and the diverse and changing needs of residents, businesses and visitors;

Maintaining and enhancing the amenity and safety of public space;

Contributing to the general amenity of neighbouring residential areas;

Producing a resilient urban environment that effectively adapts and responds to natural hazard risks and the effects of climate change;

Protecting current areas of open space, including green space, and providing greater choice of space for residents, workers and visitors to enjoy, recreate and shelter from the weather; and

Acknowledging and sensitively responding to adjoining heritage buildings, heritage areas and areas and sites of significance to Māori.

The new buildings will reinforce the sense of place of the Parliamentary Precinct and its functions. The development responds to the growth and change of the nation’s government structure over time, requiring a new building that externally moves the Parliament buildings into the 21st century and addresses a part of the site with less-than-ideal existing conditions by converting it from a ground-level car park to a safe, attractive, useable public space. Existing valued open space areas on the eastern side of the site will not be detrimentally affected.

⁹ Design Statement page 15

There will not be detrimental impact on the amenity of any residential areas, which are at some distance from the site.

The building has been designed to achieve seismic resistance of IL4 by including base isolation.

The heritage and cultural aspects of the development will be commented on by others, but the commitment to engage with mana whenua and provide expression of Te Ao Maori in the design of the building and surrounding landscaping is noted.

CCZ-O7 Managing adverse effects

Adverse effects of activities and development in the City Centre Zone are managed effectively both

Within the City Centre Zone; and

At interfaces with:

Heritage buildings, heritage structures and heritage areas;

Scheduled sites and areas of significance to Māori;

Identified public spaces;

Identified pedestrian streets;

Residential Zoned areas;

Open Space and Recreation Zoned areas; and

The Waterfront Zone.

The proposal is considered to support this policy. Discussion about the way in which the effects of the proposal have been managed can be taken from the previous section of this report.

6.3.2 Policies

CCZ-P1 Enabled activities

The proposed building will support the purpose and ongoing viability of the Parliamentary Precinct Area by concentrating Parliamentary activities onto one site for efficiency of function. It will also introduce a building that signifies the ongoing development of Parliamentary activities on the site into the present time.

CCZ-P2 Potentially incompatible activities

The proposal supports this policy by eliminating a potentially incompatible activity (ground level car parking) from the site and replacing it with a positively-designed public space around the new buildings.

CCZ-P5 Urban form and scale

The building proposed is of a height and scale that is compatible with the Zone outcomes, and with the nature of the site and setting.

CCZ-P7 Ahi Kā

The application supports this policy, as described for O4 above.

CCZ-P8 Sense of place

The development this policy by reinforcing and building on the location's identity as the seat of the nation's government.

The Māori and non-Māori history of the site is reflected in both the building and the landscaping via a narrative developed with appropriate representatives of mana whenua. The new building will be visually prominent from certain viewpoints, but sits within a collection of buildings that it supports

and explains in terms of the development of government activities on the site over time. The introduction of a 21st-century building into this context to follow behind 19th- and 20th-century buildings is an appropriate response to development and expansion of this site over time.

CCZ-P9 Quality design outcomes

The development positively contributes to the sense of place, quality and amenity of the location by presenting a comprehensive development that responds to the constraints and opportunities of the site. It redevelops a part of the site with poor urban design amenity and presents a design which complements development of government activity on the site while explicitly expressing a modern response that befits the times.

Heritage and cultural issues have been addressed – more specific comments are provided by other advisors.

Site conditions are much improved, with better landscaping, more purposeful and considered pedestrian conditions and inclusion of cultural references. User safety on the site has been satisfactorily considered, and generally, public access to the site will still be permitted in much the same manner as at present.

The building itself is designed to a high standard of resilience.

The development supports this policy.

CCZ-P12 Managing adverse effects

The proposal is considered to support this policy by managing the effects of building dominance, height and scale through considered design and providing a high quality landscaped space around the base of the building that integrates the building and connects the space to those around it.

- 6.4 In summary, the proposed development is considered to support the objectives and policies of the Proposed District Plan.

7.0 CONDITIONS PROPOSED BY APPLICANT

- 7.1 The applicant proposes that if the consent is granted a suite of conditions is imposed and have, in Section 4.3 of their AEE, outlined the scope of such conditions. Comment is made below on those related to urban design matters.

1. *Condition requiring that the proposal is constructed in general accordance with the application drawings and information provided with the application.*

This condition would be acceptable to the Urban Design team.

2. *Conditions reflecting the mitigation measures suggested in the heritage report prepared by Mr Bowman.*

Mr Bowman's report includes a number of both general and specific 'mitigation measures' in Section 7.0 of his report. Of these, I advise;

The matters relating to protection of heritage fabric should be commented on by the Heritage Advisor. The reference to the inclusion of 'a suitably qualified urban designer where relevant' should be further explained, although requiring urban design comment and/or approval on design detail prior to construction would generally be supported.

The proposed mitigation measures for Parliament House also request a number of modifications to the design of the link bridge. This matter is covered in an earlier section of this report, with urban design concerns about certain aspects of the design already raised. Urban Design would support Mr Bowman's suggestion that this matter be subject to further review and approval.

Mitigation of effects relating to landscaping and grounds work are agreeable. The standard condition used by WCC could be modified to reflect the concerns raised by Mr Bowman, in order to also achieve better urban design outcomes.

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.*

Not of specific concern to Urban Design

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.*

Not of specific concern to Urban Design

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.*

Not of concern to Urban Design – apart from any possible reference in this document to finish the construction site hoardings as previously discussed.

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.*

The standard condition should be modified to reflect the heritage values and significance of the site, and to address issues relating to wind on the site if these subsequently arise, noting that wind condition assessment for the site was not undertaken prior to this consent being submitted.

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.*

The 'standard condition' is unlikely to cover the specialised nature of this consent and the condition should be modified so that the certification includes consideration by the Urban Design Team. Urban Design would support inclusion of a condition relating to final approval of all exterior materials and colours of both MUS and BAL.

Submission of a final Landscaping Plan for approval by a WCC Landscape Architect and the Urban Design Team should be added.

Design detail for appropriate finishing of the seismic joint around the base of MUS should also be requested, to ensure that this does not have an adverse effect on the conditions experienced by pedestrians in the adjacent public space.

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.*

Condition(s) to ensure successful relocation of the oak tree would be supported by Urban Design.

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.*

Not of specific concern to Urban Design

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.*

This would be acceptable to Urban Design. Further comment about CPTED-related conditions is included in Section 8.2 below.

8.0 ADDITIONAL COMMENTS ABOUT OTHER MATTERS

8.1 Response to Statement by the Wellington Architectural Centre

The Architectural Centre also raise issues around the proposed link bridge, in terms of it interrupting views across the site. They propose that a less visually obtrusive design may be better. In conjunction with my previous comments and those also raised by Mr Bowman and the WCC Heritage Advisor, it is strongly recommended that the design of the link bridge is revisited. This is reflected in the UD request for a condition relating to the final design of the bridge.

The UD team supports the Architectural Centre's request that new buildings at Parliament overtly reflect the Government's commitment to sustainable, resilient design.

8.2 Comments on CPTED assessment

- 8.2.1 The report by Boffa Miskell thoroughly assesses the receiving environment in terms of actual crime and of behaviour that concerns the site's security services. This is summarised in section 2.3 of the report, noting specifically that the site has significantly more serious and complex security considerations than most other sites and also requires the capacity to 'lock down' in situations of serious threat. However, this must be balanced with the legislative requirement to allow 'access to Government'. The site has a dedicated Security Team.
- 8.2.2 There is no concern with the findings of Section 2.3 of the CPTED report.
- 8.2.3 In terms of proposed remedial measures, the report identifies the following CPTED aspects that are recommended to be addressed by condition(s) of consent, as outlined in Section 5.2 of the CPTED report.
- 8.2.4 The following conditions of consent suggested by the applicant would address the outstanding CPTED issues identified.
- a) Lighting - A requirement for a CPTED review of the detailed lighting design for the Precinct to ensure CPTED outcomes are carefully considered and provided for. This would include a Lighting Strategy which promotes a sense of quality and safety at night, reinforces wayfinding and allows for good levels of surveillance. This includes lighting of the existing ramp up to Hill Street.
 - b) Pedestrian Link North of Museum Street Building – A requirement for appropriate management of this link through onsite security and CCTV technology.
 - c) Ballantrae Building – Explore the option for including windows in the stairwell along the East elevation of the building. Consider if a slot window can be included along the North elevation.
 - d) Management at Night – A requirement for a 'management strategy' to be prepared to address how staff will access their cars parked in the Upper Car Park and Taxis at night (noting that the acceptable location for a taxi pick-up at night is adjoining the bollards next to the Ballantrae

Place basement ramp). This is considered convenient and dignified enough to be a sustainable solution long-term.

- e) Landscape Detailed Design – A review of the detailed landscape plans for the Precinct to confirm compliance with the CPTED matters raised in this report and ensure best-practice CPTED principles are adhered to.
- f) Basement Ramp – A requirement to provide detailed design drawings to ensure that the ramp is not ‘skateable’ and uses design techniques to discourages loitering. A pedestrian barrier at the top of the ramp is recommended in this case.¹⁰

8.2.5 Conditions to this effect would be acceptable to Urban Design, subject to the details addressing the concerns being submitted to and approved by the WCC Urban Design Team prior to construction commencing.

8.2.6 Urban design would also support the remedies proposed by the applicant’s CPTED advisor for security concerns around Ballantrae Place and the Hill Street stairs – noting that these are technically outside the scope of the consent but also noting that connections between the Precinct and adjoining areas should also strive for high quality public safety outcomes.

9.0 SUMMARY AND CONCLUSION

9.1 This application is for a large-scale development at Parliament that will address matters of Parliamentary accommodation as well as improving efficiency and secure operation of the site. Two new buildings are proposed, complemented by surrounding site landscaping, and there are matters to consider in terms of listed heritage items.

9.2 The applicant has supplied a quantum of assessment related to urban design matters, which is thorough and generally agreeable. The conclusion of this report is that *“the development satisfies Parliamentary Precinct Heritage Area guidelines and meets the objectives of the Central Area Urban Design Guide”*.¹¹

9.3 I also consider that the development satisfies Parliamentary Precinct Heritage Area guidelines and meets the objectives of the Central Area Urban Design Guide.

9.4 Five submissions were received, in respect of urban design-related issues I consider the matters raised by the submitters can be adequately addressed. Other matters raised are not relevant to urban design.

9.5 The proposal impacts on identified Viewshafts and although Viewshaft 4a is altered, the modified view still has positive qualities.

9.6 CPTED and public safety matters have been adequately considered.

9.7 The proposal does not offend the objectives and policies of the Proposed District Plan.

9.8 The conditions proposed by the applicant are generally agreeable, subject to expansion of detail.

The proposal has Urban Design Support

If the application is approved, the following are recommended:

- a. Suggested conditions

¹⁰ CPTED report section 5.2 page 26

¹¹ Urban design assessment, page 47

- A tailored condition requiring consideration and approval of all final exterior building materials (including finish and colour) by the Urban Design Team.
 - A condition requiring consideration and approval of a final landscaping plan by the WCC Landscape Architect and Urban Design Team. This should include design detail for the finishing of any seismic joints visible from a public space.
 - That any modifications at any time to the design or layout or structures of the landscaping that is part of this application in order to address wind conditions arising from construction of either of the two new buildings shall be submitted to the WCC Urban Design team for comment and approval.
 - That the final design and detailing of the link bridge is submitted for approval by the WCC Urban Design Team prior to construction commencing, to ensure the support structure for the bridge does not negatively impact on pedestrian conditions around it.
 - That the construction management plan includes a requirement to install creative or interpretive material on any construction hoardings that will be visible from a public place. The material to be used shall be submitted to and approved by the Urban Design Team and the Arts Team.
 - Conditions requested by the applicant's CPTED report, or alternative wording that achieves the CPTED outcomes.
- b. Suggested advice notes
- The applicant should refer to the WCC guidance for Creative Hoardings:
[Arts - Creative Hoardings pilot programme - Wellington City Council](#)

Peer reviewed by: Vida Christeller
Manager, City Design

Urban Design Addendum Comments

SR514663, 1 Molesworth Street

Date: 6 March 2023
Comments to: Matthew Brajkovich, Senior Planner
Comments from: Sarah Duffell, Senior Urban Designer, Design Review Team

Addendum comments relating to Design Excellence.

- 1.0 These are additional comments about the extent to which the MUS building part of the application meets the requirements for design excellence, as the height of this building is proposed to exceed the permitted height limit for the site. The height standard for the Parliamentary Precinct Heritage area is has an ‘absolute maximum’ of 27 metres. The MUS building is proposed to exceed this by up to 2 metres in height.
- 2.0 The extent to which the MUS building exceeds the 27 metre ‘absolute maximum’ height limit equates to less than one half storey. However, even this small amount triggers a requirement for consideration of whether the building achieves ‘design excellence’, as required by Policy 12.2.5.5 (Operative District Plan).
- 3.0 Policy 12.2.5.5 states:
12.2.5.5 Require design excellence for any building that is higher than the height standard specified for the Central Area.
- 4.0 The explanation to the policy states the following:
“As all buildings contribute to the character and public environment of central Wellington, design quality is a fundamental consideration in the assessment of any development application (see policy 12.2.6.2). The issue of design quality is even more important for buildings of unusual height or bulk, which due to their size, height and massing can have a significant impact on the city, both at street level and from a distance. To ensure that over height buildings visually enhance the cityscape of the Central Area, the Council will require that they display design excellence.

When processing a consent application for an over-height building, Council will consider both the scale of the proposed height increase and the comparative height of the resulting building in relation to its surroundings. While all buildings in the Central Area must be of sufficient design quality that they make a positive contribution to the urban environment, the requirement to deliver design excellence applies particularly to proposals that will result in a building that is significantly higher than the surrounding built form.”
- 5.0 Furthermore, the explanation goes on to outline the two likely scenarios relating to over-height buildings, the first being that the building is of exceptional height compared to the city as a whole, and the second being a building that is very tall in relation to the scale of surrounding properties.
- 6.0 At less than one storey over the height limit, this building does not match particularly well with either of these criteria. Therefore, it is relevant to consider the extent to which the overall design

of the building achieves better outcomes than what would normally be expected for building designed to an acceptable level of urban design quality in the Central Area.

5.0 In respect of this matter, my view is that the following matters relating to achieving high quality urban design outcomes are relevant.

- a) The scale of height breach is relatively small. The comparative height of the resulting building in relation to the nearby surroundings will be acceptable. The additional height is less than one storey above the adjacent heritage building.
- b) The building will be higher - but not exceptionally higher – than some other buildings in the immediate location. There are also much taller buildings nearby. As such, MUS will not be visually dominant within the wider cityscape.
- c) The proportions of the new building, including the additional height, do not contribute to an impression of a building of excessive bulk or mass that is overwhelming for the context.
- d) Adequate separation of the building from others on site helps contribute to internal amenity by allowing both views and good light access. It also allows the building to be clearly understood as a separate, later addition to the complex of existing buildings on Parliament grounds.
- e) The inclusion of public open space areas around the base of the building works well, adding amenity to both the development and the wider area at an appropriate scale.
- f) Servicing has been located away from pedestrian routes around the ground level of the building, with a separate building elsewhere on the site. This allows for a close-range pedestrian experience of the building at ground floor level.
- g) The facades of the building are well detailed. All have windows and/or material detailing that is generally appropriate for the location, the orientation and the scale of the overall building. On the exterior and within the landscaping, the detailing also reflects aspects of co-design with mana whenua which is appropriate for a building of national importance.
- h) The overall design of the building facilitates and supports the inclusion of very high seismic resistance features, which is important for a building with a national function.
- i) The building will become part of an iconic/landmark collection of buildings. The design reflects the ongoing modernisation of the central seat of government by introducing a building of sufficient size and shape to indicate its mana within the location, without overwhelming the significance of the previous and existing buildings. It will be clearly understood as a modern addition, of a scale and of a type that reflects building language of the 21st century.

7.0 As a result, I consider the building achieves design excellence to an extent that justifies the amount of extra height proposed.

Annexure 4

Wind Advisor Assessment

Michael Donn

Matthew Brajkovich

From: Michael Donn <michael.donn@gmail.com>
Sent: Wednesday, 29 June 2022 2:30 pm
To: Matthew Brajkovich
Subject: Re: Resource consent application - 1 Molesworth Street - SR 514663

Follow Up Flag: Follow up
Flag Status: Completed

Kia ora Matthew

Thanks for the reminder. Happy to discuss

Have spent more time than I expected because the wind speeds reported as existing and proposed are so high!

At worst, at the most problematic point, the wind is accelerated to provide a force f greater than two times what is considered the safety limit for Wellington. (18 of the 27 points measured before and after still experience winds in excess of the WCC Safety limit, even though 3 of these are improved a little by the design)

Looking at the documentation provided for this project, it seems to me that the proposal has taken a very cavalier approach to the wind report.

The arborist, noting the extra wind loads on the oak tree in its proposed new position, does not seem to recognise that the lop-sided shape of the tree is as likely due to blowback of the problem winds off the rear of parliament buildings, which from the wind tunnel test they note will be worse in the new position.



The wind tunnel test only examines screens around the buildings as potential solutions to the identified existing and new safety issues. This then makes it possible in the design statements and drawings to reduce these a problem to

be avoided due to potential conflict with Crime Prevention through Environmental Design restrictions, and provide no information whatsoever on wind mitigation measures.

The Wind Rules specifically ask for an assessment of the building design itself and a determination of whether this is the best aerodynamic solution feasible on the site. The wind tunnel test does state (section 9.5): *"The north-south alignment of the Museum Street Building and the Ministerial Building (both with relatively long slender planforms) are the most beneficial design features for minimising the effect of the development on the surrounding wind conditions. These proposed buildings present a relatively small barrier to the prevailing winds, which help to minimise the downwash wind flows they generate. The Ballantrae Place Building is sufficiently low in height to have a minimal effect on the surrounding wind speeds."*

The building design assessment requirement in the wind rules also asks for an indication of how the building design in its placement and design has ensured that people post-construction have a means of walking through the site in relative security avoiding the worst wind conditions.

The urban design assessment has nothing helpful to say on the issues of the usability of the external environments created by the buildings' placements: *"Wind effects are beyond the scope of this report. However, elevated wind speeds have been identified in the report by WSP Ltd. Any mitigation of this condition – using trees or constructed shelters and the like - will need to: address CPTED issues, avoid crowding the relocated heritage oak, and avoid splitting the courtyard longitudinally into two discrete spaces"*

This overall assessment comes together in the AEE document: *"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" (p23).*

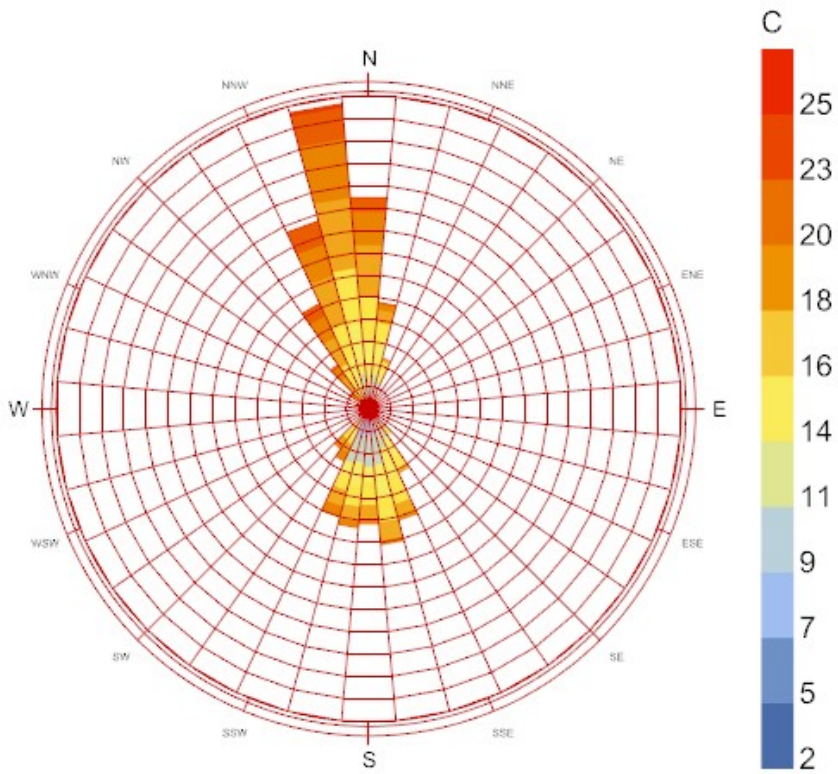
"For the proposed pedestrian areas, at the detail design stage it is proposed that wind mitigation along with other design factors (such as visual effects, CPTED, security considerations etc) will be further considered and assessed with the objective of making the proposed pedestrian areas as safe and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

QUESTIONS:

1) I can find no discussion of the performance of the adjacent park area in regards to the City's performance requirements for parks. Is this OK?

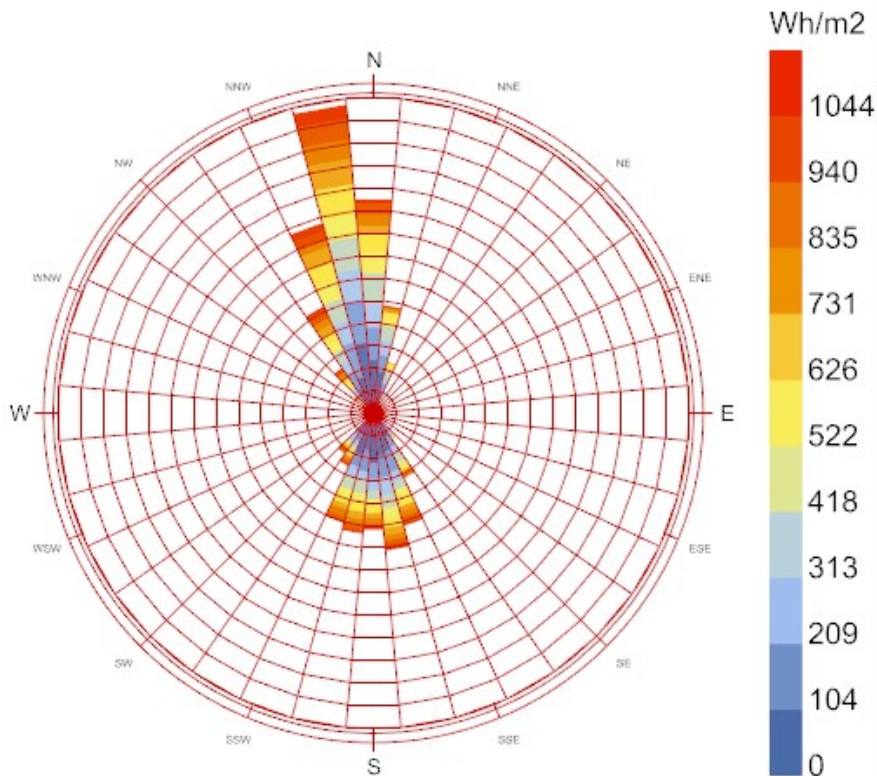
Such a discussion might / should address the following data:

If I look at wind in Wellington in relation to when it is warm, the strong Northerly winds are closely associated with the most warm temperatures (during the day from 7am to 6pm):



Dry Bulb Temperature (C)
 city: Wellington
 country: New Zealand
 time-zone: 12.0
 source: TMY2 NIWA 18234 D14482
 period: 1/1 to 12/31 between 7 and 18 @1
 Each closed polyline shows frequency of 1.1% = 50 hours.

This is also true of the sunny periods of the year.



Global Horizontal Radiation (Wh/m2)
 city: Wellington
 country: New Zealand
 time-zone: 12.0
 source: TMY2 NIWA 18234 D14482
 period: 1/1 to 12/31 between 7 and 18 @1
 Each closed polyline shows frequency of 1.1% = 50 hours.

2) Can we have more information of pedestrian access past the building avoiding the areas identified as unsafe by the wind analysis?

3) There is absolutely no acknowledgement in the design of the building of the spectacularly high predicted wind speeds. Placement of pedestrian access, size of wind lobbies, and effect of the overpass on wind acceleration come to mind as building design features about which there is no integration of the wind information with the building design documentation.

4) No cross-analysis appears to have been performed integrating the wind information with the CPTED analysis or the architectural design. Can this at the very least be assessed in terms of solutions that are likely to work from all points of view, rather than merely testing screens and then suggesting they are unlikely to pass the CPTED test?

M

On Wed, 15 Jun 2022 at 12:07, Matthew Brajkovich <Matthew.Brajkovich@wcc.govt.nz> wrote:

Hi Michael,

I'm the Council planner processing this application. Thanks for taking on the wind assessment for us.

From: Michael Donn <michael.donn@gmail.com>
Sent: Wednesday, 3 May 2023 5:10 pm
To: Matthew Brajkovich
Subject: Re: Parliament Resource Consent Application - Wind Review - SR 514663

Kia ora Matthew

I apologise for the delay in responding. This project has proved challenging, and prior commitments to two other WCC projects have taken far longer than expected.

The material provided was inadequate as the "Appendix H" report references drawings that I do not have access to.

However, I do think that there are some issues that you need to make a decision on:

- 1) Essentially they make the case that "this is not a designated park and therefore park related comfort considerations may not be applied"; this is a legality that I am personally uncomfortable with, and is I am convinced not what the citizens of Wellington would find very surprising.
- 2) There are references to wind lobbies in areas that I identified as having risky transitions from inside (no wind) to outside (high wind) - but then these are listed as laughably small 2m and 3m distance between the inner and the outer leaf of the opening doors. One of these wind exposed entrances is recognised as requiring a better transition from inside to outside by having a canopy and side screens 1m in length. The other has none. This transition space would mitigate the potential risks from the rapid transition of no wind, to some wind if the side screens were somewhat porous - there are plenty of examples of how this kind of porosity of the screen might be designed into a transparent and hence CEPTD approvable screened entry. These are details to be worked on with the design of the building, but their necessity has been required by the lack of any examination of alternative building form or placement on the site. I am in agreement with the WSP wind analyst's comments that "Wind speeds at the entrance could be further reduced by vertical screening and/or offsetting the sliding doors to help avoid a direct line of wind flow into the interior of the building." But I would modify this to apply to all entries, and change could to should, given the great wind exposure of the site.
- 3) A joint design discussion of the CPTED issues with wind screening options is still lacking. We are required to accept an argument that claims with no proof "the amount and height of screening that would be needed for wind mitigation would turn the courtyard into a maze for pedestrians and visually close in the space." This requires acceptance that the building form and placement are the only options on this site, and that effective screens are opaque and cannot be placed to shelter walking desire lines, which seems to require further investigation.
- 4) The assertions about walking preferences under the heading of "safe passage through the site" seems similarly to lack any urban design walking analysis of the site. It is fair to say that sometimes it may be so windy that people will want to avoid the windiest areas. This however implies that before starting to walk they a) know that they will encounter high winds some distance from where they start their journey and b) that it is not raining...

Accepting that the building form will not be changed, which I assume is implied by the draft conditions forwarded for my comment, then I believe that the following wording would be useful:

- (1) At the detail design stage and during the development of the finalised plans required by the Heritage and Urban Design conditions above, the consent holder must, in consultation with their architectural and wind advisors, further consider and assess wind mitigation with the objective of making the proposed on-site pedestrian areas as safe and attractive as practicable. The particular focus of this work should be documentation of i) the means of dealing with safe transition between indoors and out by screening and providing large (>3m) wind lobbies; ii) integration of CEPTD concerns, landscaping, windbreaks and natural lines of walking across the site and into and out of the building entrances; iii) identification within the landscape plan of suitable sheltered outdoor seating areas that receive sun and are out of the extreme Northerly winds.
- (2) The consent holder must then provide a written statement to the Council's Compliance Monitoring Officer outlining the wind measures that have been considered and the rationale for their inclusion in or exclusion from the final design.

M

Annexure 5

Arboricultural Advisor Assessment

Ben Young

Matthew Brajkovich

From: Ben Young
Sent: Wednesday, 25 May 2022 8:26 am
To: BUS: Planning Admin; Richard Wanhill
Cc: Matthew Brajkovich
Subject: RE: For advisor comment - 1 Molesworth Street - SR514663

Follow Up Flag: Follow up
Flag Status: Completed

Hi Matthew,

Thanks for sending the information through.

PSR agree with the details in the Arborlab Report regarding the Heritage Oak Tree.

The important factor here is post-care for the tree.

Can we include a clause to ensure the installation of a soil vault and irrigation system (as outlined in Section 16), and artificial light system (as outlined in section 17) be mandatory to allow the heritage tree best chance of survival following it's relocation?

Ben Young

Kaimahi Takawaenga Kiritaki – Kaitiaki Rākau | Team Leader Arboriculture | Parks, Sport & Recreation | Wellington City Council

P 04 389 0251 | M 021 227 8176

E ben.young@wcc.govt.nz | W Wellington.govt.nz |

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Absolutely Positively Wellington City Council

Me Heke Ki Pōneke

From: Krystle Leen <Krystle.Leen@wcc.govt.nz> **On Behalf Of** BUS: Planning Admin
Sent: 20 May 2022 15:43
To: Richard Wanhill <Richard.Wanhill@wcc.govt.nz>; Ben Young <Ben.Young@wcc.govt.nz>
Cc: Matthew Brajkovich <Matthew.Brajkovich@wcc.govt.nz>
Subject: RE: For advisor comment - 1 Molesworth Street - SR514663

Great, thank you Richard.

Kind regards

Krystle Leen

Business Support | Resource Consents | Wellington City Council

E Krystle.Leen@wcc.govt.nz | W Wellington.govt.nz | 

Annexure 6

Arboricultural Advisor Assessment

Richie Hill

PAPER STREET

TREE COMPANY

—
ARBORICULTURE CONSULTANCY

To: Matthew Brajkovich

Date: 4.07.22

Subject: Review of tree relocation at 1 Molesworth Street SR514663

Thank you for sending through the information (information reviewed attached as Appendix 1). My initial comments after reviewing the assessments and the site would be as follows:

1. The Arborlab assessment is comprehensive. Given the previous works in preparing the rootball and the contained site in which the tree stands, moving the tree is feasible.
2. The new location would subject the tree to different environmental conditions. However, the report provides options that can be implemented to mitigate those effects should they be needed.
3. Therefore, no further information is required for the feasibility of the tree's relocation.

Additional note

Transplanting mature trees can lead to variability in terms of success. However, the theory provided is sound as set out in the assessment. Therefore, it will all come down to the transplanting and the aftercare programme. To ensure the greatest chance of success, the contractor engaged to carry out the works and aftercare must demonstrate a proven record of successfully transplanting and establishing large mature trees. I think this could easily be addressed in a condition, which could be to note that it must be included within the tender documentation for the works.

As the transplanting methodology and aftercare programme would need to be submitted before any works. Each contractor will likely have different methods than what is outlined in the Arborlab report, so the report would be best seen as a guide and not the exact process.

FOR THE GREENER GOOD

—
hello@paperstreettree.co.nz paperstreettree.co.nz

For any further information don't hesitate to get in touch.

Richie Hill

021.0229.1586 | richie@paperstreettree.co.nz

Paper Street Tree Company

Arboricultural & Environmental Consultancy

APPENDIX 1 ADDITIONAL INFORMATION

PLANS REVIEWED	DATED
Assessment of Environmental effects Report Parliamentary Precinct 1 Molesworth Street, Wellington.	May 2022
Arborlab Arboricultural Report. Application to relocate the Museum St Oak Tree (Job Ref 35419).	November 2021

FOR THE GREENER GOOD

hello@paperstreettree.co.nz paperstreettree.co.nz

Annexure 7

Transport Advisor Assessment

Patricia Wood

Transport Assessment on Resource Consent Application

13 July, 2022

Service Request No: 514663

File Reference: 1199795

Site Address: 1 MOLESWORTH STREET, Pipitea

Introduction:

The proposal is for changes to the Parliamentary Precinct. The construction of three new buildings is proposed:

- a building off Ballantrae Place known as BAL,
- a new ministerial building in the current location of the existing press gallery known as MIN, located next to the Beehive,
- an office building located in Museum Street located west of the existing Parliament House known as MUS.

Comments on the Further Information Provided:

- The applicant advises that the central island at the end of Ballantrae Place will be lowered in height or removed, to allow for vehicles to track over the area occupied by the traffic island. This is expected to be acceptable. Driveway construction plans for the whole site will need to be provided for approval before construction starts. These must be provided either to the Compliance Monitoring Officer for approval. See the suggested condition.
- The applicant confirms the location of the vehicle barrier arm at the entrance/exit to the basement ramp to the BAL building. The tracking curves now provided indicate that the vehicles can keep clear of this barrier arm. This is acceptable as long as all areas needing to be trafficable will be provided with suitable pavements. See the suggested condition.
- The applicant advises that there will no longer be a Wastewater Heat Recovery building near the BAL building. Therefore, close access and parking for service vehicles to this area will no longer be required.
- It is advised that the heritage gates on Museum Street will generally remain open (unless there is a security event).
- Access to the precinct will mainly be by Ballantrae Place.
- The existing driveway at the eastern end of the upper carpark area, that provides vehicle access to near the western side of the Parliamentary Library, will be retained for the delivery of large items or other occasional use.
- The location of the turning area for a large (99%ile) vehicle at the north end of Museum Street has been further clarified on the plan provided, although a different turning layout is now indicated. This appears to be due to the addition of an area of landscaping generally opposite the driveway between the Parliament House and the Ministerial Building.
- New tracking curves have also been provided for a large rigid truck at the north end of Museum Street. These tracking curves indicate that this type of vehicle would be able to turn around by making use of more of the driveway between the Parliament House and the Ministerial Building. This is expected to be acceptable.

Legislative Requirements (ie District Plan / Standards) and Assessment:

Parking

- Fewer carparks are proposed to be provided within the Parliamentary Precinct under the proposal. This will result in the provision of approx. 172 carparks (reduced from approx. 410 carparks). These include 9 mobility carparks which will be provided in the basement of the MIN and MUS buildings. This is an increase on the 4 approx. mobility carparks currently provided.

- The only new carpark is advised as a mobility carpark in the MIN building and a parking bay in the MUS building. The sizes of these carpark will be assessed at the building consent stage.
- A parking area known as “Western Carpark” will be removed and another parking area known as “Upper Carpark” will be reduced in size from 63 to 34 carpark.
- A two vehicle parking bay adjacent to the end of Ballantrae Place and the BAL building is proposed for courier and taxi use. Details of this will need to be provided for approval before construction starts. See the suggested condition.
- Sixty eight parking spaces at Bowen House will no longer be leased.
- Further details of the proposed changes to the parking provision are detailed in the Integrated Transport Assessment.
- The Integrated Transport Assessment has provided tracking curves for the turning area at the north end of Museum Street. See further comments above regarding these.

Servicing

- The Integrated Transport Assessment indicates that servicing vehicles currently enter the precinct via Museum Street.
- The report advises that the BAL building will be the single point of entry for incoming goods to the precinct and will have access from Ballantrae Place.
- This route will also be used by “non-business” and pre-screened contractors to access the precinct.
- This access will also be used for out-going goods and rubbish/recycling.
- It is intended that access for service vehicles from Museum Street will be restricted.
- The stated dimensions of the loading areas meet District Plan requirements.
- The height of the servicing area is stated as exceeding the 4.6 metre height required in the District Plan and it is proposed to accommodate 8 metre long and allow access for 11.5 metre long vehicles.
- The Integrated Transport Assessment indicates that the service vehicles will turn around using the end of Ballantrae Place as a turning area and has provided tracking curves for a large truck and a medium truck entering the servicing area in the BAL building. See further comments regarding revised tracking curves in this area.

Cycle Storage

New storage areas for bicycles will be provided in the new MIN and MUS buildings, providing 149 spaces for staff and 8 new cycle stands for visitors within the precinct. Existing storage areas for 53 bicycles will be retained, providing for 202 bicycles for staff and 8 cycle stands for visitors.

Site Access

Access to the site is via existing vehicle crossings and driveways. These involve access from Museum Street and Ballantrae Place. Museum Street is a private driveway located off Bowen Street. Ballantrae Place is a short road off Bowen Street, maintained by WCC. Other vehicle access points off Lambton Quay, Molesworth Street and Hill Street will continue to be used as indicated below.

- Ballantrae Place is to be used for access for parliamentary staff and most servicing vehicles and contractor vehicles.
- Use of Museum Street is to be reduced and intended to be used by
 - the Governor General and VIPs
 - approved building and site maintenance contractors
 - vehicles associated with special events

- The Lambton Quay and Molesworth Street vehicle crossings will continue to be used by visitors and taxis as at present. Vehicles enter at Lambton Quay at the south-east of the precinct and exit at Molesworth Street at the north-east of the precinct.
- An access off Hill Street near the front of the Parliamentary Library is to continue to be used.
- No changes to the existing vehicle crossings are proposed.

Driveways

- The existing driveway into the Beehive building from Museum Street will be removed.
- The new access to the site for VIP vehicles will be provided from Museum Street to an existing driveway located between Parliament House and the MIN building
- Apart from the access mentioned above, access to the various buildings will be provided via basement routes.
- The existing heritage gates on Museum Street are to be relocated to closer to Bowen Street. A row of retractable bollards is to be installed in approximately the current position of the heritage gates.
- The heritage gates will generally remain open and that access will be controlled by the row of bollards. While the 20 metre approx. proposed distance between the bollards and the Bowen Street footpath would be less than at present (about 35 metres), there is expected to be sufficient queuing capacity due to the reduced number of vehicles using this route.
- There are also driveways at the eastern end of the upper carpark that provide vehicle access to near the western side of the Parliamentary Library.

Pedestrian Facilities

- Due to the reduced use of Museum Street by cars, pedestrian safety at the Bowen Street / Museum Street is expected to improve. The Integrated Transport Assessment details several difficulties/issues associated with conflicts between pedestrians on the public footpath and vehicles entering the Parliamentary precinct.
- Due to the reduction in carpark spaces within the site and increased pedestrian-only areas, more space will be available for pedestrian use. Interaction between pedestrians and vehicles within the site will be reduced.

Trip Generation

- Due to the reduction in parking spaces, trip generation by vehicles parking / visiting the precinct is expected to reduce overall.
- Due to the proposed greater use of Ballantrae Place for access, the Integrated Transport Assessment expects a 12% increase in vehicles turning right and a 5% of vehicles turning left into Ballantrae Place. This could increase the queue length of vehicles waiting to turn right into Ballantrae Place from 4 vehicles to 5 vehicles in the morning peak.
- The Integrated Transport Assessment advises that there is an existing 40 metre approx. long right turn bay on Bowen Street for vehicles entering Ballantrae Place. The report advises that this would have sufficient capacity for 6 vehicles. The capacity of the right turn bay would therefore be sufficient for the expected increase in vehicles waiting to enter Ballantrae Place in the morning peak and changes to the road layout would not be needed.
- Ballantrae Place also provides access to other sites, including a Wilson Parking area under the motorway, government buildings including those housing the Ministries of Defence and Primary Industries and creche. The proposal could increase the daily traffic volume from an estimated 1670 vehicles to 1872 vehicles,

an increase of 12%. With a usable carriageway width of 6 – 7 metres approx., it is expected that the increase in traffic volume can be accommodated.

- There would be a reduction in vehicles waiting to enter Museum Street, which would be beneficial, particularly in the morning peak hour.

Construction Traffic

The applicant advises that approximately 23,900 m³ of excavated material will need to be removed from the site. Due to the large volume of material and number of vehicle trips that will be required, and the central city location of the site, it is proposed that a Construction Traffic Plan is provided as a condition of the consent. See the suggested condition.

Other Matters

The posted speed limit on Museum Street appears to be 10 km/hr (not 50 km/hr as indicated in the Integrated Transport Assessment).

Conclusion:

The proposal is acceptable in terms of transport aspects subject to compliance with the suggested conditions below.

The following conditions/advice notes should be included on the decision:

Suggested Conditions

Construction Traffic Plan

- The consent holder must submit a Construction Traffic Plan (CTP) to the CMO at least 10 working days before any works commence on the site.
- The CTP must be certified by the CMO in consultation with the Traffic / Vehicle Access Team before any work begins.
- The CTP must include methods to avoid, remedy or mitigate adverse construction traffic effects during the works. The CTP must include but not be limited to the following matters:
 - Timing of specific work phases.
 - Key activities and anticipated traffic levels for each work phase.
 - Expected frequency of vehicle movements specific to the construction phase, with details of the proposed hours and days of week. Vehicle movements into and out of the site should be restricted during peak traffic times (7-9am and 4-6pm weekdays).
 - Locations of where construction related vehicles will park, wait, turn and carry out loading and unloading of materials.
 - Locations where construction materials would be stored.
 - Arrangements for temporary traffic management, including pedestrians, car-parking and servicing.
 - Temporary pedestrian safety measures, including directional signage where applicable.
 - Details of how servicing and access to adjacent site activities will be provided for, specific to each development phase.
 - Methods for the public to contact the site manager for complaints. There should be a 1 m² sign facing the public footpath at all points of entry to the site with the site manager's contact details
- The consent holder must carry out the work in accordance with the certified CTP.

Note:

- The CTP does not constitute an approved Traffic Management Plan (TMP) for any of the works. This approval must be gained separately. The TMP must reflect each different stage of the project including vehicle movements in and out of the site;
- A Corridor Access Request (CAR) must be approved before construction activities within the road corridor starts. This is for mitigating public safety risks associated with the proposed earthworks and construction activities. The application needs to be made through <https://www.submitica.com/>.
- A Road Usage Licence (RUL) is necessary if any temporary structures or sole use of space (scaffolding, hoarding, loading zones, tower crane positioning, gantry etc.) are needed on road reserve during any stage of the development and construction. Please note additional fees can occur and will apply when occupying legal road reserve for private use. A quote will be sent to you for acceptance if this applies.

Driveway Construction and Street Level Matching Plans

Driveway Construction and Street Level Matching Plans showing how the proposed new buildings will match the existing public road (Ballantrae Place) and private road (Museum Street) must be submitted to the Compliance Monitoring Officer for approval (in consultation with the Transport team) before construction starts.

This plan would indicate how building entrances, floor levels and other street-dependent aspects have been designed to match the existing footpath and/or road levels.

The plan must also include full construction details of any changes needed to the existing turning area at the end of Ballantrae Place and for the construction of the proposed adjacent two vehicle parking bay.

The Driveway Construction and Street Level Matching plan must show:

- the location and levels of the vehicle and pedestrian entrances and any other sections of the building that require access to nearby sections of existing footpath and/or road carriageway
- existing levels of the top of the adjacent street kerb and/or back of footpath levels near vehicle and pedestrian access areas
- details of any proposed street layout and level changes
- details of any new features proposed in public road land or other changes to the existing public road layout
- construction details for the turning area at the end of Ballantrae Place
- confirmation that all areas needing to be trafficable will be provided with suitable pavements. Details of the pavement design must be provided for approval.

Patricia Wood
Transport and Vehicle Access Engineer

Peer reviewed by: Anbuselvan Pungiah
Team Leader – Transport Consents

Matthew Brajkovich

From: Patricia Wood
Sent: Friday, 5 May 2023 3:18 pm
To: Matthew Brajkovich
Cc: Haran Arampamoorthy
Subject: Transport Comments on Submissions received for hearing for 1 Molesworth St SR 514663

Follow Up Flag: Follow up
Flag Status: Completed

Hi Matt,

Transport comments on the submissions are:

- The submission from Heritage New Zealand considered that the replacement of an existing parking area with the new Museum Street Building (MUS) would be beneficial. Their submission concluded that pedestrian facilities were satisfactory overall.
- The submission from Ben Blinkhorne discusses issues related to new pedestrian routes passing through areas that he leases. This is considered to be a civil matter between the parties involved and not a traffic matter.
- The submission from Ewen Robertson discusses the effects of the proposal on traffic volumes on Ballantrae Place. His concerns appear to mainly be related to the construction phase and therefore would not be considered long term issues. The Construction Traffic Plan condition is intended to include an assessment of the effects of the construction traffic on users of Ballantrae Place and should take into account any potential issues for residents during construction.
- It is accepted that as most vehicles would access the Parliamentary precinct by Ballantrae Place under the proposal, there would be an expected 12% increase in numbers of vehicles using this route. This is due to the route also providing access to other government buildings which have already received approval for using this access.
- However, fewer carparks are to be available on the wider parliamentary precinct than at present. This is mainly due to the removal of the outdoor carparks. Some carparks in Bowen House would no longer be leased, but overall the number of carparks proposed to be located in the Parliamentary Precinct site will be much reduced (to 171 spaces from 410 spaces). The loss of the Bowen House carparks accounts for only 68 of these spaces.
- There would be a reduction in vehicles using Museum Street for accessing the site. This would be beneficial, particularly in the morning peak hour.
- As mentioned in my report, the usable width of Ballantrae Place is 6 to 7 metres, which is sufficient for two way traffic. Some parts are greater in width than this. There is also a footpath on the southern side of the road. This is expected to be sufficient to allow for an increase in vehicle numbers.

Please let me know if I need to provide any further transport information to be included for the requested "Council's Evidence".

Regards, Trish

Patricia Wood

Transport and Vehicle Access Engineer | Transport and Infrastructure | Wellington City Council
P 04 801 3875 M 021 199 5957 E patricia.wood@wcc.govt.nz W Wellington.govt.nz |

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Absolutely Positively
Wellington City Council

Me Heke Ki Pōneke

Annexure 8

Earthworks Advisor Assessment

John Davies

In the matter of

the Resource Management Act 1991

And

In the matter of

Land use resource consent under the Wellington City Council Operative District Plan for the construction of two new buildings at 1 Molesworth Street in the Parliamentary Precinct.

By

WELLINGTON CITY COUNCIL
Requiring Authority

**STATEMENT OF EVIDENCE OF JOHN DAVIES
(EARTHWORKS)
ON BEHALF OF WELLINGTON CITY COUNCIL**

12 January 2023

1. My full name is John Robert DAVIES. I am an earthworks engineer at Wellington City Council, Specialist Advice and Compliance Team. My qualifications are set out in **Appendix A**.
2. My assessment of the application is based around the information provided by the applicants engineering and planning experts which includes the following documents:
 - Parliament Precinct Future Accommodation Strategy (FAS) Geotechnical Report for Land Use Resource Consent Parliamentary Service Reference: 255585 Revision: D 2022-02-16.
 - Future Accommodation Strategy (FAS) Three Waters and Earthworks Resource Consent Report Parliamentary Services Reference: 255585 Revision: D 2022-09-22.
 - Assessment of Environmental Effects Report Parliamentary Precinct, 1 Molesworth St, Wellington dated 2022-09-22.
3. Earthworks Summary
 - i. Earthworks to construct the new builds will consist of around 24,000m³ of material to be excavated from the site and approximately 400m³ of that material will be used as fill.
 - ii. It should be noted that details around the final foundation design and landscaping may impact earthwork volumes so an additional 30% has been added to these figures as a contingency.
 - Cut Volume = 23,900m³
 - Fill Volume 400m³
 - Cuts up to ~6.4m
 - Fill up to ~3m
 - iii. The risk of erosion, sediment and dust loss from the site are typically managed in accordance with an Erosion and Sediment Control Plan (ESCP), for issues with stability of earthworks the controls are usually documented in a Construction Management Plan. Both of which are yet to be developed but are required in the recommended earthwork conditions below.
4. Stability Assessment
 - i. A geotechnical report has been supplied as part of the application. The geotechnical report was developed by Aurecon Ltd. (dated 2022-02-16). The geotechnical report reviews the current proposal and ground conditions in the area.

- ii. The site is relatively close to both active faults and inactive faults. The most significant of which is considered to be the Wellington Fault, which also is the closest, at 450m to the northwest, and is classed as a major fault in NZ standard 1170.5:2004. A second active fault, the Aotea Fault is also detailed in the report and is located 1.5km to the southeast. The report also identified several 'inactive faults' in immediate the area.
- iii. Bore holes did not show a consistent pattern making interpretation of the ground conditions difficult. That being said, the bore holes indicate that fill is present in the immediate 1.5-2.2m below the surface. Below this is weak alluvium/colluvium to a depth of around 20m with firm-very-stiff conditions below this to bedrock at around 53-76m.
- iv. Ground water levels have also been recorded for the site with areas of the excavations expected to intersect these levels. Dewatering of the exactions will need to be considered as part of the site erosion and sediment controls.
- v. The geotechnical review considers that temporary support will be required to ensure stability of the cuts due to the proximity of the proposed earthworks to existing structures and depths of the proposed excavations.
- vi. A liquefaction assessment of the site was undertaken with recommendations of broad approaches for the mitigation of these risks. Further detailed analysis is expected to be undertaken as part of the detailed design for the foundations as part of the building consent process.
- vii. The report also notes that a filled stream is likely to be present beneath the site but was not located in the investigation.

5. Erosion and Sediment Assessment (including Dust)

- i. Typically, the controls required to minimise the risk posed by erosion, sediment and dust loss from the site are documented in an Erosion and Sediment Control Plan (ESCP). An ESCP is considered to be required and is included as part of the consent conditions below. This is in line with the suggested conditions from the applicant and should be provided in advance of any earthworks commencing on site.
- ii. Typically, these management plans are developed in conjunction with the consultant engineers and earthwork contractors and as such are typically provided after consents are granted but at least 10 working days prior to earthworks starting. The risk of erosion, sediment and dust loss is considered to be adequately addressed with development of typical industry controls required as part of the ESCP.

6. Visual Amenity Assessment

- i. The proposed earthworks will exceed the of earthworks rule thresholds for area and cut height. Therefore, an assessment on the visual impact is typically triggered. This is typically reviewed by planning experts or their advisors with conditions of the consent developed accordingly. No visual impact assessment is included within this report.

7. Submitters

I have read all submissions. There are a total of five submissions, one neutral, four in opposition. One submitter raised concerns in relation to earthworks which is discussed below.

- i. **Submission by Ben Blinkhorne Address: 30 Salamanca Road:** The submitter raises concerns around dust effecting the outdoor bar area of Huxley's restaurant and bar that is located on the eastern ground floor of the Bowen State Building.

Response: this concern, in relation to earthworks, is considered to be addressed through requirements of the conditions including details of how dust in relation to earthworks will be managed and monitored as part of the ESCP.

8. Applicants Suggested Conditions

- i. The applicant has suggested typical Council earthwork conditions be applied; these conditions are included below.

9. Conclusion:

- i. The new development is considered to adequately address the long-term stability risks through redevelopment of the site with specific engineered retaining walls. In order to minimize the risk of instability during the construction phase it is recommended that monitoring by a chartered professional engineer and development of a Construction Management Plan be undertaken.
- ii. The proposal is supported from an earthworks point of view, as it is expected that standard industry methodologies will be implemented to mitigate any potential erosion, sediment and dust effects.
- iii. The following conditions/advice notes are suggested to ensure that standard earthwork methodologies are implemented:

10. Recommended Conditions

Geotechnical Professional

- i. A Geotechnical Professional must be engaged for the detailed design and construction phases of the project.

A 'Geotechnical Professional' is defined as a Chartered Professional Engineer (CPEng) with specialist geotechnical skills and experience in the design and construction of earthworks and retaining works similar to those proposed and in similar ground conditions.

The name and the contact details of the Geotechnical Professional must be provided to the Council's Compliance Monitoring Officer, at least 20 working days prior to any work commencing.

- ii. The Geotechnical Professional will monitor the earthworks. The Geotechnical Professional will advise on the best methods to ensure:
 - the stability of the site and surrounding land.
 - the construction of cut faces, fill batters, staging, shoring, and benching as required for stability of the earthworks.
 - the design and construction of the temporary and permanent retaining
 - the earthworks methodology is consistent with the recommendations in the geotechnical assessment by Aurecon Ltd. (date 2022-02-16) and to ensure adequate engineering monitoring is undertaken of the earthworks.

The Consent Holder must follow all the advice of the Geotechnical Professional in a timely manner.

Construction Management Plan:

- iii. At least 10 working days prior to any work commencing on the site a Construction Management Plan (CMP) developed by the consent holder must be submitted to the Council's Compliance Monitoring Officer for certification in relation to any temporary works and earthworks to ensure there is not uncontrolled instability or collapse affecting any neighboring properties, buildings, or infrastructure.
- iv. The CMP must be consistent with the finding and recommendations of the geotechnical assessment by Aurecon Ltd. (date 2022-02-16) and will include, but is not limited to, the following:
 - Details of the staging of work including hold points for engineering inspections and an illustrated plan showing the proposed staging and earthworks.

- Measures to limit the exposure of unretained earthworks at any one time including maximum cut heights of earthworks before the support is put in place.
 - Any runoff controls required to minimise the risk of instability
 - Roles and responsibilities of key site personnel.
 - A contact (mobile) telephone number(s) for the on-site manager, where contact can be made 24 hours a day / 7 days a week.
- v. The CMP must be reviewed by the CPEng prior to being submitted to the Council, to ensure that the methodology is in accordance with the geotechnical assessment, by Aurecon Ltd. (date 2022-02-16).

The review must be provided to the Council's Compliance Monitoring Officer when the final CMP is filed for certification.

- vi. Work must not commence on the site until the CMP is certified by the Council's Compliance Monitoring Officer. The earthworks and retaining work must be carried out in accordance with the certified CMP.

Note: Any amendments to the CMP (once work starts) must be approved by the CPEng and certified by the Council's Compliance Monitoring Officer.

Erosion Sediment Control Plan (ESCP)

- vii. An Erosion and Sediment Control Plan (ESCP) must be developed by the Consent Holder and submitted to the Council's Compliance Monitoring Officer for certification, at least 10 working days prior to any work commencing on site.

The purpose of the ESCP is to identify the erosion and sediment control measures that will be implemented on site during construction activities and how these will comply with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Wellington Region (February 2021).

The ECMP will include, but is not limited to, the following:

Erosion and Sedimentation Controls

- An illustrated plan that records the key features of the ECMP (including the approved earthworks plan)
- A description of the broad approaches to be used to prevent erosion, and minimise problems with dust and water-borne sediment
- Measures to limit the area of earthworks exposed to the weather at any one time (sources of dust and sediment)
- Stabilisation of the site entrance(s) to minimise the tracking of earth by vehicles onto the adjoining roads
- Detail of the use of diversion bunds/cut-off drains, as required, to minimise stormwater entering the site and discharging onto earthworks areas where it can pick up sediment and not discharged on to sloping ground

- The type and location of silt fences to control water-borne sediment
- Methods for protecting stormwater sumps from the infiltration of water-borne sediment
- Stabilisation of soil or other material that is stockpiled on the site or transported to, or from, the site, to prevent dust nuisance or erosion by rain and stormwater (creating water-borne sediment)

Dust Suppression

- Limiting the vehicle speed on site to 10 kilometres an hour
- Assessing weather and ground conditions (dryness and wind) before undertaking potentially dusty activities
- Ceasing all dust generating activities if site dust is observed blowing beyond the site boundary
- Stabilising exposed areas that are not being worked on, using mulch, hydroseeded grass, chemical stabilisers or other similar controls

Management of Controls

- The methods for managing and monitoring the ECMP controls
- Nomination of a site person responsible for the implementation and administration of the ECMP.

The EMP must be reviewed by the Suitably Qualified Engineering Professional prior to being submitted to Council, to ensure that the methodology is in accordance the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Wellington Region (February 2021). The review must be provided to the Council's Compliance Monitoring Officer when the final ECMP is filed for certification.

- viii. No work may commence on site until the ECMP is certified by the Council's Compliance Monitoring Officer. The earthworks and associated work must be carried out in accordance with the certified ECMP.
- ix. Any amendments to the ECMP once work starts must be approved by the Suitably Qualified Engineering Professional and Certified by the Council's Compliance Monitoring Officer.
- x. The erosion, dust and sediment control measures put in place must not be removed until the site is remediated to the satisfaction of the Council's Compliance Monitoring Officer. 'Remediated' means the ground surface of the areas of earthworks have been stabilised (no longer producing dust or water-borne sediment), and any problems with erosion, dust or sediment that occur during the work have been remedied.

Note:

If necessary, the Council's Compliance Monitoring Officer may require changes to the implementation of the ECMP, to address any problem that occurs during the work or before the ground surface is stabilised.

- xi. A copy of the certified ECMP must be held on site throughout the duration of the earthworks and must be made available on request.

Producer Statements

- xii. A copy of the producer statement 'PS4 – Construction Review' and its accompanying documents for structures/buildings required for the stabilisation of earthworks and, prepared for the associated building consent process, must be provided to the Council's Compliance Monitoring Officer within one month of the structures/buildings being completed.

Grassing of Earthworks

- xiii. All exposed areas of earthworks, unless otherwise built on and/or stabilised, are to be grassed or re-vegetated within 1 month of completing each stage of the earthworks, to a level of establishment satisfactory to Council's Compliance Monitoring Officer.

The Council's Compliance Monitoring Officer may agree to a longer period than 1 month, if appropriate, and will approve it in writing.

- xiv. If construction works at the site cease for a period of greater than 2 months, the exposed areas of earthworks must then be stabilized to reach a level of establishment satisfactory to the Council's Compliance Monitoring Officer.

General Earthworks Conditions

- xv. Run-off must be controlled to prevent muddy water flowing, or earth slipping, onto neighbouring properties or the legal road. Sediment, earth or debris must not fall or collect on land beyond the site or enter the Council's stormwater system. Any material that falls on land beyond the site during work or transport must be cleaned up immediately (with the landowner's permission on land that isn't public road). The material must not be swept or washed into street channels or stormwater inlets, or dumped on the side of the road.

Note: As a minimum, 100 mm clarity is required to allow water to be discharged offsite. If clarity is less than 100mm then the water is considered to be muddy and must be captured and treated on site.

- xvi. Dust created by earthworks, transport and construction activities must be controlled to minimise nuisance and hazard. The controls must be implemented for the duration of the site works and continue until the site stops producing dust.

Appendix A -John Davies Qualifications and Experience

My name is John Davies. I am the Earthworks Engineer in the Council's City Consenting and Compliance Unit. I am an engineering geologist and a Member of Engineering New Zealand. I have a BSc in Geology and a Masters in Mining Engineering majoring in geomechnaics. I have been in my current role with the Council for over 6 years, following 12 years working in the mining industry.

As Earthworks Engineer my main role is to assess individual resource consent applications and provide verbal and written advice to the resource consent planner on earthworks issues. I recommend requests for further information from the applicant, and conditions to be used in the resource consent.

I confirm that I am familiar with the Code of Conduct for expert witnesses contained in section 7 of the 2014 Environment Court Practice Note and agree to abide by the principles set out therein.

Annexure 9

Contamination Advisor Assessment

Suzanne Lowe

20 June 2022

Matthew Brajkovich
Senior Consent Planner
Resource Consents
Wellington City Council

Dear Matthew

Contaminated Land Assessment of Application - SR514663 - 1 Molesworth Street

1.0 Introduction

AECOM New Zealand Limited (AECOM) has been engaged by Wellington City Council (WCC) to undertake a technical peer review of the documentation related to contaminated land provided as part of a resource consent application (SR514463) for Her Majesty the Queen c/o Parliamentary Service (the applicant).

The applicant is proposing to redevelop parts of the Parliamentary Precinct at 1 Molesworth Street, Wellington by:

- Redeveloping the Executive Wing by deconstructing the earthquake prone Press Gallery and existing link bridge and replacing with a new ministerial building and link bridge;
- Construction of a new Parliamentary building south of Museum Street and to the rear of Parliament House; and
- Construction of a new building on the Ballantrae Place Frontage.

The redevelopment works will require earthworks including the removal of approximately 23,900 m³ of surplus excavated material.

The Parliamentary Precinct is legally described as Section 1 SO 38114.

The advice contained in this letter relates solely to the assessment of contaminated land and the relevant resource consent status under:

- The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (the NES-CS); and
- The WCC Operative District Plan (OWCDP) Chapter 32.

The review is based on the following documentation:

- *Assessment of Effects Report, Parliamentary Precinct, 1 Molesworth Street, Wellington; May 2022* (the AEE).

Relevant documents included in the Application that were reviewed included:

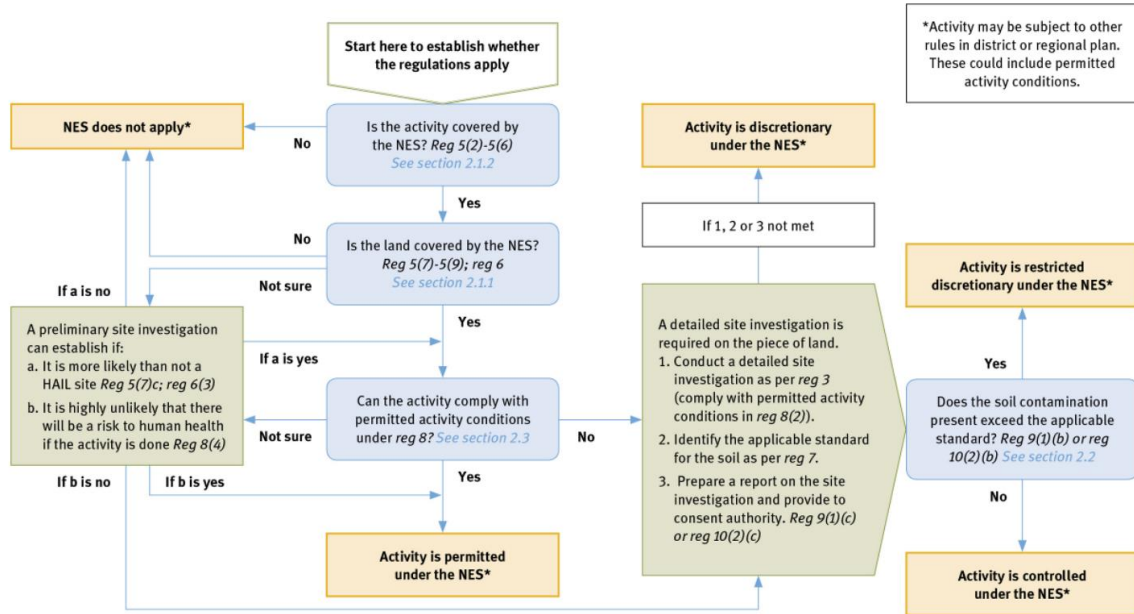
- *Ballantrae Place Detailed Site Investigation*, prepared by Aurecon New Zealand Limited (Aurecon) for Parliamentary Services, dated 5 August 2021 (Ballantrae Place DSI); and
- *Detailed Site Investigation, Rev 1*, prepared by Aurecon New Zealand Limited (Aurecon) for Parliamentary Services, dated 6 August 2021 (Ministerial and Museum Street DSI).

2.0 NES-CS Assessment

The process AECOM has followed in assessing the status of the application under the NES-CS is provided in the following flow chart from the NES-CS Users Guide¹.

¹ *Users' Guide, National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health*, April 2012. Ministry for the Environment.

Figure 1 Determining resource consent requirements under the NES-CS



2.1 Is the Activity covered by the NES-CS? Regulation 5 (2)-5(6)

The AEE does not clearly state which activity under the NES-CS will be undertaken as part of the proposed redevelopment of the Site. However, the AEE does state that the volume of excavation is expected to be approximately 23,900 m³. Therefore, the activity under the NES-CS to which the proposed redevelopment of the Site appears to be “disturbance of soil”. It does not appear that the activities of subdivision, a change in land use or removal of an underground storage tank apply.

Therefore, the following activity applies:

Regulation 5(4): *An activity is disturbing the soil of the piece of land, which –*

- a. *means disturbing the soil of the piece of land for a particular purpose.*

Although, some parts of the Parliamentary Precinct are changing land use under the proposal i.e., changing from a carpark to a building, the NES-CS is not considered to apply in this instance as under the intended land use, the exposure to soil is not considered reasonably likely to harm human health.

In the Ballantrae Place DSI, Aurecon notes that an underground storage tank will be removed during part of ‘wider works at the site’. The removal of an underground storage tank is also subject to the requirements of the NES-CS; however, the applicant does not appear to have included the removal of an underground storage tank in the proposal. The removal of an underground storage tank will need to meet the permitted activity requirements of the NES-CS, or separate consent will need to be sought.

2.2 Is the Land covered by the NES-CS? Regulation 5(7)-5(9);

Regulation 5(7) states: *The piece of land is a piece of land that is described by 1 of the following:*

- a. *an activity or industry described in the HAIL is being undertaken on it.*
- b. *an activity or industry described in the HAIL has been undertaken on it.*
- c. *it is more likely than not that an activity or industry described in the HAIL is being or has been undertaken on it.*

The Aurecon DSIs identify the following Ministry for the Environment (MfE, 2011) Hazardous Activities and Industry List (HAIL) activities within the proposed redevelopment area:

- A2 - Chemical manufacture, formulation or bulk storage;
- E1 – Asbestos products manufacture or disposal including sites with buildings containing asbestos products known to be in a deteriorated condition; and

- G5 – Waste disposal to land (excluding where biosolids have been used as soil conditioners).

Therefore the 'piece of land' to which this application relates is covered by the NES-CS Regulation 5(7).

2.3 Can the activity comply with the permitted activity conditions under Regulation 8?

The relevant permitted activity conditions for disturbing soil are provided for in Regulation 8(3). Disturbing the soil of the piece of land is a permitted activity providing certain requirements are met including an allowance for soil disturbance and removal based on the size of the piece of land (25 m³ per 500 m² for soil disturbance and 5 m³ per 500 m² for soil removal).

The area of the Parliamentary Precinct is approximately 46,000 m². The AEE indicates that the volume of material requiring removal is 23,900 m³, which is greater than the permitted volume to area ratio described above. Therefore, the soil disturbance does not meet the permitted activity requirements

3.0 DSI Review

Two DSIs have been completed for the proposed redevelopment works of the Parliamentary Precinct:

- The Ballantrae Place DSI covers an area currently used for carparking that is proposed to be developed into a building for use by Parliamentary Services.
- The Ministerial and Museum Street DSI covers proposed development associated with a new ministerial annex and a new members building.

A review of the Ballantrae Place DSI is as follows:

The Ballantrae Place DSI report indicates that former HAIL activities that may be applicable to the current carpark include category E1 (asbestos) and category G5 (uncontrolled fill). The intrusive investigation included the drilling of four boreholes to target depth (up to 5 m (below ground level)) and two boreholes which were terminated in a fill layer at approximately 1 m below ground level (bgl). Soil samples were collected from each borehole and were analysed for heavy metals, polycyclic aromatic hydrocarbons (PAH), total petroleum hydrocarbons (TPH), benzene, toluene, ethylbenzene and xylenes (BTEX) and asbestos (presence/absence).

Based on the HAIL activities that are applicable to the Ballantrae Place carpark, the analysis completed, with the exception of asbestos (presence/absence) is appropriate. Aurecon noted that "due to the lack of ground exposed samples taken for asbestos analysis are on a presence/absence basis and are not analysed using the semi-quantitative method". Analysis for presence/absence of asbestos allows for assessing whether asbestos is present or not; it does not allow for assessing the potential risk to human health as the semi-quantitative method does. Asbestos (chrysotile, loose fibres) was detected in one soil sample (BH104_0.4-0.5) and therefore, the potential risk to human health from the asbestos present remains unquantified. Aurecon indicated that, as asbestos at this location remains unquantified that removal of material from this area may require Class A asbestos removal controls². Aurecon therefore recommend further test pitting investigation in the areas of BH104 and BH105 to "inform the ground conditions, extent of the demolition fill and the quantity of asbestos present". AECOM concur with the recommendation for further investigation. It is noted that whilst asbestos remains encapsulated on-site it does not present a risk to human health.

The Ballantrae Place DSI does not specifically state what criteria have been used to compare soil sample results to, although it is noted that Aurecon do follow the correct hierarchy (Ministry for the Environment Contaminated Land Management Guideline No. 2 – Hierarchy and Application in New Zealand of Environmental Guideline Values (MfE, 2011)). In the table of reported results, Aurecon has used the correct criteria, although they have not included criteria for benzo(a)pyrene equivalent for either the NES CS soil contaminant standards (SCS) or the Ministry for the Environment, Guidelines for Assessing and Managing Petroleum Hydrocarbon Contaminated Sites in New Zealand (revised 2011).

² Building Research Association of New Zealand. November 2017. *New Zealand Guidelines for Assessing and Managing Asbestos in Soil*.

Overall, it is considered that the Ballantrae Place DSI meets the general requirements of a DSI as outlined in the Regulation 3 of the NES-CS.

A review of the Ministerial and Museum Street DSI is as follows:

The Ministerial and Museum Street DSI report indicates that former HAIL activities that may be applicable include category A2 (bulk storage – underground storage tanks), category E1 (asbestos) and category G5 (uncontrolled fill). It is noted that category A2 is generally used for “bulk storage” i.e., tank farms and category A17 may be more appropriate (storage tanks or drums for fuel, chemicals or liquid waste).

The intrusive investigation included the drilling of four bores with installation of standpipe piezometers, mechanical excavation of 8 test pits to 0.6 m bgl, hand excavation to a depth of 0.45 m bgl in two locations. Fill material was encountered at each location at varying thicknesses. Soil samples were collected from each location, groundwater samples were collected from the four boreholes. Soil samples were analysed for heavy metals, TPH, BTEX, polycyclic aromatic hydrocarbons (PAH) and asbestos (presence/absence). Soil sample analytical results complied with relevant soil screening criteria / guidelines and asbestos was not detected in any of the samples analysed for presence/absence of asbestos.

It is noted that locations of the 8 test pits and hand auger locations are shallow (less than 1 m bgl) and were terminated in fill materials. The proposed redevelopment works will likely extend vertically beyond the extent of the test pit and hand auger locations and therefore, the full extent of the proposed soil disturbance has not been adequately characterized. The potential to come across unexpected contamination during redevelopment works can be covered via the development of a contaminated soil management plan (CSMP) which is recommended in both of the DSIs.

Overall, it is considered that the Ministerial and the Museum Street DSI meets the requirements of a DSI as outlined in Regulation 3 of the NES-CS.

4.0 Consenting Status under the NES-CS

As a DSI exists for the site, the applicant has assessed that the soil disturbance associated with the proposed redevelopment should be a restricted discretionary activity in accordance with Regulation 10 of the NES CS.

Regulation 10 (2) states: *The activity is a restricted discretionary activity while the following requirements are met:*

- (a) *A detailed site investigation of the piece of land must exist;*
- (b) *The report on the detailed site investigation must state that the soil contamination exceeds the applicable standard in regulation 7;*
- (c) *The consent authority must have the report;*
- (d) *Conditions arising from the application of subclause (3), if there are any, must be complied with.*

Although not explicitly stated, the results of the Ballantrae Place DSI do not meet the applicable standard in Regulation 7 of the NES CS owing to the detection of asbestos in soil sample BH104_0.4-0.5. Therefore, AECOM concur with the applicant's assessment that the works should be completed as a restricted discretionary activity in accordance with Regulation 10 of the NES-CS.

5.0 OWCDP Rule 32

Rule 32.2 of the OWCDP is outlined below;

32.2.1 Except as provided for the remediation, use, development and subdivision of any contaminated land, or potentially contaminated land (unless it has been confirmed as not being contaminated through investigations in a report forwarded in accordance with Rule 32.1.3.1), is a discretionary activity (restricted) in respect of:

32.2.1.1 The level, nature and extent of contamination in relation to the proposed use, development or subdivision

32.2.1.2 The methods to address the risks posed by contaminants to public health and safety

3.2.1.3 *The effects of contamination on built structures, ecological and amenity values, soil quality and the wider environment*

3.2.1.4 *The approach to the remediation and / or on-going management of the contaminated land and the mitigation measures (including monitoring) proposed to avoid adverse effects on public health, safety and the environment including the provision of a Remediation Plan or Site Management Plan.*

AECOM notes that matters of discretion relating to human health are now superseded by the NES-CS, and therefore discretion under this rule relates only to the effects of contamination (if any) on built structures and the environment (soil quality, water, ecological effects).

Rule 32 of the OWCDP will need to be addressed by the completion of a Contaminated Land Management Plan (CLMP) and/or Remedial Action Plan (RAP) prior to the works commencing.

6.0 Recommended Conditions

The soil disturbance constitutes a restricted discretionary activity under the NES-CS and under Rule 32 the OWCDP.

AECOM recommend the proposed conditions with regards to contamination as outlined below:

- Additional soil quality sampling shall be completed to supplement the Ballantrae Place DSI completed by Aurecon in 2021. The additional soil quality sampling shall be completed under the guidance of a suitably qualified and experienced practitioner (SQEP). The additional soil quality sampling shall be carried out in accordance with the *Ministry for the Environment's (MfE) Contaminated Land Guidelines No.5 (CLMG 5), June 2021* and the *New Zealand Guidelines for Managing and Assessing Asbestos in Soil (Building Research Advisory Council New Zealand, 2017)*.
- A report summarizing the additional soil quality sampling should be prepared by a SQEP in general accordance with *MfE Contaminated Land Guideline No. 1 (CLMG 1), June 2021*. The additional soil sampling report must be submitted to the WCC Council Officer for approval prior to earthworks commencing.
- If the additional soil quality sampling confirms a risk to human health for the proposed land use, a remediation action plan (RAP) shall be prepared by a SQEP.
- A Contaminated Land Management Plan (CLMP) for the proposed development will be completed by a SQEP and submitted and approved by the WCC Council Officer prior to earthworks being undertaken at the site. The CLMP should include the following:
 - Date and version control.
 - A summary of soil sampling results including the further soil sampling undertaken as part of the additional soil quality sampling.
 - A summary of the proposed redevelopment works.
 - Roles and responsibilities and contact details for the parties involved, including the SQEP.
 - Health and safety and environmental management procedures for implementation during the works including but not limited to:
 - Personal protection and monitoring.
 - On site soil management practices including stockpile management and stormwater and sediment controls.
 - Off site soil transport and disposal.
 - Asbestos in soil removal procedures in accordance with the approved code of practice *Management and Removal of Asbestos*, November 2016 and Building Research Association of New Zealand, November 2017. *New Zealand Guidelines for Assessing and Managing Asbestos in Soil (BRANZ Guidelines)*.
 - Contingency measures in the event of accidental/unexpected discovery including the discovery of asbestos and asbestos related controls.

- Post development controls on the management of remaining contamination in soils.
- Soil disturbance works are to be undertaken in accordance with the approved RAP and/or CLMP.
- If unexpected soil conditions, such as staining, odorous material or evidence of potential asbestos containing materials are encountered during the soil disturbance works, work in that area shall cease and the Council notified. Any unexpected contamination and contingency measures shall be overseen and assessed by a SQEP.
- All soil material with contaminant concentrations above background concentrations that requires removal from the site shall be disposed of at a licensed facility that holds a consent to accept the relevant level of contamination.
- If remedial works are required, a Site Validation Report will be prepared in general accordance with *MfE CLMG No. 1* and shall be provided to WCC within 3 months of completion of the soil disturbance activities. The Site Validation Report should include the following:
 - The location and dimensions of the excavations carried out, including a relevant site plan.
 - Records of any unexpected contamination encountered during the works.
 - Soil validation results, if applicable (i.e. if remediation is carried out or unexpected contamination is encountered).
 - Copies of the disposal dockets for the material removed from the site and any clean fill imported onto the site.
 - Specify the requirements for ongoing monitoring and management (if required).
 - The report should outline the site's suitability for the intended use (commercial/residential).

Advice Note

The removal of underground storage tanks will need to meet the permitted activity requirements of the NES-CS or separate consent will need to be sought.

7.0 Closing

If you require any further information please do not hesitate to contact the undersigned.

Yours faithfully



Suzanne Lowe
Principal Consultant - Environment
suzanne.lowe@aecom.com

Mobile: +64 29 496 3766

Direct Fax: +64 4 896 6001

Suzanne Lowe is a Principal Environmental Consultant in the Geoscience and Remediation Services team at AECOM New Zealand Ltd. She holds Bachelor of Science and Technology (BSc (Tech)) from the University of Waikato, majoring in Earth Science. Ms Lowe is an experienced contaminated land professional who has provided advice and expertise in respect of contaminated land assessment and remediation for over 17 years.

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Annexure 10

Hazardous Substances Advisor Assessment

Kim Thaker

21 December 2022

Commercial-in-Confidence

Matthew Brajkovich
Senior Consent Planner
City Consenting and Compliance
Wellington City Council

Hazardous Substances Assessment of Application SR S14663, 1 Molesworth Street, Wellington

1.0 Introduction

AECOM New Zealand Limited (AECOM) has been engaged by Wellington City Council to undertake a technical review of the documentation provided as part of a resource consent application for the proposed new building within the Parliamentary precinct at Museum Street, Pipitea Wellington.

The document is intended as a peer review of the management and appropriate considerations for the use and storage of hazardous substances within the facility.

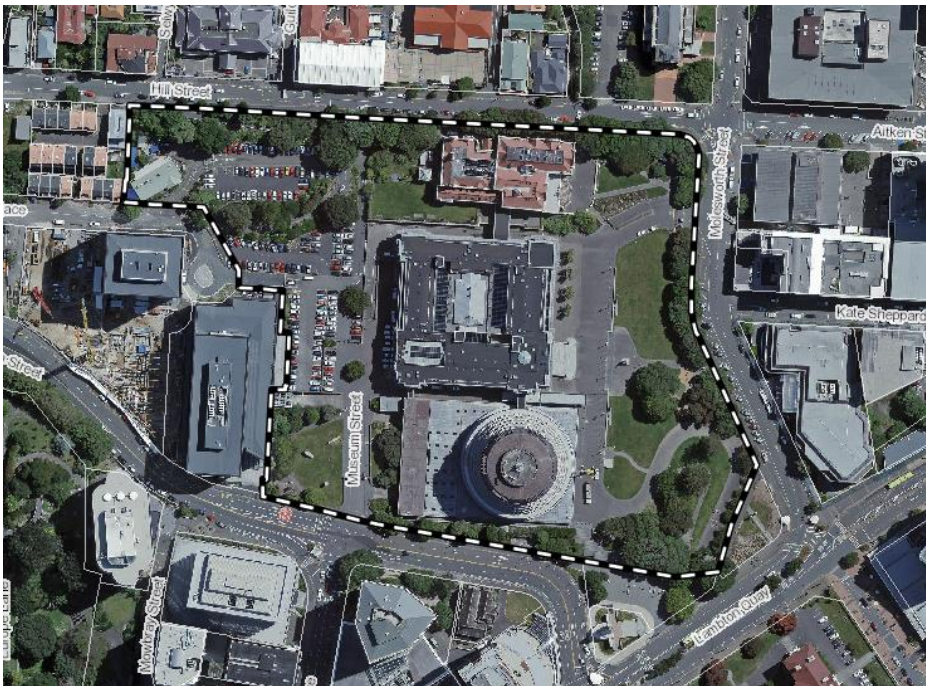


Figure 1: Existing Parliament Precinct

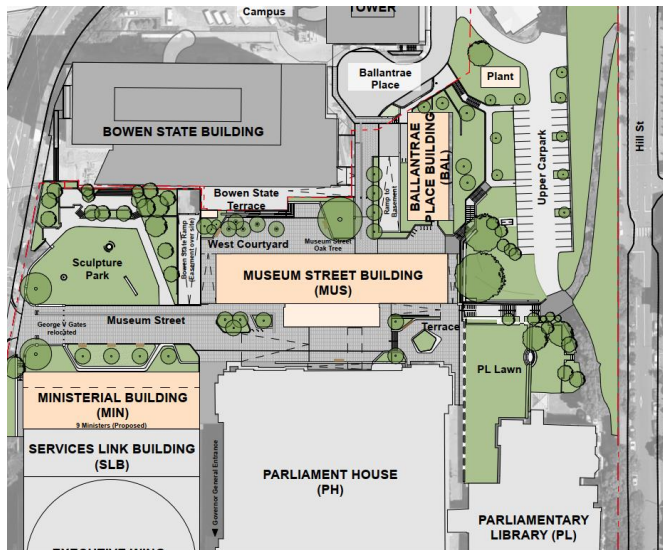


Figure 2: Proposed New Museum Street Building housing diesel fuel supply in basement

The location at the Parliamentary Precinct within the city centre zone in Wellington City. The site has an area of approximately 4.56ha and is zoned ‘Central Area’ in the WCC District Plan (WCCDP).

The proposal involves installation of new tanks for the storage of diesel within the basement of the proposed building called the Museum Street building and additional hazardous substances listed in section 2.0 of this document (also provided in Section 2: Hazardous Substances on site of the Hazardous Substance Assessment report by ENGEO Ltd dated 26 July 2022). These are necessary as fuel supply for the emergency generators that are proposed within the basement.

2.0 Assessment on Hazardous substance Inventory

- Diesel HSNO review is based on the following associated classes 3.1D, 6.1E, 6.3B, 6.7B, 9.1B which has been reviewed as part of the HSNO report.

Existing Hazardous Substance on site

- An existing in-ground fuel tank storing diesel (to be removed as part of the redevelopment works).
- Two existing Caterpillar 3,408 diesel-powered generators located in the basement of the Parliament House building. Each assumed to contain 46 litres of CAT DEO 15W-40 Engine Oil.
- Three existing transformers located in the basement of a Parliament House building. Two of these transformers are 1.5MVA and the third is 750kVA. Assumed that these transformers contain 1,215 litres and 730 litres of Savita transformers oil respectively

As a result of the proposed site development works additional hazardous substances will be present on- site in the following locations / equipment:

- Two new diesel- powered generators located on the ground floor of the Museum Street building. Each generator will contain 62 litres of CI-4 15 W lubricating oil. Each generator will have an associated 500 litre diesel standalone double skinned Super Vault day tank which will be located in the basement of the Museum Street Building.
- Four SVR 7000 (7216 litres) standalone double-skinned Fuel Chief SuperVault diesel located near in the basement of the Museum Street building.
- One SV3 11,000 (11,400 litres) standalone double – skinned Fuel Chief SuperVault diesel tanks located near to the existing generators in the parliament house carpark, to the east of the Museum Street building.

- The roof of Ballantrae Place building which will include four heat pump chiller units, each containing 160kg of R134A refrigerant gas and 25L of lubricating oil (Assumed Trane Oil 0057E).
- An external plant room area of the Museum Street building to include four chiller units. Assumed same volumes of refrigerant gas and lubricating oil as the Ballantrae Place building (R134A refrigerant gas and 25 L lubricating oil Trane Oil, 0057E).

3.0 Statutory Assessment Hazardous Substances

The following documents have been reviewed as part of the Hazardous Substance review

- Assessment of Environmental Effects Report, Parliamentary Precinct, 1 Molesworth Street, Wellington (the AEE report)
- HSNO Report ENGEO Limited, 17 September 2021 (Appendix 16 of the AEE report) (the HSNO report); and
- Hazardous Substances Assessment in response to RFI letter Ref 1199795 – Parliamentary Services, Museum Street, Pipitea, Wellington, prepared by Engeo Ltd 26 July 2022 (the Hazardous Substances Assessment).

4.0 WCC Operative District Plan

To prevent or mitigate any adverse effects of hazardous substances the proposed activity is assessed using the Hazardous Facility Screening Procedure (HFSP).

The HFSP is incorporated within the WCCDP and is covered in section 13.6.2.3 of the WCCDP

4.1 Hazardous Facility Screening Procedure Review

The approach taken by ENGEO in relation to the HFSP assessment was done based on all the expected hazardous substances within 30m of the proposed development area that are present within the site to recognize Section 3.5 WCDP ‘in some cases, proposals involving the establishment of new hazardous facility may add to the number of hazardous facilities already existing on a site’.

AECOM believe this to be a sensible approach.

The Effect Ratio calculated using the HFSP was provided in the Hazardous Substance Assessment – ref 19261.000.001_04 document dated 26 July 2022. The effects ratio has been calculated for each of the effects (fire/explosion, human health, and environment) and divided based on location.

AECOM confirm the quantities, methodology and calculation has been checked and appropriately verified in accordance with the guidance provided in Section 3.5 WCCDP for substances with a HSNO classification and with reference to relevant safety data sheets (SDS) supplied for diesel and Trane Oil (As part of Safety Management Plan (SMP) draft provided by ENGEO dated 26 July 2022)

The HFSP concluded that the activity is a discretionary (restricted) activity in a ‘Hazard Area’ as the effects ratio exceeds both fire explosion and environmental effects under section 13.6.2.3 for the ‘use, storage and handling of hazardous substances’ at the site. AECOM concur with the conclusion of the assessment.

Table 1: HFSP classification criteria WCCDP

Location	Hazard Area	Non-Hazard Area	Either Area
Effects Ratio	0.002 <ER <- 0.05	0.002 < ER <0.1	<0.002
Conditions applying	13.6.2.3.2 to 13.6.2.3.12	13.6.2.3.2 to 13.6.2.3.12	13.6.2.3.9, 13.6.2.3.9 and 13.6.2.3.12

5.0 Chapter 13 Central Area Rules

The hazardous substance assessment considers the rules to be applied against section 13 Central Area Rules of the WCCDP. The calculated cumulative effects ratio has determined this to be a

discretionary (restricted) activity which must be assessed against Rules 13.6.2.3.2 - 13.6.2.3.12 of the WCCDP.

AECOM consider reviewing the assessment against the relevant matter of Policy 12.2.14.5 is useful for verification.

Matter	Comment
<p>Site layout design and management to avoid, remedy or mitigate any adverse effects of the activity.</p>	<p>The AEE states that proposal of the storage of diesel tanks within the basement of the Museum Street building and references as part of the report – Appendix 16 is an assessment of this aspect prepared by ENGEO Ltd dated 17 September 2021. As noted, ‘The report makes several recommendations for the design and commissioning of the proposed new tanks’ which the application accepts.</p> <p>AECOM conclude that the HSNO report has thoroughly considered the risks and suggested mitigation associated with the four SVR 7000 standalone diesel tanks in the basement with the relevant regulations that considers hazardous substances i.e., HSW (Hazardous Substances) 2017 pertaining on.</p> <p>AECOM has not sighted any review either under the HSNO report or relevant assessments that include the other additional hazardous substances to be present on-site specifically considerations for the SV3 11,000 (11,400 litres) standalone double- skinned diesel tank located near the existing generators in the Parliament House carpark and the 500 litre diesel service tanks to be in the basement of the museum street building.</p>
<p>The adequacy of the design, construction, and management of any part of a hazardous facility site where hazardous substances are used for their intended function, stored, manufactured, mixed, packaged, loaded, unloaded, or otherwise handled such that:</p> <ul style="list-style-type: none"> • any significant adverse effects of the intended use from occurring outside the intended use, handling or storage area is prevented • the contamination of any land in the event of a spill or other unintentional release of hazardous substances is prevented • the entry or discharge of the hazardous substances into surface or groundwater, the stormwater drainage system or into the sewerage system (unless permitted under a regional plan, resource consent or trade waste permit) is prevented. 	<p>The HSNO report, Hazardous Substance Assessment, and associated request for information (RFI’s) adequately cover the accepted recommendations in the AEE under Section 4.2.11.</p> <p>AECOM request the consideration of the HSNO assessment be amended to the transfer of fuel considered from the fuel tank outside the building and the location where loading and unloading of fuel processes are in place i.e., interceptor at fuel transfer locations. Washdown areas and discharge and effluent spill prevention consideration by design to separate from stormwater drainage system and surface groundwater system.</p>

Matter	Comment
<p>Necessity for secondary containment of bulk storage vessels</p>	<p>The bulk storage vessels require to allow for a holding capacity of 110% for secondary containment for each tank. The stationary container tanks are Super Vault double skinned stationary container systems with an acceptable standard under the Health and Safety Work (Hazardous Substance) Regulations 2017 (HSW(HS)Regs 2017) i.e., SwRi 95-03. The tanks are double skinned and 4- hour fire exposure resistant with a 240/240/240 rating, this is standard and widely acceptable means of compliance within the industry for the requirements of secondary containment.</p> <p>AECOM recommend that the HSNO report scope be extended to include the suitability of the 11,400 litre Standalone tank located near the parliament building as part of the overall assessment as well as the associated waste storage tanks where applicable</p>
<p>Location of and separation distance between the hazardous facility and residential activities</p>	<p>The area being within the parliament precinct, residential activities are not present.</p>
<p>Location of and separation distance between the hazardous facility and critical facilities and lifelines</p>	<p>The hazard facility of importance with accumulated volumes of 28,000 litres is located at the basement of the Museum Street Building this meets the requirement on mitigation with respect to stationary tanks being located at the lowest level of a building.</p> <p>Compliance with this requirement satisfies the requirement to be away from critical facilities and lifelines.</p>
<p>Location of the facility in relation to the nearest waterbody or the coastal marine area.</p>	<p>The application states that the site is well separated from the coastal marine area or the waterbody.</p> <p>This has also been considered as part of the HFSP</p> <p>There is potential of stormwater discharge to provide a pathway to surface water and should be reviewed upon design.</p>
<p>Access routes to the facility, location and separation distance between the facility and sensitive activities and uses, sensitive environments and areas of high population density.</p>	<p>The HSNO report concludes that as per regulations 17.63 (3) if the internal combustion engine / generator of a stationary container system is in a building, the PCBU (stands for Person Conduction a Business or Undertaking) must ensure that a stationary tank is part of the system located (a) outside the building; (b) in that building; (c) in another building (d) in any building</p> <p>The HSNO report concludes that because the generators fuelled by the fuel tanks are in the</p>

Matter	Comment
	<p>same building for the Museum Street building and a different building referring to the Parliamentary House generators; the location of the fuel system looks at the most suited clause to be 17.63 (d) 'in any building'</p> <p>As the locations where the stationary tanks to be placed are known; AECOM's opinion is that the clauses best suited to the arrangement should consider a review of: -</p> <ul style="list-style-type: none"> • 17.63 (3) (b) for stationary tanks 'inside that building' to consider the tanks being in the same building as the Museum Street building where Regulations 17.63 (4) will need to be reviewed; and • 17.63 (3) (c) for stationary tanks 'in another building' for generators in the Parliamentary house or if it is determined that the fuel tank that is located near the Parliament carpark is to fuel the generator in that building then clause 17.63 (3) (a) will apply.
<p>Transport of hazardous substance to and from the site, including the tracking of wastewater it is disposed off-site</p>	<p>The application does not detail the transport considerations of hazardous substances on site. No information is provided about frequency of delivery of substances on site and recommend further consideration.</p> <p>Whilst there are wastewater tanks shown in the basement level; no information on volume, tracking and disposal of wastewater off site has been provided. Further consideration is recommended further.</p>
<p>Existing and proposed (if any currently under consideration by Council) neighbouring uses.</p>	<p>The application considers the activity of neighbouring buildings under the WCCDP Compliance assessment. AECOM considers this adequate.</p>
<p>Potential cumulative hazards presented in conjunction with nearby facilities.</p>	<p>The HFSP considers cumulative volumes of hazardous substances on site.</p>
<p>Potential for contamination of the surroundings of the site and sensitivity of the surrounding environment</p>	<p>Containment, site procedures and trade waste / stormwater treatment will be key to preventing contamination.</p>
<p>Fire safety and fire water management</p>	<p>The application does not make any reference to fuel supply with respect to fire safety and fire water considerations.</p>
<p>Site drainage and utility infrastructure</p>	<p>Site drainage and trade waste treatment will be key to preventing contamination.</p>
<p>Whether the site has adequate signage to indicate the presence of hazardous substances.</p>	<p>The SMP and HSNO Report specifies the signage requirements for the hazardous substances for the site.</p>
<p>Whether adequate arrangement has been made for the environmentally safe disposal of any hazardous substance or hazardous wastes generated.</p>	<p>The application has not considered hazardous waste generated from the generators and the appropriate disposal off it.</p>

Matter	Comment
	The wastewater tanks will also need to be considered on whether it has an appropriate HSNO classification that applies.
Whether the site design has been subject to risk analysis, such as Hazop (Hazard and Operability's Studies), to identify the potential hazards, failure modes and exposure pathways.	A HAZOP or relevant risk assessment has not been completed. AECOM recommend a 'What if' analysis at the concept stage and a Sustainability and Safety in Design (SSID) prior to every construction stage.
Where the hazardous facility is located within a Hazard Area, any additional requirements to mitigate the potential effect of a natural hazard event.	The application indicates that the proposed building will be constructed to IL4 seismic resilience standard and with plant and other facilities to be self – sufficient – designed to enable essential parliamentary functions to be continued after a major natural disaster. This provides adequate mitigative measures for environment effects and potential for exposure of hazardous substances to be low risk.
Type and nature of the existing facility.	The proposed Museum Street Building is not an existing facility
Whether appropriate contingency measures and emergency plans are in place.	A draft SMP has been sited and it understood that this will evolve to incorporate the specific requirements of the Emergency Response Plan as required under the consent conditions and encompassing the Hazardous Substance management requirements stated in Appendix 16, Section 4.4 of the application.
Whether the facility complies with the provisions of the Hazardous Substances and New Organisms Act 1996, and whether more stringent controls are required to take account of site-specific conditions.	<p>The application has considered the controls under the relevant regulations for HSW (HS) Act 2017 with reference to Appendix 16 -HSNO report by Engeo Ltd. AECOM agree that the approach stated is adequate to ensure the adverse environmental effects of hazardous substances, including any potential effects are avoided remedied or mitigated.</p> <p>Additional consideration to the HSNO report to be looked at further is as below</p> <ol style="list-style-type: none"> 1) The SV3 11,000 (11,400 litre) double skinned tank including pipe connections, location w.r.t facilities, emergency management and separation distances 2) Consideration to tanks in that building for the Museum building and tanks in another building for generators in the Parliament building 3) Consideration on Waste water tanks on whether hazardous and appropriate controls associated to the overall design

6.0 Suggested conditions (with regards to Hazardous Substances)

AECOM agree with proposed conditions as per section 4.2.11 to follow through with recommendations as listed in Appendix 16 – HSNO report by ENGEO Ltd dated 17 September 2021: with the exception of the following points below:

- AECOM conclude that the 4 x 7216 Litre fuel tanks SVR 7000 Fuel-Chief Super Vault tanks situated in the museum street building are to supply fuel to the generators in the same building. As a result AECOM believe that the appropriate Regulation 17.63 (3) (b) for the Museum Street building holding fuel should be looked at under as per requirements that fall under fuel supply 'in that building' (17.63 Subclause 4 under HSW (HS) Regs 2017) and 'in another building' (17.63 Subclause 6 under HSW (HS) Regs 2017) if the same SV4 fuel tanks are to supply fuel to the generators housed in the Parliament building.
- As a consequence of the above, the separation distances in section 4.4 of the HSNO report will need to be reviewed

AECOM recommend that an addendum to the HSNO report be provided to include:

- A review of the SV3 11000 diesel fuel tank (11,400 Litres)
- A review of hazardous classifications required for the wastewater tanks situated in the museum building and appropriate controls associated to the overall design has been verified and deemed sufficient.

Kind regards,

Kim Thaker

Team Leader - Industrial & Infrastructure M&E

D +64 9 967 9112 M 64 21 539 207

Kim.Thaker@aecom.com

AECOM

AECOM House, 8 Mahuhu Crescent, Auckland, 1010

T +64 9 967 9200 F +64 9 967 9201

aecom.com

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Annexure 11

Acoustic Advisor Assessment

Whitney Cocking

Technical Advisor Review Noise – 1 Molesworth Street Pipitea Wellington

Title	Acoustic Advisor Report 1 Molesworth Street Development	Report No	2
SR	514663	Status	WCC Issued
Date	24 May 2022	Discipline	Acoustics (Noise)
Authors	Whitney Cocking	Issued to	Matthew Brajkovich Resource Consents Planner
Reviewer	Lindsay Hannah		

The Acoustic Team has reviewed the Application by Her Majesty the Queen (“the Applicant”) for 1 Molesworth Street Pipitea Wellington.

A group of supporting documents have been submitted as part of the Resource Consent Application for review this includes (but is not limited to) an Assessment of Effects (AEE) entitled ‘**Assessment of Environmental Effects Report Parliamentary Precinct 1 Molesworth Street**’ (the AEE) prepared by Peter Coop. An acoustic report has been prepared by Acoustic Engineering Services Ltd (AES). For clarity this report comments only on potential noise effects generated by mechanical plant.

The site (Parliamentary Precinct) is bounded by Bowen Street, Molesworth Street, Hill Street and Ballantrae Place and the land is Her Majesty the Queen. The site is presently occupied by an assortment of buildings, structures and grounds necessary to serve the democratic needs of the people of New Zealand. The site is zoned **Central Area** under the Operative Wellington City Council District Plan. The surrounding sites are also within the Central Area also, apart from an Open Space A zone directly to the south-east and an Open Space B zone to the south-west (on the opposite side of Bowen Street). There is also an Inner Residentially zoned site to the north-west (on the opposite side of Hill Street).

Being zoned Central Area the background sound levels are expected to be modest to high noise levels during a typical day with lower levels produced in the evening and night. No sample levels are presented in the Application or acoustic report.

The proposal seeks to construct three new buildings on the precinct and will involve extensive landscaping. Section 2.3 of the AEE discusses the proposal's main points. In addition to day to day operational noise, the activity will also produce modest to high levels of temporary noise from construction and vibration. Operational noise will be produced by people, traffic and fixed plant. The AES noise report only discusses mechanical plant and does not address the other potential or actual noise effects associated with the proposal.

The fixed plant noise effects have been assessed by AES who have specified that it is reasonable to expect that the plant can be designed to ensure compliance with the District Plan Noise standards at the nearest neighbouring properties, before suggesting a condition on resource consent to ensure compliance. The AEE also recommends a number of resource consent conditions that could be imposed to meet noise standards. For clarity the AES report has not provided an assessment of actual or potential noise levels and no predicted noise levels are presented.

The acoustic report simply suggests, without further evidence or supporting information that the plant can be designed to ensure compliance with the permitted District Plan noise effects. We are unable to make a final statement on these conclusions as the acoustic report does not provide sufficient information to allow us to do so. Accordingly, it is not possible to make specific comments on any actual or potential noise effects based on the AES acoustic report as the report does not address such matters in any detail beyond providing generic statements.

Moving to the Assessment of Environmental Effects, the AEE refers to the AES report as support for compliance with the permitted noise rules. The Assessment of Environmental Effects does, however, note that resource consent could be imposed for the plant as well as confirmation of compliance with the permitted noise limits (acoustic certification) for the plant once completed. We agree and are of the view that conditions must be imposed as the noise assessment report and Assessment of Environmental Effects provides no actual assessment of actual or potential noise effects to allow us to assess any potential adverse noise effects. Further no assessment of construction noise and vibration has been provided, again only generic statements stating that the temporary negative effects of construction can be successfully avoided through a proposed construction Noise Management Plan (Section 4.3 of the AEE). We agree and recommend conditioning of consent for a detailed noise and vibration management plan (CNVMP) be developed to ensure noise and vibration remain reasonable at all times the control measures shall be in line with s.16 Best Practical Option (BPO) requirements of the Resource Management Act. We also recommend that this CNVMP should be review and approved by Council and any reasonable changes to the draft CNVMP made. Accordingly we recommend the following conditions. These conditions are directly based on the recommendations of the Applicant or are specifically recommended to ensure that any potential or actual adverse noise effects are suitably managed so that the activity will comply at all times with the District Plan noise rules.

Recommended Noise Conditions

(...) Boundary Noise Emissions (As received in Adjacent Centrally Zone Sites)

The Consent Holder must ensure noise emission levels (excluding fixed plant noise) when measured at or within the boundary of any fee simple site, other than the site from which the noise is emitted, shall not exceed the following:

At all times: 60 dBA $L_{Aeq(15\ min)}$

At all times: 85 dBA L_{AFmax}

Advice Note: *Measurements must be measured and assessed in accordance with NZS 6801:2008 “Acoustics – Measurement of environmental sound” and NZS 6802:2008 “Acoustics - Environmental Noise”*

(...) Boundary Noise Emissions (As Received in Adjacent Inner Residentially Zoned Sites)

The Consent Holder must ensure noise emission levels (excluding fixed plant noise) when measured at or within the boundary of any fee simple site or at the outside wall of any building on any site, other than the site from which the noise is emitted, shall not exceed the following:

Monday to Saturday 7am to 7pm – 55 dB $L_{Aeq(15min)}$

Monday to Saturday 7pm to 10pm – 50 dB $L_{Aeq(15min)}$

At all other times – 40 dB $L_{Aeq(15min)}$

All days 10pm to 7am – 70 dB L_{AFmax}

Advice Note: *Measurements must be measured and assessed in accordance with NZS 6801:2008 “Acoustics – Measurement of environmental sound” and NZS 6802:2008 “Acoustics - Environmental Noise”*

(...) Fixed Plant Boundary Noise Emissions (As received in Adjacent Centrally Zoned Sites)

The Consent Holder must ensure all fixed plant and equipment including heating, cooling and ventilation plant must be located, designed and operated so that noise emission levels, when measured at or within the land parcel, other than the building or site from which the noise is emitted, do not exceed the following limits:

At all times: 55 dBA $L_{Aeq(15\ min)}$

At all times: 70 dBA L_{AFmax}

Advice Note: Measurements must be measured and assessed in accordance with NZS 6801:2008 “Acoustics – Measurement of environmental sound” and NZS 6802:2008 “Acoustics - Environmental Noise”

(...) Fixed Plant Certification

The Consent Holder must ensure that noise emission levels emanating from all fixed plant and equipment must be monitored at the commissioning stage (prior to occupation) by a qualified and experienced acoustic expert suitable to Council. Written certification in the form of an acoustic measurement and compliance commissioning report must be provided to Council's Compliance Monitoring Officer and Acoustic Engineer for approval. The certificate must certify that commutative worst case fixed plant noise emissions comply with the noise limits set out in Condition (XX) above

(...) Fixed Speaker

The Consent Holder must ensure that noise emission levels emanating from any electronic sound systems associated with the commercial operations of the site shall not exceed 75 dB L_{Aeq} when measured over any 2-minute period. In any event, measurements shall be made no closer than 0.6 metres from any part of a loudspeaker and at a height no greater than 1.8 metres (representative of the head of a passer-by).

(....) Construction Noise

The Consent Holder must ensure that construction activities are managed and controlled so that the noise received at any residential or commercial site does not exceed the limits set out in Table 2 and Table 3 of ‘NZS6803:1999 Acoustics – Construction’ Noise when measured and assessed in accordance with that Standard.

(....) Construction Noise and Vibration Management Plan (CNVMP)

The Consent Holder must ensure that not less than 20 working days prior to commencing any construction activities authorised by this consent, the Consent Holder must submit to Wellington City Council's Compliance Monitoring Officer (CMO) a draft Construction Noise and Vibration Management Plan (CNVMP) for approval.

The Construction Noise and Vibration Management Plan must include but not be limited to:

- a. Background and purpose of Construction Noise Management Plan
- b. Objectives of Construction Noise Management Plan
- c. Description of the project (nature and scale)
- d. Description of the site, designated areas and construction work areas
- e. Description and location of noise sensitive sites (commercial and residential)
- f. Construction and vibration levels
- g. Noise and vibration sources
- h. Project period(s), sequencing and staging
- i. Performance noise and vibration standards
- j. Hours of operations (all activity types and activity area)

- k. Physical noise and vibration mitigation measures inline with s.16 BPO of the RMA
- l. Managerial noise and vibration mitigation measures inline with s.16 BPO of the RMA
- m. Community consultation and communication procedures
- n. Consultation and communication procedures with Council re: noise complaints
- o. Contact details of the person in charge of noise management
- p. Construction noise and vibration monitoring and reporting
- q. Non-compliance contingency planning and monitoring
- r. Methods to review the CNVMP with respect to changes in the program

s. *Construction Noise Management Plan approval and sign off*

(....) Construction Noise and Vibration Management Plan Approval

The Consent Holder must not undertake any activities authorised by this consent until the draft Construction Noise Management Plan (CNVMP) has been signed off by Councils Compliance Monitoring Officer as final and is denoted by Council as being 'approved for use' as the final Construction Noise and Vibration Management Plan (CNVMP).

(....) Construction Noise Management Accordance

The Consent Holder must at all times ensure the on-site activities are carried out in accordance with the final 'for use' Construction Noise Management Plan.

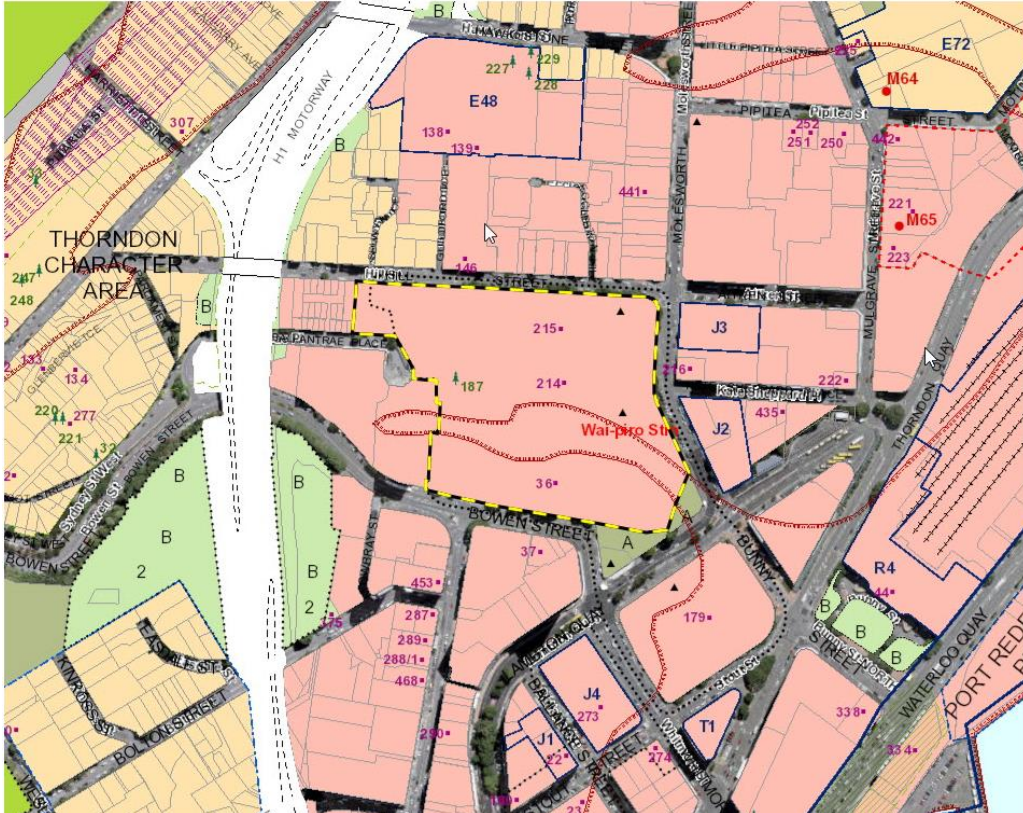
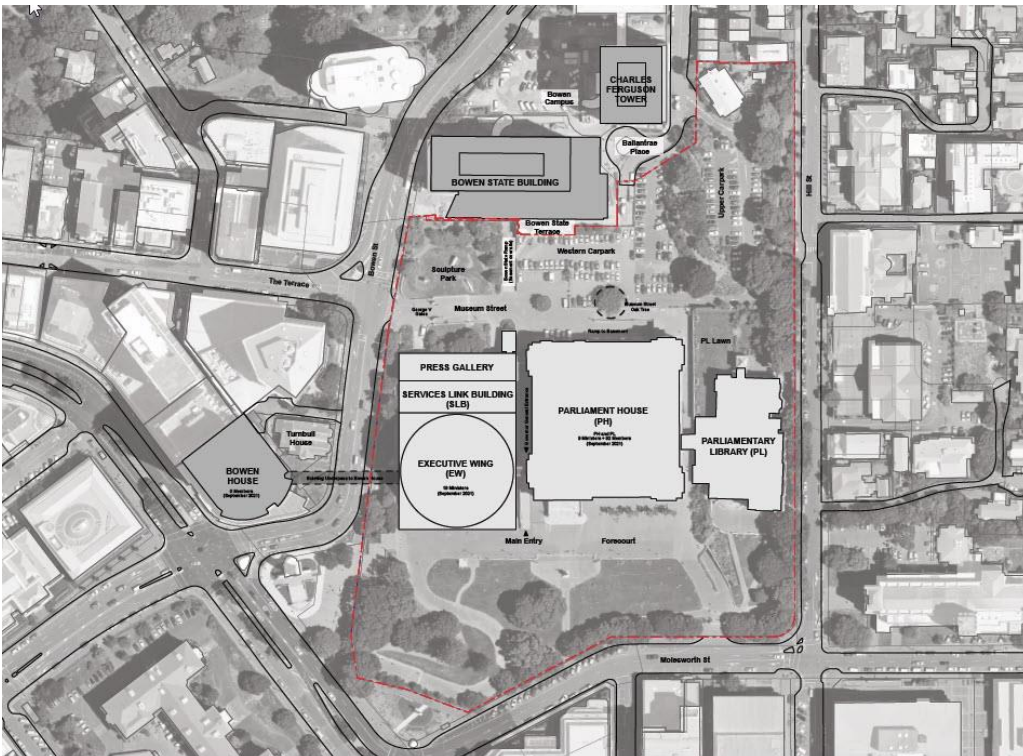
Please advise if you require any further information or if the Applicant wishes to discuss any changes to the recommended noise conditions.



Whitney Cocking Environmental Noise/Compliance Officer.
City Consenting and Compliance: **City Consenting and
Compliance: Wellington City Council**

24 May 2022

Appendix A: Supporting Information





Annexure 12

Wellington Water Assessment

Ye Mon Oo

Note: 3 Waters Resource Consent Conditions

Date: 30 June 2022

SR 514663 1 Molesworth Street, Pipitea (Land Use Consent)

Planner: Matthew Brajkovich

Notes to the Planner

1. This consent application is to obtain land use resource consent for future accommodation strategy of the New Zealand Parliament. The development involves the construction of three building and associated precinct areas:
 - Demolition and reconstruction of the Press Gallery at the back of the Executive Wing – the Ministerial Building,
 - Construction of a new office building to house Member of Parliament (MP's) – the Museum Street Building,
 - Construction of a new secure deliveries and services building – the Ballantrae Place Building,
 - Construction of new pedestrian/traffic routes (overbridge and tunnels) between existing and proposed facilities, and,
 - Development of the space between the proposed buildings into a dedicated precinct space to serve the future needs of the site, whilst preserving current movements through the site.

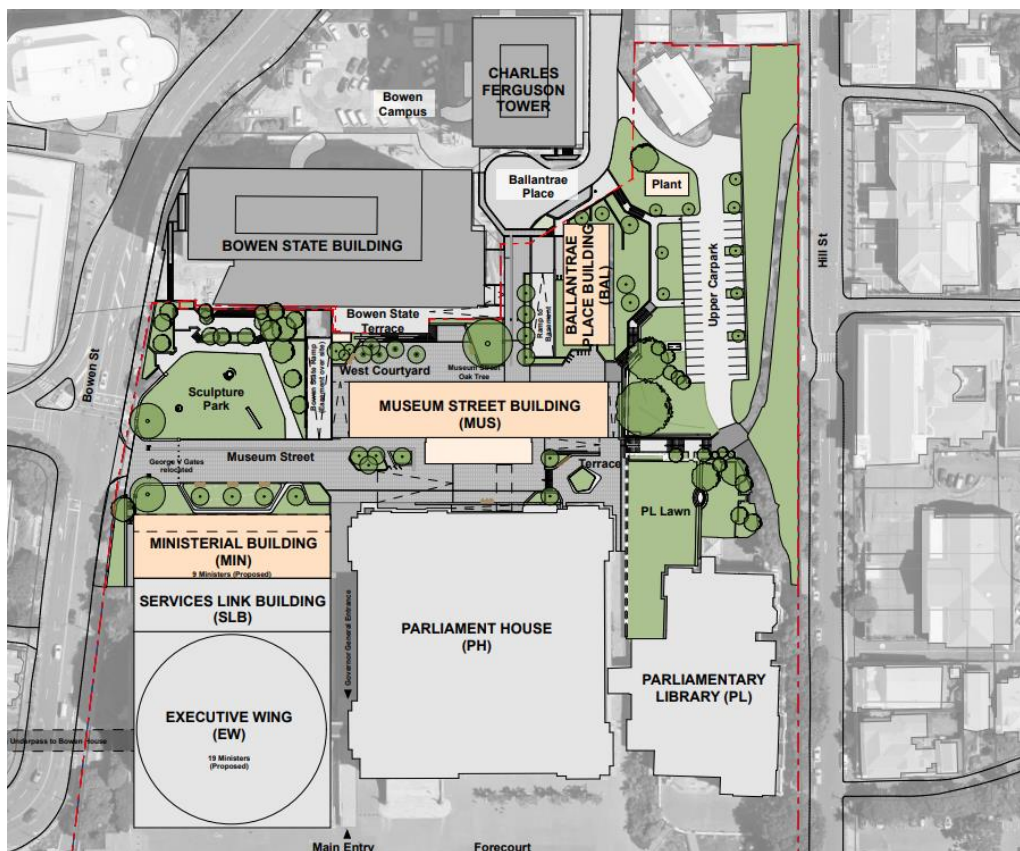


Figure 1 Proposed Site Plan

system. Further no proposed landscaping irrigation across the new development area is proposed.

New water supply connections and water main upgrades will be provided as below:

- It is proposed to divert the existing water supply pipe at the top of Museum Street around the proposed building via a shared service corridor at the south and west of the Museum Street building (MUS).
- It is proposed to retain the existing sprinkler valve room, however the existing supply route clashes with the new Museum Street Building and proposed tunnel routes. Therefore, it is proposed to supply the sprinkler room from the existing 150mm uPVC line to the north.
- To allow for the construction of the new Museum Street Building, the existing fire hydrant outlets connected to Parliament House's internal fire protection system require to be temporarily relocated. It is proposed to construct a temporary fire panel and fire supply inlet (FSI) at the southwestern corner of Parliament House. A 150mm steel line will be installed from the sprinkler valve room south to supply the new temporary FSI and indicator panel.
- A connection for this will be taken from the upgraded Ballantrae Place main. It is proposed to connect to a new 150mm ID line in Ballantrae Place to supply the fire panel and potable water connection (which will be capped and buried as part of the enabling works).

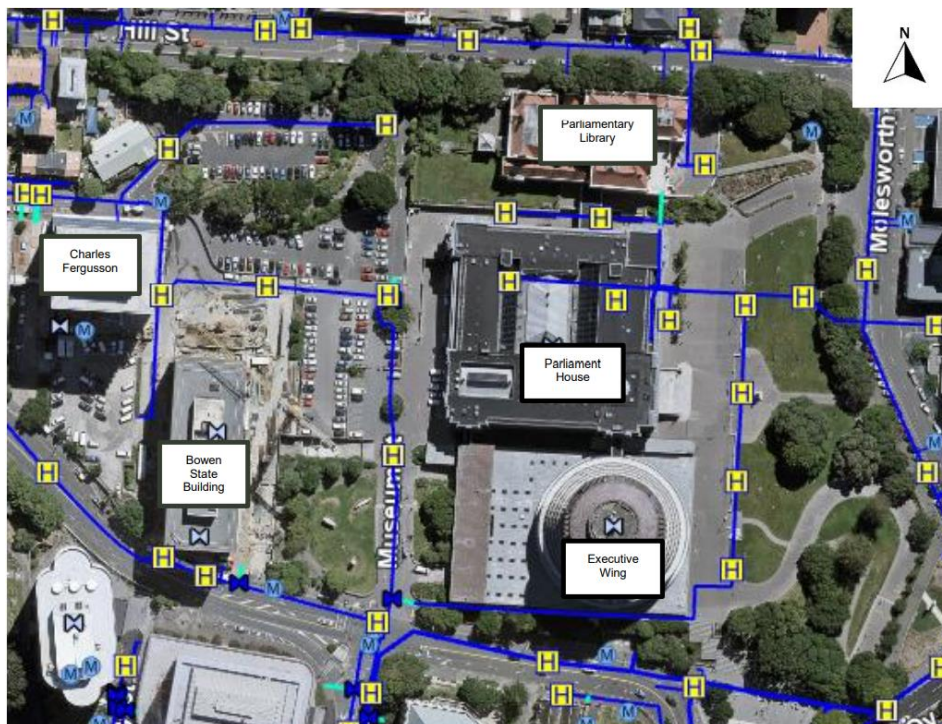


Figure 3 Water Supply Map

5. Wastewater

WWL GIS indicates that the Parliament House sewer currently discharges at the southern boundary of the building into a private lateral, which then flows east before connecting to the Council system in Museum Street.

The Executive Wing, at the back of the Beehive has a sewer connection discharge at the southwestern corner of site to the Museum Street wastewater network. The Museum Street line is a 225mm earthenware line with cement mortar joints.

Wellington Water Modelling indicates that the wider Bowen Street wastewater network has upwards of 30 l/s spare design capacity. This has adequate capacity to support the development – which will have a peak design wet weather flow of around 9 l/s based on the Wellington Water Regional Standard for Water Services (May 2019).

As part of the site sustainability design, the Museum Street and Ministerial Building buildings propose to harvest and recycle grey water, which will reduce the flows into the wastewater system.

New wastewater connections and wastewater main upgrades will be provided as below:

- It is proposed to install a new 225mm HDPE wastewater line connecting into the existing gravity sewer at the top of Museum Street. This line is to run through a shared service corridor at the south of the Museum Street Building. The line shall then run parallel with the building, with manholes installed to allow for future connections from both the Museum Street and Ballantrae Place buildings.
- It is proposed to construct a new HDPE 225mm wastewater lateral outlet from Museum Street, bury and cap at the boundary of the new Annexe extension for a future connection.

6. **Stormwater**

There is an existing council stormwater main that runs from the northern raised carpark through the site from north to south. The line drains through Ballantrae Place before flowing through the Parliament carpark to Bowen Street via Museum Street. The line is recorded as a mixture of reinforced concrete and earthenware construction, with a maximum diameter of 450mm. This line drains surface water runoff from the wider carpark area and landscaped bank to the north. Some of Ballantrae Place also drains to this line, while the rest of Ballantrae drains west to a stormwater main to the west of Charles Fergusson. Hill Street to the north has its own kerb and channel stormwater system that drains east to Molesworth Street.

7. **Overland Flow Path and Flood Issues**

The site is considered within flood prone area. WWL GIS mapping indicates there are overland flow paths and minor flooding within the site in the event of an extreme flood event (1:100 + climate change). These can be managed by maintaining overland flow paths from Hill Street through the site and setting appropriate FFLs for the extreme flood risk.

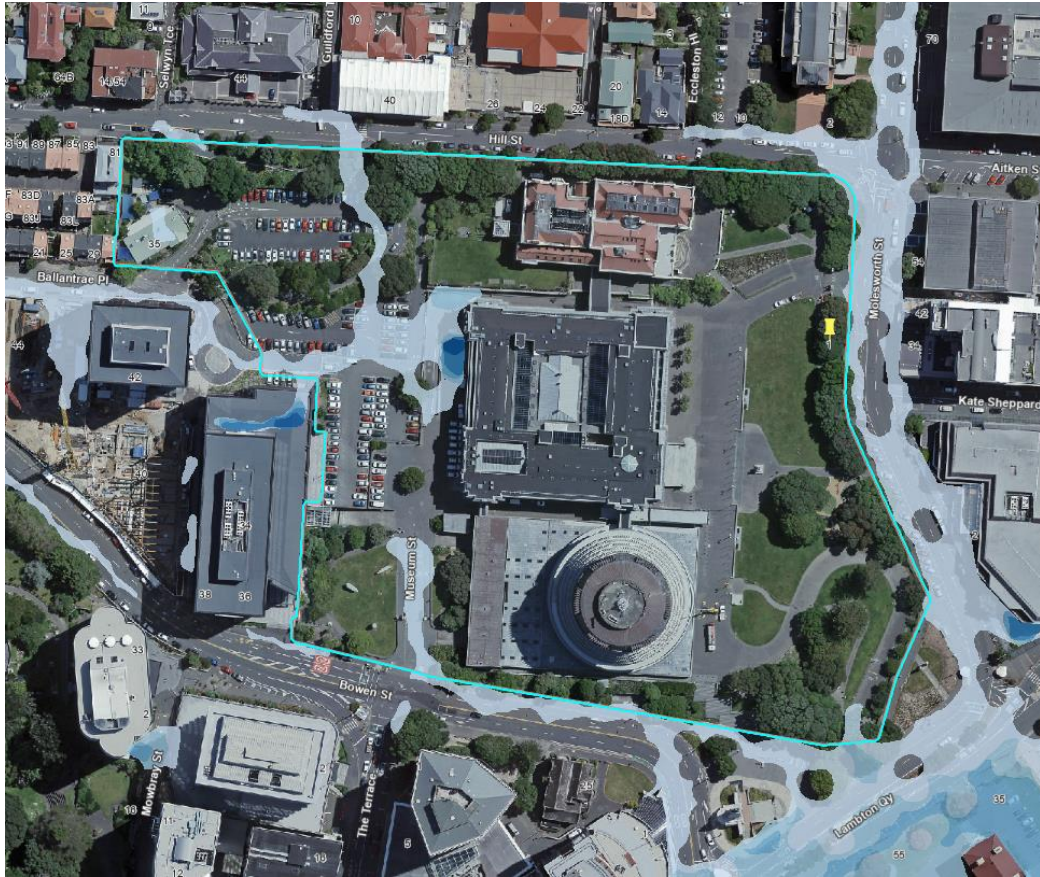


Figure 4 Flood Map

8. Stormwater neutrality will be required for this development.
9. Earthworks are required to facilitate the development. Site earthworks are predominately associated with excavation for building basements and tunnel connections. Finished surface levels elsewhere on the site will be largely minor. It is intended to reuse clean fill on site where possible, with excess material disposed off-site at appropriate location based on the material classification.
10. The proposed development area is in excess of 3,000 m² and stormwater treatment will be required. The applicant is proposing stormwater retention (stormwater reuse within the new buildings) to provide water treatment through removing stormwater volume from the receiving environment. New car parking / road areas will need to be appropriately treated for contaminant loading through the use of rain gardens or similar.
11. A condition has been provided limiting the use of bare galvanised, zinc alum, or unpainted metal (including copper) that may result in contamination of stormwater runoff upon corrosion of surfaces shall not be used for exterior construction of any new dwelling or extension/alteration to the existing dwellings on the property, including but not limited to roofing, cladding, gutters and downpipes

Recommendations

I assessed the subject application and I recommend the following conditions and advice notes.

Land Use Conditions

Location of secondary overland flow path

1. A suitably qualified Engineer must demonstrate that any overland stormwater flow paths which may flow through the development site are redirected away from any new / existing building.

Minimum Floor Levels

2. Any building constructed on the site must have a minimum floor level of 30.7m RL (Wellington 1953 Datum).

Easements

3. An easement in gross in favour of the Wellington City Council over the public water, wastewater and stormwater mains must be duly granted or reserved.

Land Use Advice Notes

Engineering Standards

4. The consent holder will be required to comply with the requirements of the Wellington City Council Code of Practice for Land Development, unless otherwise modified by condition(s) of the consent or agreed in writing by the Wellington Water Land Development Team. These are the engineering standards for mitigating adverse effects on the environment from earthworks, traffic (roading and vehicle access), wastewater and stormwater drainage, water supply and utility structures,
5. No construction shall start prior to the following engineering plans in relation to water supply, stormwater or wastewater drainage, being accepted in writing by the Wellington Water Land Development Team:
 - i. engineering plans
 - ii. specifications
6. The Design and Construction documentation needs to include a copy of the Safety in Design documentation generated in response to the legal requirements under the Health and Safety at Work Act (2015) section 39.
7. Scheme and other indicative layout plans that were submitted as part of the application will be used by Council for information purposes only. These plans will not be used for granting approval under the condition above. Approvals will only be given on detailed engineering plans.
8. Engineering development for drainage require permits in addition to this resource consent, such as drainage permit/building consent for private drains and public drainage permit for public drains. The consent holder shall ensure any redundant water supply, stormwater and wastewater laterals are disconnected and capped at the main. The location of capping will need to be included on the final as-built plan.

9. Application for approval of the new water, stormwater and wastewater connections shall be made to Wellington City Council prior to commencing the works.

Water Supply Connection

Domestic supply:

10. The consent holder will need to provide each building with an appropriately sized metered water supply connection to the public main for domestic supply. An engraved plastic tag reading "WATER SUPPLY MANIFOLD FOR (Street No)" will need to be secured to the manifold clearly showing which property is served by the manifold. An RPZ-type backflow preventer is required if the connection is greater than 20mm DI.
11. Where the manifold is located that can be identified as clearly serving a specific lot, an engraved plastic tag may not be required.

Fire supply:

12. The consent holder will need to provide for fire-fighting requirements in accordance with the NZ Fire Service Code of Practice for Firefighting Water Supplies NZS PAS 4509:2008 and the Code of Practice for Land Development. Calculations will need to be provided by a suitably qualified engineer to certify that there is sufficient pressure and flow for the development to meet the Code of Practice for Land Development requirements. Calculations will need to be based on pressure logging (seven-day log) and flow readings taken from the nearest hydrant.
 - i. If a separate fire connection is required, a separate application for the fire connection will need to be submitted. Applications for fire service connections will need to provide a copy of a flow test and pressure log (seven-day log) along with supporting calculations conducted by a suitably qualified engineer as well as a detail layout plan showing the proposed connection. The design of the fire service connection and sprinkler system will need to allow for any head loss incurred by the required backflow prevention containment device.
 - ii. The consent holder will need to provide all fire connections/sprinkler connections with a double check detector check backflow prevention containment device.
13. Upgrading of the existing water infrastructure may be required if the Code's requirements cannot be achieved or if the proposal will have a detrimental effect on existing users.
14. A backflow device of a commercial or industrial site is required to be added to the building warrant of fitness (BWF) compliance schedule for the property.
15. Please note that permission is required prior to using or testing hydrants.

Relaying Public Mains Clear of Buildings

16. The development of this site will require the public drainage network to be extended/altered to serve the proposed lots. The existing public gravity

water/ stormwater/ wastewater mains within the proposed building site will need to be re-laid to achieve a minimum 1.5m distance from the building platforms (including fencing and retaining walls) and any associated foundations.

17. Any alteration or addition to the existing public drainage network is required to be carried out under a Public Drainage Permit (as distinct from a Building Consent) issued by the Wellington Water Land Development Team.
18. All Public Drainage work is required to be carried out by a suitably experienced Registered Drainlayer, who is employed by a contractor who has an approved Health and Safety Plan and Public Liability Insurance
19. All newly constructed stormwater mains to be vested in Council will need to be approved by Wellington Water Land Development Team based on a [video or] closed circuit television (CCTV) inspection carried out by the consent holder in accordance with the New Zealand Pipe Inspection Manual. A pan tilt camera will need to be used, and lateral connections shall be inspected from inside the main.

Stormwater and Wastewater Connections

20. This development will need to be provided with a separate and direct connection to a public wastewater and stormwater networks, in accordance with the Wellington City Council Code of Practice for Land Development. Alternatively for stormwater, a separate connection may be to an approved stormwater outfall at a location accepted in writing by the Wellington Water Land Development Team.

Stormwater Neutrality and Treatment

21. To avoid impact on the receiving environment stormwater treatment will be required for all new roading / car parking surfaces.
22. To avoid impact on downstream properties stormwater treatment and neutrality is required for any stormwater drained to the public drainage system and the site will need to be provided with a stormwater retention system. The stormwater retention design will need to be approved by the Wellington Water Land Development Team and the following aspects will need to be met:
 - i. The owner(s) of this development will need to construct an approved stormwater retention system in accordance with plans approved under the Building Consent and agreed with the Land Development Team; and a compliant as – built plan provided.
 - ii. The stormwater retention system(s) will need to be designed so that the total stormwater discharge post development from the proposed development for all events up to the 1% AEP event will need to be less than or equal to the stormwater runoff flows prior to development.
 - iii. The stormwater retention system will need to facilitate water re-use within the buildings.
 - iv. The owner(s) of this development will need to ensure that all connections to the system are trapped to minimise debris entering the system.

- v. The owner(s) of this development cannot increase stormwater discharge, through an increase in non-permeable areas, without Council approval as an increase in stormwater discharge may result in failure of the stormwater detention systems.
23. Prior to completion of the construction works, the consent holder will be required to prepare a draft Operation and Maintenance Manual for all stormwater device(s) setting out the principles of the general operation and maintenance for the stormwater system(s) and associated management devices. The draft Operations and Maintenance Manual shall be submitted to the Wellington Water Land Development Team for approval and is to include, but not be limited to:
- (i) a detailed technical data sheet
 - (ii) a programme for regular maintenance and inspection of the stormwater system
 - (iii) a programme for the collection and disposal of debris and sediment collected by the stormwater management device or practices
 - (iv) a programme for post storm maintenance
 - (v) a programme for inspection and maintenance of outfall erosion
 - (vi) general inspection checklists for all aspects of the stormwater system, including visual check of sumps
 - (vii) a programme for inspection and maintenance of any vegetation associated with the stormwater devices.
24. Bare galvanised, zinc alum or unpainted metal (including copper) may result in contamination of stormwater runoff upon corrosion of surfaces and therefore shall not be used for the exterior construction, including but not limited to roofing, cladding, gutters and downpipes of any future development.

As-built Plans

25. At the conclusion of the engineering works, the consent holder will need to submit as-built drawings that meet the requirements of Wellington Water Regional As-built Specification for Water Services for water supply, wastewater and stormwater drainage.
26. Once an as-built plan has been submitted and within one month of completion of the drainage works and/or before vesting of assets, the Consent holder will need to arrange for a final inspection with the Wellington Water Senior Drainage Inspector.
27. Where possible, all as-built plans are to be submitted in both hard copy (PDF) and electronically. Electronic copies are to be submitted in CAD format (.DWG file) drawn in the NZGD 2000 New Zealand Transverse Mercator' coordinate system.
28. Wellington Water Ltd are updating to the New Zealand Vertical Datum 2016 (NZVD2016) on 1 July 2022. Hence Engineering Plans and As-Built plans will be required to be in terms of the NZVD2016 from 1 July 2022. Prior to this date either Wellington Vertical Datum 1953 or NZVD2016 will be accepted.

Prepared by: Ye Mon Oo
Wellington Water Land Development

Date: 30 June 2022

Approved by: Zeean Brydon
Wellington Water Land Development

Date: 6 July 2022

	Person / comment	Time
Initial review and background	Ye Mon	3hr
Prepare and check conditions	Ye Mon	3hrs
Peer Review	Zeean	1hrs
Final changes, email planner including WWL time & close project		1 hr
	TOTAL	8 hrs

Annexure 13

Suggested Conditions of Consent

General:

- (1) Unless otherwise modified by conditions of this consent, the proposal must be in accordance with the information provided with the application Service Request No. 514663 and the following sets of plans within the overall drawing package titled: *“Future Accommodation Strategy (FAS); Architectural Drawings for Resource Consent”*, by Studio Pacific Architecture, dated September 2022:
- ‘A0 - Visualisations’, drawings P A0-01 to P A0-02, ref. 2650
 - ‘A1 - Existing (EXT)’, drawings P A1-01 to P A1-07, ref. 2650
 - ‘A2 - Proposed Landscape (LAN)’, drawings P A2-01 to P A2-45, ref. 2662
 - ‘A4 – Proposed Museum Street Building (MUS)’, drawings P A4-01 to P A4-15, ref. 2652
 - ‘A5 – Proposed Ballantrae Place Building (BAL)’, drawings P A5-00 to P A5-06, ref. 2650
 - ‘A6 – Supporting Information’, drawings P A6-01 to P A6-24, ref. 2650

Earthworks:

Geotechnical Professional:

- (2) The consent holder must engage a Geotechnical Professional for the detailed design and construction phases of the project.

A ‘Geotechnical Professional’ is defined as a Chartered Professional Engineer (‘CPEng’) with specialist geotechnical skills and experience in the design and construction of earthworks and retaining works similar to those proposed and in similar ground conditions.

The name and the contact details of the Geotechnical Professional must be provided to the Council’s Compliance Monitoring Officer, at least 20 working days prior to any work commencing.

- (3) The Geotechnical Professional must monitor the earthworks and advise on the best methods to ensure:
- the stability of the site and surrounding land;
 - the construction of cut faces, fill batters, staging, shoring, and benching as required for stability of the earthworks;
 - the design and construction of the temporary and permanent retaining; and
 - the earthworks methodology is consistent with the recommendations in the geotechnical assessment by Aurecon Ltd. (date 2022-02-16) and to ensure adequate engineering monitoring is undertaken of the earthworks.

The consent holder must follow all the advice of the Geotechnical Professional in a timely manner.

Construction Management Plan:

- (4) At least 10 working days prior to any work commencing on the site a Construction Management Plan (‘CMP’) developed by the consent holder must be submitted to the Council’s Compliance Monitoring Officer for certification in relation to any temporary works and earthworks to ensure there is not uncontrolled instability or collapse affecting any neighbouring properties, buildings, or infrastructure.

(5) The CMP must be consistent with the finding and recommendations of the geotechnical assessment by Aurecon Ltd. (date 2022-02-16) and must include, but is not limited to, the following:

- Details of the staging of work including hold points for engineering inspections and an illustrated plan showing the proposed staging and earthworks.
- Measures to limit the exposure of unretained earthworks at any one time including maximum cut heights of earthworks before the support is put in place.
- Any runoff controls required to minimise the risk of instability.
- Roles and responsibilities of key site personnel.
- A contact (mobile) telephone number(s) for the on-site manager, where contact can be made 24 hours a day / 7 days a week.

(6) The CMP must be reviewed by the CPEng prior to being submitted to the Council, to ensure that the methodology is in accordance with the geotechnical assessment, by Aurecon Ltd. (date 2022-02-16).

The review must be provided to the Council's Compliance Monitoring Officer when the final CMP is filed for certification.

(7) Work must not commence on the site until the CMP is certified by the Council's Compliance Monitoring Officer. The earthworks and retaining work must be carried out in accordance with the certified CMP.

Note: Any amendments to the CMP (once work starts) must be approved by the CPEng and certified by the Council's Compliance Monitoring Officer.

(8) To mitigate adverse visual amenity effects during construction, the consent holder must install creative or interpretive material on any construction hoardings that will be visible from a public place.

Note: The Council has launched a pilot 'Creative Hoardings' programme, which has been designed to enliven building sites and celebrate creativity across the city. Creative hoardings present opportunities for artists and property developers to contribute to the revitalisation of the city and the consent holder is encouraged to use this programme during the construction phase. Local artists, Gabby O'Connor, Ariki Brightwell, Ruth Thomas-Edmond and Telly Tuita have been commissioned to design artworks for hoarding. Their work can be downloaded from the Creative Hoardings Library on the Council's website, printed and installed on hoarding. For more information contact the City Arts and Events Team (arts@wcc.govt.nz) or visit the Council's website: <https://wellington.govt.nz/arts-and-culture/arts/creative-hoardings>

Erosion and Sediment Control Plan:

(9) An Erosion and Sediment Control Plan ('ESCP') must be developed by the consent holder and submitted to the Council's Compliance Monitoring Officer for certification, at least 10 working days prior to any work commencing on site.

The purpose of the ESCP is to identify the erosion and sediment control measures that will be implemented on site during construction activities and how these will comply with the *Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Wellington Region* (February 2021).

The ESCP must include, but is not limited to, the following:

Erosion and Sedimentation Controls:

- An illustrated plan that records the key features of the ESCP (including the approved earthworks plan).
- A description of the broad approaches to be used to prevent erosion, and minimise problems with dust and water-borne sediment.
- Measures to limit the area of earthworks exposed to the weather at any one time (sources of dust and sediment).
- Stabilisation of the site entrance(s) to minimise the tracking of earth by vehicles onto the adjoining roads.
- Detail of the use of diversion bunds/cut-off drains, as required, to minimise stormwater entering the site and discharging onto earthworks areas where it can pick up sediment and not discharged on to sloping ground.
- The type and location of silt fences to control water-borne sediment.
- Methods for protecting stormwater sumps from the infiltration of water-borne sediment.
- Stabilisation of soil or other material that is stockpiled on the site or transported to, or from, the site, to prevent dust nuisance or erosion by rain and stormwater (creating water-borne sediment).

Dust Suppression:

- Limiting the vehicle speed on site to 10 kilometres an hour.
- Assessing weather and ground conditions (dryness and wind) before undertaking potentially dusty activities.
- Ceasing all dust generating activities if site dust is observed blowing beyond the site boundary.
- Stabilising exposed areas that are not being worked on, using mulch, hydroseeded grass, chemical stabilisers or other similar controls.

Management of Controls:

- The methods for managing and monitoring the ESCP controls.
- Nomination of a site person responsible for the implementation and administration of the ESCP.

The ESCP must be reviewed by the suitably qualified engineering professional prior to being submitted to Council, to ensure that the methodology is in accordance the *Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Wellington Region* (February 2021). The review must be provided to the Council's Compliance Monitoring Officer when the final ESCP is filed for certification.

- (10) No work may commence on site until the ESCP is certified by the Council's Compliance Monitoring Officer. The earthworks and associated work must be carried out in accordance with the certified ESCP.
- (11) Any amendments to the ESCP once work starts must be certified by the suitably qualified engineering professional and certified by the Council's Compliance Monitoring Officer.
- (12) The erosion, dust and sediment control measures put in place must not be removed until the site is remediated to the satisfaction of the Council's Compliance Monitoring Officer. 'Remediated' means the ground surface of the areas of earthworks have been stabilised (no longer producing dust or water-borne sediment), and any problems with erosion, dust or sediment that occur during the work have been remedied.

Note: If necessary, the Council's Compliance Monitoring Officer may require changes to the implementation of the ESCP, to address any problem that occurs during the work or before the ground surface is stabilised.

- (13) A copy of the certified ESCP must be held on site throughout the duration of the earthworks and must be made available on request.

Producer Statements:

- (14) A copy of the producer statement 'PS4 – Construction Review' and its accompanying documents for structures/buildings required for the stabilisation of earthworks and, prepared for the associated building consent process, must be provided to the Council's Compliance Monitoring Officer within one month of the structures/buildings being completed.

Grassing of Earthworks:

- (15) All exposed areas of earthworks, unless otherwise built on and/or stabilised, are to be grassed or re-vegetated within 1 month of completing each stage of the earthworks, to a level of establishment satisfactory to Council's Compliance Monitoring Officer.

The Council's Compliance Monitoring Officer may agree to a longer period than 1 month, if appropriate, and will certify it in writing.

- (16) If construction works at the site cease for a period of greater than 2 months, the exposed areas of earthworks must then be stabilised to reach a level of establishment satisfactory to the Council's Compliance Monitoring Officer.

General Earthworks Conditions:

- (17) Run-off must be controlled to prevent muddy water flowing, or earth slipping, onto neighbouring properties or the legal road. Sediment, earth or debris must not fall or collect on land beyond the site or enter the Council's stormwater system. Any material that falls on land beyond the site during work or transport must be cleaned up immediately (with the landowner's permission on land that isn't public road). The material must not be swept or washed into street channels or stormwater inlets, or dumped on the side of the road.

Note: As a minimum, 100 mm clarity is required to allow water to be discharged offsite. If clarity is less than 100mm then the water is considered to be muddy and must be captured and treated on site.

- (18) Dust created by earthworks, transport and construction activities must be controlled to minimise nuisance and hazard. The controls must be implemented for the duration of the site works and continue until the site stops producing dust.

Contaminated Land:

- (19) Additional soil quality sampling must be completed to supplement the Ballantrae Place DSI completed by Aurecon in 2021. The additional soil quality sampling must be completed under the guidance of a suitably qualified and experienced practitioner ('SQEP'). The additional soil quality sampling must be carried out in accordance with the *Ministry for the Environment's (MfE) Contaminated Land Guidelines No.5 (CLMG*

5), June 2021 and the New Zealand Guidelines for Managing and Assessing Asbestos in Soil (Building Research Advisory Council New Zealand, 2017).

- (20) A report summarising the additional soil quality sampling must be prepared by a SQEP in general accordance with *MfE Contaminated Land Guideline No. 1 (CLMG 1), June 2021*. The additional soil sampling report must be submitted to the Council's Compliance Monitoring Officer for certification prior to earthworks commencing.
- (21) If the additional soil quality sampling confirms a risk to human health for the proposed land use, a remediation action plan ('RAP') must be prepared by a SQEP.
- (22) A Contaminated Land Management Plan ('CLMP') for the proposed development must be completed by a SQEP and submitted and certified by the Council's Compliance Monitoring Officer prior to earthworks being undertaken at the site. The CLMP must include the following:
 - Date and version control.
 - A summary of soil sampling results including the further soil sampling undertaken as part of the additional soil quality sampling.
 - A summary of the proposed redevelopment works.
 - Roles and responsibilities and contact details for the parties involved, including the SQEP.
 - Health and safety and environmental management procedures for implementation during the works including but not limited to:
 - Personal protection and monitoring.
 - On site soil management practices including stockpile management and stormwater and sediment controls.
 - Off site soil transport and disposal.
 - Asbestos in soil removal procedures in accordance with the approved code of practice *Management and Removal of Asbestos*, November 2016 and Building Research Association of New Zealand, November 2017. New Zealand Guidelines for Assessing and Managing Asbestos in Soil (BRANZ Guidelines).
 - Contingency measures in the event of accidental/unexpected discovery including the discovery of asbestos and asbestos related controls.
- (23) Soil disturbance works must be undertaken in accordance with the certified RAP and CLMP.
- (24) If unexpected soil conditions, such as staining, odorous material or evidence of potential asbestos containing materials are encountered during the soil disturbance works, work in that area must cease and the Council notified. Any unexpected contamination and contingency measures must be overseen and assessed by a SQEP.
- (25) All soil material with contaminant concentrations above background concentrations that requires removal from the site must be disposed of at a licensed facility that holds a consent to accept the relevant level of contamination.
- (26) If remedial works are required, a Site Validation Report must be prepared in general accordance with *MfE CLMG No. 1* and must be provided to the Council within 3 months of completion of the soil disturbance activities. The Site Validation Report must include the following:
 - The location and dimensions of the excavations carried out, including a relevant site plan.

- Records of any unexpected contamination encountered during the works.
- Soil validation results, if applicable (i.e. if remediation is carried out or unexpected contamination is encountered).
- Copies of the disposal dockets for the material removed from the site and any clean fill imported onto the site.
- Specify the requirements for ongoing monitoring and management (if required).
- The report should outline the site's suitability for the intended use.

Hazardous Substances:

- (27) The proposed tanks containing hazardous substances must be designed, installed and certified in accordance with the recommendations as listed in the HSNO Report by ENGEO Ltd dated 17 September 2021, with the exception of the following points:
- (a) The 4 x 7216 Litre fuel tanks SVR 7000 Fuel-Chief Super Vault tanks situated in the Museum Street building are to supply fuel to the generators in the same building. As a result, the appropriate Regulation 17.63 (3) (b) for the Museum Street building holding fuel must be looked at as per requirements that fall under fuel supply 'in that building' (17.63 Subclause 4 under HSW (HS) Regs 2017) and 'in another building' (17.63 Subclause 6 under HSW (HS) Regs 2017) if the same SV4 fuel tanks are to supply fuel to the generators housed in the Parliament building.
 - (b) As a consequence of (a) above, the separation distances in section 4.4 of the HSNO Report will need to be reviewed.
 - (c) Prior to the installation of the hazardous substances, an addendum to the HSNO Report must be provided to the Council that includes:
 - A review of the SV3 11000 diesel fuel tank (11,400 Litres).
 - A review of hazardous classifications required for the wastewater tanks situated in the Museum Street building and appropriate controls associated to the overall design that have been verified and deemed sufficient.

Transport:

Construction Traffic Plan:

- (28) The consent holder must submit a Construction Traffic Plan ('CTP') to the Council's Compliance Monitoring Officer at least 10 working days before any works commence on the site.
- (29) The CTP must be certified by the Council's Compliance Monitoring Officer in consultation with the Traffic and Vehicle Access Team before any work begins.
- (30) The CTP must include methods to avoid, remedy or mitigate adverse construction traffic effects during the works. The CTP must include, but not be limited to, the following matters:
- Timing of specific work phases.
 - Key activities and anticipated traffic levels for each work phase.
 - Expected frequency of vehicle movements specific to the construction phase, with details of the proposed hours and days of week. Vehicle movements into and out

of the site should be restricted during peak traffic times (7-9am and 4-6pm weekdays).

- Locations of where construction related vehicles will park, wait, turn and carry out loading and unloading of materials.
- Locations where construction materials would be stored.
- Arrangements for temporary traffic management, including pedestrians, car-parking and servicing.
- Temporary pedestrian safety measures, including directional signage where applicable.
- Details of how servicing and access to adjacent site activities will be provided for, specific to each development phase.
- Methods for the public to contact the site manager for complaints. There should be a 1m² sign facing the public footpath at all points of entry to the site with the site manager's contact details.

(31) The consent holder must carry out the work in accordance with the certified CTP.

Notes:

- The CTP does not constitute an approved Traffic Management Plan ('TMP') for any of the works. This approval must be gained separately. The TMP must reflect each different stage of the project including vehicle movements in and out of the site.
- A Corridor Access Request ('CAR') must be approved before construction activities within the road corridor starts. This is for mitigating public safety risks associated with the proposed earthworks and construction activities. The application needs to be made through: <https://www.submitica.com/>
- A Road Usage Licence ('RUL') is necessary if any temporary structures or sole use of space (scaffolding, hoarding, loading zones, tower crane positioning, gantry etc.) are needed on road reserve during any stage of the development and construction. Please note additional fees can occur and will apply when occupying legal road reserve for private use. A quote will be sent to you for acceptance if this applies.

Driveway Construction and Street Level Matching Plans:

(32) Driveway Construction and Street Level Matching Plans showing how the proposed new buildings will match the existing public road (Ballantrae Place) and private road (Museum Street) must be submitted to the Compliance Monitoring Officer for certification (in consultation with the Transport Team) before construction starts. This plan must:

- Indicate how building entrances, floor levels and other street-dependent aspects have been designed to match the existing footpath and/or road levels.
- Include full construction details of any changes needed to the existing turning area at the end of Ballantrae Place and for the construction of the proposed adjacent two vehicle parking bay.
- Show the location and levels of the vehicle and pedestrian entrances and any other sections of the building that require access to nearby sections of existing footpath and/or road carriageway.
- Show existing levels of the top of the adjacent street kerb and/or back of footpath levels near vehicle and pedestrian access areas.
- Show details of any proposed street layout and level changes.
- Show details of any new features proposed in public road land or other changes to the existing public road layout.

- Show construction details for the turning area at the end of Ballantrae Place
- Show confirmation that all areas needing to be trafficable will be provided with suitable pavements. Details of the pavement design must be provided for certification.

Noise and Vibration:

Construction Noise:

- (33) The consent holder must ensure that construction activities are managed and controlled so that the noise received at any residential or commercial site does not exceed the limits set out in Table 2 and Table 3 of 'NZS6803:1999 Acoustics – Construction' Noise when measured and assessed in accordance with that Standard.

Construction Noise and Vibration Management Plan ('CNVMP'):

- (34) The consent holder must ensure that not less than 20 working days prior to commencing any construction activities authorised by this consent, the consent holder must submit to Council's Compliance Monitoring Officer a draft Construction Noise and Vibration Management Plan ('CNVMP') for certification.

The Construction Noise and Vibration Management Plan must include but not be limited to:

- Background and purpose of Construction Noise Management Plan
 - Objectives of Construction Noise Management Plan
 - Description of the project (nature and scale)
 - Description of the site, designated areas and construction work areas
 - Description and location of noise sensitive sites (commercial and residential)
 - Construction and vibration levels
 - Noise and vibration sources
 - Project period(s), sequencing and staging
 - Performance noise and vibration standards
 - Hours of operations (all activity types and activity area)
 - Physical noise and vibration mitigation measures in line with section 16 of the RMA
 - Managerial noise and vibration mitigation measures in line with section 16 of the RMA
 - Community consultation and communication procedures
 - Consultation and communication procedures with Council regarding noise complaints
 - Contact details of the person in charge of noise management
 - Construction noise and vibration monitoring and reporting
 - Non-compliance contingency planning and monitoring
 - Methods to review the CNVMP with respect to changes in the program
- (35) The consent holder must not undertake any activities authorised by this consent until the draft CNVMP has been signed off by the Council's Compliance Monitoring Officer as final and is denoted by Council as being 'approved for use' as the final CNVMP.
- (36) The consent holder must at all times ensure the on-site activities are carried out in accordance with the final 'for use' CNVMP.

Boundary Noise Emissions (as received in adjacent Central Area sites):

- (37) The consent holder must ensure noise emission levels (excluding fixed plant noise) when measured at or within the boundary of any fee simple site, other than the site from which the noise is emitted, must not exceed the following:

At all times: 60 dBA $L_{Aeq(15 \text{ min})}$

At all times: 85 dBA L_{AFmax}

Note: Measurements must be measured and assessed in accordance with NZS 6801:2008 “Acoustics – Measurement of environmental sound” and NZS 6802:2008 “Acoustics - Environmental Noise”.

Boundary Noise Emissions (as received in adjacent Inner Residential Area sites):

- (38) The consent holder must ensure noise emission levels (excluding fixed plant noise) when measured at or within the boundary of any fee simple site, other than the site from which the noise is emitted, must not exceed the following:

Monday to Saturday, 7am to 7pm: 55 dB $L_{Aeq(15 \text{ min})}$

Monday to Saturday, 7pm to 10pm: 50 dB $L_{Aeq(15 \text{ min})}$

At all other times: 40 dB $L_{Aeq(15 \text{ min})}$

All days, 10pm to 7am: 70 dB L_{AFmax}

Note: Measurements must be measured and assessed in accordance with NZS 6801:2008 “Acoustics – Measurement of environmental sound” and NZS 6802:2008 “Acoustics - Environmental Noise”.

Fixed Plant Boundary Noise Emissions (as received in adjacent Central Area sites):

- (39) The consent holder must ensure all fixed plant and equipment including heating, cooling and ventilation plant must be located, designed and operated so that noise emission levels, when measured at or within the land parcel, other than the building or site from which the noise is emitted, do not exceed the following limits:

At all times: 55 dBA $L_{Aeq(15 \text{ min})}$

At all times: 70 dBA L_{AFmax}

Note: Measurements must be measured and assessed in accordance with NZS 6801:2008 “Acoustics – Measurement of environmental sound” and NZS 6802:2008 “Acoustics - Environmental Noise”.

Fixed Plant Certification:

- (40) The consent holder must ensure that noise emission levels emanating from all fixed plant and equipment must be monitored at the commissioning stage (prior to occupation) by a qualified and experienced acoustic expert suitable to the Council. Written certification in the form of an acoustic measurement and compliance commissioning report must be provided to the Council's Compliance Monitoring Officer and Acoustic Engineer for certification. The certificate must certify that commutative worse case fixed plant noise emissions comply with the noise limits set out in **condition (39)** above.

Fixed Speaker:

- (41) The consent holder must ensure that noise emission levels emanating from any electronic sound systems associated with the commercial operations of the site do not exceed 75 dB L_{Aeq} when measured over any 2-minute period. In any event, measurements must be made no closer than 0.6 metres from any part of a loudspeaker and at a height no greater than 1.8 metres (representative of the head of a passer-by).

Three-Waters Servicing and Flooding:

Minimum Flood Levels:

- (42) Any building constructed on the site must have a minimum floor level of 12.25m RL (Wellington 1953 Datum).

Location of Secondary Overland Flow Path:

- (43) A suitably qualified engineer must demonstrate that any overland stormwater flow paths which may flow through the development site are redirected away from any new or existing building.

Engineering Standards:

- (44) The consent holder must comply with the requirements of the Wellington City Council Code of Practice for Land Development, unless otherwise modified by condition(s) of the consent. These are the engineering standards for mitigating adverse effects on the environment from earthworks, traffic (roading and vehicle access), wastewater and stormwater drainage, water supply and utility structures.
- (45) Construction must not start until the following engineering plans in relation to water supply, stormwater or wastewater drainage, being accepted in writing by the Council's Compliance Monitoring Officer in consultation with the Wellington Water Land Development Team:
- Engineering plans
 - Specifications

Notes:

- The design and construction documentation needs to include a copy of the Safety in Design documentation generated in response to the legal requirements under the Health and Safety at Work Act (2015) section 39.
- Scheme and other indicative layout plans that were submitted as part of the application will be used by Council for information purposes only. These plans will not be used for granting approval under the condition above. Approvals will only be given on detailed engineering plans.
- Engineering development for drainage require permits in addition to this resource consent, such as drainage permit/building consent for private drains and public drainage permit for public drains. The consent holder shall ensure any redundant water supply, stormwater and wastewater laterals are disconnected and capped at the main. The location of capping will need to be included on the final as-built plan.
- Application for approval of the new water, stormwater and wastewater connections will need to be made to Wellington City Council prior to commencing the works.

Water Supply:

- (46) The consent holder must provide each building with an appropriately sized metered water supply connection to the public main for domestic supply. An engraved plastic tag reading "WATER SUPPLY MANIFOLD FOR (Street No)" will need to be secured to the manifold clearly showing which property is served by the manifold. An RPZ-type backflow preventer is required if the connection is greater than 20mm DI.
- (47) The consent holder must provide for fire-fighting requirements in accordance with the NZ Fire Service Code of Practice for Firefighting Water Supplies NZS PAS 4509:2008 and the Code of Practice for Land Development. Calculations must be provided by a suitably qualified engineer to certify that there is sufficient pressure and flow for the development to meet the Code of Practice for Land Development requirements. Calculations must be based on pressure logging (seven-day log) and flow readings taken from the nearest hydrant.

Notes:

- If a separate fire connection is required, a separate application for the fire connection will need to be submitted. Applications for fire service connections will need to provide a copy of a flow test and pressure log (seven-day log) along with supporting calculations conducted by a suitably qualified engineer as well as a detail layout plan showing the proposed connection. The design of the fire service connection and sprinkler system will need to allow for any head loss incurred by the required backflow prevention containment device.
 - Please note that permission is required prior to using or testing hydrants.
- (48) The consent holder must provide all fire connections/sprinkler connections with a double check detector check backflow prevention containment device.

Note: Upgrading of the existing water infrastructure may be required if the Code's requirements cannot be achieved or if the proposal will have a detrimental effect on existing users.

- (49) A backflow device of a commercial or industrial site must be added to the building warrant of fitness ('BWOFF') compliance schedule for the property.

Relaying Public Mains Clear of Buildings:

- (50) The existing public gravity water, stormwater, and wastewater mains within the proposed building site must be re-laid to achieve a minimum 1.5m distance from the building platforms (including fencing and retaining walls) and any associated foundations.

Notes:

- Any alteration or addition to the existing public drainage network is required to be carried out under a Public Drainage Permit (as distinct from a building consent) issued by the Wellington Water Land Development Team.
- All Public Drainage work is required to be carried out by a suitably experienced Registered Drainlayer, who is employed by a contractor who has an approved Health and Safety Plan and Public Liability Insurance.
- All newly constructed stormwater mains to be vested in Council will need to be approved by Wellington Water Land Development Team based on a [video or] closed circuit television ('CCTV') inspection carried out by the consent holder in

accordance with the New Zealand Pipe Inspection Manual. A pan tilt camera will need to be used, and lateral connections shall be inspected from inside the main.

Stormwater and Wastewater Connections:

- (51) The consent holder must provide the development with a separate and direct connection to the public wastewater and stormwater networks, in accordance with the Wellington City Council Code of Practice for Land Development. Alternatively for stormwater, a separate connection may be to an approved stormwater outfall at a location accepted in writing by the Council's Compliance Monitoring Officer in consultation with the Wellington Water Land Development Team.

Stormwater Neutrality and Treatment:

- (52) To avoid impact on the receiving environment, stormwater treatment must be provided for all new roading and car parking surfaces.

- (53) To avoid impact on downstream properties, stormwater treatment and neutrality is required for any stormwater drained to the public drainage system and the site must be provided with a stormwater retention system. The stormwater retention design must be certified by the Council's Compliance Monitoring Officer in consultation with the Wellington Water Land Development Team and the following aspects must be met:

- The consent holder must construct an approved stormwater retention system in accordance with plans approved under a building consent and agreed with the Council's Compliance Monitoring Officer in consultation with the Wellington Water Land Development Team.
- The stormwater retention system(s) must be designed so that the total stormwater discharge post development from the proposed development for all events up to the 1% AEP event is less than or equal to the stormwater runoff flows prior to development.
- The stormwater retention system must facilitate water re-use within the buildings.
- The consent holder must ensure that all connections to the system are trapped to minimise debris entering the system.
- The consent holder must not increase stormwater discharge, through an increase in non-permeable areas, without Council approval as an increase in stormwater discharge may result in failure of the stormwater detention systems.

- (54) Prior to completion of the construction works, the consent holder must prepare a draft Operation and Maintenance Manual for all stormwater devices setting out the principles of the general operation and maintenance for the stormwater system(s) and associated management devices. The draft Operations and Maintenance Manual must be submitted to the Council's Compliance Monitoring Officer in consultation with the Wellington Water Land Development Team for certification and is to include, but not be limited to:

- a detailed technical data sheet
- a programme for regular maintenance and inspection of the stormwater system
- a programme for the collection and disposal of debris and sediment collected by the stormwater management device or practices
- a programme for post storm maintenance
- a programme for inspection and maintenance of outfall erosion
- general inspection checklists for all aspects of the stormwater system, including visual check of sumps

- a programme for inspection and maintenance of any vegetation associated with the stormwater devices.
- (55) Any combination of exposed (i.e. unpainted) galvanised steel (with greater than 99% zinc coating) or copper may result in contamination of stormwater runoff upon corrosion of surfaces and therefore stormwater from these materials used for exterior construction (including but not limited to roofing, cladding, gutters and downpipes) must not be discharged to the public stormwater network unless treated on-site by a water quality device.

As-Built Plans:

- (56) At the conclusion of engineering works, the consent holder must submit as-built drawings that meet the requirements of *Wellington Water Regional As-built Specification for Water Services* for water supply, wastewater and stormwater drainage.
- (57) Once an as-built plan has been submitted and within one month of completion of the drainage works and/or before vesting of assets, the consent holder must arrange for a final inspection with the Wellington Water Senior Drainage Inspector.

Notes:

- Where possible, all as-built plans are to be submitted in both hard copy (PDF) and electronically. Electronic copies are to be submitted in CAD format (.DWG file) drawn in the NZGD 2000 New Zealand Transverse Mercator' coordinate system.
- Engineering plans and as-built plans will be required to be in terms of the New Zealand Vertical Datum 2016 (NZVD2016).
- Wellington Water Ltd may require an easement in gross in favour of Wellington City Council over the public water, wastewater and stormwater mains.

Oak Tree Relocation:

- (58) The contractor engaged by the consent holder to carry out the transplanting works and aftercare must demonstrate a proven record of successfully transplanting and establishing large mature trees. A statement of experience must be submitted to the Council's Compliance Monitoring Officer prior to commencement of the transplanting works.
- (59) Prior to the commencement of the transplanting works, the consent holder must provide to the Council for certification a transplanting methodology and aftercare programme by their nominated contractor. The methodology and aftercare programme must be in general accordance with the Arboricultural Report, job no. 35419, by Arborlab, dated November 2021.
- (60) To allow the best chance of survival following its relocation, the oak tree must be provided with a soil vault and irrigation system (as outlined in section 16 of the Arboricultural Report) and an artificial lighting system (as outlined in section 17 of the Arboricultural Report) in its new location.

Heritage:

Photographic Record:

- (61) The consent holder must submit to the Council's Compliance Monitoring Officer (in consultation with the Cultural Heritage Advisor) a photographic record in digital format, and labelled with a location and date, and these locations should be noted on a plan or elevation.

Prior to carrying out the photographic record, the consent holder must liaise with the Council's Compliance Monitoring Officer (in consultation with the Cultural Heritage Advisor) to agree the positions from where photos are to be taken. The archival photographic record must be submitted at the following stages, or upon request:

(a) Prior to Development:

Undertake a photographic record showing the existing external fabric on the west elevation (window and surrounding stonework) of Parliament House before it is removed, and including:

- Photographs of the window and associated fabric in situ;
- Overall views from different angles; and
- Views of any significant details of the window.

(b) During Development:

Photograph the removal of the window and its aftermath, including:

- Storage of the window and its surrounds;
- Work to remediate the loss of fabric; and
- The installation of the bridge.

- (c) Following Development (but no later than three months of the completion of construction):

Photographic record of the completed works, taken from the photographic record locations used for (a) above.

Design Details and Mitigation Measures:

- (62) The consent holder must engage a suitably qualified and experienced conservation architect (and a suitably qualified urban designer where relevant) to provide advice on and input into all detail design and implementation on all heritage-related aspects of the project.
- (63) The consent holder must engage a suitably qualified and experienced conservation architect to prepare a Temporary Protection Plan(s) ('TPP') that includes measures to protect the existing heritage fabric that are prepared according to Christchurch City Council, *Heritage Information, Guideline 14: Temporary Protection of Heritage Items*, Christchurch City Council, n.d. and Frens, Dale H., *Temporary Protection Number 2, Specifying Temporary Protection of Historic Interiors during Construction and Repair*, US National Park Service Cultural Resources, 1993.

The TPP must be submitted to and certified by the Council's Compliance Monitoring Officer (in consultation with the Cultural Heritage Advisor) prior to the commencement of works to Parliament House.

- (64) The works to Parliament House must be undertaken in accordance with the certified TPP.
- (65) Prior to the commencement of construction of the MUS building and works to Parliament House, the consent holder must submit to the Council's Compliance Monitoring Officer a set of detailed design drawings showing the full and final details for the link bridge to Parliament House. The information must be prepared by an appropriately qualified person and be designed to:
- Minimise damage to the heritage fabric in accordance with best practice and the TPP above.
 - Minimise aesthetic and structural impact on Parliament House.
 - confirm that the connecting bridge between MUS and Parliament House be structurally independent; designed to be as visually open and unobtrusive as possible; and attached to the heritage building as lightly as practicable.
 - Use appropriate, high-quality materials.
 - Achieve a reduction in the size of the columns to support the bridge as far as practicable.

The final design and details must be certified by the Council's Compliance Monitoring Officer (in consultation with the Cultural Heritage Advisor) prior to the commencement of construction of the MUS building.

- (66) The works must be undertaken in accordance with the final design and details certified under **condition (65)** above.
- (67) Prior to commencement of the works to Parliament House, the consent holder must submit a brief method statement for appropriate long-term storage of the windows and other heritage fabric removed from Parliament House, and must include:
- Details of where items will be stored.
 - Details of where the key to the storage will be located and who will have access to this.
 - Details of who will be responsible for regular visits to check that items have not been damaged or removed, and how this information will be recorded.

Urban Design:

Building Design Detail:

- (68) Prior to construction commencing, the consent holder must submit a set of drawings showing the full and final details to be used for certification by the Compliance Monitoring Officer. The information must include the following details and provisions:
- Final details for the exterior building materials (including finish and colour).
 - Final design and detailing of the link bridge, in accordance with the Heritage conditions above.
 - End-of-trip facilities for staff.
 - Signage on the buildings, which must be limited to identification of the MUS and BAL buildings, wayfinding, and traffic management.

Note: The Compliance Monitoring Officer will liaise with the Urban Design Advisor to confirm that the materials and design are appropriate.

- (69) The final details of the building design must be constructed in accordance with detailed design as certified under **condition (68)** above.

Landscaping Design Detail and CPTED:

- (70) Prior to construction commencing, a final landscape plan(s) must be submitted to, and certified by, the Council's Compliance Monitoring Officer. The final landscape plan(s) must include the following details and mitigation measures:
- Materials to be used for pedestrian areas and paving
 - Planting
 - Exterior lighting
 - Design detail for the finishing of any seismic joints visible from a public space.

The information submitted must be to a quality and outcome consistent with the application drawings and the recommendations in section 5.2 of the CPTED Assessment prepared by Boffa Miskell Ltd (Appendix 10 of the application).

Note: The Compliance Monitoring Officer will liaise with the Urban Design Advisor to confirm that the details are appropriate.

- (71) The landscaping and other elements certified under **condition (70)** above must be established on-site prior to occupation of the new buildings.
- (72) Any modifications at any time to the design or layout or structures of the landscaping in order to address wind conditions arising from construction of either of the two new buildings must be submitted to the Council's Compliance Monitoring Officer (in consultation with the Urban Design Advisor) for certification.
- (73) Prior to occupation of the new buildings, the consent holder must submit to the Council's 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 (Appendix 10 of the application).

Wind:

- (74) At the detail design stage and during the development of the finalised plans required by the Heritage and Urban Design conditions above, the consent holder must, in consultation with their architectural and wind advisors, further consider and assess wind mitigation with the objective of making the proposed on-site pedestrian areas as safe and attractive as practicable.

The particular focus of this work must be documentation of:

- (i) the means of dealing with safe transition between indoors and outdoors by screening and providing large (>3m) wind lobbies;
- (ii) integration of CPTED concerns, landscaping, windbreaks and natural lines of walking across the site and into and out of the building entrances; and
- (iii) identification within the landscape plan of suitable sheltered outdoor seating areas that receive sun and are out of the extreme northerly winds.

- (75) The consent holder must then provide a written statement to the Council's Compliance Monitoring Officer outlining the wind measures that have been considered and the rationale for their inclusion in or exclusion from the final design.

Iwi Consultation:

- (76) Prior to the application for building consents for the construction of the MUS and BAL buildings (whichever building consent is lodged first), the consent holder must provide to the Council's Compliance Monitoring Officer 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); and
 - 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.

Monitoring and Review:

- (77) Prior to starting work the consent holder must advise the Council's Compliance Monitoring Officer of the date when work will begin. This advice must include the address of the property and the Service Request number and be provided at least 48 hours before work starts, either by telephone on 04 801 4017 or email to rcmonitoring@wcc.govt.nz.
- (78) The conditions of this resource consent must be met to the satisfaction of the Council's Compliance Monitoring Officer. The Compliance Monitoring Officer will visit the site to monitor the conditions, with more than one site visit where necessary. The consent holder must pay to the Council the actual and reasonable costs associated with the monitoring of conditions (or review of consent conditions), or supervision of the resource consent as set in accordance with section 36 of the Act. These costs¹ may include site visits, correspondence and other activities, the actual costs of materials or services, including the costs of consultants or other reports or investigations which may have to be obtained. More information on the monitoring process is available at the following link:
<https://wellington.govt.nz/property-rates-and-building/building-and-resource-consents/resource-consents/applying-for-a-resource-consent/monitoring-resource-consent-conditions>

¹ Please refer to the Council's current schedule of Resource Management Fees for guidance on the current administration charge and hourly rate chargeable for Council officers.

Advice Notes:

1. The land use consent must be given effect to within 5 years of the granting of this consent, or within such extended period of time as granted by the Council pursuant to section 125 of the Act.
2. Section 36 of the Act allows the Council to charge for all fair and reasonable costs associated with the assessment of your application. We will confirm in due course whether the time spent on the assessment of this application is covered by the initial fee paid. If the time exceeds the hours covered by the initial fee you will be sent an invoice for additional fees. If the application was assessed in less time you will be sent a refund. For more information on your fees contact planning.admin@wcc.govt.nz.
3. Where appropriate, the Council may agree to reduce the required monitoring charges where the consent holder will carry out appropriate monitoring and reporting back to the Council.
4. This resource consent is not a consent to build. A building consent may be required under the Building Act 2004 prior to commencement of construction.
5. This resource consent does not authorise any works that also require consent from the Greater Wellington Regional Council. If necessary, separate resource consent(s) will need to be obtained prior to commencing work.
6. A vehicle access bylaw consent is required under Part 5, Section 18 of the Council's Consolidated Bylaw 2008 for the construction of a kerb crossing or driveway within legal road.
7. Out of courtesy, it is suggested that you advise your nearest neighbours of your intention to proceed with this land use consent, your proposed construction timetable and contact details should any issues arise during construction.
8. As far as practicable all construction activity related to the development must take place within the confines of the site. No buildings, vehicles, materials or debris associated with construction may be kept on Council land, including the road, without prior approval from the Council. Please note that landowner approval is required under a separate approval process and that this will need to be sought and approved prior to any works commencing.

For more information on the traffic management process and what further separate landowner approvals may be required in relation to the logistics of working within the legal road either contact the Transport Asset Performance team or visit this link:

<https://wellington.govt.nz/services/parking-and-roads/road-works/work-on-the-roads/permissions-and-approvals>

9. The methods set out in the Greater Wellington Regional Council guideline for erosion and sediment control for the Wellington Region should be followed when undertaking earthworks on the site:
<https://www.gw.govt.nz/assets/Documents/2022/03/Erosion-and-Sediment-Control-Guide-for-Land-Disturbing-Activities-in-the-Wellington-Region.pdf>
10. The WIAL1 Designation protects the airspace for the safe and efficient operation of Wellington International Airport. The Designation requires that any person proposing to construct or alter a building or structure, which does the following, must advise

Wellington International Airport Limited (WIAL) and obtain approval from them under section 176 of the Act:

- a. a new building/structure, additions and/or alterations or a crane or scaffolding which penetrates the Take-off and Approach Surfaces and exceeds a height of 8m above existing ground level; or
- b. a new building/structure, additions and alterations or a crane or scaffolding which penetrates the Conical, Inner Horizontal, or Transitional Side Slopes of the Airport; or
- c. a new building/structure, additions and/or alterations or a crane or scaffolding which results in a height of more than 30m above ground level in the remainder of the Designation area (Outer Horizontal Surface).

You can find the obstacle limitation surfaces at the link below and you can contact WIAL at planning@wellingtonairport.co.nz for any questions that you might have or if you need to seek their approval:

<https://eplan.wellington.govt.nz/proposed/rules/0/258/0/10267/0/32>

11. As consent involves construction works in the Central Area the consent holder may be required to provide details about how the construction will integrate with other major construction projects. For more information contact the Network Activity Manager by email: denise.beazley@wcc.govt.nz