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## Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

*This form is for local authorities to provide comments to the Minister for the Environment on the decision to refer projects to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.*

Local authority providing comment	Wellington City Council
Contact person (if follow-up is required)	Lisa Hayes
	Senior Consents Planner
	s 9(2)(a)

### Comment form

Please use the table below to comment on the application.

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<b>Project name</b>	Molesworth Street Office Development
<b>General comment – potential benefits</b>	<p>The proposal would see the development of this vacant and therefore underutilised site for high quality office space.</p> <p>The building would have a high level of seismic resilience.</p> <p>The development of the site presents an opportunity to contribute to the public space and pedestrian amenity in this part of the Wellington CBD.</p>
<b>General comment – significant issues</b>	<p>The site is located on the fringe of the nationally significant Parliamentary Precinct and the building will be co-located with a number of civic buildings. To the immediate south is the heritage listed Cathedral of Saint Pauls, and there are other listed buildings in the vicinity.</p> <p>It is important that the proposal recognises and responds to these contextual elements. In particular, the building should defer to the heritage cathedral and not detract from its setting/context. The Council has provided feedback to the applicant about design amendments that could achieve this relationship.</p> <p>Potential effects of the proposal would include:</p> <ul style="list-style-type: none"> <li>- Urban design / townscape – including effects associated with the building height</li> <li>- Effects on heritage, including the Cathedral of Saint Pauls and the Parliamentary Precinct</li> <li>- Traffic and pedestrian safety associated with the location of the site access (opposite Pipitea Street)</li> <li>- Contamination – the site is contaminated land</li> <li>- Wind – there will be localised wind effects, in particular within Molesworth Street and the privately owned publicly -accessible park outside the NZ Rugby Union building on the opposite (eastern) side of Molesworth Street</li> <li>- Construction effects (earthworks, noise, traffic management)</li> </ul>
<b>Is Fast-track appropriate?</b>	<p>I see no reason why this proposal shouldn't be a fast track, particularly given that the concerns raised in the pre-application meeting have been taken into account.</p> <p>If the consent is issued then effects relating to construction, contamination and earthworks could be managed through conditions.</p> <p>Design detail – in particular the glazing details (reflectivity, colour) will be important and conditions requiring these details to be approved by the Council's urban design team prior to construction are also recommended.</p> <p>It is noted that there are a number of smaller buildings along Collina Terrace that face the subject site. These owners/occupiers of these buildings may consider that they are adversely affected by the proposal, however, this would be the case if any building was constructed on the site.</p>
<b>Environmental compliance history</b>	<p>The site was formerly occupied by a commercial building originally known as the ICI Building then later as Deloitte House. This building had a podium and tower design. The building was significantly damaged in the November 2016 earthquake and was demolished under the emergency provisions of the Resource Management Act 1991 (the Act) in January 2017.</p>



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The site is currently used as a car-park while awaiting re-development. Since the demolition the Council has received the following resource consent applications:

- SR No. 383946: Consent for use of the site as an at-grade (ground level) car-park, with various structures and equipment ancillary to the car-park operation; along with a coffee container at the northern corner of the site. (Approved 14 December 2017)
- SR 391602 – Consent for the installation of phantom billboard signage around the periphery of the site. This consent was issued in October 2017 and has been given effect to.
- SR No. 401169: Consent for a free-standing sign in the car-park. This application has been on suspend since January 2018.
- SR No. 417483: This was an application for a new Central Area building on the site – this building had a different design to the current proposal. Following our decision that this proposal should be publicly notified the application has remained on suspend at the applicant's request.

The following compliance issues have arisen with respect to this site:

- The building was deemed dangerous following the earthquake and its demolition was required
  - It was found that the building was illegally occupied
  - Prior to the resource consent applications being made, there were complaints about signage and the use of the site for car-parking.
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<b>Iwi and iwi authorities</b>	<p>The Council's mandated iwi partners are:</p> <ul style="list-style-type: none"> <li>• Te Rūnanga o To Rangatira, 2/4 Nohorua Street, Takapuwahia, Porirua 5022</li> <li>• Port Nicholson Block Trust, PO Box 12164, Thorndon, Wellington 6011</li> </ul> <p>The site is not identified as a site of significance to iwi and it is not a Statutory Acknowledgement Area.</p> <p>For a proposal of this nature we would generally recommend that consultation is undertaken prior to lodgement of the application. If the proposal was publicly notified we would serve notice on both iwi.</p>
<b>Relationship agreements under the RMA</b>	<p>We have no specific relationship agreements under the RMA.</p>
<b>Insert responses to other specific requests in the Minister's letter (if applicable)</b>	<p>1. Are there any reasons that you consider it more appropriate for the project, or part of the project, to continue to proceed through existing RMA consenting processes rather than the processes in the Act?</p> <p>This proposal is challenging District Plan provisions due to the scale and nature of what is proposed.</p> <p>This will be a very prominent building on a site that is close to heritage buildings, the nationally significant Parliamentary Precinct and other civic buildings. It is important that adequate information is supplied to ensure that the building is suitable for the context and does not detract from any heritage listed items.</p> <p>As long as design and heritage considerations are managed (for example through conditions), the fast track consent process should be appropriate. In addition, consideration should be given to wind effects on the public environment as a tall building in this location has the potential to create dangerous wind speeds.</p> <p>2. The status of the applicant's RMA consent applications (e.g. whether a notification decision has been made), and any significant issues you are aware of.</p> <p>The proposal would need consent under the following District Plan rules:</p> <ul style="list-style-type: none"> <li>- Rule 13.3.3: Central Area Activities (non-compliant site access)</li> <li>- Rule 13.3.4: Central Area buildings</li> <li>- Rule 13.3.8: Central Area buildings that does not meet the standards relating to site access, height and wind (this rule applies in conjunction with Rule 13.3.4)</li> <li>- Rule 30.2.2: Earthworks in the Central Area</li> <li>- Rule 32.2.1: Use of a potentially contaminated site.</li> </ul> <p>Resource consent is also required under the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. This is not identified in the application letter.</p> <p>For a proposal of this nature the Council typically requires:</p> <ul style="list-style-type: none"> <li>- An assessment against the Central Area Urban Design Guide</li> <li>- A Design Statement, including a statement as to how the proposal achieves design excellence</li> <li>- An assessment against the District Plan objectives and policies</li> <li>- A heritage report prepared by a heritage expert</li> <li>- A wind tunnel test</li> <li>- A site contamination report (PSI or DSI)</li> <li>- An earthworks management plan</li> </ul>

	<ul style="list-style-type: none"> <li>- A traffic assessment, prepared by a traffic engineer</li> <li>- Evidence of any consultation with iwi or Heritage New Zealand Pouhere Tāonga</li> <li>- Conditions to be offered by the applicant to address effects in relation to earthworks, contamination, fixed plant noise and construction.</li> </ul> <p>3. Does the applicant, or a company owned by the applicant, have any environmental regulatory compliance history in your region?</p> <p>We have some history with this applicant, including:</p> <ul style="list-style-type: none"> <li>- There was a prosecution taken against Prime Property several years ago relating to non-consented earthworks on land they own at the bottom of Ngauranga Gorge/Jarden Mile.</li> <li>- We have issued infringement notices and/or abatement notices for breaches of consent conditions relating to Prime Property developments at Curtis Street and Spenmoor Street.</li> </ul>
Other considerations	We are able to provide you with the pre-application meeting notes should you require these.

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## Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

Local authority providing comment	Greater Wellington Regional Council
Contact person (if follow-up is required)	Kirsty Van Reenen
	Team Leader, Environmental Regulation
	s 9(2)(a)

### Comment form

Please use the table below to comment on the application.

<b>Project name</b>	<b>Molesworth Street Office Development, Wellington</b>
<b>General comment – potential benefits</b>	GWRC has not quantified the benefits of the Molesworth Street office development for the district / region.
<b>General comment – significant issues</b>	GWRC does not see this project having any significant environmental effects from a regional planning perspective. As noted below, however, the documents provided do not include an assessment of any regional rules and any assessment to support an application for resource consent (if one is required). From a regional resource consenting perspective, this would be a relatively straightforward application for GWRC to assess and determine. Similar applications have been processed on a non-notified basis by GWRC.
<b>Is Fast-track appropriate?</b>	Yes
<b>Environmental compliance history</b>	Prime Property Group Limited has a good compliance history with GWRC, specifically relating to consents: <ul style="list-style-type: none"> <li>• WGN160272/WGN180457 (421 Evans Bay Parade – coastal works)</li> <li>• WGN180281 (Curtis Street and Spenmoor Street - earthworks)</li> <li>• WGN160011 (water permit to abstract water for industrial purposes)</li> </ul>
<b>Iwi and iwi authorities</b>	Te Rūnanga o Toa Rangatira Inc. Port Nicholson Block Settlement Trust
	As above
<b>Relationship agreements under the RMA</b>	None

<p><b>Insert responses to other specific requests in the Minister's letter (if applicable)</b></p>	<p><b>1. Any reasons that you consider the project, or part of the project, would be more appropriate to go through standard RMA consenting processes?</b></p> <p>No</p> <p><b>2. A list of reports and assessments that are normally required by the Council for the application in the central area.</b></p> <p>As with any application we would require reports and assessments to fulfil Schedule 4 of the RMA. The documents provided do not consider any regional consents required under the Operative Wellington regional plans and Proposed natural Resources Plan for the Wellington Region (appeals version) and do not include any technical assessments required to support an application for regional council consents (if required). We would require:</p> <ul style="list-style-type: none"> <li>• A detailed description of the proposal, in particular those activities that may trigger regional council consent (earthworks, dewatering, and discharges from a contaminated site for example).</li> <li>• An assessment of the proposed activities against the rules in the operative regional plans and the Proposed Natural Resources Plan for the Wellington Region (appeals version). We consider it likely that resource consents are required for dewatering (if works are required below groundwater level), discharges of stormwater from contaminated sites (the site is listed on our Selected Land Use Register) and possibly earthworks.</li> <li>• If resource consents from GWRC are required, we would normally require an assessment of environmental effects supported by technical assessments. For example an assessment of the effects of dewatering on ground settlement by an appropriately trained and experienced geologist/hydrogeologist, and the effects of any discharges from a contaminated site into the receiving environment (harbour) by an appropriately trained and experienced ecologist, and an erosion and sediment control plan if an earthworks consent is required.</li> <li>• If the proposal involves a discharge of dewatered water and/or stormwater to the stormwater network during works we would require confirmation that the applicant has consulted with and got the written approval of Wellington Water Limited (WWL, on behalf of Wellington City Council) who own and manage the stormwater infrastructure. In particular, WWL would assess whether the stormwater network has capacity for the additional water and any proposed water quality limits for the discharge.</li> </ul> <p><b>3. Does the applicant, or a company owned by the applicant, have any environmental regulatory compliance history in your region?</b></p> <p>Yes – compliance history described above</p>
<p><b>Other considerations</b></p>	<p>N/A</p>

Note: All comments will be made available to the public and the applicant when the Ministry for the Environment proactively releases advice provided to the Minister for the Environment.