

Level 5
82 Willis Street

PO Box 9042
Wellington 6141
New Zealand

19 December 2014

The Chief Executive
Wellington City Council
P O Box 2199
Wellington

Attention: Warren Ulusele
Manager City Planning & Design

Dear Warren

Re: Resource Consent Applications - North Kumutoto Project - Request for Direct Referral to the Environment Court Pursuant to Section 87D, Resource Management Act 1991

Please find attached completed Form 7As requesting direct referral to the Environment Court of the following resource consent applications:

1. **Request 1** in relation to an application by Site 10 Redevelopment Limited Partnership for resource consent for the proposed five-level commercial building on Site 10 at North Kumutoto - Council reference SR No. 319386; and
2. **Request 3** in relation to an application by the Wellington City Council for the construction, maintenance and use of new and modified landscaped public open spaces and associated structures at North Kumutoto - Council reference SR No 320128.

The requests are being made for the reasons stated in the attached Form 7As.

If you require any further information and/or clarification please do not hesitate to make contact and I will do my best to respond.

For your information, I can confirm that requests are also being made to the Greater Wellington Regional Council for the direct referral of two applications to that Council for regional consents in relation to both the Site 10 building and the landscaped public open spaces.

Yours sincerely


Alistair Aburn
Environment and Resource Management Consultant
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REQUEST 1

REQUEST FOR APPLICATION RELATING TO RESOURCE CONSENT TO BE DETERMINED BY ENVIRONMENT COURT

(Form 7A – Section 87D, Resource Management Act 1991)

To Wellington City Council
P O Box 2199
WELLINGTON

1 **Site 10 Redevelopment Limited Partnership** requests that you allow the following application lodged by it to be determined by the Environment Court instead of by you:

- application for a resource consent (Council reference SR No. 319386).

2 The application requires land use consents for:

- (a) the construction, use and maintenance of a five-level commercial building on Site 10 (10 Waterloo Quay). Consent is required for a Discretionary Activity (Unrestricted) under Rule 13.4.7 of the Wellington City District Plan;
- (b) earthworks associated with the development of Site 10 and for the use of potentially contaminated land. Consent is required for a Discretionary Activity (Restricted) under Rule 30.2.2 (earthworks) and Rule 32.2 (contaminated land) of the Wellington City District Plan; and also for a Discretionary Activity under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (2011); and
- (c) on-site storage of diesel fuel. Consent is required for a Discretionary Activity (Restricted) under Rule 13.3.3.9 (hazardous substances).

3 The reasons for the request are as follows:

- (a) the project involves a development on Wellington's waterfront, which is an area of significance to the people of Wellington. The project is therefore of significant public interest and from the nature of submissions received is likely to be contentious; and
- (b) it will be more efficient in terms of cost and time for all parties and interested persons to have the matter referred directly to the Environment Court, as the matter may come before the Environment Court in any event through an appeal of any decision made by the Council.

DATED 19th December 2014

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Alistair Aburn
Environment and Resource Management Consultant
Urban Perspectives Ltd

For and on behalf of
Site 10 Redevelopment Limited Partnership

Address for Service:

Site 10 Redevelopment Limited Partnership
c/- Urban Perspectives Limited
P O Box 9042
Wellington

Attention: Alistair Aburn

Telephone: (04) 474 4111 (DDI)
Facsimile: (04) 499 9726
Email: alistair@urbanp.co.nz

Note to requester

If the consent authority determines that the application is incomplete, or if it receives the request after it has determined that the application will be not notified, or if it decides not to notify the application, it must return the request.

You may make this request only in the period starting on the day on which the application is made and ending 5 working days after the date on which the period for submissions on the application closes.

REQUEST 3

REQUEST FOR APPLICATION RELATING TO RESOURCE CONSENT TO BE DETERMINED BY ENVIRONMENT COURT

(Form 7A – Section 87D, Resource Management Act 1991)

To Wellington City Council
P O Box 2199
WELLINGTON

1 **Wellington City Council** requests that you allow the following application lodged by it to be determined by the Environment Court instead of by you:

- application for resource consent (Council reference SR No. 320128).

2 The application requires resource consents for:

- (a) the construction, maintenance and use of new and modified landscaped public open spaces and associated structures (including waterfront furniture and a pedestrian shelter pavilion), at North Kumutoto within the Lambton Harbour Area (aka "Wellington Waterfront"). Consent is required for a Discretionary Activity (Unrestricted) under Rule 13.4.5 of the Wellington City District Plan;
- (b) the establishment, maintenance and use of a building (aka "Toll Booth") at the Whitmore Street entrance to North Kumutoto. Consent is required for a Discretionary Activity (Unrestricted) under Rule 13.4.7 of the Wellington City District Plan; and
- (c) earthworks associated with the public open space works and for the use of potentially contaminated land. Consent is required for a Discretionary Activity (Restricted) under Rule 30.2.2 (earthworks) and Rule 32.2 (contaminated land) of the Wellington City District Plan; and also for a Discretionary Activity under the National Environmental Standard for Assessing and Managing Contaminants In Soil to Protect Human Health (2011).

3 The reasons for the request are as follows:

- (a) the project involves a development on Wellington's waterfront, which is an area of significance to the people of Wellington. The project is therefore of significant public interest and from the nature of submissions received is likely to be contentious; and
- (b) it will be more efficient in terms of cost and time for all parties and interested persons to have the matter referred directly to the Environment Court, as the matter may come before the Environment Court in any event through an appeal of any decision made by the Council.

DATED 19th December 2014

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Alistair Aburn
Environment and Resource Management Consultant
Urban Perspectives Ltd

For and on behalf of
Wellington City Council

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You may make this request only in the period starting on the day on which the application is made and ending 5 working days after the date on which the period for submissions on the application closes.

