
REPORT 3

**NORTH KUMUTOTO (SITE 10) PROPOSAL –
APPROVAL OF PRELIMINARY CONCEPT DESIGN**

1. Purpose of Report

Following a comprehensive process of public consultation undertaken by the Council on the development of the North Kumutoto precinct, approval is sought from Council, in its capacity as land owner, to the preliminary concept design for Site 10 and adjacent public space. Feedback from the consultation process is included in this report.

The Transport and Urban Development Committee (the Committee) is delegated to consider and approve the preliminary design for recommendation to Council for consideration alongside the commercial terms of this proposal.

2. Executive Summary

The Wellington Waterfront Framework (the Framework) identified Site 10 (formerly Site 102) at Kumutoto (formerly North Queens Wharf) as a site for future development, noting the area's strong connection to the CBD, its maritime character, and the need to provide a sheltered route from the Railway station along Customhouse Quay. Specifically, the Framework states, 'this will be reflected with a stronger sense of the city form being developed in this area through a higher proportion of buildings than on the rest of the waterfront.'

After a competitive selection process, Willis Bond & Co (Willis Bond) was selected as the preferred developer.

Wellington Waterfront Limited (Wellington Waterfront)¹ has negotiated a conditional agreement with Willis Bond to develop a six level, predominantly commercial office building on Site 10, directly north of the Whitmore Street entrance to the waterfront. At the same time, Wellington Waterfront will complete the development of public space throughout the North Kumutoto precinct. The proposed development is a high quality design and will incorporate many unique and highly desirable features that will enhance the

¹ On 19 December 2013, Council resolved to bring the implementation of the Waterfront Project in-house from 1 July 2014. From 1 April 2014 the external directors of Wellington Waterfront were replaced by Council officers. The Company will continue in existence after 1 July 2014 for administration and compliance purposes.

character and functionality of the Waterfront's Kumutoto precinct, and add to Wellington's offering of A-grade commercial space.

At its meeting on 27 November 2013, the Committee considered the preliminary design for the Willis Bond development proposal and agreed that it met the requirements of the Wellington Waterfront Framework and, with the exception of height parameters, the North Kumutoto Design Brief. The Committee also agreed to undertake public consultation on the proposal beginning in January 2014.

In January 2014, the preliminary concept design went out for public consultation. Feedback on the building and public space design was generally supportive. However, the consultation process identified several matters for consideration by the Council that are discussed in this report, including some issues that will be followed through into the development of the detailed design.

It is recommended that the Committee recommend to the Council that it approves the preliminary design proposal for a building on Site 10 and the associated development of public space in the North Kumutoto precinct.

3. Recommendations

It is recommended that the Committee:

1. *Receive the information.*
2. *Note that on 22 November 2012 the Council's Strategy and Policy Committee adopted the revised North Kumutoto Design Brief to guide remaining development of the area.*
3. *Note that the preliminary concept design of the proposed building and public space has been reviewed favourably by the Council's Technical Advisory Group and Council's Urban Design team.*
3. *Note that on 27 November 2013, this committee agreed that the Willis Bond & Co development proposal for Site 10 meets the requirements of the Wellington Waterfront Framework and, with the exception of height parameters, the North Kumutoto Design Brief.*
4. *Note that the Council has undertaken public consultation on the preliminary concept design of the proposed building and public space and taken in to account the feedback in relation to developing the detailed design.*
5. *Agree to recommend to the Council that it approves the preliminary design proposal for a building on Site 10 and the associated development of public space around Site 10 and the Whitmore plaza area in the North Kumutoto precinct, subject to the design issues being taken forward as noted in section 7.7 of this report.*

6. *Note that a design proposal for Site 8 will be developed with consideration to the feedback given through the consultation process and brought back to the Committee for consideration at a later date.*
7. *Note that approval of the terms of the development agreement, the commercial terms and corresponding ground lease is retained by Council and will be considered at its meeting on 7 May 2014.*

4. Background

4.1 History of Development in North Kumutoto Precinct

The history of the Kumutoto (North Queen's Wharf) precinct, including various development initiatives was outlined in detail in the officers' report to the Committee on 27 November 2013. This background information is summarised in Appendix 1.

4.2 The Revised North Kumutoto Design Brief

On 22 November 2012 the Council's Strategy and Policy Committee adopted the revised North Kumutoto Design Brief to guide remaining development of the area. The design brief required the following issues to be taken into consideration:

- To deliver design excellence in the form of buildings and public space;
- To provide design coherence both within the area and the wider environment;
- To complement and maintain the sense of place and waterfront character of this area;
- To provide buildings that are robust enough to allow mixed-use developments and possible changes in use over time;
- To enhance the pedestrian links and experience in the area, giving pedestrians priority over vehicles and enhancing accessibility for all;
- To design and develop buildings that enhance public spaces; and
- To provide a strong built edge to the Quays.

The North Kumutoto Design brief provided for a 22m building at ground level (effectively 24m above mean sea level).

4.3 Relevant District Plan Provisions

Under the Operative District Plan, while new building development is contemplated on the waterfront, the proposal is not specifically provided for (other than by reference to the Framework which was cross referenced to the District Plan). In particular, the site has a zero height limit and all new building development is a full discretionary activity.

The site is zoned central area under the operative plan and lies within the Lambton Harbour area. The site contains two listed heritage buildings which are protected under the operative plan. These are shed 21 (c1909, ref no 334) and the former Eastbourne Ferry Terminal Building (c1910 ref no 337). Wellington Waterfront has engaged with the NZ Historic Places Trust (NZHPT)

to ensure that its concerns for the preservation of view shafts and the quality of public space are taken into account.

5. The Site 10 Proposal

In 2012 Wellington Waterfront initiated a Request for Proposals (RFP) process for Sites 9 and 10. From the 9 expressions of interest that were received, 5 developers prepared full development proposals. An evaluation and selection panel comprised of the Wellington Waterfront's board and management and Council's Technical Advisory Group (TAG) assessed each proposal, resulting in the selection of Willis Bond & Co as the preferred developer.

At its meeting on 27 November 2013, the Committee agreed that the Willis Bond & Co development proposal for Site 10 met the requirements of the Wellington Waterfront Framework and, with the exception of height parameters, the North Kumutoto Design Brief. It was noted that the maximum height of the proposed design is 25.75 metres above mean sea level which exceeds the height suggested in the 2012 Environment Court decision by 3.75 metres.

5.1 Developer and Architect

Willis Bond is an established and successful real estate investment and development company. It was founded in 1988 by its managing director Mark McGuinness and has delivered many major high quality commercial, residential and mixed-use developments in Wellington and on the waterfront in particular.

Current projects of Willis Bond include the Clyde Quay Wharf (ex-Overseas Passenger Terminal) redevelopment, One Market Lane development and a major refurbishment of the ANZ building on Lambton Quay. Past projects include the Xero (John Chambers or Rialto Cinema) building, Chews Lane precinct, St Johns building, Shed 22 (Macs Brew Bar) and NZX building.

Willis Bond's architect, Athfield Architects Limited, is a well-known national architectural firm that has been the recipient of over 60 national and international architectural and design awards, including 13 NZ Institute of Architects supreme awards. Some of Athfield's local projects include the current Clyde Quay Wharf (ex-Overseas Passenger Terminal) development, Wellington City Library and Civic Square, Chews Lane, Pipitea House and the Odlin/NZX Building redevelopment.

5.2 The Willis Bond Proposal

The main features of the proposed development are:

- an attractive six level, predominantly commercial office building of contemporary design, the appearance of which is broken into two primary horizontal forms;
- a ground floor public pedestrian link through the middle of the building that connects Waterloo Quay with the harbour;
- a colonnade that will connect with the colonnade of the adjacent shed 21 building to provide a continuous sheltered public walkway from the Whitmore St gates to opposite the railway station;

- a large glazed three storey space with a civic portico that provides shelter and overlooks the Whitmore Plaza;
- a publicly accessible ground floor including retail, food and beverage facilities and a creative business hub/serviced office suites;
- the potential for a publicly accessible rooftop amenity that overlooks the harbour;
- environmentally sustainable building design including mitigating measures against climate change;
- seismic base-isolated foundations;
- floor plate sizes of up to 2,300 square metres;
- total net lettable floor area of approximately 11,500 square metres, capable of accommodating over 700 office workers;
- basement car parking for up to 40 vehicles and 40 bicycles;
- preservation of view shafts from the CBD to the former Eastbourne Ferry terminal and on to the harbour, and views through a significant portion of the ground floor of the building; and
- improved public space and pedestrian amenity and connectivity from Kumutoto through to the Railway Station, CentrePort and the Stadium to the north.

In line with the recommendations in the Framework, as the detailed building design is being progressed the public space design will be further developed to a quality commensurate with that of Kumutoto Plaza adjacent to the Meridian building. Work will also continue on developing a preliminary design for Site 8 that will take in to account feedback from the recent consultation process.

6. Assessment

6.1 TAG Assessment of the Proposal

TAG is a Council-appointed panel of architects and urban designers charged with providing expert advice on Waterfront development and design issues. The group has been involved throughout the development process of Site 10 to date.

In September 2013, TAG made a full assessment of the initial Willis Bond proposal for Sites 9 and 10. However, as a result of ongoing negotiations on the commercial terms, the developer made several changes to the design proposal, including the decision to defer development planning of Site 9 pending further investigation. Subsequently, a number of design changes were made which TAG has now provisionally assessed.

While TAG notes that a number of minor matters have been identified for further attention in design development, overall the development remains of suitably high quality and meets the requirements of the North Kumutoto Design Brief. In their opinion, “subtle compositional changes, including a minor increase in height, have resulted in enhancements in the way the building relates to its context.” TAG’s full assessment of the revised building is included in Appendix 2, and the group will continue to work with the developer and architect on refining aspects of detailed design noted in their full report.

The Council's Urban Design team has reviewed TAG's report of the Willis Bond building proposal and agree with this assessment.

6.2 Consultation and Feedback on Design

The Framework requires all development on the Waterfront to undergo a process of public consultation in order to get feedback on design and implementation matters to inform the Council's decision-making process.

From 21 January to 28 February 2014, the Council undertook public consultation on a preliminary concept design for Site 10 and associated public space. The process comprised the following:

- A detailed information display set up in a shipping container located on Site 8 in North Kumutoto. Feedback forms and a deposit box were also on prominent display. During the consultation period, the container was moved to the South end of the Waterfront, near Te Papa, in order to canvas feedback from the public who primarily use the Taranaki Wharf and Waitangi Park;
- A similar display to that of the container on the ground floor of Wellington Waterfront Project Information Office in Shed 6 Queens Wharf;
- A half-page advertorial was placed in the Dominion Post on Tuesday 17 December 2013, followed by another quarter-page advertorial on Tuesday 21 January 2014. A press release and Dominion Post article was featured on Wednesday 22 January 2014, and a smaller 'reminder insertion' appeared in the Dominion Post on 25 February 2014;
- Information relating to the proposed building and public space development together with an online feedback form were placed on the Wellington Waterfront website together with a link from the WCC website to the Wellington Waterfront website;
- Tweets sent from the Council on 27 January 2014 alerting people via social media to the beginning of the consultation period, and then on 21 February to remind them that the consultation would close in a week;
- Letters sent to 15 interested and affected parties describing the proposed development with an offer to brief them in more detail if requested. Detailed briefing meetings were subsequently held with 10 stakeholder groups: Shed 21, Argosy, Civic Trust, Accessibility Advisory Group, Chamber of Commerce, Ambitious For Wellington and the NZ Property Council, the Tenths Trust, Land Lease, Brian Galt (owner of the Maritime Building), and the NZ Historic Places Trust;
- Wellington Waterfront met with the Council's Accessibility Advisory Group (AAG) as part of the Kumutoto consultation. The AAG gave feedback on the design and will be continue to be consulted through the process of developing the detailed design; and
- Hard copies of the submission forms were made available at the Central Library, and at the Council reception on the ground floor of the Wakefield Street building.

6.3 Submissions Received

One hundred and ninety six (196) submissions were received (the list of submitters is attached as part of the summary review in Appendix 3).

Because Council had agreed previously to pursue a commercial development on Site 10 and a design brief and tender process had been undertaken, the questions for this current consultation process did not include the issue of whether or not there should be a building on Site 10. Rather, the questions were intended to gather feedback on the preferred developer's (Willis Bond) design proposal for the building and associated development of public space in North Kumutoto. A specific question was also asked about what the public would like to see done on Site 8.

The consultation feedback form posed six specific questions:

1. What do you like about the building design?
2. How could the design of the building be improved?
3. What do you like about the outdoor public space design?
4. How could the design of the outdoor public space be improved?
5. Do you have any specific ideas about the use of Site 8 and how it should be developed as public space?
6. Do you have any other comments?

All submissions were made available to Councillors, along with a summary report that outlined the consultation process and results. On 11 March 2014, the Committee heard 23 people speak to their written submission.

6.4 Key Themes from Submissions

With respect to building design, of the 196 submissions, 44 (22%) stated directly that there should be no building on the site, which was not the issue for consultation. From the 152 remaining submissions, 97 (64%) were supportive and 55 (36%) were non supportive of the building design.

Of the 55 non-supportive responses, while not mentioning directly that there should be no building on the site, most took the position that the whole North Kumutoto precinct should be public space and did not address at all the questions about the design of the building.

Feedback from the submissions presented a number of ideas and issues of concern. However, none attracted a high number of responses. The two most prevalent concerns raised were those of aesthetic approach to the design (26 responses or 13%) and blocking views of the harbour (15 responses or 8%).

Officers have undertaken an analysis of the collated data. The comments that emerged as the key issues are as follows:

1. Public access to the roof area and active use of top floor;
2. Vehicle and pedestrian movement on the promenade and in public space areas;
3. Lighting and safety in public space areas;
4. Environmental (wind and shade) issues;
5. Options to improve access across the quays;
6. The future of the motor home park; and

7. Building Height.

Officers have assessed these questions later in this report.

7. Discussion

7.1 *Willis Bond Building Design*

The TAG design review considers that the proposed building is a high-quality design that responds intelligently to its urban and waterfront context while making a strong, contemporary architectural statement. It has a comfortable scale relationship with Shed 21 and the podium of the Post Office building, and the building has been set back from the southern boundary to allow greater visibility of the former Eastbourne Ferry building. This view is also supported in a number of submissions.

The development agreement will require the developed design to remain consistent with the preliminary concept design supported by TAG to enhance the appearance and the vitality of the waterfront.

7.2 *Design Issues Raised during Consultation*

Some of the issues raised in the submissions address aspects which relate directly to specific design issues and have been noted in TAG's full report attached as Appendix 2. As noted above, however, 6 key themes emerged and are discussed below:

1. Public access to the roof area and active use of top floor:

Willis Bond has agreed in principle to opening the top storey and roof-top as public space, but indicated market demand for a bar, café or restaurant is low and is not likely to be financially viable at this time. TAG notes that if rooftop space is made publicly accessible, then public access would need to be managed carefully to ensure it does not result in a significant and unacceptable security and safety risk.

Conclusion: Although roof-top access is desirable, officers conclude that there are significant potential commercial and health and safety issues inherent in providing such amenity. As such, while discussion should continue with respect to making roof-top access available to the public, this should not be a stipulation of the development agreement.

2. Vehicle and pedestrian movement on the promenade and in public space areas:

The public space design must provide for a Harbour edge laneway to enable vehicle access for servicing Shed 21 and Site 10, as well as the continuation of the pedestrian promenade that runs the length of the Waterfront. Officers acknowledge that these diverse requirements present design issues to be addressed in order to balance the needs of various users of the space. In the current proposal, although the promenade crosses the lane at one point, this has been designed as a

shared surface (and is indicated as such in the proposal). Particular attention has been given in the public space design to cyclist and pedestrian movement.

Conclusion: Officers believe this matter has been addressed in the proposal and accept TAG's comments in relation to this aspect of public space design. TAG will ensure that addressing issues around vehicle and pedestrian movement remain a priority as detailed the design is developed.

3. Lighting and safety in public space areas:

Lighting and safety must comply with the relevant policies that govern these aspects of Waterfront development.

Conclusion: TAG will address issues of lighting and safety at the detailed design stage to provide the necessary functional and visual amenity.

4. Environmental (wind and shade) issues:

Environmental issues are a significant factor to consider as part of all Waterfront development projects.

Conclusion: The developer will be required as part of the resource consent process to obtain sunlight/shading studies along with wind reports. TAG will address environmental issues at the detailed design stage.

5. Options to improve access across the Quays:

The consideration of pedestrian and vehicle access at Whitmore Street has been integrated into the current proposal, with a newly aligned crossing and reconfiguration of the Whitmore Street plaza area. Options for further pedestrian crossings across the Quays have been examined in detail and ruled out by traffic engineering consultants mainly on account of the considerable impact this would have on existing traffic flows.

Conclusion: Improving access across the quays is out of the scope of the current proposal and there is little opportunity for significant enhancement at this time.

6. The future of the motor home park:

Although it was intended as a short-term amenity during the period of Rugby World Cup 2011, the motor home park has become a popular feature on the Waterfront and is well patronised by visitors to the city. Wellington Waterfront is currently investigating options for moving the motor home park to a new location that will provide a similar level of service and convenience to visitors in Wellington.

Conclusion: While it is not appropriate or possible to incorporate the motor home park in to this current proposal for the North Kumutoto precinct, Wellington Waterfront is working with Council officers and other organisations to identify a suitable site for relocating the amenity.

7. Building height:

The Operative District Plan has a zero height limit on the site. As noted above, the Environment Court decision on the Council's proposed variation to the District Plan indicated that a building on Site 10 should be not more than 22m AMSL. The Council's Design Brief (adopted 22 November 2012) proposed that the maximum height be 22 m above ground (24m AMSL).

Officers have sought a legal advice on the status of the Environment Court decision and been informed that the decision of the Court does not set a precedent or template for what development can be consented in the Kumutoto area. With respect to the current proposal, when the application for resource consent is submitted the issue of height will be assessed based on the merits and context of the proposal – with the Environment Court decision a 'relevant matter' under section 104 (1) (c) of the Resource Management Act 1991.

TAG has assessed the height of the proposed building based on its relationship to the height of Shed 21, and to buildings across Customhouse Quay. They concluded that the revised overall building height is entirely appropriate from both an urban design and an architectural perspective, and the design changes integrated have resulted in an enhanced formal composition that relates better to its waterfront context. They note specifically:

- The revised building sits between two references – Shed 21 and the podium of the New Zealand Post building.
- The 'gantry' element at 22m AMSL aligns with the Shed 21 parapet. Even though the top of the building rises a storey above, the gantry is the defining element of the building in terms of height. It is slightly lowered relative to the previous proposal therefore reducing the impression of height, and developing a stronger relationship to Shed 21.
- The top level remains five metres lower than the Post Office podium, successfully achieving both a deferential relationship plus a scale transition to this city-side building.
- Setbacks of the new top level from both the southern end of the building and the Quay and Waterfront edges mean that it is visually recessive in long views, and will not readily be seen in many ground level views.

Officers note that of the submissions received, 39 asserted that views of the waterfront would be obstructed, especially via the Whitmore Street view shafts and driving or walking along the Quays in front of the NZ Post building. However, the proposed building setback at Whitmore Street is greater than that required in the District Plan (View shaft 4) and allows for an uninterrupted view corridor down Whitmore Street from Lampton Quay. The building will also provide framed views of the waterfront from the Quays through the Harbour Wharf Link and Whitmore Plaza.

Conclusion: Officers from the Urban Design team have assessed TAG's summary and feedback gathered from public consultation on the issue of height and consider that the proposed building footprint and design preserves the Whitmore Street view shaft and is an appropriate height in relation to adjoining buildings. In particular, the design responds to the form and scale of the historic Eastbourne Ferry Terminal and Shed 21. Officers note that the submission from the New Zealand Historic Places Trust is also supportive of the building's scale in relation to the neighbouring heritage structures.

7.3 Ground Floor Public Accessibility

One of the key public benefits of the proposal is public access to the ground floor level of the building. This aspect will be protected and preserved through the terms and conditions contained in the development agreement and ground lease

Wellington Waterfront will work with the building owner to ensure professional management, promotion and activation of these ground floor spaces.

7.4 A Creative Business Hub

As part of an activated ground floor space, the Willis Bond proposal includes an Creative Business Hub in the form of multiple small workplaces. TAG has noted that this is a strong attribute of this proposal in that the smaller scale of these spaces brings greater variety and introduces a human scale which would not be achieved with a single ground-floor tenant. However, TAG notes that this space needs to be carefully managed during design development to ensure it continues to fulfil its stated purpose, contributes to edge activity, and does not simply revert to a single generic office tenancy.

Officers concur with TAG's view on the proposed Creative Business Hub and recommend that the Development Agreement include safeguards to ensure that this design feature is retained in the future.

7.5 Public Open Space Design

The proposed development agreement includes the development of high quality public space around the building which will be funded from proceeds of the ground lease. The public space will be an extension of and include a connection to the Kumutoto plaza adjacent to the Meridian building. Features of surrounding public space will include:

- A colonnade providing a sheltered pedestrian walkway;
- Whitmore Plaza between Sites 9 and 10;
- Public space paving, planting, seating and lighting; and
- Improved connectivity.

Almost all respondents gave favourable comments concerning the proposed open space design approach, with only 3 recorded as not supporting the approach. Suggestions for improvements relate specifically to providing better shelter from strong winds and rain, more green/natural elements, and maintaining priority for pedestrians and cyclists.

TAG's assessment is that the proposed design successfully achieves integration

with the rest of the Kumutoto precinct, responds well to the specific aspects of this site, will encourage increased public use, and will contribute a positive image for this part of the waterfront. Officers agree with these conclusions.

7.6 Site 8 Open Space Ideas

One of the consultation questions asked respondents to address the ideas they had for the use of Site 8, and how the area could be developed as public space. To help stimulate ideas, information was made available both at the shipping container and online that articulated the various options that were envisaged in the North Kumutoto Design Brief.

Feedback from the submissions confirmed general support to proceed with the directions indicated in the Brief. TAG notes that while there is strong support for a green park-like space, this desire needs to be considered within the context of the waterfront's overall "working port" character.

A design proposal for Site 8 with consideration to the feedback given will be worked on alongside the developed design for public space on the rest of the North Kumutoto precinct, and brought back to the Committee for consideration at a later date.

7.7 Design Issues to Take Forward

Officers and TAG recommend that the issues that should be taken forward to the next design phase are:

- Undertake wind effect investigation, so it can inform planning and location of shelter for public open space users;
- Undertake shade diagrams, so these can inform planning and location of shade for public open space users;
- Continue to seek input from Iwi and the Council's Accessibility Advisory Group;
- Ensure that the Creative Business Hub feature is retained as the building design is developed; and
- Ensure that issues of vehicle and pedestrian movement, lighting and safety are addressed.

To ensure that the building and public space remain aligned to the approved design, the development agreement will provide for TAG to have an ongoing involvement in the process of finalising the detailed design.

8. Other Matters

8.1 Climate Change Impacts and Considerations

It is the developer's intention to work towards achieving a five green star rating of the building as a demonstrable commitment to both the development and ongoing operation of an environmentally sustainable building that will make a positive contribution to climate change initiatives.

8.2 Seismic Considerations

The proposed site 10 building will incorporate many leading structural design features in order to have the building reach in excess of 100% of current seismic code requirements.

8.3 Long-Term Plan Considerations

The development of Site 10 has been signalled in successive Waterfront Development Plans. The commercial proceeds are consistent with the Waterfront Development Plan, as are the public space costs.

9. Conclusion

The objective of developing a built structure on Site 10 has been clearly signalled and consulted on for over a decade.

The Willis Bond development proposal has been independently reviewed and confirmed as providing a positive result for the waterfront both in terms of design and commercial outcomes. Feedback from public consultation on the preliminary design for the building and public space has identified a number of ideas and potential modifications to the building and public space that will be addressed in the preparation of the final design.

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Supporting Information

1) Strategic Fit / Strategic Outcome

The proposed building on Site 10, as part of the Waterfront Development Plan, would contribute to the following Council Outcomes:

Eco-City: The proposed building will achieve a five green star environmentally sustainable building design.

People-Centred City: Wellington's waterfront contributes to the sense of place for people who live here as a vibrant and beautiful space. Completing the development of the northern end of the waterfront is in line with the vision on the waterfront as a special space for Wellingtonians that was anticipated in the Waterfront Framework.

Connected City: This development is expected to draw major companies with strong international connections into its commercial spaces. With free wi-fi available in the indoor plaza and surrounding public space, all people will be able to connect with the world.

Dynamic Central City: Wellington's waterfront gives people a reason to travel to the heart of the city. The development of Site 10 will enhance the people's experience of the city.

2) LTP/Annual Plan reference and long term financial impact CX 131 Wellington Waterfront Development

3) Treaty of Waitangi considerations

Maori have a strong connection with the harbour and waterfront that continues today. There are several sites of significance for iwi around the waterfront, including the Waitangi lagoon, the Wharewaka and Te Aro Pa.

4) Decision-Making

The site is not a Strategic asset under the LGA 2002, although the Waterfront as a whole is listed as a Strategic asset. While this is an important decision for the Council it is not considered to be significant decision as defined in the LGA 2002, after considering our Significance Policy.

From an assessment of the general criteria, the decision to approve the preliminary concept design does not constitute a significant decision.

The proposal under consideration flows logically from existing decisions in the LTP through specific references to the Waterfront Framework and the Waterfront Development Plan which make it clear that Site 10 is to be developed.

5) Consultation

a) General Consultation

Consultation was undertaken on the design brief and concept design. All affected parties have been identified and any feedback has been taken into consideration and reported.

b) Consultation with Maori

Representatives from mana whenua Treaty partners – Wellington Tenth Trust and Te Rūnanga o Toa Rangatira were involved in the development of the Wellington Waterfront Framework that underpins the Waterfront Development Plan. The Port Nicholson Block Trust were also engaged as part of the current consultation process.

6) Legal Implications

Council's lawyers have been consulted during the development of this report.

7) Consistency with existing policy

This report is consistent with existing Council policy on waterfront development.

Appendix 1:

North Kumutoto Background

Council's vision for the Waterfront is that "Wellington Waterfront is a special place that welcomes all people to live, work and play in beautiful and inspiring spaces and architecture that connect our city to the sea and protect our heritage for future generations."

The Waterfront is a central part of Wellington's identity as a city and a key visitor attraction.

History of the Kumutoto (North Queen's Wharf) precinct

The Kumutoto precinct is an important part of Wellington's waterfront. It acts as a public gateway to the waterfront from the north and offers recreational, cultural and employment opportunities. It has strong connections to the central business district and links north to Shed 21, the Railway Station, CentrePort and the Stadium.

The precinct has been the focus of considerable planning and consultation for over a decade. Following the completion of the Framework, the North Queen's Wharf Design Brief (2002) was developed and consulted upon. The design brief established five new building sites:

- Site 6 – the Union Steamship (now Foxglove) building;
- Site 7 – the Meridian building;
- Sites 8 and 9 – the car parks south of the Whitmore Street entrance; and
- Site 10 – currently a car park and the motor home park, adjacent to Shed 21.

The North Queen's Wharf Design Brief (2002) set the parameters for the future development of the area and was consistent with the Waterfront Framework.

In 2007, Wellington Waterfront initiated a design competition for Sites 8, 9 and 10 (North Kumutoto). Following public consultation, Athfield Architects was named the competition winner for all three sites. However, the global financial crisis resulted in the withdrawal of all investor and developer interest in North Kumutoto.

In 2010 the Council promoted the proposed District Plan Variation 11 that sought to prescribe various aspects of waterfront development in the Kumutoto precinct, in part to give more certainty to developers with respect to the resource consent process

In April 2012, the Environment Court dismissed the plan provisions promoted by Variation 11, but made recommendations for Council in regards to the development of North Kumutoto. In summary, the elements of the Court's decision were:

- Site 10: a suggested building height up to of 22m above mean sea level (amsl) rather than the proposed 30m amsl height, and the 'form' should be adjusted so it reads as more than one building with a setback greater than 9m on the seaward side for much of its length;

- Site 9: generally satisfactory but building height should be adjusted down relative to Site 10 - making it 16m amsl and 19m amsl high (rather than 16m amsl and 25m amsl as proposed in Variation 11);
- Site 8: should be developed as public open space;
- Public accessibility: the 60% ground floor accessibility rule was held to be an effective method of opening-up the waterfront and enhancing its use as a recreational and social space and should apply in the area; and
- Resource consent applications for all developments must be publicly notified.

Following the Environment Court decision, a refresh of the 2002 North Queens Wharf design brief was undertaken to provide guidance and certainty over developments in the area. Renamed as the North Kumutoto Design Brief, it set out broad principles for building and open space design, and suggested limits for building footprints and heights. The Council's Strategy and Policy Committee adopted the North Kumutoto Design Brief on 22 November 2012.

Site 10

Site 10 was originally the location of Shed 17. Following the demolition of the shed in the early 1970s, Site 10 became a commuter car park.

The key features of Site 10 are:

- Located immediately north of the Whitmore St gate entry to Wellington Waterfront, on the eastern side of Waterloo Quay opposite the NZ Post headquarters building, the site was reclaimed in 1901;
- A more or less level contoured, rectangular-shaped 2,561 square metre site;
- Currently a combined commuter car park and motorhome park capable of accommodating either 156 commuter cars or 39 motor home vehicles that contributes approximately \$400k per annum to offset wider operations and maintenance; and
- A prime location for commercial development in the CBD.

Prior to the Rugby World Cup 2011, Wellington Waterfront converted the car park to a temporary motorhome park pending redevelopment of the site. The expected short term life of the motor home park dictated the need for the provision of a basic level of motor home park amenity by Wellington Waterfront.

Wellington Waterfront is currently engaged with Council officers around the possible relocation of the motor home park to another site on the Waterfront when the current facility is closed. To facilitate this, Wellington Waterfront has recently commissioned Business & Economic Research Limited (BERL) to undertake an economic impact assessment of the Wellington Waterfront Motorhome Park which will help Wellington Waterfront and Council determine the appropriate resources required to re-establish the facility on another site. The results of the assessment will be reported to Wellington Waterfront by mid-December 2013.

Site 9

Site 9 is essentially a rectangular shaped 855 square metre site. Located immediately to the south of the Whitmore St gate entry to Wellington's Waterfront on the eastern side of Jervois Quay, the area was formed as a result of the large-scale waterfront reclamation work in 1901 to accommodate Shed 15. The building was demolished in the mid-1970s and the space used as car parking for up to 40 vehicles.

Because of its small lot size, long and narrow configuration, and height limitation of (maximum) 19 metres amsl, it is widely regarded as a difficult site on which to deliver a successful commercial development.

During the most recent competitive selection process, several development proposals were received for Site 9, but for various reasons (quality of design and/or commercial terms) were not successful.