DESCRIPTION OF PROPOSAL & PLANNING BACKGROUND

1 THE APPLICANT DETAILS

Primeproperty Group is a 100% New Zealand owned property investment and development company based in Wellington which has been in operation for over 25 years. Primeproperty Group's portfolio across New Zealand consists of over 40 properties including CBD office buildings, industrial business parks, hotels, residential apartment buildings, residential housing developments and carparking buildings. They are landlords to approximately 500 Crown and commercial tenants including TVNZ, Insurance Council of NZ, ANZ, ACC, Les Mills, Bunnings, Wellington International Airport, Tonkin Taylor, Weta Digital, Ministry of Education, Spicers, Consumer NZ, Kiwiwealth, NZ Law Society, EQC, Ministry of Justice and various Embassies. Primeproperty Group has a strong track record of developing and repurposing buildings often with complex seismic issues.

All their properties are managed and operated in house and they directly employ approximately 200 staff across a wide skill set including property managers, accountants, architects, marketing, project managers, builders and hotel staff. PrimeProperty also indirectly employ hundreds of other people through contracting to a wide variety of companies to help maintain our portfolio including a large trade based of contractors, engineers, lawyers, planners, architects, cleaners and real estate agents.

Primeproperty Group has owned 61 Molesworth Street since 2011 when there was a building on the site. The building was damaged in the 2016 Kaikoura earthquake and subsequently removed to create the current development site. 61 Molesworth Street is an enviable development site being centrally located on the cusp of the gentle rise of Molesworth Street and a flat regular shaped site. In order to collect insurance money PrimeProperty need to construct a building on the site and have strong tenant demand which all amounts to a strong desire to commence building a large base isolated resilient 180%NBS, 5 star green rate "design excellence" building.

2 THE PROPOSAL

2.1 Site & Locality

The subject property is known as 55-61 Molesworth Street. It is located in the suburb of Thorndon and is within the Central Business Area (CBA) of Wellington City. The immediate area is largely occupied by office/commercial buildings though there are pockets of residential activity in the vicinity of the site.

A detailed description of the surrounds and immediate urban context is provided in the Resource Consent Design Statement by Jasmax Architects. Further to the description of the site and its surround, Jasmax have provided comprehensive plans showing the context and surrounds of the site in the attached architectural plans and design statement.

The site itself has an area of 2105m^2. However the site also includes a 1/8 share in Collina Terrace which has an area of 438m^2. It is noted that the CFR WN36D/158 includes both Lot 1 DP 23575 (55-61 Molesworth Street) and Lot 5 DP 1265 (Collina Terrace). Therefore in respect to the definition of site within the District Plan, it includes both 55-61 Molesworth Street and Collina Terrace.

Prior to the November 2016 Kaikoura Earthquake, the site was occupied by a 1960's multi-storied commercial building which included a podium car park level.

During the earthquake, it suffered a ruptured column and the Wellington City Council made the decision to demolish the building under the emergency provisions of the RMA and Building Act. The demolition was undertaken in December 2016 to February 2017.

A resource consent for the placement of 3rd party advertising was approved on the site under SR391602 on the 20th October 2018. This consent authorizes the 3rd party signs to be placed on the front hoarding shown below in Figure 1.

Since the demolition of the building, a resource consent was granted for the use of the site as a ground level car park. This consent is known as SR383946. This was granted on the 14th December 2017.

Parts of the original building remain around the site and currently accommodate parking spaces.

Figure 1 below is a photo taken from the footpath of Molesworth Street, looking south, showing the existing hoarding in front of the car park.

Figure 1: Photo of the site, looking south along Molesworth Street

Figure 2 below shows parts of the original building still in place around the site. The left hand side photo shows the main entrance into the site. This was the vehicle entry point for the original building.

Figure 2: Shows remnants of the old building being re-utilised for temporary parking. The northern wall supports Collina Terrace.

The parking consent, has also authorised the establishment of a container coffee outlet in the north-eastern corner of the site.

The subject site was also previously subject to a building line restriction (BLR). The BLR has subsequently been subject to a resolution by WCC to remove it from the site.

The site itself rises approximately a metre from the south-eastern corner to the north-east corner. Collina Terrace rises up from Molesworth Street to the rear (north western corner of the site) by around 2.5-3 metres.

The WCC GIS indicates that there is an old brick sewer main which traverses the site from east to west. The depth of this sewer main has been investigated by Beca Engineers during the design development stage of this project. This will be assessed in the application below but has been "designed around" in the engineering design scheme.

Figure 3 is an extract from the WCC GIS showing the location of the sewer main. The main runs down Pipitea Street, before bending south and heading towards Hill Street.

Figure 3: Extract from WCC GIS showing services around the site.

An aerial photograph of the site is shown at Figure 4 below.

Figure 4: Aerial of Site – Extract from WCC GIS

2.2 Legal Description

Lot 1 DP 23575 and Lot 5 DP 1265 (Collina Terrace)

2.3 Description of Proposal

2.3.1 Proposed Building

The proposed new building is shown on Jasmax architectural drawings numbered 219036, numbered RC-0000, RC-0005, RC-0100, RC-0101 to 0103, RC-1000 to 1013, RC-1020, RC-1100, RC-3000 to 3003, RC-4000 to 4001, RC-4006 to 4007, RC-4100 to 4101, RC-4105 to 4106 and RC-4111 to 4112. All Revision A. All dated 2020-04-16.

A detailed description of the proposal is contained in the Jasmax Resource Consent Design Statement numbered 21903600 which is to be read in conjunction with the above architectural plans. Revision B. Dated April 2020.

In terms of a summary of what is proposed, it is a 12 office storey office building including a basement car-park story office development. The ground floor is a mix of an entry plaza, retail/café space, a lobby, loading bays, end of trip facilities and office space. The remaining 11 levels are all allocated for office space. Figure 5 below shows the proposed new building looking north.

Figure 5: Looking north at proposed new office building

From the outset of the concept design process, the building has been designed to achieve the following broad commercial success criteria:

- Floor-plate Efficiency and Flexibility:
  - Floorplate design is based on large, high quality, flexible floor plates around the central core. This helps to maximise A grade floor space with excellent natural light and outlook. The layout allows for flexibility for a single tenancy or multiple tenancies per floor.

- Building Flexibility:
  - The building has been designed for maximum flexibility for both individual floor plates and the overall building. Single floor plates are able to be divided up into 1, 2, 3 or 4 tenancies. The ground floor retail tenancy could be integrated into above office levels. The floor planning also has flexibility for a tenant integrated design opportunity with the base building. This can provide the tenant organisation with substantial returns.

- Seismic Resilience:
  - The building design far exceeds the National Building Standards with its high level of seismic resilience. The structural strategy utilises modern seismic design technology such as Base Isolation or Viscous Dampers.

- Energy Efficiency:
    - 5 green star rating and 5 star NABERS-NZ rating is proposed to achieve maximum tenant comfort along with excellent energy savings and reduced environmental impact. The scheme utilises floor to floor glazing coupled with generous inter-story proportions to allow maximisation of natural light penetration and minimising the need for artificial lighting.

As well as the above concepts, heritage values and wind mitigation have also been identified as key design drivers. This helps to carefully consider the listed heritage building of the Wellington Cathedral of St Paul as well as ensure that the building does not create adverse wind effects during the prevailing northerly winds.

The main building entry is on the south eastern corner of the site to prioritise the main pedestrian flow up Molesworth Street from the Wellington CBD. The lobby will be a public area with hospitality opportunities.

The ground floor end of trip facilities will have 120 bike parks, 17 showers, 120 lockers and 1 toilet as well as 300m^2 of office space. The ground floor layout also includes carpark access as well as a loading dock to the north-east.

90% of combined street frontages contain display windows.

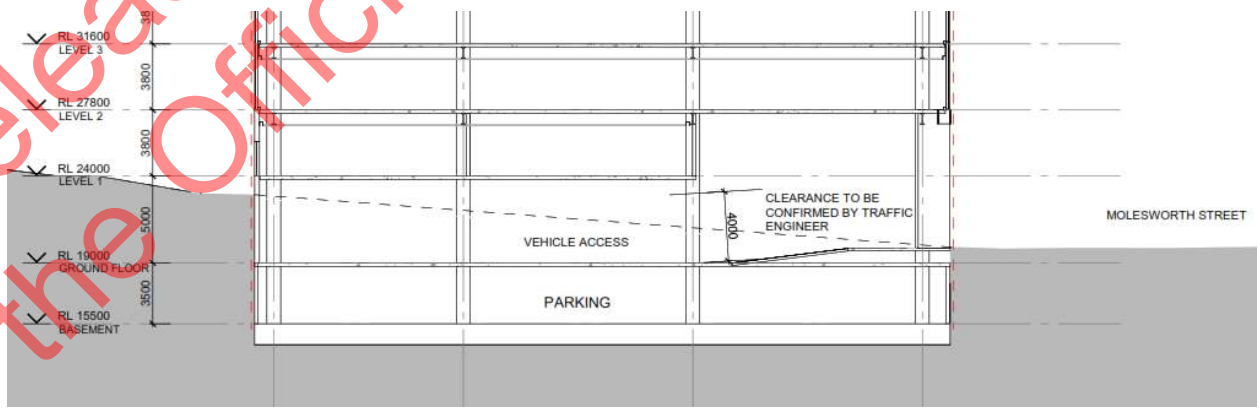
All of the house mechanical plant screening and ventilation will be directed towards Collina Terrace west and north service lane facades.

Stone is used for the ground floor façade material which carefully considers the Cathedral of St Pauls heritage while a glass façade is proposed for the rest of the building.

2.3.2 Earthworks

The proposed building includes a basement level carpark which requires earthworks. As shown in Figure 5 below, the basement and part of the ground level sits below the existing ground level.

The building foundations will also require further earthworks.



2.4 Access & Parking

Vehicle entry into the building is located towards the north corner of the site, which is separated from the southern main pedestrian entry to the building.

Car parking is located at basement level and is accessed via the ground floor. This basement carpark will have 50 car parks and its entrance is shown in Figure 4 below.

Servicing, truck dock and mechanical plant are all planned and orientated towards the Collina Terrace service lane and accessed via the north corner of the site as shown in Figure 4 below.

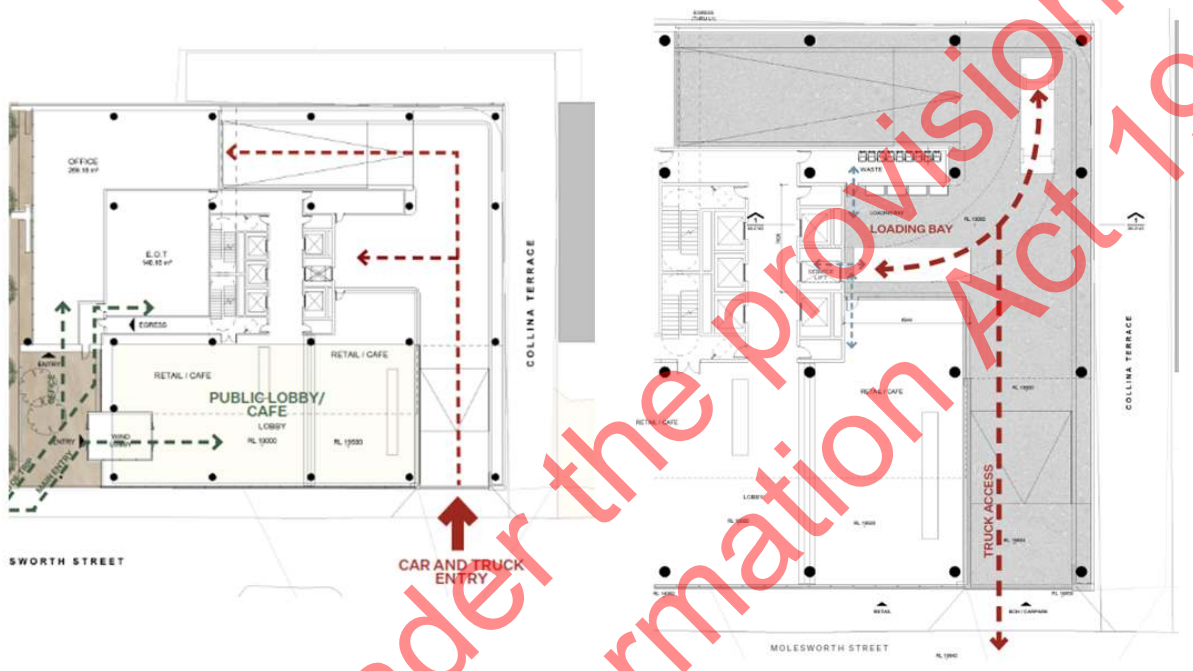


Figure 4: Ground floor access to loading bay and car parking

3 PLANNING PROVISIONS

3.1 Zoning

The site is located in the **Central Area** (Map 18). Figure 7 below is an extract from District Plan map 18 showing the subject site, annotated by a yellow star.

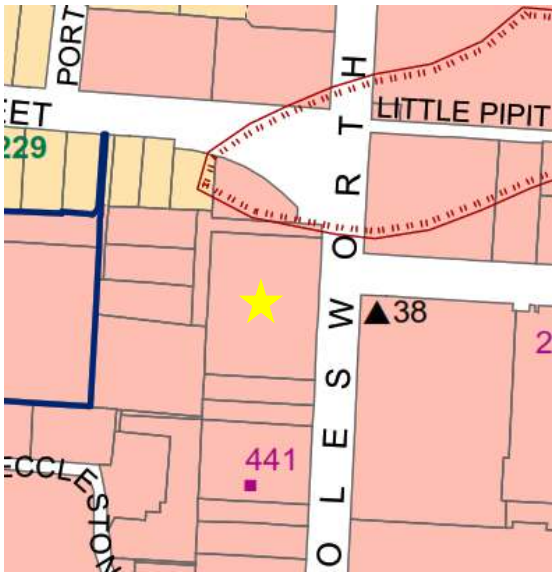


Figure 7 – Extract from District Plan map 18.

- The site does not contain any heritage listed buildings.
- The subject site has a maximum permitted height of 43.8 metres above ground level as shown on District Plan Map 32. This is shown in Figure 8 below.

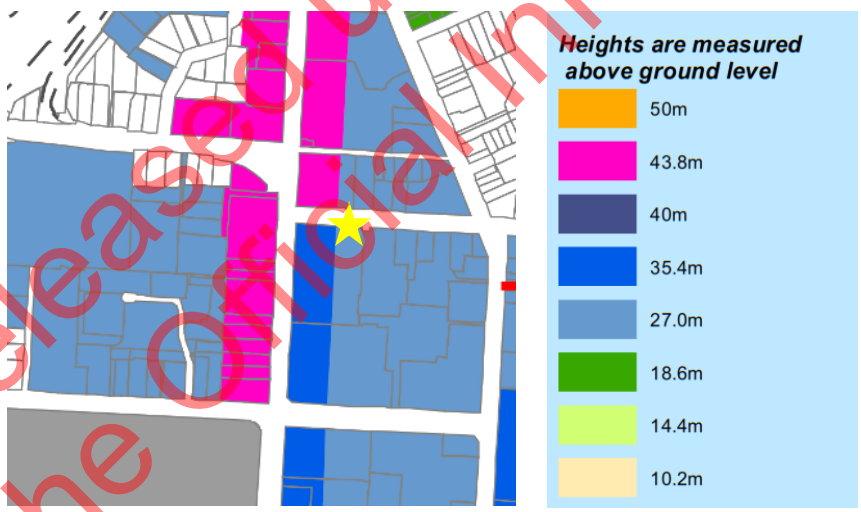


Figure 8: Showing extract from District Plan map 32.

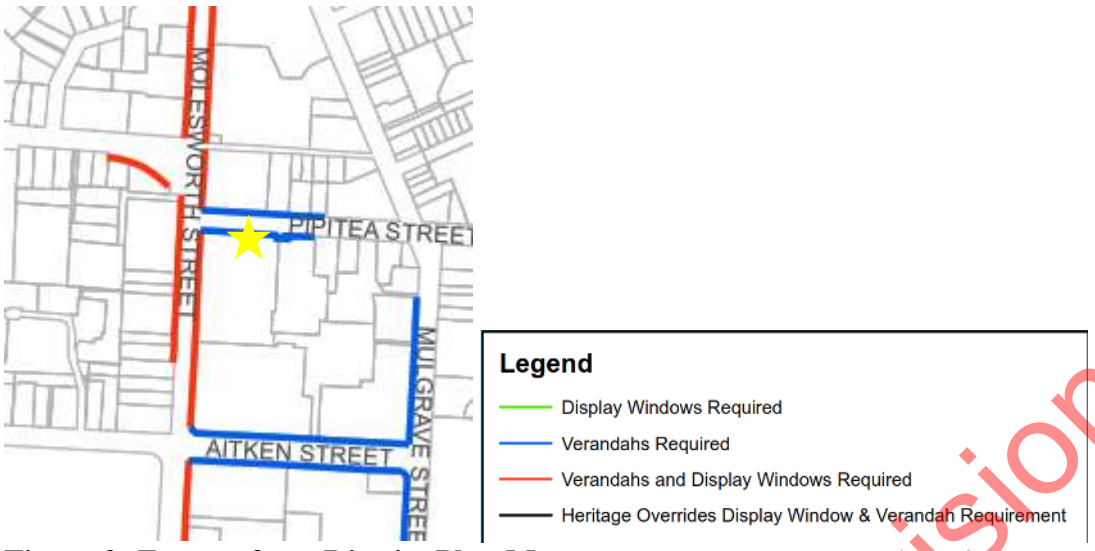


Figure 9: Extract from District Plan Map

3.2 Compliance with District Plan Standards and Rules

2.2.1 Assessment against permitted standards of the Central Area

The proposal is assessed against standards 13.6.1 and 13.6.2 in **Table 1** below:

Table 1: Assessment of Central Area Standards

Standard	District Plan Requirements	Proposal
Fixed Plant Noise 13.6.1.1	55dbA L10 At all time 70DBA Lmax 10pm to 7am	Complies
Noise Insulation 13.6.1.2	Habitable rooms meet sound insulation and ventilation requirements	N/A
Vehicle Parking 13.6.1.3.1	Not more than 1 space per 100m^2	Complies
Vehicle Parking 13.6.1.3.2	Complies with Sections 1,2 and 5 ANZ 2890.1-2004	Complies
Vehicle Parking 13.6.1.3.3	Open vehicle parking not at ground level where display windows required	Complies
Loading Areas 13.6.1.3.4	One area per site	Complies
Loading Areas 13.6.1.3.5	Turing paths for medium rigid truck	Complies
Loading Areas 13.6.1.3.7, 8 and 9	3x9 outdoors 4x9 within building with 4.6 height	Complies
Site Access 13.6.1.3.11	In accordance with Section 3 ANZ 2890.1	Complies
Site Access 13.6.1.3.12	No access across restricted frontage	N/A
Site Access	Not more than one access across frontage	Complies

13.6.1.3.13		
Site Access 13.6.1.3.14	Entry and exit in forward direction	Complies
Site Access 13.6.1.3.15	Width of access no greater than 6 metres	Complies
Site Access 13.6.1.3.16	Access must be from secondary access road	**Does not comply**
Site Access 13.6.1.3.17	Access no closer than 20m to arterial, principal and collector, 10 metre to other streets	**Does not comply** s
Site Access 13.6.1.3.18	No access across from primary when secondary street available	**Does not comply**
Noise 13.6.2.1	60dBa (L10), 85DBA(Lmax) at all times	Complies/N/R
Lighting 13.6.2.2.1 and 2	Residential Area effects no greater than 8 Lux Pedestrian/carparks for public use at 10 lux.	N/R
Dust 13.6.2.5	Dust not create a nuisance	Can Comply
Building Height 13.6.3.1.1	Heights comply with maps 32 and 32A	**Does not comply**
Adjacent Residential Area 13.6.3.1.9 and 10	Compliance with HCP's Max height 3m within 5 of bdy	N/R
Building mass 13.6.3.2.1	Total mass = site area x height x 0.75.	Complies
View Protection 13.6.3.3.1	No intrusion on viewshafts appendix 11	N/R
Sunlight protection 13.6.3.4	No shading of listed public spaces and Appendix 7 areas	Complies
Wind 13.6.3.5	Compliance with standards	**Does not comply**
Verandahs 13.6.3.6	Complying verandahs where required on Map 49a	Complies
Ground Floor – Display Windows 13.6.3.7	Complying display windows where required on Map 49a	Complies
Windows 13.6.3.10	Windows within 5 metres of residential area have privacy glazing.	N/R

3.2.2 *Compliance with site access rules*

The proposal does not meet standard 13.6.1.3.16 which requires that *"where vehicle access can be provided from….other private road, no vehicle access shall be from a street".*

Whilst it could be argued that loading access, cannot be provided from Collina Terrace due to the inability to comply with the vehicle turning requirements, the applicant accepts this is a consent issue.

Pursuant to Rule 13.3.3 the proposal is therefore a Discretionary Restricted Activity with the discretion limited to the effects generated by the standards not met.

3.2.3 Earthworks

Permitted activity standard 30.1.3 provides for earthworks as a permitted activity in the Central Area on the basis that;

- 30.1.3.1(iv) The cut is retained by a structure or building authorised by a building consent
- 30.1.3.2 The cut area does not exceed 250m^2
- 30.1.3.4 There is no visible evidence of settled dust beyond the boundary. -

In this case, the proposal will be undertaken on an area of greater than 250m^2 and retained cuts in excess of 2.5 m.

Pursuant to Rule 30.2.2, non compliance with the permitted standards in the Central Area is a discretionary. As the applicant will be obtaining a building consent before works commence, stability effect The discretion available is limited under 30.2.2.1 to:-

- Stability
- Erosion, dust and sediment control
- The transportation of material

3.2.4 Construction of a new building – Rule 13.3.4

Pursuant to rule 13.3.4 the construction or alteration of, and addition to buildings and structures in the Central Area that are not Permitted or Controlled Activities, are Discretionary Activities (Restricted) in respect of:

13.3.4.1 design, external appearance and siting, and
13.3.4.2 the placement of building mass

2.2.5 Construction of a new building - Rule 13.3.8

Under Rule 13.3.8 the construction or alteration of, and addition to buildings and structures which are Permitted, Controlled or Discretionary (Restricted) Activities that do not meet one or more of the following standards outlined in section 13.6.1 (Activities, Buildings and Structures) and 13.6.3 (Buildings and Structures), are Discretionary Activities (Restricted). Unless otherwise noted below, discretion is limited to the effects generated by the standard(s) not met:

13.3.8.4A height.
13.3.8.8 wind (standard 13.6.3.5).

3.3 Activity Status

The assessment of the provisions of the District Plan in the preceding sections shows that the land use aspects of the proposal must be assessed as the following:

- Land Use Consent: Overall, the land use consents for the proposal are discretionary restricted with the following matters relevant:

- Design and external appearance
- Potential Effects of non compliance with building height
- Potential wind effects
- Potential erosion and dust control.
- Transportation effects (access not from secondary access and earthworks).

The land use consent aspects of the proposal are discretionary restricted. The assessment of environmental effects discussed below, will consider only those effects relevant under the various Rules.

It is our view that the general construction effects are outside of the matters relevant in the land use consent. The construction effects will need to be addressed in the relevant bylaw and building consent processes. Only the erosion/dust and transportation of excavated material can be considered and subject to conditions on the resource consent. We have not discussed the wider construction effects in the assessment of effects below due to the discretionary restricted activity classification.

4 DISTRICT PLAN ASSESSMENT

4.1 Objectives and Policies

Section 104(1)(b)(vi) of the Resource Management Act requires the Council to consider the relevant provisions of the District Plan when assessing applications for resource consent. This includes the relevant objectives and policies of the District Plan, which in this case are considered to be:

Central Area

Objective 12.2.1 *To enhance the Central Area's natural containment, accessibility, and highly urbanised environment by promoting the efficient use and development of natural and physical resources.*

The construction of this building will be a more efficient use of the site than currently occurs and to that which previously existed before the old building was demolished. The new building increases the amount of floor area above the old (now demolished) building. Currently the site is used for temporary ground level parking which is an inefficient use of the site.

The building will be of high quality and promote the containment of the Central Area activities by increasing the commercial floor area of the city.

The proposal is therefore entirely consistent with this objective and its related policies (12.2.1.1 and 12.2.1.2)

Objective 12.2.2 *To facilitate a vibrant, dynamic Central Area by enabling a wide range of activities to occur, provided that adverse effects are avoided, remedied or mitigated.*

Currently the site is used for temporary car parking and a temporary coffee outlet. This use could not be described as dynamic or vibrant. These uses are in place to give the owner of the land an income while approvals are sought to replace the demolished building.

The proposal is entirely consistent with this objective. The proposed new building will replace the retail and office use on the site that existed before the demolition and if old building, but in a new, modern building, replacing confidence in the local area providing a resilient structure.

Overall the proposal is consistent with this objective and the related policies.

Policy 12.2.2.2 *Ensure activities are managed to avoid, remedy or mitigate adverse effects in the Central Area or on properties in nearby Residential Areas*

The proposal meets the majority of the permitted of the standards under the Plan in respect to activities such as lighting, noise, and servicing.

The access non compliances are technical and have no perceivable adverse effects on the wider area.

The proposal meets the massing standards but does not meet the permitted standards for height, though it does stay within the discretionary range.

The direct effects on residential properties adjacent the site are acceptable within the expectations established under the current District Plan

The proposal will be considered with policy 12.2.2.2.

Objective 12.2.3 *To recognise and enhance those characteristics, features and areas of the Central Area that contribute positively to the City's distinctive physical character and sense of place.*

Policy 12.2.3.1 *Preserve the present 'high city/low city' general urban form of the Central Area.*

Policy 12.2.3.2 *Promote a strong sense of place and identity within different parts of the Central Area.*

The high city/low city concept is manifested by District Plan map 32.

The proposal does have non compliance with the permitted height provisions of the District Plan. The extent of the non compliance is such that it does not challenge the overall "high city/low city" concept. The heights proposed are well within the discretionary limits of the District Plan.

The promotion of 'sense of place' in the city is achieved through defining heritage areas.

The proposal is not adjacent to any specifically listed Heritage areas, though is in the vicinity of the Parliament Heritage Area. It is however significantly visually and physically removed from the Heritage Area to not have any interaction with it. The adjacent Wellington Cathedral is not within the Heritage Area. The assessment of the effects on this heritage building have been carried out above and they have been found to be less than minor.

This objective and the related policies are met by the proposal.

Objective 12.2.5 *Encourage the development of new buildings within the Central Area provided that any potential adverse effects can be avoided, remedied or mitigated.*

Policy 12.2.5.1 *Manage building height in the Central Area in order to:*

- *reinforce the high city/low city urban form;*
- *ensure that new buildings acknowledge and respect the form and scale of the neighbourhood in which they are located; and*
- *achieve appropriate building height and mass within identified heritage and character areas.*

It has already been discussed above that the proposal achieves 'compliance' with the intent of the high city/low city concept.

The proposal is adjacent to a heritage building, but not within heritage area. There are no direct effects on the heritage building or perceivable adverse effects on the heritage setting.

The proposal is consistent with this policy.

Policy 12.2.5.2 Manage building mass to ensure that the adverse effects of new building work are able to be avoided, remedied or mitigated on site.

Building mass is managed through the Rules. In this case, the applicant has a 'numerical' or site advantage' for the calculation of building mass as the definition of mass, enables the inclusion of Collina Terrace in the site area. The applicant has however not "over exploited" this advantage and kept the massing well below the permitted level.

Collina Terrace does also offer a physical advantage for this site in terms of avoiding adverse effects on adjoining properties. The massing rules were developed to allow Council to control the effects of buildings immediately adjacent to other sites, where windows could be blocked out, or building dominance might be the result of building right to the boundary. In this case, Collina Terrace effectively results in a setback from adjoining properties on all sides of the site, reducing the potential effects on neighbouring buildings.

This proposal is consistent with this policy.

Policy 12.2.5.3 Manage building mass in conjunction with building height to ensure quality design outcomes.

For the reasons already set out above, the proposal is consistent with this policy.

Policy 12.2.5.4 To allow building height above the specified height standards in situations where building height and bulk have been reduced elsewhere on the site to:

- *Provide an urban design outcome that is beneficial to the public environment, or*
- *Reduce the impact of the proposed building on a listed heritage item. Any such additional height may be treated in such a way that it represents an appropriate response to the characteristics of the site and the surrounding area.*

The proposed building steps back from the heritage building to preserve the setting of the heritage building. Hence the applicant is seeking to exceed the permitted heights (within the discretionary range). This is entirely consistent with the Policy

Policy 12.2.5.5 Require design excellence for any building that is higher than the height standard specific for the Central Area.

Setting aside the issue discussed above, that the additional height sought for this building is a direct result of compensating for the loss of building bulk to achieve an urban design/heritage

outcomes the proposal is over the permitted height standard and therefore the design excellence "trigger" is required to be exercised.

The permitted building height standard in the area is shown to be 43.8 and from available evidence, appears to have been established by the height of the bell tower on Wellington Cathedral of St Pauls.

There has been no clear direction from Council as to what "design excellence" actually means. Certainly officers have not distributed any clear policy direction, outside of internal officer discussion.

In this particular case, the applicant has directed the architect to produce a high quality, highly resilient building which achieves best practice in environmental performance.

As advised by the Structural/Services engineer Beca, the building will achieve a structure strength of 180% of the current NZ building code[1].

Achieving these standards of performance can be considered design excellence in my view. It should be acknowledged that the text below Policy 12.2.5.5 addresses the fact that an overly tall building needs to be a landmark building because of its additional visibility. This is not an overly tall building.

I am therefore entirely satisfied that this policy is achieved.

Policy 12.2.5.7 *Ensure that the cumulative effect of new buildings or building alterations does not progressively degrade the pedestrian wind environment.*

This policy is implemented through the provision of the wind rules and the requirement to assess the new proposal via a wind tunnel test.

The building has been designed to minimise the effects on the pedestrian environment.

The wind tunnel tests, whilst technically not meeting the permitted standard, have been confirmed as improving the overall wind safety and amenity of the surround environment.

The results of the proposal in terms of the wind effects are acceptable, the proposal is consistent with this policy.

Policy 12.2.5.10 *Provide for consideration of 'permitted baseline' scenarios relating to building height and building bulk when considering the effect of new building work on the amenity of other Central Area properties.*

Application of the permitted height comparison of effects when considering this application would be entirely consistent with this policy.

Objective 12.2.6 *To ensure that new building works maintain and enhance the amenity and safety of the public environment in the Central Area, and the general amenity of any nearby Residential Areas.*

Policy 12.2.6.2 *Require hight quality building design within the Central Area that acknowledges and responds to, the context of the site and the surrounding environment.*

[1] See Letter from Beca to Prime Property group dated 24th July 2018, paragraph 3, page 3.

Policy 12.2.6.3 *Ensure that new buildings and structures do not compromise the context, setting and streetscape value of adjacent listed heritage items, through the management of building bulk and building height.*

Policy 12.2.6.8 *Ensure that pedestrian shelter is continuous on identified streets where there are high volumes of pedestrians, and on identified pedestrians access routes leading to the Golden Mile from the outskirts of the Central Area.*

Policy 12.2.6.12 *Maintain and enhance the visual quality and design of ground floor level developments fronting on to streets, parks and pedestrian thoroughfares throughout the Central Area.*

Policy 12.2.6.13 *Maintain and enhance the commercial character and visual interface of ground floor level developments facing the public space along identified frontages within the Central Area.*

Policy 12.2.6.15 *Improve the design of developments to reduce the actual and potential threats to personal safety and security.*

Objective 12.2.6 and its related policies address amenity and safety issues across the Central Area, including public access, wider views and pedestrian amenity throughout the city.

The proposal does not affect any identified public views.

It does substantially improved pedestrian shelter and safety in the vicinity of the site.

Overall the result will be a substantial improvement in the safety and amenity of the pedestrian environment adjacent to the building and it is entirely consistent with this objective and its relevant policies.

Objective 12.2.7 *To promote energy efficiency and environmental sustainability in new building design.*

Policy 12.2.7.2 *Ensure all new buildings provide appropriate levels of natural light to occupied spaces within the building.*

The proposed building is intended to be a 5 Star green building and provide an excellent efficiency performance through the use of best practice technology and materials.

The proposal will therefore be consistent with this Objective and its related policies.

Objective 12.2.13 *To avoid or mitigate the adverse effects of natural and technological hazards on people, property and the environment.*

The proposal is to construct a building which is 180% of the current new building standard. This will enable the building to be highly resilient in the case of earthquakes and other natural disasters.

The majority of the site is not located on an identified fault or hazard area, though a small corner of Collina Terrace is partially in the ground shaking hazard area.

The damage caused to the previous building on site was a result of a building design/construction issue, not because the site is in a hazardous location.

Therefore the proposal is consistent with this objective.

Objective 12.2.15 *To enable efficient, convenient and safe access for people and goods within the Central Area.*

Policy 12.2.15.9 *Require the provision of servicing or loading facilities for each site in the Central Area.*

Policy 12.2.15.10 *Ensure that the design and location of servicing or loading facilities is appropriate having regard to the nature of the development and the existing or likely future use of the site.*

Policy 12.2.15.11 *Consider waivers from the servicing or loading requirements:*

- *where suitable alternative off-street provision can be made; or*
- *where site access restrictions apply and there is no suitable alternative means of access; or*
- *where it is necessary to protect any listed heritage item.*
- *where the topography, size or shape of the site, the location of any natural or built features on the site, or other requirements such as easements, rights of way, or restrictive covenants impose constraints which make compliance impractical.*

The Objectives and Policies of the District Plan seek to ensure that there is efficient and safe access for people and goods through the city. The District Plan does not require on site car parking, however when provided, requires it to be appropriately designed. That has been achieved.

One of the ways the District Plan deals with the safe and efficient movement of people and goods is to require on site loading and servicing areas to be created for new developments. The proposal meets this requirement.

The rules and other provisions seek to locate site access away from primary street such as Molesworth Street. In this case, that was explored i.e. having the loading formed off Collina Terrace. Unfortunately the street is too narrow to allow truck turning and other adverse effects would occur.

Overall, the proposal will allow for the safe and efficient access for people and goods through the city. Therefore the proposal remains consistent with the objective and its related policy.

Earthworks

Objective 29.2.1 *To provide for the use, development and protection of land and physical resources while avoiding, remedying or mitigating any adverse effects of earthworks and associated structures on the environment.*

Policy 29.2.1.2 *Provide for minor earthworks to allow the use and development of land where the risk of instability is minimal.*

Policy 29.2.1.3 *Ensure that earthworks are designed to minimise the risk of instability.*

Policy 29.2.1.4 *Require earthworks to be designed and managed to minimise erosion, and the movement of dust and sediment beyond the area of the work, particularly to streams, wetlands and coastal waters.*

Policy 29.2.1.7 *Ensure that earthworks and associated structures are designed and landscaped (where appropriate) to reflect natural landforms and to reduce and soften their visual impact having regard to the character and visual amenity of the local area.*

Policy 29.2.1.10	*Ensure the design of structures used to retain or stabilise landslips, reflect the character and visual amenity of the local area.*
Policy 29.2.1.11	*Ensure the transport of earth or construction fill material, to and from a site, is undertaken in a way that is safe and minimises adverse effects on surrounding amenity and the roading network.*
Policy 29.2.1.12	*Protect koiwi (human remains), taonga, Maori and Non-Maori material …*

The proposal is considered to be consistent with the earthworks outcomes sought in the District Plan. The works will be covered by a building consent and all earthworks retained.

Assessment by:
Spencer Holmes Ltd

Ian Leary
Director: Survey and Planning