



HERITAGE NEW ZEALAND
POUHERE TAONGA

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

15 November 2022

File ref: 12023-331

Resource Consents Team
Wellington City Council
PO Box 2199
Wellington 6140

Email: consent.submissions@wcc.govt.nz

Dear Sir/Madam

**SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA TO RESOURCE CONSENT APPLICATION
FOR NEW BUILDING AT 110 JERVOIS QUAY – SR 510418**

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 MFC Development Limited Partnership for a resource consent:**
 - To develop a new eight story building at Jervois Quay / Wakefield Street in Central Wellington.
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:

- **Support**

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

The Civic Centre Heritage Area is recognised and protected as heritage in the Operative Wellington District Plan, and Heritage New Zealand has accepted a nomination to consider Te Ngākau Civic Square for entry on the New Zealand Heritage List/Rārangi Kōrero. The roughly triangular parcel in question does not front onto Civic Square itself, but the land has been part of Wellington’s civic centre for over a century. Because the proposed building does not front onto Civic Square, it will have virtually no effects on the buildings individually Listed by Heritage New Zealand: Wellington Town Hall (Category 1), the former Wellington Central Library (now the City Gallery; Category 2); and the Wellington Central Library (Category 1).

The Operative District Plan refers to the Michael Fowler carpark area as a future development area within the Civic Centre Heritage Area. There is a comment in the District Plan that this area has been included in the Civic square area *so that future development on can be easily managed to protect the heritage values of Civic Square and its buildings and features*. The District Plan also states that the specified height limits *will provide for the development of the carpark site at a scale that will help to retain the landmark value of the Michael Fowler Centre*.

While the Michael Fowler Centre is not currently individually recognised by Heritage New Zealand, its distinctive architecture and august contribution to the cityscape mean it will undoubtedly be considered in the future. With this in mind the primary concern of HNZPT is that any development on the adjacent parcel should neither crowd the Michael Fowler Centre nor overwhelm it with excessive height. In the view of HNZPT the proposed development appropriately respects the form and location of the Michael Fowler Centre and will be a welcome addition to the urban form in this part of Wellington.

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

- In the view of HNZPT, and based on impacts on heritage values, there is no reason to decline granting consent to this proposal.

8. Heritage New Zealand Pouhere Taonga does not wish to be heard in support of its submission.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Raymond', with a long horizontal flourish extending to the right.

Dean Raymond

Area Manager / *Kaiwhakahaere*
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:

Alistair Aburn
Urban Perspectives
PO Box 9042
Wellington 6140
Alistair@urbanp.co.nz

From: [Website Team](#)
To: [BUS: Consent Submissions](#)
Subject: Submission on notified resource consent application for 510418
Date: Thursday, 17 November 2022 10:02:46 am

Submitter details

First name: Darko
Last name: Petrovic
Address: 5/12 Stanley Street
Suburb: Wellington
City: Wellington
Phone: 0212671584
Email: Darkopetrovic@gmail.com

Application details

Applicant name: MFC Development Limited Partnerships
Site address: 110 Jervois Quay, Wellington Central
Service request number: 510418
Submission: I / we support 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 support intensification of both residential and commercial building activity in the central area. This development will be a huge improvement to the current carpark and unkept surrounding buildings.

Aspects of the application that you are neutral towards:

The reasons for my / our submission are:

I want to support all development activity in the central area particularly around modernising our urban form and supporting intensification to create a more vibrant city.

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

Approve the consent as it stands.

From: [Website Team](#)
To: [BUS: Consent Submissions](#)
Subject: Submission on notified resource consent application for 1
Date: Thursday, 17 November 2022 12:20:36 pm

Submitter details

First name: Peter
Last name: Steven
Address: 300 South Karori Road
Suburb: Karori
City: Wellington
Phone: 0226008330
Email: pjamessteven@gmail.com

Application details

Applicant name: Peter Steven
Site address: 300 South Karori Road
Service request number: 1
Submission: I / we support 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 love the direct path that goes through the site leading to the waterfront. It will greatly improve the area for pedestrians and people on bikes. I also appreciate the thought given to end of trip bike facilities and bike parking, because the location is very accessible by bike!

Aspects of the application that you are neutral towards:

The reasons for my / our submission are:

Counteracting negative comments online with positivity

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

Allow the development to go ahead.

From: [Peter Steven](#)
To: [BUS: Consent Submissions](#)
Subject: Re: Resource Consent Notification Submission
Date: Friday, 18 November 2022 10:06:16 am

Yes it is. Sorry I wasn't sure what the service number meant.

Thanks!

On Fri, 18 Nov 2022, 9:53 am BUS: Consent Submissions,
<BUSConsentSubmissions@wcc.govt.nz> wrote:

Hi Peter

Can you please confirm that the submission attached which you submitted to Wellington City Council on Thursday 17 November is in relation to the application for 110 Jervois Quay – SR 510418?

Kind regards

Krystle Leen

Business Support | Resource Consents | Wellington City Council
E Krystle.Leen@wcc.govt.nz | W Wellington.govt.nz | |

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If you are not the intended recipient, you are asked to respect that confidentiality and not disclose, copy or make use of its contents.
If received in error you are asked to destroy this email and contact the sender immediately. Your assistance is appreciated.



From: [Website Team](#)
To: [BUS: Consent Submissions](#)
Subject: Submission on notified resource consent application for 510418
Date: Friday, 18 November 2022 10:08:05 am

Submitter details

First name: Mike
Last name: Harris
Address: 5/45 Cuba Street, Te Aro
Suburb: Wellington
City: Wellington
Phone: 021923932
Email: harris.mrs@gmail.com

Application details

Applicant name: MFC Development Limited Partnership Proposal
Site address: 110 Jervois Quay
Service request number: 510418
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: 5 minutes
If others make a similar submission:

Aspects of the application that you support or oppose:

Height breaks permitted rules by almost 14 meters.

Aspects of the application that you are neutral towards:

Victoria University building a national music centre itself. However it needs to fit the historical neighbourhood aesthetics and abide by the height rules.

The reasons for my / our submission are:

The apartment we live in relies solely on the minimal amount of sun we get each year. This building will cause excessive shading to occur year round due to its height and projected shading on our home. The height will also disrupt the sight plane from the buildings behind towards the water. The whole reason for the 27m restriction. The building has I designated use for at least 2 floors, and it's main use looks to be for leasing out office space on other floors as opposed to it being the national music centre. This will make our home undesirable to live in as the impact it will have on our enjoyment of life will be severely impacted.

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

Oppose the proposed height. Confirm the intentions of the building use in full. Notify all neighbours of this consent.

From: [Website Team](#)
To: [BUS: Consent Submissions](#)
Subject: Submission on notified resource consent application for 510418
Date: Sunday, 20 November 2022 11:48:04 am

Submitter details

First name: Alex
Last name: Gray
Address: 48 Connaught Terrace
Suburb: Brooklyn
City: Wellington
Phone: 64272430171
Email: alexjanine@outlook.co.nz

Application details

Applicant name: NFC Development Ltd Partnership
Site address: 110 Jervois Quay
Service request number: 510418
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: 5 minutes
If others make a similar submission:

Aspects of the application that you support or oppose:

I am a Civil Engineer and Project Manager who has wide experience in diverting and strengthening stormwater culverts.

I have read parts of the application by Willis Bond to build a new building over about 16 linear metres of the large 100-year old culvert and note the following comment:

"Extensive consultation has been undertaken with Wellington Water (WW) which is being finalised but include options to protect or reline the culvert.

As this culvert is 100 years old and in poor condition I support WW position that the culvert must either be replaced or diverted before construction begins.

Aspects of the application that you are neutral towards:

The reasons for my / our submission are:

As a ratepayer I am concerned that if this old culvert subsequently fails that the cost of repairing it will be on ratepayers not the applicant.

I work at 175 Victoria Street and when Willis Bond were piling next door the vibration was so bad that Marshall Day were called in and the piles close to the building were constructed outside of office hours.

I do not think it is wise to drive piles anywhere near this 100-year old culvert.

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

I would like the Council to support the Wellington Water Regional Standard by requiring the applicant to either replace the culvert in its current position or divert it before construction of the building starts.

From: [Website Team](#)
To: [BUS: Consent Submissions](#)
Subject: Submission on notified resource consent application for 510418
Date: Monday, 21 November 2022 11:41:24 am

Submitter details

First name: Andrew
Last name: Campbell
Address: 5C 25 Cuba Street, Te Aro
Suburb: Wellington
City: Wellington
Phone: 0226818540
Email: andrewca30@outlook.com

Application details

Applicant name: Urban Perspectives on behalf of MFC Development Limited Partnership
Site address: 110 Jervois Quay
Service request number: 510418
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:

As an owner and resident in an apartment directly across Wakefield St facing the proposed building, I note that any large building on this site will result in losing much of the sun to the apartments facing the construction and a significant change in outlook. Council officers identified these effects which is why owners and occupiers of 132-136 Wakefield St (the north face of Civic Chambers, 25 Cuba St) were identified as affected persons that the Council must notify. However, Civic Chambers residents and owners were not notified as required in the notification report (see pages 6-7 and 23-24). We have therefore had little time to get to grips with the proposal

There is also the concern of the noise, vibration and dust from the construction process. As someone who regularly does night shift work excessive noise and vibration could be detrimental to my sleep and overall wellbeing.

Aspects of the application that you are neutral towards:

The reasons for my / our submission are:

I am submitting on the proposal to ensure that my neighbours and I have a say in the planning for the construction process, particularly as contrary to the notification report we were not notified of the consent application.

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

Given the Council's active role as landowner in promoting this development to date I consider that it should delegate the

hearing for this consent to one or more commissioners at its own cost.

I also seek a consent condition that the contractors engage with the Civic Chambers body corporate (representing the

residents at 132-136 Wakefield St) in developing the construction management plan, construction noise and vibration

management plan and the other plans listed on page 53 of the revised Assessment of Environmental Effects before

these are submitted for Council approval

From: [Website Team](#)
To: [BUS: Consent Submissions](#)
Subject: Submission on notified resource consent application for 510418
Date: Monday, 21 November 2022 11:47:29 am

Submitter details

First name: Gabrielle
Last name: Henderson
Address: Flat 5C, 25 Cuba Street
Suburb: Te Aro
City: Wellington
Phone: 0273552494
Email: henderson.gabe@gmail.com

Application details

Applicant name: Urban Perspectives on behalf of MFC Development Limited Partnership
Site address: 110 Jervois Quay
Service request number: 510418
Submission: I / we are neutral
Oral submission at the hearing: I / we wish to speak in support of mine / our submission
How long will you need for your presentation:
If others make a similar submission: I / we will consider presenting a joint case with them at the hearing

Aspects of the application that you support or oppose:

As an owner and resident in an apartment directly across Wakefield St facing the proposed building, I note that any large building on this site will result in losing much of the sun to many of the apartments in the building and will change their outlook. Council officers identified these effects which is why owners and occupiers of 132-136 Wakefield St (the north face of Civic Chambers, 25 Cuba St) were identified as affected persons that the Council must notify. However, Civic Chambers residents and owners were not notified as required in the notification report (see pages 6-7 and 23-24). We have therefore had little time to get to grips with the proposal. From the documents I have read it appears the proposed building will be high quality. I am also in favour of progressing the long proposed music centre. My main concern is the noise, vibration and dust from the construction process.

I also have concerns about whether the proposal protects the current access to the Michael Fowler Centre itself and I note that the applicant still has to develop an agreed plan with Wellington Water regarding protection of the retention tank and the underground stream under the building site.

Aspects of the application that you are neutral towards:

The reasons for my / our submission are:

I am submitting on the proposal to ensure that my neighbours and I have a say in the planning for the construction process, particularly as contrary to the notification report we were not notified of the consent application.

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

Given the Council's active role as landowner in promoting this development to date I consider that it should delegate the hearing for this consent to one or more commissioners at its own cost.

I also seek a consent condition that the contractors engage with the Civic Chambers body corporate (representing the residents at 132-136 Wakefield St) in developing the construction management plan, construction noise and vibration management plan and the other plans listed on page 53 of the revised Assessment of Environmental Effects before these are submitted for Council approval.

From: [Website Team](#)
To: [BUS: Consent Submissions](#)
Subject: Submission on notified resource consent application for 510418
Date: Monday, 21 November 2022 4:34:35 pm

Submitter details

First name: Tui
Last name: Dewes
Address: 6B/25 Cuba Street
Suburb: Te Aro
City: Wellington
Phone: 0068255592
Email: tuidewes@hotmail.com

Application details

Applicant name: Tui Dewes
Site address: 110 Jervois Quay
Service request number: 510418
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: 5 minutes, and by Zoom depending on the date as I live off-shore
If others make a similar submission: I / we will consider presenting a joint case with them at the hearing

Aspects of the application that you support or oppose:

We are deeply concerned by this application.

Firstly, we would like to raise an issue that does not appear to be reflected in the documentation provided. Our understanding is that there is a groundwater aquifer/waterway immediately below the site in question, and as such that the foundations of any permanent construction would need to go very deep if it is to be built in accordance with the requisite safe building standards. If this has not been factored in, it could give rise to safety issues, noting Wellington's high earthquake risk, and the fact that the carpark will be on reclaimed land. From a due diligence perspective, we suggest that there would be merit in exploring this issue further.

Secondly, we have serious concerns about the impact this 36-metre carpark will have on the streetscape, heritage value, character and safety of this area.

The Design Guide provides that we should seek to "maintain and enhance the value of the area and its special civic status, by protecting the special value on the public spaces and protect its heritage buildings".

We note reference is made to the fact that this excessively large, modern carpark will not have a significant impact the heritage value and character of the area. Such a finding seems misplaced. We would suggest that those visiting, working and living in the area would have a starkly different perspective. As well as the changed character of the space, we will no longer be able to see the sea view, irrevocably changing the nature of the area. In addition, those sitting by the waterfront, and looking back towards the city will no longer be able to see the heritage buildings that give our area such character and life. This seems such a loss.

Reading the documentation, we have been profoundly shocked to see the suggestion that the building should be able to proceed, despite it exceeding the maximum height of 27 metres by 9 metres. As Kaitiaki of our city, our expectation would be that, at the very least, our Council would not allow this structure to exceed the maximum allowable height. We have seen elsewhere in Wellington where incredibly large buildings have been permitted, and they simply look out of place in our city.

A lower storied less imposing and more aesthetically appealing building would be preferable.

The area is currently such a beautiful place to walk through, with Pohutawa and birdlife. We have concerns that the roots of the Pohutawa – which go especially deep, and the habitat of the birds, will be disrupted. Those who don't live/haven't lived in the area may not be aware, but in the early mornings, you can hear those birds singing. Bearing in mind the dearth of greenery and nature in the city centre, this would be a significant loss. We should be looking to take an environmental-forward approach to caring for our city.

The proposal will also increase traffic in an already at times congested area in a highly undesirable and possibly dangerous way.

We hope that these comments will be given due consideration, and will result in a change in approach.

Aspects of the application that you are neutral towards:

Not applicable.

The reasons for my / our submission are:

We have grown up in Wellington, and love the city and the area where our apartment is based. We really want to preserve the heritage value, character, environment and safety of this special place. If this large carpark is permitted, it will have a significantly negative impact on this area. We also consider that, for safety reasons, the issue regarding the groundwater aquifer/waterway should be explored and appropriate due diligence undertaken. While we are conscious economic drivers will be at play, we very much hope our concerns will be taken seriously and that changes are made.

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

Ideally, we would like to see the resource consent for this carpark declined. At the very least, though, we would like the Wellington City Council to ensure that the applicant abides by the height restriction for this area (i.e. no more than 27 metres); that the applicant is asked to ensure that the building is more aesthetically appealing and in keeping with the area; and that the applicant must ensure the preservation of the Poutakawa, including the roots. E mihi nui ana.

Submission on resource consent application

Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke

Notes for the applicant

Use this form to make a submission on a resource consent application you support or oppose. You can also make a submission online, visit wellington.govt.nz/have-your-say/public-notice.

If you have any questions, visit wellington.govt.nz/resourceconsents, or email planning@wcc.govt.nz or phone us on 04 801 3590.

Send the completed submission via email to consent.submissions@wcc.govt.nz or hand it in to us at:

Resource Consents
Wellington City Council
PO Box 2199, 12 Manners Street, Wellington

Submission details

Name of applicant:

Site address:

Proposal:

Service request number:

Support the application

Oppose the application

Neutral

Submitter details

Name of submitter:

Address of submitter:

Phone (*day*):

Mobile:

Email:

Submission statements *(use additional pages if required)*

The aspects of the application that I support/oppose are:

The reasons for my submission are:

**The decision I/we would like Wellington City Council to make is
(include any conditions of consent you would like to see imposed):**

Note: *Select one.

I request/ do not request*, pursuant to section 100A of the Act, 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.

Oral submission at the hearing

I/we wish to speak in support of the submission
I/we do not wish to speak in support of the submission

If others make a similar submission, I will consider presenting a joint case with them at the hearing

Signature(s) of submitter(s) or agent of submitter(s)*



Date

Note:

- The Council must receive this submission before the closing date and time indicated in the public notice. A copy of this submission must also be given to the applicant, as soon as reasonably possible, at the applicant's address for service.
- All submitters will be advised of hearing details at least 10 working days before the hearing. If you change your mind about whether you wish to attend the hearing, please phone 04 801 3590 so that the necessary arrangements can be made.
- This is not a statutory form, but is provided as a guide to people wishing to lodge a submission.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious
- it discloses no reasonable or relevant case
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- it contains offensive language
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Privacy information

All submissions (including name and contact details) are published and made available to elected members and to the public from our offices and on our website. Personal information will also be used for the administration of the notified resource consent process. All information collected will be held by Wellington City Council, with submitters having the right to access and correct personal information.

How do you wish to be served with any correspondence

via email (please ensure you have provided your email address on page 1)

via post, ie hardcopy

21 November 2022

Resource Consents Team
Wellington City Council
PO Box 2199
Wellington 6140

By e-mail: consent.submissions@wcc.govt.nz

Dear Sir / Madam,

RE: SUBMISSION BY PRIME PROPERTY GROUP IN RELATION TO THE PROPOSED 110 JERVOIS QUAY DEVELOPMENT, WELLINGTON (SR510418)

4Sight Consulting – Part of SLR (“4Sight”) has been instructed by Prime Property Group (“PPG”) Limited (“the Submitter”) to prepare a submission in relation to the Resource Consent Application (“RCA”) at 110 Jervois Quay, Wellington Central (Service Request no: 510418).

This letter sets out the concerns identified by the Submitter in relation to the proposed development and covers the following topics:

- Background and Project Understanding.
- Planning Policy & Appropriate Scale of Development.
- Amenity & Technical Considerations:
 - Microclimate Effects – Wind.
 - Microclimate Effects – Daylight, Sunlight and Overshadowing.
 - Visual Amenity and Outlook.

The principle of the proposed development is accepted, and it is acknowledged that the Applicant is intending to deliver a scheme with a high-quality design. However, there are strong reservations regarding the scale of the proposed development which has subsequent effects on the local environment surrounding the site.

BACKGROUND AND PROJECT UNDERSTANDING

The Submitter is a significant landholder across the City, and specifically control and operate a series of assets within the immediate vicinity of the proposed development at 110 Jervois Quay, including Pringle House (142 Wakefield Street), the Amora Hotel (170 Wakefield Street) and St James Car Park (150 Wakefield Street). The location of these buildings in relation to the proposed development is illustrated in Figure 1 below.

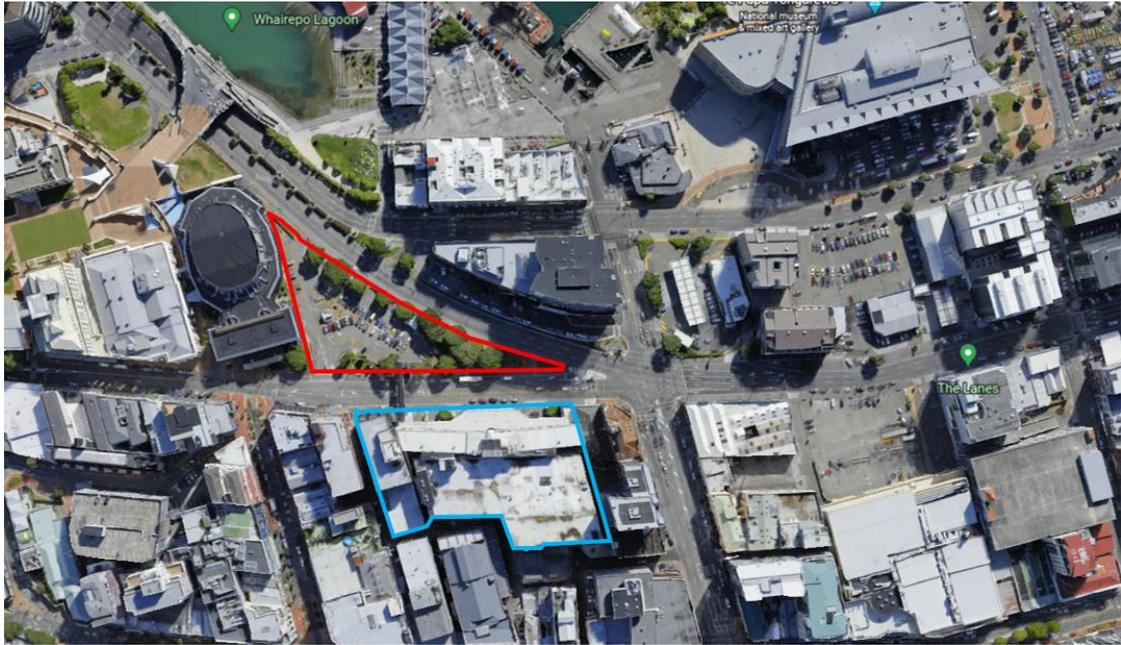


Figure 1: Site Overview Plan - 110 Jervois Quay (edged red) and PPG assets (edged blue)

PLANNING POLICY & APPROPRIATE SCALE OF DEVELOPMENT

The Wellington City District Plan details the specific objectives, policies and rules that have been adopted to promote the sustainable management of natural and physical resources in Wellington. The site itself is located within the Central Area in the Plan, and specifically within the Civic Centre Heritage Area. Figure 2 below sets out the extent of the Civic Centre Heritage Area.

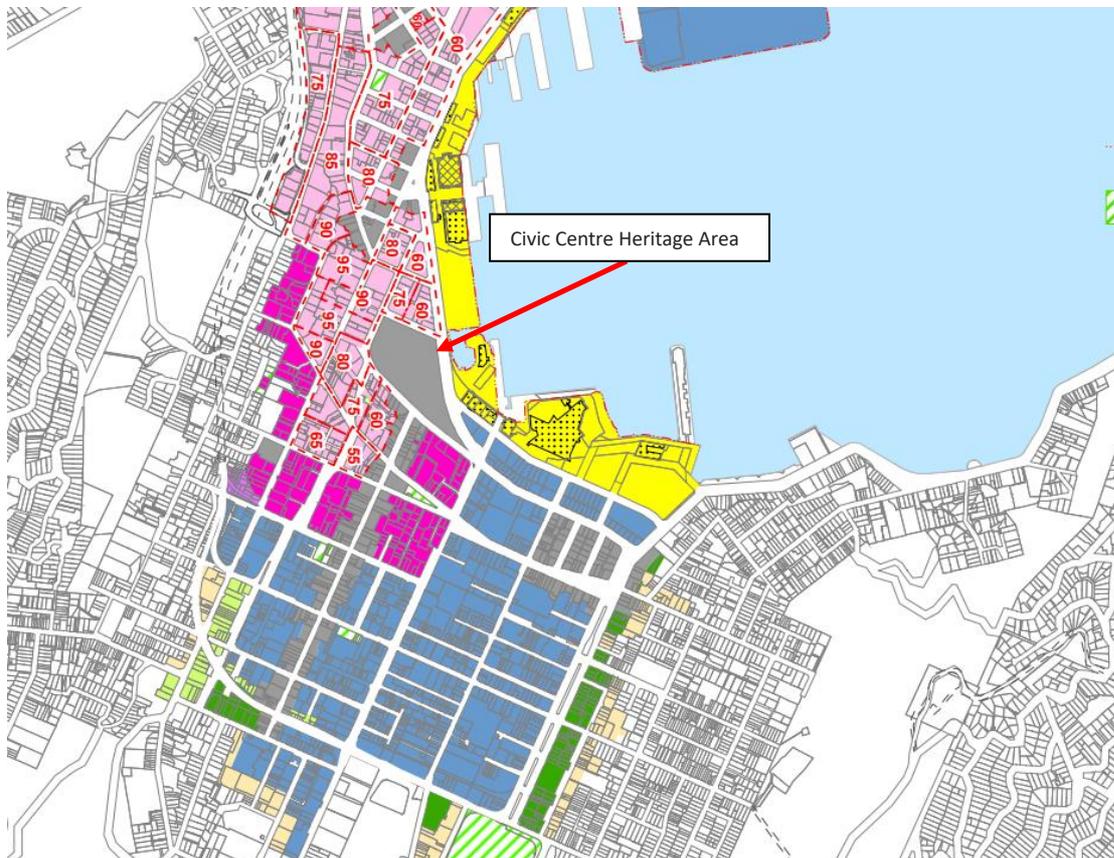


Figure 2: Operative District Plan Extract

The Operative District Plan sets out a series of height limits for the Civic Centre Heritage Area at Rule 13.6.3.1.6, including:

- Lower Threshold – 15 metres.
- Upper Threshold – 21 metres.
- Absolute Maximum Height – 27 metres.

The development, which is currently proposed, includes elements significantly above the maximum height limits permitted by the Plan, extending to 39.3m, which is 12.3m above the maximum limit (nearly 50% above the maximum height threshold).

As set out above, the site is located within the Civic Centre Heritage Area. There are, in addition, a significant number of identified heritage buildings outside of the Heritage Area but within the site's immediate vicinity, including:

- John Chambers Building (c. 30m north).
- Wellington Free Ambulance Building (Former) (c. 40m north).
- Odlin's Building (c. 50m north).
- Commercial Building (c. 120m northeast).
- Shed 22 (c. 80m northeast).
- Taranaki Street Gates (c. 120m northeast).
- Circa Theatre (c. 100m northeast).
- Manthel Motors' Building (Former) (c. 70m southeast).
- Kennedy Building (c. 50m southwest).
- Columbia Private Hotel (c. 65m southwest).
- Plumbers Building (Former) (c. 90m west).
- Hyams Building (Former) (c. 100m west).
- Wellington Town Hall (c. 55m west).

The site itself and surrounding area is clearly influenced by the architectural significance of heritage assets within the local built environment. Within identified heritage areas, the Council seeks to protect the established urban character of each area, and ensure that any new development recognises and respects the character, scale and form of the area. The height parameters established in the Plan are defined for a clear reason, to ensure development is at a suitable height which respects the surrounding townscape, heritage and built environment. Absolute maximum heights are established as buildings above the absolute maximum height threshold are likely to have a significant detrimental impact on the heritage value and character of the area. Heritage Officers at Wellington City Council ("WCC") confirmed during pre-application discussions that the height of the building is "problematic", as per the key extract below:

"..the proposed height of the middle portion of the building (the 'lantern') at 36 metres is problematic. Not only will this [be] approximately by nine metres in excess of the absolute maximum height allowed in the heritage area, it will make the building significantly taller than the MFC, something which the design guide was written to expressly avoid. At present, the lantern is too high and will need to be reduced in height."

Despite that caution expressed by Heritage Officers, since the pre-application meeting on 26 October 2021, the building heights have actually increased from c. 36m to c. 39m at its highest point.

Chapter 12 'Central Area: Introduction, Objectives and Policies' of the Operative District Plan sets out a series of criteria for new buildings which exceed the height standards in the Plan. The methodology text for Objective 12.2.5 states (4Sight emphasis in bold):

"Any application to exceed the height standards specified in the District Plan will be considered on a site specific basis, acknowledging the context at the time the proposal is being developed. Matters to be considered will include:

- *Whether the proposal reinforces the Central Area's 'high city/low city' urban form.*
- ***Whether the height, scale and mass of the proposal is consistent with the scale and form of buildings in the surrounding neighbourhood.***
- ***Whether the proposal will result in a building that will be complementary to, and of a scale appropriate to, existing buildings on adjacent sites.***
- ***The extent to which the height, scale and mass of the proposal acknowledges and respects the scale and form of any adjacent listed heritage item.***

For applications for new buildings (or additions and alterations to existing buildings) within an identified heritage area the following matters will also be considered in addition to those above:

- ***Whether the height, scale and mass of the proposal respects and enhances the heritage values and sense of place of the heritage area.***
- *Whether the proposed work will enable an existing heritage building to be earthquake strengthened.*
- *Whether the work will facilitate the on-going retention of an existing heritage building.*

The environmental result will be building developments that reinforce the city's general urban form, and that compliment the existing scale of buildings and structures in identified heritage and character areas."

Overall, it is considered the proposed scheme is inconsistent with the objectives and policies of the Operative District Plan. This inconsistency is in relation to the heritage area, and also in relation to the surrounding neighbourhood.

AMENITY & TECHNICAL CONSIDERATIONS

As set out above, the scale of the proposed development extends above the permitted heights established in the Operative Plan, which the Council's notification report acknowledges as being a permitted baseline of 15m. The resulting outcome is an undue increase in adverse effects on the local environment on and off-site as a result of the development. There are a number of significant adverse effects which have been identified and could be readily resolved by reducing the building heights. Guided by the policy framework of the district plan, the Applicant and Council should seek delivery of a scheme that respects the local environment and comprehensively mitigates adverse impacts. At this stage, we consider that a sufficient series of alternative designs or mitigation options have not been developed to deliver a suitable solution.

Microclimate – Wind

Within the Central Area, the district plan requires that new buildings above 18.6m in height should comply with the following standards (Rule 13.6.3.5.2) (4Sight emphasis in bold):

*"(a) Safety: The safety criteria shall apply to all public space. **The maximum gust speed shall not exceed 20 m/s. If the speed exceeds 20 m/s with the proposed development, it must be reduced to 20 m/s or below.***

*(b) Cumulative effect: The cumulative criteria shall apply to all public space. **Any proposed development must meet the requirements for both of the following wind strengths, at each measurement location.***

<i>Wind strength</i>	<i>Change in annual days of occurrence with the development at all measurement points</i>	<i>Requirements on developer</i>
<i>Strong (mean hourly wind speed = 3.5 m/s)</i>	<i>If days that 3.5 m/s is equalled or exceeded increase by more than 20 days/year (i.e. 5.5% of the year)</i>	<i>Reduce change in days to a maximum of 20 days.</i>
<i>Moderate (mean hourly wind speed = 2.5 m/s)</i>	<i>If days that 2.5m/s is equalled or exceeded increase by more than 20 days/year (i.e. 5.5% of the year)</i>	<i>Reduce change in days to a maximum of 20 days.</i>

(c) Under the Cumulative Effect Criterion, the overall impact of a building on the wind conditions must be neutral or beneficial.”

It is acknowledged that there tends to be a redistribution of wind flow around the local area as a result of the proposed development; however, regardless of the existing situation, the proposed development does result in an exceedance of 20m/s wind speed at a number of locations. Within Rule 13.6.3.5.3 the Council are clear that a 20m/s gust is “*completely unacceptable for walking*”. The results indicate that receptors N, O, U, C1 and G1 will be subject to wind speeds in excess of 20m/s. We also note that wind speeds on the south side of Wakefield Street, in the vicinity of the Submitter’s properties will experience increased wind speeds – trending towards the 20m/sec ‘unacceptable’ threshold. Those increased wind speeds will be experienced by users of the Submitter’s properties along the most commonly used route between the properties and the central city.

Outside of the Submitter’s property specific concerns, the majority of the exceedances are along the new proposed thoroughfare which bisects the site. It is unclear how a waterfront connection through the site is an acceptable walking environment when the current wind speeds exceed the level permitted in the Plan.

Mitigation appears to have been tested, but it is not clear whether the mitigation has been tested to resolve exceedances at every receptor location identified. Furthermore, it is not clear whether the mitigation will be implemented as part of the proposed development. Nonetheless, further consideration needs to be undertaken within the wind assessment to reduce wind speeds below the 20m/s threshold at all receptor locations. Wind speed reductions could be achieved by reducing the building heights to an acceptable level in line with the Plan’s height limits.

Microclimate Effects – Daylight, Sunlight & Overshadowing

Whilst the Submitter’s assets are commercial uses, the buildings do experience a good level of sunlight throughout the day. The proposed development will significantly affect the Submitter’s buildings access to daylight and sunlight, resulting in a minimal level of annual probable sunlight hours when compared to the existing situation. If the proposed development was reduced to an acceptable level in line with the Plan heights, some of the property at least could experience the benefits associated with regular sunlight throughout the day.

The scale of the proposals will lead to significant effects on the level of daylight and sunlight which the Submitter’s assets currently experience. A reduction in building height will markedly improve the level of daylight and sunlight provision in perpetuity for the future.

Outlook & Visual Amenity

The Submitter’s assets on Wakefield Street extend to 10 storeys and currently experience excellent views of Wellington Harbour to the north. Within the immediate vicinity of the proposed development, there are very limited existing buildings which extend to the height of the proposed development, which is considered very much out of character with the existing townscape.

The Applicant has prepared existing and proposed views from the Former GWRC Building (also known as Pringle House) and the Amora Hotel. These are provided at **Appendix 1** for reference. As noted by the Council's notification report, a height plane level should be provided for 15 metre and 21 metre levels which comprise the lower and upper thresholds for the Civic Centre Heritage Area. The proposed development is significantly above the permitted activity height of 15 metres for the site, the scale of which is incongruous with the recommendations of the Central Urban Design Guide (4Sight emphasis in bold):

*"The Michael Fowler Centre carpark is located on the south eastern tip of the heritage area. Being at the eastern end of the heritage area its principle relationship is with the Michael Fowler Centre, a building that has, over its life, developed landmark qualities. **The height limits specified will provide for the development of the carpark site at a scale that will help to retain the landmark value of the Michael Fowler Centre.**"*

That statement in the Design Guide, anticipating a building of no more than 15m, is at odds with the views expressed by urban design experts acting for both the Applicant and the Council.

The Submitter formally requests that photomontages are prepared to support the Townscape and Visual Assessment. At present, it is not considered the computer generated model views present an accurate depiction of the scale and massing of the proposed development in the existing urban environment.

The proposed development would significantly impact the views experienced from all of the Submitter's assets along Wakefield Street. This finding has been confirmed by Wellington City Council ("WCC") Officers in their Notification Decision Report. Given the nature of the Submitter's assets, there is a financial value attributed to the location of their assets and the views experienced. The proposed development, in its current format, would result in significant financial impacts to the business' future operations.

SUMMARY

In summary, the Submitter does not object to the principle of the proposed development; however, there are strong reservations regarding the suitability and sustainability of the current scheme as drawn. Height limits are clearly set out in the Plan which have been subject to a rigorous examination process prior to adoption – including in relation to anticipated lower height of 15m to retain the landmark value of the Michael Fowler Centre. We consider that the exceedances proposed are not justified and do not satisfy the criteria of Objective 12.2.5. As a result, the scale of the development would result in a series of significant and cumulative environmental effects to on and off-site receptors. As such, it is firmly requested that a scheme re-design is undertaken to accord with the heights permitted by the Plan.

Kind Regards,



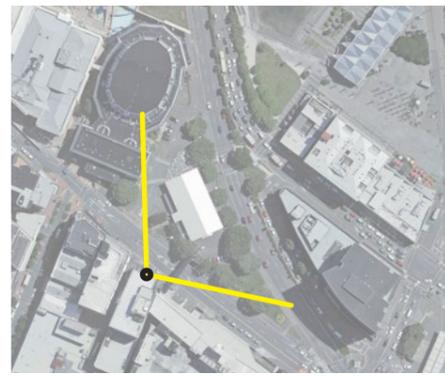
Jamie Lynch
Senior Planner
4Sight Consulting Ltd

cc. Laurence Beckett, 4Sight

Mark Ashby, 4Sight
Alistair Auburn, Urban Perspectives (the Applicant's Agent)

Enc. Appendix 1 – Outlook Assessment Visualisations Extract
Completed Submission Form

OUTLOOK ASSESSMENT FORMER GWRC BUILDING



Key Plan

**WILLIS
BOND**

16.10
110 Jervois Quay
Resource Consent
Outlook Assessment Views
16th May 2022

Page 7



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EXISTING - Former GWRC Building - Level 8

OUTLOOK ASSESSMENT FORMER GWRC BUILDING



Key Plan

**WILLIS
BOND**

16.10
110 Jervois Quay
Resource Consent
Outlook Assessment Views
16th May 2022



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EXISTING + 27m AGL Mass/Height Plane - Former GWRC Building - Level 8

OUTLOOK ASSESSMENT FORMER GWRC BUILDING



Key Plan

**WILLIS
BOND**

16.10
110 Jervois Quay
Resource Consent
Outlook Assessment Views
16th May 2022

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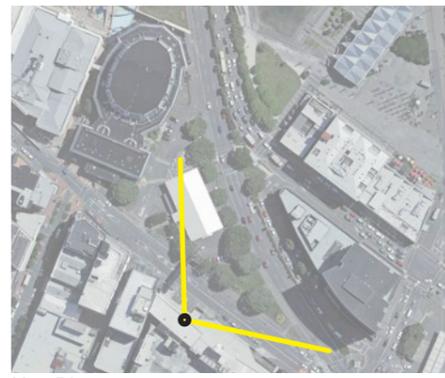


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PROPOSED- Former GWRC Building - Level 8

OUTLOOK ASSESSMENT AMORA HOTEL BUILDING



Key Plan

**WILLIS
BOND**

16.10
110 Jervois Quay
Resource Consent
Outlook Assessment Views
16th May 2022

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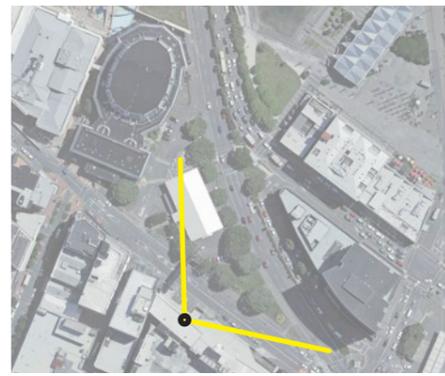


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EXISTING - Amora Hotel - Level 10

OUTLOOK ASSESSMENT AMORA HOTEL BUILDING



Key Plan

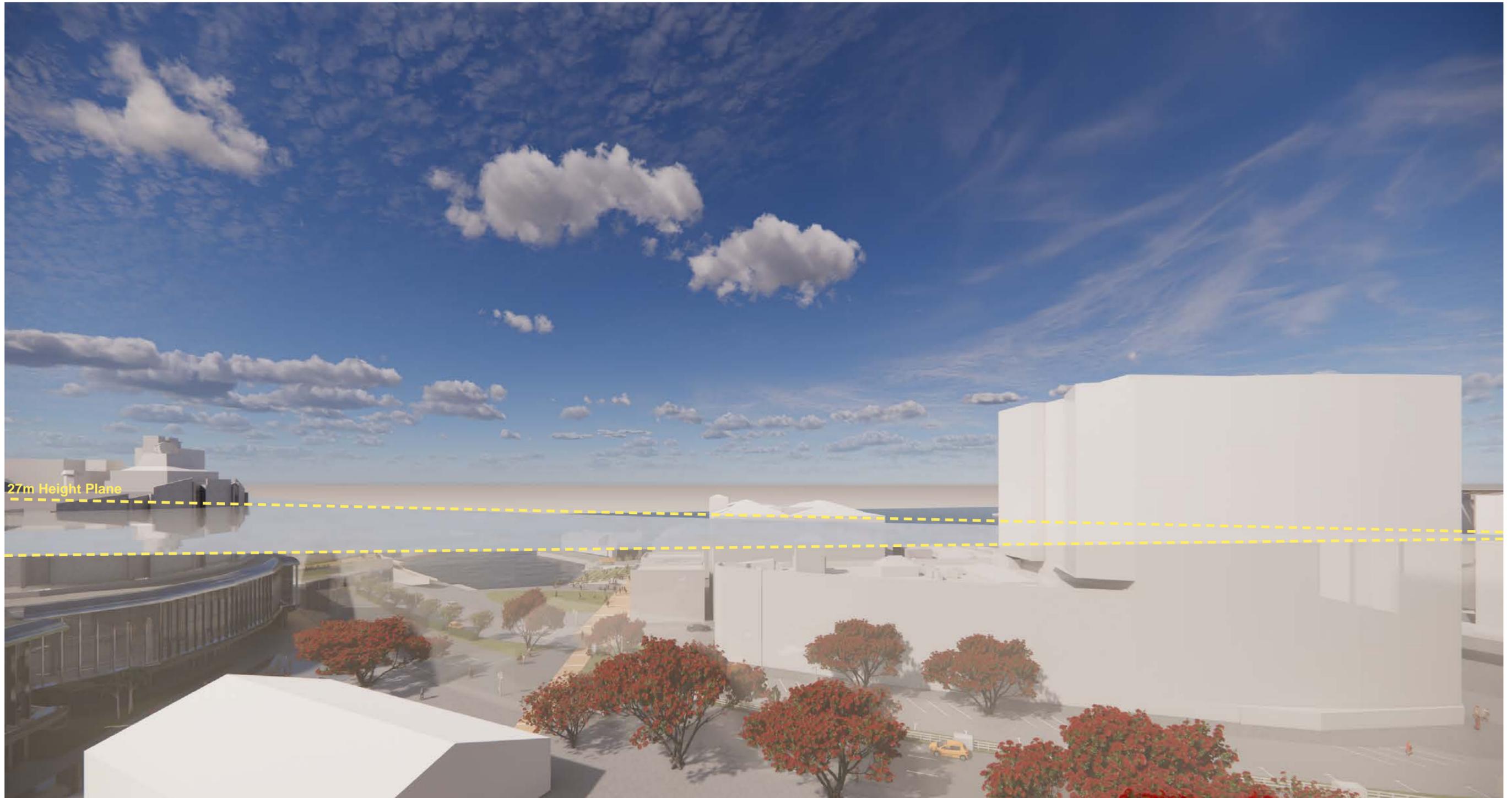
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16th May 2022

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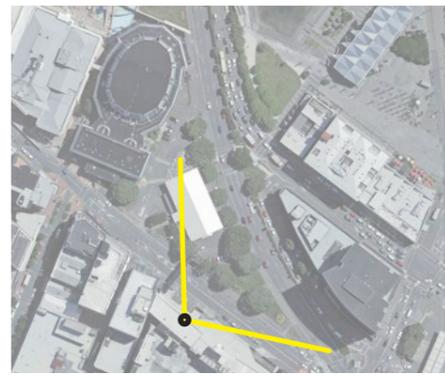


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EXISTING + 27m AGL Mass/Height Plane - Amora Hotel - Level 10

OUTLOOK ASSESSMENT AMORA HOTEL BUILDING



Key Plan

**WILLIS
BOND**

16.10
110 Jervois Quay
Resource Consent
Outlook Assessment Views
16th May 2022

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PROPOSED - Amora Hotel - Level 10

21 NOV 2022

Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke**Submission on
resource consent application**Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke**Notes for the applicant**

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If you have any questions, visit wellington.govt.nz/resourceconsents, or email planning@wcc.govt.nz or phone us on 04 801 3590.

Send the completed submission via email to consent.submissions@wcc.govt.nz or hand it in to us at:

Resource Consents**Wellington City Council****PO Box 2199, 12 Manners Street, Wellington****Submission details**Name of applicant: **MFC DEVELOPMENT LIMITED PARTNERSHIP**Site address: **110 JERVOIS QUAY, WELLINGTON CENTRAL**Proposal: **CONSTRUCTION OF A CENTRAL AREA BUILDING WITHIN A LISTED HERITAGE AREA**Service request number: **510418**

Support the application

Oppose the application

Neutral

Submitter detailsName of submitter: **PAUL WILSON**Address of submitter: **120 GLENMORE STREET, WELLINGTON 6012**Phone (day): **(04) 4759400**Mobile: **---**

Email:

Submission statements (use additional pages if required)The aspects of the application that I ~~support~~/oppose are:

- BUILDING HEIGHT: THE "CENTRAL HERITAGE AREA" HAS SET AN ABSOLUTE MAXIMUM HEIGHT OF 27 METERS AND THIS HEIGHT LIMIT SHOULD NOT BE EXCEEDED.
- LANDSCAPE: • Gardens along the north and east side of the site retaining existing trees WHERE POSSIBLE (bullet point #7) (MY ITALICS)

The reasons for my submission are:

- The building design should adhere to the stated (27 meter) height maximum.
- The developer should not have the option of "where possible", regarding existing trees

The decision I/we would like Wellington City Council to make is
(include any conditions of consent you would like to see imposed):

- to require the building maximum height to be enforced.
- to retain all existing trees, on an absolute basis, not a just "where possible" basis

Note: *Select one.

I request/ do not request*, pursuant to section 100A of the Act, 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.

Oral submission at the hearing

- I/we wish to speak in support of the submission If others make a similar submission, I will consider presenting a joint case with them at the hearing
- I/we do not wish to speak in support of the submission

Signature(s) of submitter(s) or agent of submitter(s)*

Date

21-11-2022

Note:

- The Council must receive this submission before the closing date and time indicated in the public notice. A copy of this submission must also be given to the applicant, as soon as reasonably possible, at the applicant's address for service.
- All submitters will be advised of hearing details at least 10 working days before the hearing. If you change your mind about whether you wish to attend the hearing, please phone 04 801 3590 so that the necessary arrangements can be made.
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Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious
- it discloses no reasonable or relevant case
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- it contains offensive language
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Privacy information

All submissions (including name and contact details) are published and made available to elected members and to the public from our offices and on our website. Personal information will also be used for the administration of the notified resource consent process. All information collected will be held by Wellington City Council, with submitters having the right to access and correct personal information.

How do you wish to be served with any correspondence

- via email (please ensure you have provided your email address on page 1) via post, ie hardcopy

From: [Website Team](#)
To: [BUS: Consent Submissions](#)
Subject: Submission on notified resource consent application for 510418
Date: Tuesday, 13 December 2022 11:54:00 pm

Submitter details

First name: Joseph
Last name: Pagani
Address: 25 Cuba Street, Flat 6D
Suburb: Te Aro
City: Wellington
Phone: 02902036703
Email: JosephPagani@icloud.com

Application details

Applicant name: Urban Perspectives
Site address: 110 Jervois Quay
Service request number: 510418
Submission: I / we support 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:

We desperately need to build more in Wellington - whether housing or office space. Developments like this are vital for this city to be both a vibrant and affordable place to live.

Aspects of the application that you are neutral towards:

The reasons for my / our submission are:

As someone whose view will be impacted by the development. I want to ensure anyone reviewing submissions that I am much more concerned about more being built in Wellington.

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

Please approve this as quickly, and with as little red tape as possible.

Submission on resource consent application

**Absolutely Positively
Wellington City Council**
Me Heke Ki Pōneke

Notes for the applicant

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Send the completed submission via email to consent.submissions@wcc.govt.nz or hand it in to us at:

Resource Consents

Wellington City Council

PO Box 2199, 12 Manners Street, Wellington

Submission details

Name of applicant: *MFC Development Limited Partnership*

Site address:

110 Tervoos Quay, Wellington Central

Proposal: *Construction of a Central Area building*

Service request number: *510418*

Support the application Oppose the application Neutral

Submitter details

Name of submitter: *Annette Cook*

Address of submitter:

6C, 25 Cuba Street, Wellington

Phone (day): *09 4258940*

Mobile: *021 896 602*

Email: *annette@smartpage.co.nz*

Submission statements (use additional pages if required)

The aspects of the application that I ~~support~~/oppose are:

Height of the building

The reasons for my submission are:

The development will devalue many Wellington Central apartments
Building height will adversely affect views of the harbour
- my main reason for buying the apartment was the fantastic view

The decision I/we would like Wellington City Council to make is (include any conditions of consent you would like to see imposed):

Note: *Select one.

I request/ do not request*, pursuant to section 100A of the Act, 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.

Oral submission at the hearing

- I/we wish to speak in support of the submission
- I/we do not wish to speak in support of the submission
- If others make a similar submission, I will consider presenting a joint case with them at the hearing

Signature(s) of submitter(s) or agent of submitter(s)* 	Date 21-12-22
---	------------------

Note:

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How do you wish to be served with any correspondence

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Submission on resource consent application

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Wellington City Council
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Notes for the applicant

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Send the completed submission via email to consent.submissions@wcc.govt.nz or hand it in to us at:

Resource Consents

Wellington City Council

PO Box 2199, 12 Manners Street, Wellington

Submission details

Name of applicant: Urban Perspectives on behalf of MFC Development Limited Partnership

Site address: 110 Jervois Quay

Proposal: Construction of a Central Area building within a listed Heritage Area with associated earthworks

Service request number: 510418

Support the application Oppose the application Neutral

Submitter details

Name of submitter: Margaret Mabbett

Address of submitter: 1A Civic Chambers, 25 Cuba St, Te Aro, Wellington 6011

Phone (day): 029 499 7097

Mobile: 029 499 7097

Email: mmabbett@xtra.co.nz

Submission statements (use additional pages if required)

The aspects of the application that I support/oppose are:

Both the council and the developers need to do another sense check about the merits of constructing a large office building on this site exceeding the 27m 'maximum allowable height'. Council's analysis notes that there is no 'permitted baseline' for development on this site under the current District Plan, while the proposed District Plan would allow a 15m height. The rationale for development has changed significantly since 2016 and the Council's assessment of fit with its policies needs to be reperformed to consider the public interest in the site (beyond the expected lease proceeds): the potential role in the cultural precinct, the Council's plan for green space in the city and the increasing number of alternative uses (see Appendix A).

If the project is to proceed, the current design for the west end of the building needs significant further work to address access, accessibility and wind speed issues (some of which have been made worse by the revisions to the design). This additional work needs to involve Venues Wellington and the Council's accessibility panel as well as Wellington Water (see Appendix B)

If construction proceeds, Civic Chambers will be directly affected by noise, dust and vibration so it is critical that we are able to raise concerns from the start and are compensated for any actual damage to our building. I lived at Civic Chambers during the construction of the retention tank on the site and we were significantly affected, especially by the sheet piling.

The reasons for my submission are:

I am submitting on the proposal to ensure that:

- the opportunity for a check point on the thinking behind the development is not missed
- my neighbours and I have a say in the planning for the construction process, particularly as contrary to the notification report we were not notified of the consent application until we alerted Council to the omission.

The use to which the site is put, the construction process (especially piling) and long-term management of the corridor to the waterfront all have significant effects on our building, including wind speed, dust, noise, vibration, vehicle and pedestrian/cycle/scooter traffic. As well as direct effects on the apartments that face the site, any damage to our building falls on all owners through the body corporate.

The decision I/we would like Wellington City Council to make is (include any conditions of consent you would like to see imposed):

As discussed above, Council should revisit its assessment of the proposal. The Council as landowner has promoted a commercial development on this constrained and technically challenging site. It has a conflict of interest and should delegate the hearing for this consent to independent hearings commissioners at its own cost.

I seek a consent condition (in addition to those already proposed by the developer) that the developers engage with the Civic Chambers body corporate (representing the residents at 132-136 Wakefield St) in developing the construction management plan, construction noise and vibration management plan and the other plans listed on page 53 of the revised AAE before these are approved. Civic Chambers should be compensated for any vibration damage.

For the operation of the building, I seek a condition that any outdoor speakers are not to face Wakefield St.

Note: *Select one.

I request/ do not request*, pursuant to section 100A of the Act, 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.

Note comments re Council conflict above

Oral submission at the hearing

- I/we wish to speak in support of the submission
- I/we do not wish to speak in support of the submission
- If others make a similar submission, I will consider presenting a joint case with them at the hearing

Signature(s) of submitter(s) or agent of submitter(s)*

Donna J. J. J. J. J.

Date

12 January 2023

Note:

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- via post, ie hardcopy

Appendix A – why Council and developers need to sense check their thinking

Cultural/civic precinct

This site is in a cultural and civic precinct as well as a heritage area. It is part of a parcel of land occupied by two major concert halls, the city art gallery and the city library and is located a short walk from Te Papa and Circa Theatre. The site should be used in a way that supports the cultural activities around it. The building design also needs to address this location, especially its height, form and positioning in relation to the MFC and Town Hall. The Jervois Quay address is misleading as the building is entirely accessed from and closest to the street boundary of Wakefield St (and is higher closer to the Wakefield St frontage than the MFC or Amora hotel, both of which step back from the street).¹

The application and assessment refer to the National Music Centre occupying two office floors and some part of the ground floor.² However, I have been advised by the National Music Centre project team that this was always intended to be administrative space rather than music teaching or performance and this is reflected in the generic office building floor plan. I understand that the university is now looking at cheaper and timelier options for this space, so there is no certainty of any cultural role at all for the building. Council have so far assessed the proposal on the basis that 25-30% of the building would be occupied by the music centre but the assessment needs to be reperformed without this assumption.

Changed rationale since 2016

A reassessment is also important as other conditions have changed significantly since the original design competition in 2016:

- There are many alternative sites available for a new quality office building as a result of actions since the Kaikoura earthquake, including the Municipal Office Building and former Regional Council sites on Wakefield St
- Council is looking to establish more green space in the city and protect Frank Kitts as a major park. At the same time, the Chinese garden and Pacific Fale Malae have both been promised Frank Kitts sites. '110 Jervois' is potentially suitable for any of park, Chinese Garden, or Fale Malae. These purposes are likely to conflict less with the technical difficulties of the site including Wellington Water infrastructure. There could also be an opportunity to daylight the stream under the east part of the site? The 'positive effects from utilising what would otherwise be a vacant site' looks like a very poor reason to build on a potentially valuable piece of open space.³

¹ The notification report also notes that there is no 'permitted baseline' for the proposed building (p. 7-8); that reading a baseline into the situation under the proposed District Plan would result in a 15m height (p. 9); that it exceeds the 'absolute maximum' height for the site, intended partly to protect the position of the MFC (p. 5, 9, 16-17) and that while the Council's urban designer considers the lantern desirable for the building's 'sculptural form' (p. 15), this also contributes to adverse effects (p. 16)

² See notification report – assumption that levels 1 and 2 would be occupied by music centre and part of the ground floor would include VUW teaching space

³ Quote from p. 22 of notification report; the Wellington Central Green Network Plan focuses on protection of Frank Kitts Park as an urban park and is resigned to the proposed building (given as a case study of landscaping on page 53 – with a water garden to reference the Te Waimapihi stream, without however daylighting it - and listed on the diagrams as including a 'parklet')

- Covid has significantly reduced the demand for office space due to greater use of flexible and activity based working meaning fewer people in the office at any time.
- Council is working on a new accessibility plan. Removing all parking including existing mobility parks from the site takes away an opportunity to increase mobility parking provision in a key area for users. There should be an analysis of disability and accessibility impacts of the new building but this appears absent.

Appendix B – why further design on the west end is needed if the project proceeds

The west end of the building is architecturally key for the relationship between the proposed buildings and the MFC and Town Hall. It also has practical impacts for:

- Those crossing the site as a key city to sea connection. (Many people currently use this route because access to the City to Sea bridge from Wakefield/Cuba streets has been cut during the work on the Town Hall. It is not clear what role the council sees the City to Sea bridge having in future.)
- Technical access (eg trucks) to the MFC and Town Hall
- Audience access to the MFC and Town Hall – particularly drop off and pick up access for people with mobility issues (as well as parking or waiting in the existing mobility parks to the east side of the MFC)
- As mentioned in various parts of the proposal documentation, Wellington Water also requires access to both ends of the retention tank on the site. The current plans appear to make no allowance for access to the east end of the tank (hatch currently located on the east side of the main entry path to the ballet building). We have seen that when the retention tank has been used for pumping operations most of the pumping has been done at the west end of the tank (by the MFC porte cochere) but truck/pump access to the east end has also been required.

Transport analysis

The Integrated Transport Assessment in March 2022 noted that ‘the main MFC precinct driveway off Wakefield St straddles the development site boundary and the wider MFC precinct’ (p.5). It then refers to the need to retain ‘the current servicing practices for the MFC building’ (p. 8) and ‘the existing legally established main vehicle crossing between the MFC precinct and Wakefield St’ (p. 10).

However the analysis assumes (p. 12) that all vehicles delivering to the MFC truck dock will be on a one-way route, driving in through the tunnel access from Harris St and outwards only at Wakefield St. As neighbouring residents we have seen that this is not the practice for any oversized vehicles (see photo A below - taken from Civic Chambers windows - of a large vehicle reversing into the site to get to the truck dock). The MFC venue information document notes that the MFC truck dock can handle a single 40ft trailer and tractor unit with its lowest overhead obstruction at 4.31m (as the document dates from before the MFC site closed to public parking, it refers to the need to organise to keep car parks clear to allow oversized vehicles to get to the dock).⁴ Photos B and C show the

⁴ NW Group for Venues Wellington, Michael Fowler Centre Venue Information Document v. 3 Feb 2019, accessed at nwgroup.com.au, page 5

height restricted access through the porte cochere (3.3m) and the Harris St entrance (height/length restrictions not labelled).

The analysis also does not account for the adverse effects of:

- reducing the space for vehicles to exit the MFC porte cochere
- conflict between pedestrians and cyclists/scooters if they are all using the same 'desire line' pathway across the site
- the risks involved in requiring vehicles to exit onto Wakefield St using the same single traffic lane as all non-motorist users.⁵

The MFC porte cochere also serves the Town Hall as the nearest vehicle access to the Town Hall entrance for both limited mobility users and technical loading/unloading. There appears to be no consideration or modelling of how the traffic volumes through the porte cochere will change once the Town Hall reopens.

These issues need to be fully explored with Venues Wellington and the Council's accessibility panel.

Wind issues

The original wind study and addendum presented with the proposal show that:

- The revisions to the design are expected to bring gust speeds at ground level to no higher than the 20 m/s maximum required under council policy (the original design failed on this criterion)
- The highest wind effects are at the Cuba and Jervois ends of the main walkway across the site (U and C1 in the table 1 on p. 4 of the addendum)
- Both the original and revised designs greatly increase the frequency of wind speeds above the District Plan guide levels (table 4 on page 5). At the existing car park entrance (U) the design results in more than 150 additional days per year of above design strength winds
- At the pinch point between the new building and MFC (Z – not marked on the addendum), the revised design is worse than the original design in terms of raised wind speeds (Table 4 page 5)

The wind effects of the proposal inside the MFC porte cochere appear not to have been studied. This should be done as it could have important effects on accessibility for both MFC and Town Hall patrons.

Appendix 18 to the proposal (assessment against policies) claims that increased wind effects on the western side are 'offset' by lower wind speeds on the eastern side (p.4). However 'improved access' on the western side is key to the assessment for the development, as very few pedestrians use the footpaths at the eastern end.

Creating adverse wind conditions that discourage the public from using the area seriously affects the case for the proposal. Further work needs to be done to mitigate this and the access issues above.

⁵ It is hard to see this situation as 'creating a new public space' or 'helping people to move between the city and waterfront more easily' (Council urban designer quoted at page 14 of the notification report)

Photographs

A – truck reversing to MFC loading dock, as seen from 1A Civic Chambers



B – porte cochere height restriction



C – Harris St truck entrance for MFC (no signage regarding height or length restriction, but clearly not practical for high or long vehicles)



Appendix 1 attached.

Submission on resource consent application

Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke

SUBMISSION 14

Notes for the applicant

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Send the completed submission via email to consent.submissions@wcc.govt.nz or hand it in to us at:

Resource Consents
Wellington City Council
PO Box 2199, 12 Manners Street, Wellington

Submission details

Name of applicant:	Urban Perspectives on behalf of MFC Development Limited Partnership		
Site address:	110 Jervois Quay, Wellington Central		
Proposal:	Construction of a Central Area building within a listed heritage area with associated earthworks		
Service request number:	510418		
	<input type="checkbox"/> Support the application	<input checked="" type="checkbox"/> Oppose the application	<input type="checkbox"/> Neutral

Submitter details

Name of submitter:	Zephaniae Locker-Lampson		
Address of submitter:	3C Civic Chambers, 25 Cuba Street, Te Aro, Wellington		
Phone (day):	0211 780 115	Mobile:	0211 780 115
Email:	zephaniaejane@gmail.com		

Submission statements (use additional pages if required)

The aspects of the application that I support/oppose are:

I oppose a number of items about this proposal.

The building itself - the height - far exceeding the maximum height allowed for this area. This will have a significant impacts on residents in this area

Green space - taking green space for the Taranaki St end of the building. The entire site could be used in far better ways for the city - eg. one of the promised Frank Kitts sites - Chinese Garden etc - leaving more green area at Frank Kitts.

Site - difficult site to build on given reclaimed land, retention tank and culvert.

Construction - the effect of noise, vibration and dirt on Civic Chambers and other affected buildings.

Transport issues around MFC and the building area on Wakefield Street.

Wind speed issues around the MFC and the new building. Increased wind gusts in some areas due to design.

Continued on attached APPENDIX 1.

The reasons for my submission are:

To ensure Civic Chambers and surrounding buildings affected are consulted about construction if the building goes ahead. We need to be keep informed due to the adverse affects this will have on residents.
That council think again about the use of this site and its development for this purpose.
To note that I am very concerned about the impacts this build will have on my home - height of building, noise, dirt, vibration & damage to Civic Chambers when piling & drilling, transport issues around the site both while being built and following construction, loss of green space and open space.
WCC has a conflict of interest here. It has been reported that WCC is looking to move into the completed site - WCC having approved this use of the site for a building it would like to move into is a conflict of interest and a huge red flag.

The decision I/we would like Wellington City Council to make is (include any conditions of consent you would like to see imposed):

I would like council to revisit its approval of this project and reject the site for this use. If the proposal is to go ahead then to lower the height of the building significantly.
I would like the developers to engage with Civic Chambers Body Corporate re the construction plan, vibration management plan and construction noise plan before these are approved.
A decision on how to address any compensation required for Civic Chambers for any damage to my building through the construction process, whether that be vibration damage or any other damage resulting from the build.
A condition regarding noise coming from the completed building whether that be through noise from commercial or retail business etc. We are plagued with noise from bars/restaurants etc so an agreement to no outside speakers.

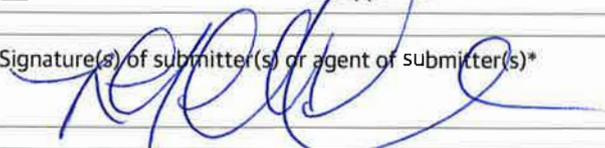
Note: *Select one.

I request/ do not request*, pursuant to section 100A of the Act, 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.

Oral submission at the hearing

- I/we wish to speak in support of the submission If others make a similar submission, I will consider presenting a joint case with them at the hearing
- I/we do not wish to speak in support of the submission

Signature(s) of submitter(s) or agent of submitter(s)*



Date

13 January 2023

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- it discloses no reasonable or relevant case
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- it contains offensive language
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

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via email (please ensure you have provided your email address on page 1)

via post, ie hardcopy

Appendix 1

Continued from submission document - The aspects of the application that I support/oppose AND reasons for my submission AND The decision/s I would like WCC to make is/are:

Transport/access - Wakefield Street. With the strengthening of the town hall there are continued traffic restrictions/narrowed road, how will we manage with a second construction site/manage traffic and people in the area.

Long term effect on residents - The residents in Wakefield Street have been putting up with noise, vibration and traffic issues from the old Town Hall Strengthening for a number of years. Council now wants those same residents to go through a second build with all the associated problems. The town hall strengthening has caused vibration issues during the construction and immense noise problems - often starting well before the allowed 7am start time. Ratepayers in this area are tired of being asked again and again, year upon year, to put up with construction and builds which seriously impact quality of living, with no relief in rates etc, or any thought as to how much residents are able to put up with.

Heritage/cultural area - this area is not only a heritage area but a cultural and civic area too. It should be used for something for the people - rather than another office building to house more corporate (or WCC staff) in another bland office building. Post covid there are many empty office buildings for corporate needs. There are also other empty sites available for a new building which would be far more appropriate given the difficulty of this site with underground tanks and culverts and reclaimed land. As the National Music Centre is unlikely to occupy the site given cost blow outs (and it was for admin for the music school rather than any music activity) there is no cultural role for this new build at all.

The area should be used in a way that reflects other buildings in the area such as the MFC, the art gallery, Te Papa etc rather than another office building.

Amora Hotel - the proposed height of this building on this site affects many building including the closed Amora hotel. If this building is constructed, especially at the heights indicated, it virtually guarantees that the Amora will never reopen, given it blocks such a large amount of their views and light. Wellington City needs the Amora Hotel to reopen in some form. Having closed/shuttered buildings around the city is not good for anyone.

Building design - the building design looks like another Willis Bond project on any other site. It has very similar aspects of the site 9 building on the waterfront and the PwC building, also on the waterfront. These buildings are all looking the same and in the same style, lacking any diversity in look and form. You can spot a Willis Bond building straight away. It is becoming uniform and boring. Surely we can look at a design that, if the site is to be developed, fits into the space better, suits the heritage area and doesn't exceed a reasonable height.

All good town planners know that as you head towards a harbor/ocean area the buildings step down in height rather than increasing as this building does, dwarfing all buildings around it. This complements a harbour rather than fighting with it.

The West end of the building needs to be re-looked at in terms of design - there are issues with access, along with wind speed (mentioned elsewhere in my submission) and parking/accessibility issues.

The view analysis in the documents provided only take into account the view from the highest points of the buildings impacted - Civic Chambers, Amora etc but do not take into account levels below those highest points. Other floors are losing views because of the extreme height of this building.

Sun Study - the sun study states that there is minimal impact - certainly on Civic Chambers - from this building, but it doesn't take into account the loss of light (not sun) that residents on Wakefield street will face. Having a building up to 40m high opposite you blocks light, it will be extreme for those residents on the lower floors and result in far darkened living for those people,, not to mention drop in selling ability and price of apartments.

Wind Speed - while I find it hard to understand the wind speed analysis, I can see that in some areas wind speed around the new build/MFC will increase. We are wanting to get Wellingtonians to enjoy this area, not face more wind challenges due to building design. This needs to be re-looked at by the council.

Civic Chambers and other affected buildings need to be able to raise concerns with council easily and from the start, being included in any construction management planning etc.

Summing up, I am strongly against the use of this site for another office building. It adds nothing to the area either culturally, architecturally or for the community. Times have changed, and the need for an office building in this location is not warranted. There are other more suitable sites available. There is nothing about this building that links it into the cultural/community or heritage aspects of this area of Wellington.

The reporting of WCC wanting to move into this building once completed after relocating to the Terrace in 2018 is concerning. How can this happen without accusations of conflict of interest by WCC, having approved this resource consent on a site that is not best suited for an office building but that is 'suitable' for WCC so they can move back to their old 'home' area - close to the town hall and council chambers etc. There are sites further back along Wakefield that could be used for that - the old CAB site once demolished for example (if demolished).

I'm concerned about the lack of transparency and the lack of notification to affected residents (as was legally required). The fact that we all had to fight to get the submission deadline extended as we were not notified is disappointing & points to WCC not wanting to consult on the use of this site.

We have a new mayor and councilors. Please can we review this proposal.

Submission on resource consent application

Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke

Notes for the applicant

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Resource Consents

Wellington City Council

PO Box 2199, 12 Manners Street, Wellington

Submission details

Name of applicant: MFC Development Limited Partnership

Site address: 110 Jervois Quay, Wellington Central

Proposal: Construction of a Central Area building within a listed Heritage Area with associated earthworks

Service request number: 510418

Support the application Oppose the application Neutral

Submitter details

Name of submitter: Oliver Lineham

Address of submitter: 5A/25 Cuba Street
Wellington

Phone (day): 029 4942915

Mobile:

Email: oliver@lineham.co.nz

Submission statements (use additional pages if required)

The aspects of the application that I support/oppose are:

See attachment

The reasons for my submission are:

See attachment

**The decision I/we would like Wellington City Council to make is
(include any conditions of consent you would like to see imposed):**

See attachment

Note: *Select one.

I request/ do not request*, pursuant to section 100A of the Act, 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.

Oral submission at the hearing

- I/we wish to speak in support of the submission
- I/we do not wish to speak in support of the submission
- If others make a similar submission, I will consider presenting a joint case with them at the hearing

Signature(s) of submitter(s) or agent of submitter(s)*



Date

2023-01-13

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How do you wish to be served with any correspondence

- via email (please ensure you have provided your email address on page 1)
- via post, ie hardcopy

1. Thank you for considering this submission on resource consent application SR510418.
2. The proposal is for a nine storey private office building, replacing public open space, in a cultural and heritage area, far outside the scope envisaged by the District Plan.
3. I oppose the application due to:
 - a. An unfair process in which Wellington City Council has obstructed both the general public's and affected parties' rights to submit on the application.
 - b. Substantive issues with the application itself.
4. I also endorse the points made in the submissions of Margaret Mabbett and Margaret Thompson.

Unfair process

Wellington City Council obstructed affected parties' right to submit

5. Council commissioned a Notification Decision Report (NDR) by a consultant planner. This report identified that the application must be publicly notified. It also identified affected parties and stated that they would be notified. Council's delegated officers subsequently signed off their agreement with this report, making it a council decision.
6. The NDR identified that the following parties, among others, would be notified:

The owners/occupiers of

- 1 Market Lane
- 3 Market Lane
- 132-136 Wakefield Street
- 138 Wakefield Street
- 142 Wakefield Street
- 148, 150 and 170 Wakefield Street
- 170 Wakefield Street

(Note that "132-136 Wakefield Street" is the same property known as Civic Chambers, with the more common street and postal address of 25 Cuba Street.)

7. Council initially opened submissions with a deadline of 21 November 2022 but did not notify the parties listed in the NDR. Late in the submission period several affected parties became aware of the application (through signage placed in very low-traffic places on the property) and complained to council of its failure to notify. All such complaints were rejected by the council's planning team, who claimed it had no obligation to directly notify anyone. Not until multiple sitting councillors made inquiries of staff did council make any concession: an apology was made to councillors, but

not to the affected parties. Staff continued to deny any obligation to notify, despite the signed-off council decision that they would.

8. I and others were finally notified in a letter which arrived 25 November, personally addressed by name, as owners of an affected property at 25 Cuba Street. This notice set a new deadline of 13 January 2023.
9. No notice was given to the Body Corporate of 25 Cuba Street, which is also an owner of an affected property.
10. To date council still has not notified *occupiers* (other than owners) of 25 Cuba Street, despite the decision to do so.
11. It is also unclear if council has notified owners or occupiers at other addresses listed in the NDR.
12. Council has failed to meet its notification obligations. It is unfair for this application to proceed while affected parties continue to remain unnotified and without an opportunity to submit.

Wellington City Council in obstructed the general public's right to submit

13. As a publicly notified application, the general public also has a right to be heard. The originally advertised submission deadline was 11.59 p.m. on 21 November 2022.
14. On 21 November, this deadline was extended to 13 January 2023. The deadline date published on the Wellington City Council website was updated to read 13 January 2023 without further qualification¹.
15. Subsequently, approximately two days later, the site was further updated² to add a qualification:

We publicly notified this application 21 October 2022 and submissions CLOSED 21 November 2022. However, the closing date has been extended until 13 January 2023 but ONLY for a number of properties which have been notified of this extension.

16. Members of the public intending to submit who arrived at the website on 21 November and saw the date 13 January and believed they had more time to write their submissions. Returning to make their submission later, those members of the public subsequently found their right to submit extinguished.
17. Council has obstructed and frustrated the public's ability to submit on this application. It is unfair for the application to be progressed until this unfair process has been addressed.

¹ A copy of the webpage as it was at 7:03 p.m. on 21 November 2022 is preserved at The Internet Archive at the address:

<https://web.archive.org/web/20221121060351/https://wellington.govt.nz/have-your-say/public-inputs/public-notices/open/other/resource-consent-application---110-jervois-quay>

² A copy of the webpage as it was on 24 November 2022 is preserved at The Internet Archive at the address:

<https://web.archive.org/web/20221123212704/https://wellington.govt.nz/have-your-say/public-inputs/public-notices/open/other/resource-consent-application---110-jervois-quay>

Conflict of interest

18. Council should exercise its discretion to appoint an independent commissioner or commissioners, at its own cost, to address actual and perceived conflict of interest.
19. Council has a direct financial interest in this application as lessor of the land in question. The lease agreement is no doubt conditional on the developer receiving resource consent for their development, as the land has little value to them without it.
20. Further, when voting to dispose of the land for development, it was explicitly stated that the purpose was to offset costs of Town Hall strengthening. It is unlikely the lease or development would have been contemplated otherwise.
21. Council therefore has an obvious interest in seeing this application approved.
22. For avoidance of doubt, I am not exercising my RMA s 100A right to request an independent commissioner. Rather, the council should exercise its own discretion and meet the cost of addressing its own conflict of interest.

Objections to the application

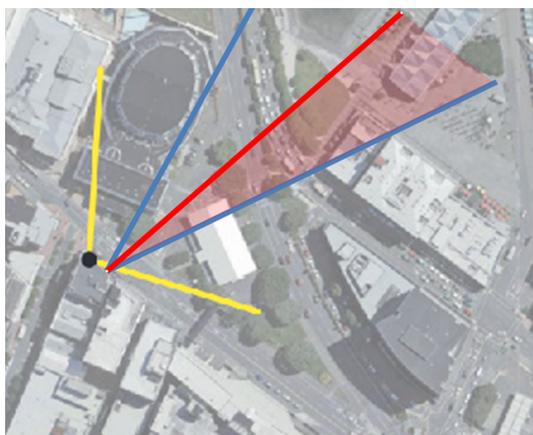
A poor use of precious public space

23. I am disappointed that the council has decided to further diminish public space in the central area. This is despite acknowledging in its Green Network Plan that Wellington is *“dominated by buildings, large areas of asphalt and paving”* and that there is *“a deficit of green space in the central city.”* It appears the only reason for this was to raise money. That decision having been made, what we should now ensure is that what is built enhances the city for future generations.
24. By describing the land as “essentially a ‘brown fields’/carpark with a prefab temporary building” the applicants seem to be taking the approach that as anything is better than a car park, they should therefore be allowed consent to build beyond planning rules. This is not the case, and I believe we should expect much better from rare opportunities to improve public spaces.
25. Few would disagree that the land in question has better uses than as a car park - or that the existing green park is as good as it should be. However, replacing it - and trees and some of the neighbour park - with a private office building is a loss to the residents of Wellington long into the future.

Height

26. I ask that the consent to build beyond 27m be refused. As noted by the consultant planner, the application for a building up to 39.3m is far beyond the 15m envisaged by the District Plan as well as the 27m “absolute maximum” height limit. The justification for this height is unconvincing and has significant negative impacts on outlook and character of the Civic Centre Heritage Area.
27. The “high city / low city” design principle appears to have been disregarded, as the building would be substantially taller than the neighbouring buildings of Lower Cuba Street to its south. The result will be a “wall” effect separating Te Aro from the harbour.

28. The building will dwarf the Michael Fowler Centre. The applicants make reference to the School of Music to try to imply its use will enhance this cultural precinct. However, the building appears to be merely an office building. Use by the school appears to be largely limited to administrative aspects and as a minority tenant of just two floors. The building therefore does not enhance the heritage area as claimed.
29. I wish to correct a mischaracterisation of the effect on outlook given by the applicant. Effects on outlook towards the harbour for properties on the southern side of Wakefield Street are substantial, but the applicant's Section 92 Reply oddly describes this view as "maintained" and therefore "less than minor". The outlook towards the harbour from Civic Chambers (25 Cuba Street, aka 132-136 Wakefield Street) which currently ranges from Glasgow Wharf to Matiu/Somes Island, will be reduced by half as illustrated below (the blue field of view indicating harbour outlook):



Noise effects

30. Lower Cuba Street and nearby Wakefield Street is a quiet part of the central city, with accommodation (apartments, hotels, and backpackers) being the majority use. Ground level is mostly retail business rather than bars. A significant number of people call this part of the city home.
31. Despite this, the Construction Management Plan submitted by the applicant envisages noisy works occurring 7.30am-6pm Monday-Saturday, and on Sundays "by agreement with WCC". This is unacceptable in such a heavily residential area. I ask that a condition of the consent be that noisy works be limited to Monday-Friday, and not "out-of-hours" as this is when the impact is on the greatest number of people.
32. Once built, activity noise is likely from the balcony and the ground level surrounds. I ask that a condition of the consent include that any outdoor loudspeakers installed must point away from Wakefield and Cuba Streets to reduce effects on residents.

Submission on resource consent application

RECEIVED
Wellington City
Council
Arapaki
Service Centre

13 JAN 2023

**Absolutely Positively
Wellington City Council**
Me Heke Ki Pōneke

Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke

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Resource Consents

Wellington City Council

PO Box 2199, 12 Manners Street, Wellington

Submission details

Name of applicant: *Urban Perspectives on behalf of MFC Dev.Ltd Partnership*

Site address: *110 Jervois Quay*

Proposal: *Construction of a Central Area building in a Heritage Area & earthquake*

Service request number: *510418*

Support the application

strongly
Oppose the application

Neutral

Submitter details

Name of submitter: *Sharon Ellis*

Address of submitter: *4B Civic Chambers 25 Cuba Street Te Aro*

Phone (day): *0272544680*

Mobile: *0272544680*

Email: *sharon.ellis@xtra.co.nz*

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See attached pages

The reasons for my submission are:

See attached pages

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- I/we wish to speak in support of the submission
- I/we do not wish to speak in support of the submission

If others make a similar submission, I will consider presenting a joint case with them at the hearing

Signature(s) of submitter(s) or agent of submitter(s)*

Sharon Oles

Date

12-1-23

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Submission on Resource Application

Applicant. Urban Perspectives on behalf of MFC Development Ltd Partnership

Site Address. 110 Jervois Quay

Proposal. Construction of a Central Area Building in a Heritage Area with associated earthworks.

Service Request Number. 510418

Submitter Details

Sharon Ellis

4B Civic Chambers

25 Cuba Street

Te Aro

Wellington

0272544680

sharon.ellis@xtra.co.nz

I strongly oppose the construction of any new building on what is known as the Michael Fowler Carpark. There is simply no need for the proposed structure. A short distance away there are two large buildings that used to be occupied by the Wellington City Council. They are empty. They need to be strengthened. Completing this work would be a more sensible option than allowing the proposed new building.

The proposal is for a large dominating building that is not in keeping with the scale of its neighbours. It is close to the Michael Fowler Centre and the proposed structure pays no aesthetic attention to the MFC's distinctive architecture.

It is difficult to understand the purpose of the proposed structure. Many of the buildings nearby are empty it would be better to have the developers work on restoring the former council buildings and the Amora Hotel two of which are attractive architecturally and are in a similar scale to the Town Hall.

The architect's drawing of the trio in a row: Town Hall Michael Fowler and the proposed building shows how inappropriate the scale of the new building would be. It is a potential eyesore when the neighbouring Civic Square, Art Gallery, Library, Wharewaka, St Johns, and the building on the prow of Cable and Jervois Quay are put into the mix.

The Michael Fowler Centre is currently the venue for major musical events. The Symphony Orchestra requires access for its large trucks, other music groups also bring in large trucks of their technical gear. It would be sad if the MFC became a venue for only the Big Sing, graduation ceremonies and school prize-givings. The trucks needed for big musical events must have space and height to get in and out. This access for trucks is at present pinched by the ballet's temporary building.

The site is a potentially tranquil area. It is surrounded by lovely old pohutukawa trees, it used to complement its neighbours and even now in a restricted state is used all day every day by citizens and visitors. People sit on the three or four park benches. They move through on their way to and from the interesting area beyond Jervois Quay, it is the pedestrian access to the lagoon, the rowing clubs, the Odlins Plaza, the Wharewaka, Circa, Te Papa, the markets and food stalls, and of course to the popular walk along the harbour edge. As the lights change crowds of people cross the narrow path to and from Cuba Street.

Much has altered in the last few years. There are buildings all over central Wellington that are now empty. People work at home, and this has resulted in the closing of other businesses that were essential to support city workers. Another white-elephant empty building is unnecessary undesirable clutter and at the same time removes forever an attractive potential for a little inner-city park. The site was even attractive as a carpark. Before the ballet's shed dominated the space little picnics were held in the carpark before concerts, graduands met families, received flowers and learned to wear their academic gear. In the hours following the Kaikoura earthquake the carpark was used as a triage area. Yellow vests and suits gathered in earnest groups as they received reports and decided on action. There were vans and gear and trucks and hardhats as workers awaited urgent instructions. What is the plan for such an area should there be another disaster.

It is difficult to understand why long-term plans are made when they are overthrown by later proposals. If it was agreed with considerable thought that buildings around this area might have a maximum height of 27m in exceptional circumstances why is this proposed monster allowed to go well above even the maximum height. Most of the proposed building is well over this height and there is no special reason for this. Except perhaps greed. Please reconsider the proposed building. At least make it smaller and don't say that it is part of the music school centre until the university expresses a commitment to it. The land belongs to the citizens of the city I am disappointed that the council members we elected appear to be taking no interest what happens to it.

Green spaces in the cities of the world are valued more highly than big block buildings let's not give this one away.

Shawn Ede 12-1-23

Submission on resource consent application

RECEIVED
Wellington City
Council
Arapaki
Office Centre

Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke

13 JAN 2023

Absolutely Positively

Notes for the applicant

Use this form to make a submission on a resource consent application you support or oppose. You can also make a submission online, visit wellington.govt.nz/have-your-say/public-notice.

If you have any questions, visit wellington.govt.nz/resourceconsents, or email planning@wcc.govt.nz or phone us on 04 801 3590.

Send the completed submission via email to consent.submissions@wcc.govt.nz or hand it in to us at:

Resource Consents

Wellington City Council

PO Box 2199, 12 Manners Street, Wellington

Submission details

Name of applicant:	Urban Perspectives on behalf of MFC Development Limited Partnership		
Site address:	110 Jervois Quay		
Proposal:	New Central Area building within a Heritage Area with associated earth works.		
Service request number:	510418		
	<input type="checkbox"/> Support the application	<input checked="" type="checkbox"/> Oppose the application	<input type="checkbox"/> Neutral

Submitter details

Name of submitter:	Margaret Thompson		
Address of submitter:	5B Civic Chambers, 25 Cuba Street, Te Aro, Wellington		
Phone (day):	091 503 600	Mobile:	091 503 600
Email:	Margaret.o.thompson@gmail.com		

Submission statements (use additional pages if required)

The aspects of the application that I ~~support~~/oppose are:

See attached Appendix

The reasons for my submission are:

See my attached appendix.

The decision I/we would like Wellington City Council to make is
(include any conditions of consent you would like to see imposed):

See my attached appendix

Note: *Select one.

I request/ do not request*, pursuant to section 100A of the Act, 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.

Oral submission at the hearing

I/we wish to speak in support of the submission
 I/we do not wish to speak in support of the submission

If others make a similar submission, I will consider presenting a joint case with them at the hearing

Signature(s) of submitter(s) or agent of submitter(s)*

Date

W.P. Thompson

13 January 2023

Note:

- The Council must receive this submission before the closing date and time indicated in the public notice. A copy of this submission must also be given to the applicant, as soon as reasonably possible, at the applicant's address for service.
- All submitters will be advised of hearing details at least 10 working days before the hearing. If you change your mind about whether you wish to attend the hearing, please phone 04 801 3590 so that the necessary arrangements can be made.
- This is not a statutory form, but is provided as a guide to people wishing to lodge a submission.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious
- it discloses no reasonable or relevant case
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- it contains offensive language
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Privacy information

All submissions (including name and contact details) are published and made available to elected members and to the public from our offices and on our website. Personal information will also be used for the administration of the notified resource consent process. All information collected will be held by Wellington City Council, with submitters having the right to access and correct personal information.

How do you wish to be served with any correspondence

via email (please ensure you have provided your email address on page 1)

via post, ie hardcopy

APPENDIX TO SUBMISSION ON APPLICATION FOR DEVELOPMENT OF 110 JERVOIS QUAY

Application from - **Urban Perspectives for MFC Development Limited Partnership**

Submitter - **Margaret Thompson, Margaret.o.Thompson@gmail.com**

13 January 2023

Summary of suggestions and recommendations

I oppose this development on the basis that it is deeply flawed and unsuitable for the site. I consider a review and rethink is vital to create the best use of it for Wellingtonians. Maybe not throwing the baby out with the bathwater but in summary:

- Reduce the coverage, mass and out of proportion size of the buildings
- Create more user friendly green space
- Reduce the height of the "Lantern".
- Redesign and landscape the Wakefield side of the development
- Confront and reconsider the question of how to build vibrant creative spaces for performers and audiences, both inside and outside this building, that will inspire high calibre events for future generations here in Aotearoa.

My detailed recommendations relating to the Application are as follows:

1. *I suggest the height of the Lantern should at a minimum conform to the current District Plan but I propose that it should align or be lower than the height of MFC and the Town Hall.*
2. *I suggest that the southeastern Wakefield Street frontage design may be incomplete and is inadequate and inconsistent with excellent design policy.*
3. *I suggest that more expressions of interest and ideas are sought to contribute to the wide heritage possibilities with this building and related spaces under Obj 20.2.1 – before this unique opportunity is lost.*
4. *I suggest that District Plan policies (Obj 12.2.1 and 2, Obj 12.2.6.1 to 5) and the inner city intensification policy of Government are relevant for this development and should be addressed seriously by the Planner and Applicant to provide sufficient and preferably more space for public activities.*
5. *I suggest that the landscape concept needs to be better integrated with the building plan, particularly in relation to the South side, with an opportunity for further expert advice to be sought.*
6. *I suggest that the traffic impact from increased cars, buses, pedestrians, cyclists on narrow Wakefield Street needs further detailed study.*

INTRODUCTORY COMMENT

I watch this space day and night from Civic Chambers. I see crowds of cheerful people coming and going from events in MFC and on the waterfront – crowds. People pour to and from the Cuba Street heritage precinct, an area largely neglected in this application. And on other days people meet friends, eat lunch, exercise and shelter there. Of course the space is currently underdeveloped, of course it should be enhanced and vibrant for people to use. Yet Urban Perspectives (UP) describes it

as “essentially a ‘brown fields’/carpark with a prefab temporary building”. It is already so much more than that. Recognising its current usage is very relevant to its forward planning but doesn’t seem to be recognised.

What, in my opinion, should be created on this unique small public space?

- A building that blends with and enhances the surrounding interesting and diverse existing heritage buildings
- A facility that uplifts and inspires the heritage values and creativity associated with the Michael Fowler Centre (MFC) and the Town Hall
- Green spaces that preserve existing planting and creates a relaxed garden place for apartment dwellers and city visitors
- Amenities for people to enjoy without cost - shelter from sun and wind, have fun, meet and share with friends, and with easy access to lagoon and waterfront events places as well as the MFC.

I consider this design fails all of these criteria.

Is this development really the best Wellington can do?

I sought to understand how we find ourselves with this inappropriate, in my view, project. I received clear advice from Council’s planning section about the resource consent process but that could not inform me about the preceding decisions of Council about this particular development. I was referred to the Property section of WCC which failed to ring me back, possibly not at work during the preXmas and holiday period when residents of Civic Chambers prepared submissions.

I am well aware that pre application decisions are not an aspect reviewed under the resource consent process, which focuses solely on this application. And that Councillors have no role with the resource consent process as that power is delegated to the Lead Planner. Pre-application decisions involving Councillors was the only time the previous Council could influence decisions about this project. I am nevertheless including discussion about this aspect in my submission as it seems critical for the new Council to check those decisions in light of the current situation.

This year, 2023, the new Council is plummeted into a situation with a possible recession, escalation of drastic climate change, and uncertain and complex international trade and conflict issues. A different world than when the design planning for this project began six years ago. The appropriateness of past decisions, the objective, lease, and cost benefits need to be examined and reviewed by the new Council before the project is implemented in my opinion, however difficult it is to reconsider and compromise so late in the process. This is in ratepayers’ interest.

The Notification report notes that “*the proposed design was developed from the winning scheme in a WCC led design tender competition held in 2016*”. This was developed from 2016 onward by a design team and five years later the focus of the *Pre-Application Meeting Record Notes 26 October 2021* is entirely on issues relating to a large building, with no comment on other potential objectives for the site. I assume that whatever the Design Competition intended in 2016, the previous Council’s design committee decided by 2021 that a commercial building would be the dominating objective. A statement in the 2022 Application notes that the brief for the design team is to “*provide a high quality comprehensive commercial workplace development commensurate with the value, quality, amenity and premium location in Wellington*”.

This appears to displace an 8 year intention to find a site for a music school, although in February 2021 a press release of VUW and the Symphony Orchestra said that Wellington’s music centre had “reached a milestone” by leasing space in MFC’s carpark development. That must have changed seven months later in October 2021 as there is no music school reference in the Pre-application

Meeting Notes nor in later resource consent docs; music is a permitted activity. I have been told that when the timeline and costs of this development were blown out it was too costly for VUW, and also that some space will be available in the refurbished Town Hall.

A cost blowout is very understandable given the past year of shortages and greatly increased building costs, as well as the major earthquake and climate related impacts on Council assets over the last six years. Did the Design Committee re-examine the objective for this site given this cost escalation and the current economic situation? Did they consider a less costly development than a large commercial building? Or after 6 years was planning for this building already too far down the track? Is maximum return for Council the only criterion adopted? One suggestion floated to me was that the Council now plans to occupy the office space, so the leaseholder is likely to seek maximum return from other commercial tenants. Current Councillors probably did not make that self interest decision.

I consider the new Council should at least review the Pre-application objective of a large commercial building. Is that still the best development possible in the light of other public interests in this special site? Many voters in 2022 responded to the call by the Mayor for a new approach.

" - At the heart of everything we do is our response to the climate crisis. I will aim for the stars with that, and in partnership with mana whenua and the Government forge a global reputation as a city that is environmentally sustainable, thriving, and a great place to live, visit, work, study and play"
Tory Whanau 10/1/23.

What exactly are we doing here?

My view is that the new Council does have some accountability for decisions of the past Council and the objectives of this project in light of our current economic situation and because it is not yet implemented. Surely that is sensible. I have no avenue to make submissions to Council on that aspect within the resource consent process. Nor do the RMA appeal processes offer a way to submit on this point as that also relates only to the application, as I understand it. My only way to raise questions about the objectives of this project is to publicise the background story here, as far as I can ascertain it, and possibly also in the media, hoping that the new Mayor and Council will consider their responsibilities and possibly review the Pre-Application decisions, however difficult that is to do.

THE RESOURCE CONSENT ISSUES

Building Design

The information and discussion of the southern, Wakefield Street side of this development in the Application is in my opinion quite inadequate. I also allude to this later in relation to traffic and landscape issues.

I find the focus of the design presentation is about the sight lines of the building from the North Waterfront area and the Civic Centre Heritage Area. They are important aspects. In contrast the design as viewed from the South and Cuba Street Heritage Area receives only minimal attention, yet a lot of people live and approach this site from the South. In relation to Pol 12.2.2.2 the Applicant's Assessment says *"The site is not adjacent to a Residential Area"*. Rather astonishing given the six storey apartment buildings on both corners of Cuba/Wakefield Street exactly opposite MFC and also buildings in Wakefield and Cuba Street. Civic Chambers is one road width from the proposed development.

Consideration of the sight lines from the South side should also include the, literally, crowds of people who come through Cuba Street to MFC and events on the Waterfront. Further, I note the

many people who come from the Hotel and Back Packers in Wakefield Street opposite the Town Hall, and the potential, surely, for some future residential occupation on the Amora site.

I would like to endorse the detailed comments by the Lead Planner relating to both the operative and proposed District Plan frameworks that seem to me to provide well considered guidance for the building.

Height – The building is planned as 39.3 m in height, significantly above the 15m allowed under the current District Plan. The diagrams, according to the Notification Report (NR) are still shown at the lower level. (One query I have is where height is measured from, given the planned earthworks?) I agree with the NR that this has potential for “*adverse effect on the outlook from neighbouring properties*” not less than minor, and also has, in my opinion, potential significant impact on shading and possibly on wind effects.

I also suggest the proposed height is inappropriate from all sightline directions. It does not harmonise with the interesting and heritage buildings surrounding it on all sides, even in the drawings provided, as is baldly claimed (See Figure Three: Wakefield Street Context Elevation in the NR). The Lantern should complement and enhance this exciting and historic cityscape, instead it dominates these drawings like a sore thumb sticking up. Yet the Applicant’s Assessment relating to Pol 12.2.3.1 says “*Existing buildings in the near vicinity are significantly higher than the proposed height of the proposed building*”, and alludes to buildings well away on the other side of Taranaki Street.

I suggest the height of the Lantern should at a minimum conform to the current District Plan but I propose that it should align or be lower than the height of MFC and the Town Hall.

View from South side

The drawings of the southside view, apart from the west corner, seem under developed. It is not clear to me what landscaping and pedestrian width is proposed all along to Taranaki Street. It is clear, however, that a nine storey office building will provide a lot of pedestrians on Wakefield Street, quite apart from existing and potential residents. In the views presented the eastern block looks to me more like a prison building as you go towards the Taranaki corner. At present there are many trees and gardens along this southeast side for walkers to enjoy. And there are lots of walkers because of the proximity of Te Papa, Circa and the Waterfront. But this is not just a landscape question, I think the building design should be set back all along the Wakefield frontage and have an attractive presentation for pedestrians the whole way.

I suggest that the southeastern Wakefield Street frontage design may be incomplete and is inadequate and inconsistent with excellent design policy.

Heritage

The RMA defines historic heritage as natural or physical resources that help us to understand or appreciate New Zealand's history and cultures. Heritage sites may have archaeological, architectural, cultural, historic, scientific or technological qualities.

Historic heritage includes:

- historic sites, areas and structures, including trees
- archaeological sites
- places of significance to tangata whenua and Māori, including wāhi tapu
- surroundings associated with the natural and physical resources, eg land around a heritage building.

The only Heritage matter considered at length in the proposal is the Civic Centre Heritage Area and the issues discussed are predominantly about the visual sightlines of the proposed building. There is also the close by Cuba Street Heritage Area; and heritage issues are far more inclusive than just sight lines. I may come back to some of the other issues in the RMA definition should I appeal the decisions of the Lead Planner.

Here I would like to express my disappointment, as mentioned in my Introduction that the opportunity for cultural spaces that uplift and inspire the heritage values and creativity associated with the Michael Fowler Centre (MFC) and the Town Hall seems to be lost. Where is the vision of our forebears that provided these great cultural space, and ensured they are accessible to all. We could aspire to a world class Music and Creativity Centre – we have the talent, let it loose. Thinking along these lines seems so sensible given the proximity of other cultural heritage buildings, the new Convention Centre and walking distance hotel accommodation.

Instead in response to Obj 12.2.2 the Applicant's Assessment says " - - a new architecturally-designed building bringing a significant daytime population to the site, will add to the vibrancy and vitality of the Central Area and Civic Centre Heritage Area." That's good, vibrant office workers, but we could so much more on this civic centre heritage site, not only with desks in a building but with unique and exciting spaces both inside and outside.

I suggest that more expressions of interest and ideas are sought to contribute to the wider heritage possibilities with this building and related spaces under Obj 20.2.1 – before this unique opportunity is lost.

Public Amenity

Obj 12.2.1 and 2 relate to the activities enhanced by the development, eg Obj 12.2.2 "To facilitate a vibrant, dynamic Central Area by enabling a wide range of activities to occur - -". The development is assessed by the Applicant as consistent with this and it is not much commented on in the NR. Obj 12.2.6.1 to 5 provides sensible guidance requiring design that responds to the context of the site in general terms. Again the project design is assessed by the Applicant as consistent with these policies and the NR does not discuss them in depth.

In my view these policies have been cursorily dealt with because in fact the proposed building severely reduces options for the people who wish to use this public space. The issue goes to the mass of the building and the space it occupies. There is little left for people to enjoy without cost - such as shelter from sun and wind, to have fun, meet and share with friends, picnic, and still have good access for crowds going to the lagoon and waterfront events, as well as those in the MFC and Town Hall. Indeed I suggest that the small green space proposed between the building and MFC will be compromised taking into account the large trucks manoeuvring for MFC events to say nothing of loading requirements for the new building.

In an epoch of increasing temperatures, provision of outside green options for the expected increase in inner city dwellers is very important. On good days the Waterfront clearly illustrates this - and this small green space could provide significant relaxing and recreational space. It seems shortsighted to ignore this potential. But, as noted, the design takes no account of the current numbers of people who already use the space, inadequate as it is, while the limited objective of maximum commercial development potentially suppresses what already exists.

NPS-UD

I understand this is shorthand for the Government policy to intensify inner city housing in cities. I note that this project does not provide any more residential space and in fact, as discussed above, limits the green recreational space that is currently available to such residents. That seems counter to the intended Government policy.

I suggest that District Plan policies (Obj 12.2.1 and 2, Obj 12.2.6.1 to 5) and the inner city intensification policy of Government are relevant policies for this development and should be addressed seriously by the Planner and Applicant to provide sufficient and preferably more, space for public activities.

Landscape

Here I note again the loss of significant tree and garden space on the South side of this building along Wakefield Street, the lack of emphasis on this aspect in the proposal and the need for more green space in the Inner City. The main emphasis seems to be around the built structures while the diagrams in the main Application do not seem to correctly capture the landscape concept drawings also provided. There does not seem to be preservation of existing trees and planting on the South side before the east triangle, although there is possibly some indicative planting in the concept. I conclude there is more work to be done.

I see green landscape issues as very important and would hope to make more positive recommendations to address them in the future. I disagree with the NR that the landscaping effects will be less than minor. ***I suggest that the landscape concept needs to be better integrated with the building plan, particularly in relation to the Southern Wakefield Street side, with an opportunity for further expert advice to be sought.***

Traffic

My concern here is simply that there will be much greater pedestrian and motor traffic on Wakefield Street and heavy traffic into the space between the new building and MFC. A loading zone is added to Wakefield Street but it is unclear to me how this relates to pedestrian space and the setback of the buildings. It also seems that buses will be introduced to Wakefield Street. The NR notes that there are other traffic issues to be added but accepts that the transport and servicing effects are less than minor.

I endorse the comments by other submitters from Civic Centre about these issues that we can so clearly observe. I consider the impact for pedestrians and motor traffic is far from clear at this stage. ***I suggest that the traffic impact from increased cars, buses, pedestrians, cyclists on narrow Wakefield Street requires further detailed study.***

Other resource consent issues

I have not had the opportunity to seek expert advice on some important issues but wish to preserve my right to comment on the following issues in the future if I wish to do so. They are matters that will seriously impact on us as the closest neighbours to this development.

- Wind
- Noise
- Earthworks
- Contamination
- Construction.

