

From: [Ian Hunter](#)
To: [Tom Hunt](#)
Subject: Request for information relating to the proposed Chinese Embassy in Wellington (Ref: IRC-3591)
Date: Thursday, 18 August 2022 3:44:00 pm
Attachments: [SIGNED LETTER FROM MAYOR](#)
[CWB LETTER TO WANG LUTONG REGARDING THE NEW CHINESE EMBASSY FIN PD 26-03-2018 08-23-01-135000.pdf](#)

Dear Tom,

Further to my email dated 4 August 2022 I am now able to respond to your request for information relating to correspondence between the Council and external parties in respect of the proposed Chinese Embassy.

In your email received on 7 July 2022 you requested copies of “...all internal and external correspondence regarding the proposed Chinese Embassy on Tasman St over the past five years.”

By way of some background I can advise that under the terms of an understanding reached by the Governments of both New Zealand and the People’s Republic of China in 2015, in respect of the construction of Embassy and Consulate premises, the Government of the People’s Republic of China may seek a discretionary exemption to the requirement for building consent.


The requirements of a discretionary exemption is outlined in the Appendix to the attached letter, dated 21 September 2016, from Celia Wade-Brown (then Mayor of Wellington) to the Chinese Ambassador in New Zealand.

I can advise that as of today’s date, the Council has not received either an application for building consent or a request for discretionary exemption in respect of the proposed Embassy.

Whilst some preliminary communication has occurred between the various parties in respect of how the People’s Republic of China may progress the proposal, the Council has chosen to withhold this information under section 7(2)(c)(i) of the Local Government Official Information and Meetings Act 1987 in order to protect information which is subject to an obligation of confidence.

If you disagree with the decision to withhold the communications, you can apply in writing to the Ombudsman to have the decision investigated and reviewed under section 27 (3) of the Local Government Official Information and Meetings Act 1987.

Kind regards,
Ian

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21 September 2016

Wang Lutong
Chinese Ambassador in New Zealand
2-6 Glenmore Street
Wellington

Dear Ambassador Wang

Thank you for your letter dated 2 September regarding the construction of the new Chinese Embassy in Wellington.

I am happy to confirm Wellington City Council's ongoing support for the Chinese Government's proposed Embassy in Wellington City.

I understand that there has been a desire for a memorandum of understanding (MoU) between the Embassy of the People's Republic of China and the Wellington City Council.

The matter has been discussed with officers of the Council and MFAT and I am advised that there is already an agreement in place between our respective countries regarding the construction of embassies in both China and New Zealand.

It is appropriate that the agreement already in place takes precedence and should be referred to by the respective organisations as we progress through the relevant processes required for the Embassy to be constructed in Wellington.

I have asked that Council officers make themselves available to meet with your representatives to work through the most efficient and timely process to achieve the relevant consents. As a starting point Council officers have prepared a high level approach (attached), in conjunction with the Ministry of Business Innovation and Employment (MBIE), which administers the building related legislation on behalf of the New Zealand Government.

The Wellington City Council officer who will be your Account Manager for this is Michael Scott, Manager of Building Compliance & Consents. He can be contacted on 04 803 8409, 021 227 8409 or by emailing Michael.Scott@wcc.govt.nz.

I trust this letter, and the attached document, will suffice in place of a MoU between us.

Yours sincerely



Celia Wade-Brown
Mayor of Wellington

Appendix:

Proposal for an exemption under Schedule 1 Part 1 (2) of the New Zealand Building Act 2004; Territorial and Regional Authority discretionary exemptions. In relation to a new Embassy in Wellington for the Peoples Republic of China

In considering the exemption Council has taken into account the following;

- Section 17 of the Building Act 2004, which provides:
"All building work must comply with the Building Code
All building work must comply with the building code to the extent required by this Act, whether or not a building consent is required in respect of that building work."
- Schedule 1, Part 1 (2) of the Building Act 2004, which provides:
"Territorial and regional authority discretionary exemptions:
Any building work in respect of which the territorial authority or regional authority considers that a building consent is not necessary for the purposes of this Act because the authority considers that—
 - (a) the completed building work is likely to comply with the building code; or
 - (b) if the completed building work does not comply with the building code, it is unlikely to endanger people or any building, whether on the same land or on other property."
- Building Compliance and Consents work instruction GI-012 Exemptions from the need to obtain a building consent.
- The New Zealand Building Code.

Documentation required to obtain the exemption

In order to grant the exemption Council would need:

- Location plan and external elevations of the building.
- Certification from a suitably qualified person that demonstrates the proposed works are either likely to comply with the Building Code or if not are unlikely to endanger people or any building, whether on the same land or on other property.

Building Code Clause that would need to be considered as a minimum and require certification:

- Structure B1
- Protection from fire C1-C6
- Access Routes D1 (to public areas)
- Surface Water E1 (connection into public main)
- Safety From falling F4 (to public areas)
- Warning systems F7
- Signs F8
- Personal Hygiene G1 (in regard to accessible facilities in public areas)
- Water Supplies G12
- Foul water G13 (connection into public main)

Compliance Schedule

A list of the specified systems contain within the building should be provided.

Other considerations

Due to the high profile site proposed to locate the embassy and the public interest that will likely to be generated by the construction, a strong communication strategy should be developed to address any enquiries or requests for information from the public or interested parties.

This document only covers the process for obtaining an exemption under the Building Act 2004 and has not considered the Resource Management Act 1991 or the Wellington City Councils district plan.

Proposal requirements under the Resource Management Act 1991

Resource consent will be required. This will be assessed under the Resource Management Act and the Wellington City Council's district plan. The Council will require sufficient information and plans to assess the design, external appearance and location of proposed buildings. Additionally, vehicular access and parking must also be assessed.