

Application for a project to be referred to an expert consenting panel

(Pursuant to Section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020)

For office use only:

Project name: 110 Jervois Quay
Application number: PJ-0000789
Date received: 24/03/2022

This form must be used by applicants making a request to the responsible Minister(s) for a project to be referred to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

All legislative references relate to the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act), unless stated otherwise.

The information requirements for making an application are described in Section 20(3) of the Act. Your application must be made in this approved form and contain all of the required information. If these requirements are not met, the Minister(s) may decline your application due to insufficient information.

Section 20(2)(b) of the Act specifies that the application needs only to provide a general level of detail, sufficient to inform the Minister's decision on the application, as opposed to the level of detail provided to an expert consenting panel deciding applications for resource consents or notices of requirement for designations.

We recommend you discuss your application and the information requirements with the Ministry for the Environment (the Ministry) before the request is lodged. Please contact the Ministry via email: fasttrackconsenting@mfe.govt.nz

The Ministry has also prepared [Fast-track guidance](#) to help applicants prepare applications for projects to be referred.

Part I: Applicant

Applicant details

Person or entity making the request: MFC Development Limited Partnership c/- Willis Bond & Co

Contact person: Rosalind Luxford

Job title: Senior Development Manager

Phone: s 9(2)(a)

Email: s 9(2)(a)

Postal address:

c/- Willis Bond & Co, P O Box 24137, Wellington 6142

Address for service (if different from above)

Organisation: Urban Perspectives Ltd

Contact person: Alistair Aburn

Job title: Resource Consent Consultant

Phone: s 9(2)(a)

Email: s 9(2)(a)

Email address for service: s 9(2)(a)

Postal address:

Urban Perspectives Ltd, PO Box 9042, Wellington 6141

Part II: Project location

The application: does not relate to the coastal marine area

If the application relates to the coastal marine area wholly or in part, references to the Minister in this form should be read as the Minister for the Environment and Minister of Conservation.

Site address / location:

A cadastral map and/or aerial imagery to clearly show the project location will help.

110 Jervois Quay, Wellington Central, Wellington, 6011, New Zealand

The Site will be a portion of a much larger title owned by Wellington City Council. Please refer to Attachment 1 which shows the boundaries of the larger title. An indicative boundary for the new Site is provided in Attachment 2.

Legal description(s):

A current copy of the relevant Record(s) of Title will help.

The Site will be a portion of a much larger title owned by Wellington City Council. A new leasehold title is being created for the Site. Please refer to Attachment 1 and 2 for detail.

Registered legal land owner(s):

Wellington City Council is the registered legal land owner.

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur, including a statement of how that affects the applicant's ability to undertake the work that is required for the project:

The Applicant, MFC Development Limited Partnership, is finalising negotiation for a Ground Lease for the Site with Wellington City Council. The legal interest will be a 175-year Ground Lease granted by Wellington City Council (Lessor) to MFC Development Limited Partnership (Lessee).

Part III: Project details

Description

Project name: 110 Jervois Quay

Project summary:

Please provide a brief summary (no more than 2-3 lines) of the proposed project.

110 Jervois Quay provides an opportunity to deliver a brand new ~14,500 m² (GFA), Green Star rated, base isolated building set in a pivotal central city location, acting as a hub that connects the CBD, Civic, Cuba and waterfront precincts. The project will deliver resilient and high-quality education, retail and office space within Wellington city, accommodating a large workforce and bringing flow on economic benefit to the area.

Project details:

Please provide details of the proposed project, its purpose, objectives and the activities it involves, noting that Section 20(2)(b) of the Act specifies that the application needs only to provide a general level of detail.

The current proposal is for an eight (8) level (Ground + 7 + Plant) building incorporating ground level retail and end of trip, two (2) commercial office entry lobbies, a through-site laneway, service infrastructure, and commercial office on levels one (1) to seven (7). The office floors on levels 1 to 7 vary in size and shape, with the largest floorplates on levels 2 and 3 (the podium floors) and the smallest floorplates on levels 6 and 7 (the tower floors). No car parking is provided on-site, but two 300+ bay public car parking buildings exist within 100m of the site.

The building has been designed to respond to the historic heritage of Wellington's Te Ngākau Civic Precinct. Its form and massing respects the scale and space around significant heritage structures such as the Town Hall, City Gallery, and structures within the Cuba corridor, and is designed to value the landmark status of the Michael Fowler Centre. The building footprint (around its largest floorplate) equates to approximately 70% of the Site area.

A key component of the building is its emphasis on sustainable design. It is designed and will be built to achieve a minimum 5-star Green Star rating and targeting a minimum 5-star NABERSNZ rating. It is also a base-isolated building, providing an exceptional level of resiliency.

The proposal also includes a commitment to landscape and improve the public spaces within the Site including creating through-site links between Cuba Street and Opera House Lane to the waterfront via Jervois Quay, removing the Wakefield Street overbridge, landscaping the park located on the Waimapihi Stream corner (on the eastern tip of the site), and creating a sheltered public space between the building and the neighbouring Michael Fowler Centre.

Where applicable, describe the staging of the project, including the nature and timing of the staging:

The project will be delivered in one (1) stage.

Concept Design and Preliminary Design for the project are complete.

Developed Design and Detailed Design for the project are anticipated to run from Apr 2022 to Nov 2022.

Construction (including early works) is anticipated to commence Nov/Dec 2022 and be completed by Q3 2025.

Consents / approvals required

Relevant local authorities: Greater Wellington Regional Council, Wellington City Council

Resource consent(s) / designation required:

Land-use consent, Water permit, Subdivision consent, Discharge permit

Relevant zoning, overlays and other features:

Please provide details of the zoning, overlays and other features identified in the relevant plan(s) that relate to the project location.

Legal description(s)	Relevant plan	Zone	Overlays	Other features
Wellington City District Plan	District Plan	Central Area	N/A	N/A
Wellington City District Plan	District Plan	Heritage Area	N/A	N/A
Greater Wellington Regional Natural Resources Plan	Natural Resources Plan	N/A	N/A	N/A

Rule(s) consent is required under and activity status:

Please provide details of all rules consent is required under. Please note that Section 18(3)(a) of the Act details that the project **must not include** an activity that is described as a prohibited activity in the Resource Management Act 1991, regulations made under that Act (including a national environmental standard), or a plan or proposed plan.

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
District Plan	Central Area Rule 13.3.3	For non-compliance with standard 13.6.1.3 in relation to on-site servicing.	Restricted Discretionary Activity	110 Jervois Quay
District Plan	Central Area Rule 13.3.4	Design, external appearance and siting.	Restricted Discretionary Activity	110 Jervois Quay
District Plan	Central Area Rule 13.3.8	For non-compliance with standards relating to standard 13.6.1.3 in relation to on-site servicing, standard 13.6.3.5 in relation to wind, and standard 13.6.3.6 in relation to verandahs.	Restricted Discretionary Activity	110 Jervois Quay
District Plan	Central Area Rule 13.4.9	Construction of a new building in an identified heritage area that exceeds the absolute maximum height standard specified in standard 13.6.3.1.6.	Discretionary Activity	110 Jervois Quay
District Plan	Heritage Area Rule 21B.2.1	Construction of a new building on a site in a heritage area.	Restricted Discretionary Activity	110 Jervois Quay
District Plan	Earthworks within a Heritage Area Rule 21B.2.3	Earthworks within a heritage area.	Restricted Discretionary Activity	110 Jervois Quay
District Plan	Earthworks Rule 30.2.1	Earthworks in excess of the standards applying	Restricted Discretionary Activity	110 Jervois Quay

		to sites in the Central Area.		
District Plan	Contaminated Land Rule 32.2.1	Earthworks involving potentially contaminated land. Note: if contaminated soil is found during earthworks, consent may also be necessary under the National Environmental Standard (NES) for Assessing & Managing Contaminants in Soil to Protect Human Health.	Restricted Discretionary Activity	110 Jervois Quay
Regional Natural Resources Plan	Regional Rule R142 - Water Permit	Dewatering associated with the installation of building foundations and piles.	Discretionary Activity	110 Jervois Quay
Regional Natural Resources Plan	Regional Rule R68 - Discharge Permit	Discharge of water to the land (stormwater network) - dewatering.	Discretionary Activity	110 Jervois Quay

Resource consent applications already made, or notices of requirement already lodged, on the same or a similar project:

Please provide details of the applications and notices, and any decisions made on them. Schedule 6 clause 28(3) of the COVID-19 Recovery (Fast-track Consenting) Act 2020 details that a person who has lodged an application for a resource consent or a notice of requirement under the Resource Management Act 1991, in relation to a listed project or a referred project, must withdraw that application or notice of requirement before lodging a consent application or notice of requirement with an expert consenting panel under this Act for the same, or substantially the same, activity.

An application for resource consent for 110 Jervois Quay was lodged with the Wellington City Council on 3 March 2022. No decision has been made by the Wellington City Council under s95-s95E of the RMA concerning notification of the application.

Resource consent(s) / Designation required for the project by someone other than the applicant, including details on whether these have been obtained:

No resource consents/designations are required for the project by anyone other than the Applicant.

Other legal authorisations (other than contractual) required to begin the project (eg, authorities under the Heritage New Zealand Pouhere Taonga Act 2014 or concessions under the Conservation Act 1987), including details on whether these have been obtained:

As the site was associated with human activity before 1900, an archaeological authority will be required under the Heritage New Zealand Pouhere Taonga Act 2014. The authority has not yet been applied for, however:

- The Site is situated on land reclaimed from Wellington Harbour during the Te Aro Reclamations of the late 1880s.
- The areas necessary for ground disturbance for the project have previously been subject to large scale excavation when previous buildings were constructed (Tramways Powerhouse, now demolished).
- The likelihood that any archaeological resources will be encountered during the earthworks required for this project is therefore remote.
- Accidental discovery protocols for archaeological resources will be adhered to in accordance with the authority, once obtained.

Construction readiness

If the resource consent(s) are granted, and/or notice of requirement is confirmed, detail when you anticipate construction activities will begin, and be completed:

Please provide a high-level timeline outlining key milestones, e.g. detailed design, procurement, funding, site works commencement and completion.

The key milestones for the project are anticipated to be:

Concept Design - complete

Preliminary Design - complete

Developed Design - Apr 2022 to Jul 2022

Detailed Design - Aug 2022 to Nov 2022

Early works / demolition / construction - Nov/Dec 2022 to Q3 2025

Part IV: Consultation

Government ministries and departments

Detail all consultation undertaken with relevant government ministries and departments:

Heritage New Zealand Pouhere Taonga

Local authorities

Detail all consultation undertaken with relevant local authorities:

Pre-application consultation with Wellington City Council officers (planning, urban design, heritage, wind, and traffic) was undertaken prior to lodging the resource consent application on 3 March 2022. In addition to the official consultation, the proposed development has been reviewed by an independent Urban Design Panel, the members of which were jointly agreed by the Applicant and the Wellington City Council. The Panel provided strong support for the project – this is included in Attachment 3.

At this point no consultation has been undertaken with the Greater Wellington Regional Council in relation to the water permit and discharge permit approvals that will be required in relation to the dewatering works.

Other persons/parties

Detail all other persons or parties you consider are likely to be affected by the project:

There are a range of persons whom the Applicant has considered may be affected, including:

- Heritage New Zealand Pouhere Taonga
- Wellington Tenth Trust
- Port Nicholson Block Settlement Trust
- New Zealand Symphony Orchestra
- Wellington Water

Detail all consultation undertaken with the above persons or parties:

Ongoing, proactive engagement with each of the affected parties listed above was undertaken throughout the early design phases of the project.

Heritage New Zealand Pouhere Taonga: Consultation with Heritage New Zealand was held in February 2022. Heritage New Zealand indicated support for the proposed development. Mr Dean Raymond, Area Manager, Central Region, Heritage NZ - noting that the District Plan specifically identifies the Michael Fowler Carpark as an area of future development within the Civic Centre Heritage Area - confirmed that: "While the Michael Fowler Centre is not currently 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 and to honour its civic and celebratory presence, our

primary advice for any development on the adjacent parcel should be neither to crowd the Michael Fowler Centre nor overwhelm it with excessive height.” Mr Raymond confirmed that it was of Heritage New Zealand’s view that “the proposed development appropriately respects the form and location of the Michael Fowler Centre and will be a welcome addition to the urban form of this part of Wellington.”

Wellington Tenth Trust: an initial hui was held with Ms Liz Mellish MNZM, the Chairperson of Te Raukura Te Wharewaka O Poneke in August 2021, who confirmed that the Wellington Tenth Trust is the mandated iwi authority for the Te Aro area, and who supported the project in its early design stages. Additional consultation with Ms Mellish was undertaken in February 2022, to present a more progressed design for the project. Ms Mellish, in a letter dated 14 March 2022 confirmed the Trust’s support for the proposed development (see Attachment 7).

Port Nicholson Block Settlement Trust: An initial meeting has been held with the Port Nicholson Block Settlement Trust and agreement reached that there would be on-going consultation and engagement during the developed design process, outside the resource consent process.

New Zealand Symphony Orchestra: consultation was undertaken with Mr Craig Thorne (Head of Projects at New Zealand Symphony Orchestra) and Mr Warrick Dent (GM Events & Experiences at WellingtonNZ) to discuss the potential construction impacts on users of the Michael Fowler Centre, in particular, the New Zealand Symphony Orchestra. The Applicant will continue to coordinate with both parties to minimise any negative impacts during construction (e.g. noise and vibrations) to users of the Michael Fowler Centre.

Wellington Water: ongoing consultation is being held with Wellington Water regarding two existing items of public utility infrastructure that sit within the site (a sewerage storage/detention tank and a stormwater culvert). The Applicant met with Wellington Water most recently in February 2022 to discuss the construction methodology in relation to the two water assets. Feedback has been received from Wellington Water and the Applicant is working with the design team on the project to address Wellington Water’s initial concerns and recommendations.

Part V: Iwi authorities and Treaty settlements

For help with identifying relevant iwi authorities, you may wish to refer to [Te Kāhui Māngai – Directory of Iwi and Māori Organisations](#).

Iwi authorities and Treaty settlement entities

Detail all consultation undertaken with Iwi authorities whose area of interest includes the area in which the project will occur:

Iwi authority	Consultation undertaken
Wellington Tenth Trust	Engagement and consultation was undertaken at the commencement of the project. “Wellington Tenth Trust is an iwi authority established as a result of the agreement between the New Zealand Company and the Rangatira of Te Atiawa in 1839. The Trust is an Ahu Whenua Trust under Te Ture Whenua Maori Act 1993”.
Port Nicholson Block Settlement Trust	Engagement and consultation is in progress.

Detail all consultation undertaken with Treaty settlement entities whose area of interest includes the area in which the project will occur:

Treaty settlement entity	Consultation undertaken
Port Nicholson Block Settlement Trust	Engagement and consultation is in progress with an initial meeting having taken place on 23 February 2022.

Treaty settlements

Treaty settlements that apply to the geographical location of the project, and a summary of the relevant principles and provisions in those settlements, including any statutory acknowledgement areas:

Section 18(3)(b) of the Act details that the project **must not include** an activity that will occur on land returned under a Treaty settlement where that activity has not been agreed to in writing by the relevant land owner.

The project does not involve land returned under a Treaty settlement.

Part VI: Marine and Coastal Area (Takutai Moana) Act 2011

Customary marine title areas

Customary marine title areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the location of the project:

Section 18(3)(c) of the Act details that the project **must not include** an activity that will occur in a customary marine title area where that activity has not been agreed to in writing by the holder of the relevant customary marine title order.

The project is not within a customary marine title area.

Protected customary rights areas

Protected customary rights areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the location of the project:

Section 18(3)(d) of the Act details that the project **must not include** an activity that will occur in a protected customary rights area and have a more than minor adverse effect on the exercise of the protected customary right, where that activity has not been agreed to in writing by the holder of the relevant protected customary rights recognition order.

The project is not within a protected customary rights area.

Part VII: Adverse effects

Description of the anticipated and known adverse effects of the project on the environment, including greenhouse gas emissions:

In considering whether a project will help to achieve the purpose of the Act, the Minister may have regard to, under Section 19(e) of the Act, whether there is potential for the project to have significant adverse environmental effects. Please provide details on both the nature and scale of the anticipated and known adverse effects, noting that Section 20(2)(b) of the Act specifies that the application need only provide a general level of detail.

The actual and potential effects of the proposal relate to:

1. heritage effects;
2. urban design effects;
3. landscape effects;
4. wind effects;
5. transportation effects;
6. CPTED effects;
7. noise effects;
8. earthworks effects;
9. contaminated land effects;
10. civil works/ infrastructure effects; and
11. construction effects.

Note that building height effects are covered in heritage and urban design effects.

Independent assessment reports have been prepared in relation to each of the above effects. Only the Heritage and Urban Design Assessment Reports have been provided as part of this application at Attachment 4 and Attachment 5 respectively, however expert reports have been prepared for all of the listed issues and can be provided on request.

1. Heritage Effects: the Applicant commissioned an independent report from Adam Wild of Archifact, a heritage and conservation architecture practice. The report concluded that the proposal has an acceptable effect on the heritage values of the Civic Centre Heritage Area. This conclusion is endorsed by Heritage New Zealand's statement that "... the proposed development appropriately respects the form and location of the Michael Fowler Centre and will be a welcome addition to the urban form of this part of Wellington."

2. Urban Design Effects: An urban design assessment of the proposal has been undertaken by urban designer Deyana Popova. Three separate assessments were carried out with reference to (a) the response of the proposal to the Central Area Urban Design Guide (Design Guide); (b) the visual impact of the proposal on its immediate and wider townscape setting; and (c) the degree to which the proposed design is exemplary and capable of delivering 'design excellence'. The assessment concludes "the proposal is based on a well-considered and context-driven design concept that has taken into account and appropriately addressed the relevant Design Guide objectives and guidelines" and "the proposal will appear as a new element which integrates well to its visual setting while adding visual interest to the surrounding townscape and without impacting on views from within the Civic Square". In addition, the "outcome, in terms of an overall quality clearly exceeds the quality of a development that merely satisfies the Design Guide". The Urban Design Panel was also supportive of the development's massing and height, enhancement of urban connectivity and delivery of landscaped open spaces. Regarding the height, the Urban Design Panel provided support for the proposed height of the 'lantern' portion of the building (i.e. the highest structure) and concluded "although this exceeds the height limit for the area we consider the similarity of height and generous setback from the MFC ensures that it complements and does not visually dominate that building. The height is also appropriate in relation to the surrounding buildings". In addition, the Urban Design Panel commented "we do not see a logic to suppress the height of the 'lantern' below what is proposed, and believe that the building may seem out of scale with the surrounding context if it was to be significantly reduced in height."

3. Landscape Effects: the proposed development was reviewed by an independent Design Panel as part of the pre-application process. In relation to the proposed site landscaping, the Panel recorded its overall support, including support for: the logic of the landscaping generally - wider to Jervois Quay and more formal to the Wakefield Street boundary "feels appropriate to the site"; the design of the northern garden - "which is of significant importance to both the definition of the waterfront connection walkway and the comfort of the western external space"; the threshold between the public (waterfront connection) and the outdoor terraces; and the acknowledgement of the application of water sensitive design.

4. Wind Effects: under the Wellington District Plan all new Central Area buildings above 18.6m must be designed to comply with specified standards and a wind report, which includes the results of a wind tunnel test. The initial wind tunnel test concluded "while the wind tunnel data shows that the proposed development does cause significant changes in wind conditions, mostly due to redistribution of wind flows, the net overall effect is relatively small." However, and having identified two locations where the maximum gust speeds were increased above the 20m/s District Plan Safety Criteria, a range of potential mitigation options were developed and additional wind speed measurements carried out (demonstrating mitigation measures had beneficial effects on reducing speeds to 20m/s or below). Mitigation measures (design and landscaping) are being incorporated into the design to address/mitigate the effects to an acceptable level.

5. Traffic/Transportation Effects: An independent assessment of the proposed development from a transportation perspective has been undertaken by Stantec. The assessment concluded "Overall, it is assessed that the proposed development aligns well with the intent of the District Plan's Central Area zoning provisions, in not providing on-site parking and instead drawing on the active mode and public transport access benefits of the city centre location.

Implementation of a kerbside loading bay on Wakefield Street (replacing the former GWRC bus stop that is no longer required), as proposed, will not cause the function, safety or capacity of the adjacent road network to be compromised.”

6. CPTED: ‘crime prevention through environmental design’ (CPTED) principles were incorporated into the design process with independent advice sought from Dr Frank Stoks, an acknowledged CPTED expert. Dr Stoks concluded “that prudent CPTED measures have been embedded and refined during the design process, and to a level commensurate with a resource consent application”. Dr Stoks’ report identified a small number of areas where, as part of the development design process following the granting of resource consent, some further amendments/refinements could be considered and addressed.

7. Noise Effects: An acoustical noise assessment has been undertaken by Marshall Day Acoustics. The report addresses the following areas of potential noise effects: fixed plant noise; activity noise; and construction noise and vibration. With the imposition of consent conditions recommended by Marshall Day, any adverse noise effects associated with the temporary construction phase, and any on-going external noise effects from fixed plant noise or activity noise, once the new building is completed and occupied, will be less than minor.

8. Earthworks Effects: as with all major Central Area developments, significant site preparation earthworks will be required. These earthworks and the associated temporary effects will be managed through the implementation of a comprehensive and robust earthworks management plan (EMP), a standard resource consent condition on all Central Area resource consents.

9. Contaminated Land Effects: at the date of submitting this application, a limited contamination survey has been conducted which has indicated the presence of contamination. A full contamination survey will be conducted during the early construction phase (i.e. once the temporary structure housing the Royal New Zealand Ballet on the site has been removed). A Contaminated Site Management Plan will be prepared before site works commence which will address methods to avoid, remedy or mitigate any adverse effects on public health and safety, and the environment (including the ecological and amenity values associated with the site).

10. Civil Design Effects: Aurecon NZ Limited were commissioned to provide a high-level assessment of the applicable design standards primarily in relation to civil services, drainage and flooding. In relation to flooding, as confirmed in the Structural/Geotechnical Effects & Construction Methodology Report: “The ground floor slab level of the new building will be set approximately 1m above existing ground levels to mitigate potential inundation and sea-level rise flooding hazards.”

11. Demolition and Construction: it is inevitable that the development will give rise to temporary adverse effects, particularly on nearby neighbours. As with site earthworks, demolition and construction works will be subject to comprehensive and robust management plans addressing demolition and construction-related traffic effects and demolition and construction related-noise and vibration effects. If resource consent is granted, the appointed principal contractor will be L T McGuinness Limited, a very experienced contractor responsible for a large number of Central Area developments in Wellington.

Part VIII: National policy statements and national environmental standards

General assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard:

The only National Policy Statement that is relevant to this project is the new National Policy Statement on Urban Development 2020 (NPS-UD) and, in particular, Objectives 1, 3, 4 and 8:

Objective 1: New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future:

Objective 3: Regional policy statements and district plans enable more people to live in, and more business and community services to be located in, areas of an urban environment in which one or more of the following apply:

- (a) the area is in or near a centre zone or other area with many employment opportunities
- (b) the area is well serviced by existing or planned public transport
- (c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.

Objective 4: New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities and future generations.

Objective 8: New Zealand's urban environments:

- (a) support reductions in greenhouse emissions; and
- (b) are resilient to the current and future effects of climate change.

The proposed development of the new building on the site at 110 Jervois Quay will give effect to these objectives in the following ways:

1. the transformation of what effectively is a 'brownfields' site in the heart of Wellington's Central Area/Civic Centre into a site with a new architecturally designed building that will add to the ambience and vitality of the Civic Centre, will in turn make a significant contribution to Wellington City overall as a 'well-functioning urban environment' [Objective 1 / Policy 1];
2. by establishing a high amenity development (building form, design and external appearance and associated landscaping) that responds positively to the site's position within the Civic Centre Heritage Area, in a manner that does not detract from the area's historic heritage values, is consistent with the direction of the NPS-UD in relation to facilitating the benefits of intensification in city centre zones [Objective 3 / Policy 3];
3. as a former carpark, transforming the site into a high amenity Central Area building is consistent with responding to the changing needs of Wellington City and its people and communities [Objective 4/Policy 6]; and
4. by 'removing' a significant number of on-site carparks (26 in total) and not providing any in association with the new building, the outcome is consistent with (Objective 8(a)) in supporting reductions in greenhouse emissions [Objective 8]; as is the setting of a minimum (RL) floor level consistent with Objective 8(b) in mitigating future effects of climate change/sea level rises.

Part IX: Purpose of the Act

Your application must be supported by an explanation how the project will help achieve the purpose of the Act, that is to "urgently promote employment to support New Zealand's recovery from the economic and social impacts of COVID-19 and to support the certainty of ongoing investment across New Zealand, while continuing to promote the sustainable management of natural and physical resources".

In considering whether the project will help to achieve the purpose of the Act, the Minister may have regard to the specific matters referred to below, and any other matter that the Minister considers relevant.

Project's economic benefits and costs for people or industries affected by COVID-19:

The project is a significant commercial development in Wellington in the current market. The project will deliver high-quality and resilient office space within Wellington City, attracting and accommodating a large workforce and delivering flow on economic benefit to the area.

Willis Bond has a strong and successful track record of delivering high quality, resilient property developments throughout New Zealand. The project will help to stimulate the economy by creating new jobs; boosting household incomes; and lifting Gross Domestic Product (GDP) across the lower North Island.

Referral of this project by the Minister will provide the certainty of investment needed to promote employment to support Wellington's recovery from the adverse economic and social impacts of the Covid-19 pandemic. The project has a construction value of approximately \$70 million.

The project will primarily benefit those working in the construction industry and will create significant employment opportunities for a sustained period across an almost 32-month construction period. Further benefits are described below in this application and further workforce benefits can be provided by our contracting partner LT McGuinness as required.

Project's effects on the social and cultural wellbeing of current and future generations:

The project is multi-faceted, incorporating interwoven commercial and accessible spaces, green landscaped areas and public linkages, which connect it to the surrounding city. The project will support a diverse and vibrant range of activities and connections, bridging the CBD, Civic, waterfront and Cuba precincts, and will support the sense of community in the heart of the city. Large, landscaped areas will surround the building, creating spaces for the occupants and the wider public to enjoy.

The development will also be home to the Victoria University of Wellington's New Zealand School of Music (with the University's Council agreeing to commit to a 25-year lease in the building), who will occupy space on the ground floor, level 1 and level 2 of the building, as part of a new national music centre (which will also occupy the nearby Wellington Town Hall and Michael Fowler Centre). The national music centre is a collaboration between the University, NZSO and the Wellington City Council and NZSO will join VUW NZSOM in the building. The collaboration's aim is to attract more of New Zealand's young people and communities, and more of the world to Wellington and New Zealand through providing a world-class facility. Accommodating the New Zealand School of Music and NZSO at the site will further enhance and strengthen the cultural experience that the Civic Precinct provides.

Whether the project would be likely to progress faster by using the processes provided by the Act than would otherwise be the case:

If the project is referred, it is understood resource consent could be granted during Q3 of 2022.

Referral of this project by the Minister will provide the certainty of investment needed to promote employment to support Wellington's recovery from the adverse economic and social impacts of the Covid-19 pandemic.

In contrast, if the project has to be processed under the RMA, the Wellington City Council may conclude under s95A of the RMA that the proposal requires to be publicly notified, despite the unwavering support of significant stakeholders for the quality development. This will introduce uncertainty, delay and significant additional cost which could undermine the project's overall viability/timeframes, despite all the early engagement and consultation with potentially affected parties and their subsequent support for the project.

If the normal RMA notification processes are used, determination of the application is unlikely to be achieved until well into 2023, a 12 to 18+ month delay. This will delay employment and there will be significant opportunity costs due to escalation, for a project that is 'ready to go to the market'. Further, the VUW NZSOM is targeting commencing teaching from March 2026. In order to be able to complete fit-out works for its specialist spaces, any delay in the start of construction beyond the end of 2022 will adversely impact this timeframe and may jeopardise the University's involvement in the project.

Whether the project may result in a 'public benefit':

Examples of a public benefit as included in Section 19(d) of the Act are included below as prompts only.

Employment/job creation:

Referral of the project and the granting of resource consent will immediately enable the full engagement of approximately 30 consultant and sub-consultant firms to undertake services associated with the detailed design, project management and procurement of construction of the project – providing significant employment opportunities in a wide range of consulting disciplines.

In addition to these pre-construction activities, construction-related personnel (principal contractor and sub-contractors) is anticipated to reach a daily average of 50, 130, and 90 tradesmen (FTE) on site in 2023, 2024 and 2025 respectively, with thirty-five plus sub-contracted trades working simultaneously on the project. In addition to this, we anticipate there being a further one hundred jobs created with off-site prefabrication, as well as thirty full time design consultants across a range of disciplines.

Post construction, there will be work generated from the ongoing maintenance of the site as well as full employment opportunities generated from the retail and commercial tenants that will occupy the building. In a post-COVID Wellington, high quality office space is essential to attracting workers back to the CBD, and thus support the businesses reliant on their daily custom to survive. Education opportunities and creating a world-class national music centre are also expected to result from the proposal. New development in the city is essential to returning its vibrancy following the move to working-from-home necessitated by the pandemic.

Housing supply:

This is not applicable to the 110 Jervois Quay project which contemplates a commercial and educational development.

Contributing to well-functioning urban environments:

Currently the Site is operating primarily as a hard surface carpark. The project will transform the area into a precinct-like environment that brings an architecturally designed building and landscaped areas to support a range of activities in the Central Area.

The existing carpark site will become a hub that delivers improved connectivity between key precincts in the Central Area, and that delivers public spaces to be enjoyed by both the occupants of the building and the public.

The importance of design excellence and sustainable, resilient building is highly valued by Willis Bond, and the proposed development is a strong representation of this ethos. The project has been designed by award winning Athfield Architects Ltd and Wraight and Associates Landscape Architects Ltd, who have a demonstrated history in delivering projects that contribute towards well-functioning urban environments.

Providing infrastructure to improve economic, employment, and environmental outcomes, and increase productivity:

During construction, the project will help to stimulate the economy by creating new jobs; boosting household incomes; and lifting Gross Domestic Product (GDP) across the lower North Island.

Post completion, the development will attract and accommodate a large workforce, delivering enduring economic benefit to businesses in the area. There will also be new work generated from new tenancies and ongoing maintenance of the site.

The Site is within easy walking distance of public transport options and the project will deliver additional bike parking to the area (within end of trip facilities in the building, and in landscaped public areas). This will encourage more sustainable transport to and from the Site, which is currently being utilised predominantly as a carpark.

Improving environmental outcomes for coastal or freshwater quality, air quality, or indigenous biodiversity:

The urban nature of the 110 Jervois Quay development, is such that it will not directly improve coastal, freshwater, air quality or biodiversity outcomes; nor will it adversely impact these environmental outcomes.

Minimising waste:

One of the tools that the main contractor will be utilising is a Waste Minimisation Record that feeds off the REBRI (Resource Efficiency in the Building and Related Industries) Resource Routing Calculator. This device looks to track and reduce the amount of building material waste generated during construction that would otherwise be sent to the landfill. The objective of this tool, according to BRANZ, is to 1) reduce waste disposal costs, 2) save money on raw materials 3) use materials more effectively 4) reduce the environmental impact from landfill disposal 5) maximise the amount of waste diverted from landfills and clean fills and 6) minimise contamination and damage.

The 110 Jervois Quay development is targeting a 5-Star Green Star certification. Green Star includes a section on 'construction waste', where projects are rewarded for reducing the construction waste going to landfill. The

development is targeting diverting a significant portion of construction waste from going to the landfill (a 70% diversion rate).

From a long-term perspective, base-isolating the building for highest performance resilience from earthquakes and raising the ground floor to protect from flooding due to climate change and sea level rise will also help to ensure that the building survives well beyond the 50-year life cycle envisaged by the Building Code. This is an inherently sustainable approach to new development. Utilising a “diagrid” structure will also reduce the steel requirements of the building by 25-30%.

Contributing to New Zealand’s efforts to mitigate climate change and transition more quickly to a low-emissions economy (in terms of reducing New Zealand’s net emissions of greenhouse gases):

The 110 Jervois Quay development is being designed to incorporate improved levels of thermal performance, including high performance glazing optimized for the design, and enhanced wall, roof and floor insulation. The project will be fully electric and will not use any fossil fuels for energy generation and is also targeting a 5-Star NABERSNZ rating. This Green Star project will also adopt water efficient fittings and fixtures; environmentally certified building materials; high efficiency LED lighting; energy sub-metering; and end-of-trip facilities like bike parking and changing facilities for occupants. These strategies contribute to shifting towards a low emission economy by improving energy use, occupant behaviour and health/well-being.

Promoting the protection of historic heritage:

After consultation with Heritage New Zealand Pouhere Taonga, Mr Dean Raymond (Area Manager, Central Region) concluded that “the proposal is reasonably straightforward in terms of heritage from the standpoint/view of Heritage New Zealand”.

The Site does not front onto Te Ngakau Civic Square itself, however the land the Site sits on has been recognised as part of Wellington’s civic centre for over a century. Heritage New Zealand has indicated “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 District Plan has included the area containing the Site within the Civic Square area ‘so that future development 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’.

The Applicant has carefully considered the above throughout preliminary design and is encouraged by Heritage New Zealand’s feedback that “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”.

Strengthening environmental, economic, and social resilience, in terms of managing the risks from natural hazards and the effects of climate change:

The development will deliver resilient office space to the Central Area, providing enduring, flow-on economic benefit to the local economy.

The building will be base-isolated to achieve in excess of a 100% NBS rating and incorporate ‘low damage design’ principles. Base-isolated structures are seismically resilient as they are designed to respond safely to a 1-in-1000-year seismic event.

Throughout the design of the building, risk management against climate change effects has been carefully considered. The building has been designed to include a raised ground floor to provide resilience against potential sea level rise.

Other public benefit:

The proposed new building and site landscaping will result in an overall positive outcome, namely transforming the site from a hard surfaced carpark into an architecturally designed building and landscape, to accommodate a range of Central Area activities which will collectively add to the vibrancy and vitality of the Civic Centre Heritage Area.

Public usability of the site will be significantly improved, through the provision of landscaped areas and public spaces. In addition, the provision of through-site links will deliver improved connectivity for the public between the CBD, Civic, waterfront and Cuba precincts.

The development will also improve the streetscape and visual amenity of the site, in a manner compatible with the historic heritage values associated with the wider area.

Whether there is potential for the project to have significant adverse environmental effects:

Given the considered design approach, it is believed that there is no potential for the 110 Jervois Quay development to have significant adverse environmental effects.

Flood modelling conducted for the proposed MFCC building has been carried out for the 10 year and 100 year average recurrence interval (ARI) scenarios, under both existing and future climate conditions. This includes climate change allowances for increasing rainfall intensity of 20% and a 1m sea level rise. The impacts of the proposed building on predicted flood levels are minor (10-30mm) and do not cause additional flooding to surrounding buildings as most are already flooded in the scenarios considered. The location of the proposed building permits the principal overland flows down Cuba St and Taranaki St to continue to the sea without significant disturbance.

Part X: Climate change and natural hazards

Description of whether and how the project would be affected by climate change and natural hazards:

The 110 Jervois Quay development has incorporated structural, geotechnical and architectural design elements to address and mitigate the effects of climate change and natural hazards.

The building will be base-isolated and built to respond safely to a 1-in-1000 year seismic event. Above the base isolators, the building will utilise a steel-framed diagrid structure to provide structural strength at the least weight and mass. These structural elements will ensure the building achieves in excess of a 100% NBS rating and survives well beyond the 50-year life cycle envisaged in the Building Code.

The ground floor of the building has also been raised to a level (i.e. a 3.03m reduced level) based on flood modelling which considered flood sizes that occur once every 100 years, under both existing and future climate conditions (increased rainfall intensity of 20% and 1m sea level rise). The raised ground floor will ensure that the building is protected from climate change flood hazards (though in extreme events access to the building may be limited).

Part XI: Track record

A summary of all compliance and/or enforcement actions taken against the applicant by a local authority under the Resource Management Act 1991, and the outcome of those actions:

Local authority	Compliance/Enforcement Action and Outcome
Wellington City Council	No compliance and/or enforcement action has been taken against the Applicant under the RMA.
Greater Wellington Regional Council	No compliance and/or enforcement action has been taken against the Applicant under the RMA.

Part XII: Declaration

I acknowledge that a summary of this application will be made publicly available on the Ministry for the Environment website and that the full application will be released if requested.

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Important notes:

- Please note that this application form, including your name and contact details and all supporting documents, submitted to the Minister for the Environment and/or Minister of Conservation and the Ministry for the Environment, will be publicly released. Please clearly highlight any content on this application form and in supporting documents that is commercially or otherwise sensitive in nature, and to which you specifically object to the release.
- Please ensure all sections, where relevant, of the application form are completed as failure to provide the required details may result in your application being declined.
- Further information may be requested at any time before a decision is made on the application.
- Please note that if the Minister for the Environment and/or Minister of Conservation accepts your application for referral to an expert consenting panel, you will then need to lodge a consent application and/or notice of requirement for a designation (or to alter a designation) in the approved form with the Environmental Protection Authority. The application will need to contain the information set out in Schedule 6, clauses 9-13 of the Act.
- Information presented to the Minister for the Environment and/or Minister of Conservation and shared with other Ministers, local authorities and the Environmental Protection Authority under the Act (including officials at government departments and agencies) is subject to disclosure under the Official Information Act 1982 (OIA) or the Local Government Official Information and Meetings Act 1987 (LGOIMA). Certain information may be withheld in accordance with the grounds for withholding information under the OIA and LGOIMA although the grounds for withholding must always be balanced against considerations of public interest that may justify release. Although the Ministry for the Environment does not give any guarantees as to whether information can be withheld under the OIA, it may be helpful to discuss OIA issues with the Ministry for the Environment in advance if information provided with an application is commercially sensitive or release would, for instance, disclose a trade secret or other confidential information. Further information on the OIA and LGOIMA is available at www.ombudsman.parliament.nz.

Checklist

Where relevant to your application, please provide a copy of the following information.

No	Correspondence from the registered legal land owner(s)
Yes	Correspondence from persons or parties you consider are likely to be affected by the project
No	Written agreement from the relevant landowner where the project includes an activity that will occur on land returned under a Treaty settlement.
No	Written agreement from the holder of the relevant customary marine title order where the project includes an activity that will occur in a customary marine title area.
No	Written agreement from the holder of the relevant protected customary marine rights recognition order where the project includes an activity that will occur in a protected customary rights area.

