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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 an application to refer a project to an expert consenting panel 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)	Shaun Andrewartha – s 9(2)(a)
	Nick Pearson – s 9(2)(a)
	Click or tap here to enter text.

Comment form

Please use the table below to comment on the application.

Project name	One Tasman Pukeahu Park
General comment – potential benefits	No comment
General comment – significant issues	GWRC does not hold any significant concerns over the development of the site. As the GWRC will be responsible for enforcing the conditions of consent (if granted), GWRC requests that the conditions of consent are consistent with similar developments consented by GWRC around the region.
Is Fast-track appropriate?	GWRC is satisfied that the proposal is suitable for the FTCA.
Environmental compliance history	Willis Bond and Company Limited does not have any recorded compliance history with Greater Wellington Regional Council
Reports and assessments normally required	<ul style="list-style-type: none"> - Erosion and Sediment Control Plan (ESCP) For a project of this scale, a detailed ESCP would need to be submitted with the application. This should include calculations which show adequate sizing of all erosion and sediment devices. This should be prepared in accordance with the relevant GWRC guidelines. - Dewatering Management and Settlement Plan (DMSP) Ideally submitted in draft as part of the application and should include measures to manage the effects associated with dewatering, including a detailed assessment and monitoring plan to measure ground settlement effects on surrounding properties. - Detailed Site Investigation (DSI) for Contaminated Land Although not listed on GWRC's SLUR database, it is likely part of the site is contaminated. A DSI would normally be required with an application of this nature. - Contaminated Site Management Plan (CSMP) At least part of the site is likely contaminated. Therefore a CSMP should be submitted in draft as part of the application (if contamination is confirmed). However a CSMP can

	<p>be addressed through a condition of consent and certified prior to construction to allow the contractor undertaking the works to be involved in the formation of the plan.</p> <p>- Operational Stormwater Assessment/Infrastructure Report</p> <p>The project will result in a significant increase in impermeable, contaminant generating areaa. Water Sensitive Urban Design measures will be required to minimise contaminants discharged from the site. Policies P73 and P79 of the Proposed Natural Resource Plan provide good guidance for preparing this report.</p>
Iwi and iwi authorities	<p>Ngāti Toa Rangatira</p> <p>Taranaki Whānui ki te Upoko o te Ika</p>
Relationship agreements under the RMA	N/A
Insert responses to other specific requests in the Minister’s letter (if applicable)	<p>Are there any reasons that you consider it more appropriate for the project, or part of the project, to proceed through existing Resource Management Act 1991 (RMA) consenting processes rather than the processes in the FTCA?</p> <p>Greater Wellington considers it appropriate for the project to process through the FTCA.</p> <p>The matters that need to be addressed through a regional consenting process are typical of other large scale urban developments.</p> <p>Our only concern would be that the conditions imposed on the consent (if granted) are consistent with conditions imposed on other similar developments, and sufficient to manage the adverse environmental effects from the development.</p> <p>What reports and assessments would normally be required by the council for a project of this nature in this area?</p> <p>See above</p> <p>Does the applicant, or a company owned by the applicant, have any environmental regulatory compliance history in your region?</p> <p>See above</p>
Other considerations	N/A

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry’s proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.

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This form is for local authorities to provide comments to the Minister for the Environment on an application to refer a project 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.

Project name	One Tasman, Pukeahu Park
General comment – potential benefits	<p>The site sits on the corner of Tasman Street and Buckle Street, at the interface between the Central Area (Te Aro) and Mt Cook. The immediate context is most notable for the National War Memorial and associated Pukeahu National War Memorial Park (to the west/north-west), and the Basin Reserve (to the east).</p> <p>The proposal would have the following benefits:</p> <ul style="list-style-type: none"> - Providing economic and employment benefits for the duration of the construction period - Providing additional housing (approximately 214 units), with one commercial space and opportunities to work from home in close proximity to the city. It is expected that these would not be affordable housing. - Removing a large and complex earthquake prone development and replacing it with housing built to a high seismic resilience, with buildings A and E being base isolated. - Provide an opportunity to contribute to the public space and pedestrian amenity in this part of the Wellington CBD. - Provide an opportunity for interaction between the private site and the public open space.
General comment – significant issues	<p>1. Design Process</p> <p>The Council acknowledges that the proposal is a high quality design and the effort that has been undertaken by the applicant to develop a proposal that fits into the context of the site.</p> <p>2. Activity Status</p> <p>The proposal requires consent under District Plan rules 13.3.1, 13.3.3, 13.3.4, 13.3.7, 13.3.8, 13.3.9, 13.4.10, 13.5 and 30.2.2 and is a Non-complying Activity overall. This is due to the building height, which exceeds both the Discretionary (Restricted) and Discretionary (Unrestricted) levels.</p>

3. Planning Context and Permitted Baseline

The District Plan is currently under review and a 28.5 metre building height is proposed for both 1 and 23 Tasman Street in the current draft. This height reflects the 8 storey height in the Wellington Council Spatial Plan (the Spatial Plan). It is noted that the proposed 8 storey height limit for these sites is lower to respect the heritage context.

The applicant's Design Statement includes reference to the 8 storey height and seeks to compare the effects of the proposal against those that would occur if the site was developed to the maximum potential set by the Spatial Plan.

The Council disagrees that any weight should be given to the NPS-UD or possible future building heights indicated in the Spatial Plan or draft District Plan Review document. That said, the Council acknowledges that if this consent was lodged later, the assessment may differ.

4. Effects

The effects of the proposal fall into the following categories:

- Building Design
- Building Height
- Heritage
- Wind
- Amenity
- Encroachments
- Traffic
- Acoustic Design
- Earthworks
- Construction
- Signage
- Contamination
- Servicing

While many of these effects will be acceptable or appropriately mitigated or could be managed through conditions on the consent, the Council has identified that there will be adverse heritage, wind and amenity effects. These are discussed in more detail below.

5. Heritage Effects

The Council's assessment is that this proposal would have adverse effects on historic heritage, in particular the context of the National War Memorial and associated Pukeahu National War Memorial Park. This conclusion is based on advice from the Council's Heritage Team.

The site is within a context that has rich heritage significance with the following items listed as heritage items either in the District Plan or by Heritage New Zealand Pouhere Tāonga (NZHPT):

- National War Memorial (which includes the Carillon, Hall of Memories, Tomb of the Unknown Warrior, steps, pool and forecourt)
- National Art Gallery and Dominion Museum
- Home of Compassion Creche
- Mount Cook Police Station
- Tasman Street Brick Wall
- Former Army Headquarters Building
- Basin Reserve Historic Area
- Basin Reserve Pavilion
- William Wakefield Memorial
- Museum Stand

The site is to the south of Pukeahu National War Memorial Park, which is a public space used for events such as ANZAC day celebrations and includes a variety of national memorials. Closest to the subject site are the U.S. Memorial and Belgian 'Laurel Wreath Memorial' (to the north). The Pacific Islands Memorial, 'Te Reo Hotunui of Te Moana-nui-a-Kiwi' are also in close proximity (to the north-east).

Further details in relation to each item are available at the following links:

<https://www.heritage.org.nz/the-list>

<https://www.wellingtoncityheritage.org.nz/search-results?q=buckle+st&tpl=>

<https://www.wellingtoncityheritage.org.nz/search-results?q=basin+reserve&tpl=>

The adverse heritage effects are largely an effect on the public in general, in that the height of the tower buildings (in particular building A) has the potential to affect how the public interprets and responds to the heritage values associated with the National War Memorial site.

6. Wind Effects

There are two locations where the building will create unsafe wind effects will not be mitigated through the building design, being:

- To the north-east of the site, at the corner of Old Buckle Street and Sussex Street (State Highway 1).
- To the south-west of the site within Tasman Street, as far as the Seventh Day Adventist church.

The applicant has revised the design of Block E to include a verandah upstand. This goes some way to mitigate the effects in Tasman Street, however, they also propose off-site mitigation along the western side of Tasman Street. The Council has concerns that off site mitigation would not be appropriate in this context.

They have also referred to planting large trees along the eastern side of Tasman Street. The Council is not convinced that there is space for adequately sized trees, noting that these could not extend into the Council footpath. An encroachment licence would be required for any structures within the legal road. In order to accept structures in legal road as mitigation for wind effects the Council typically requires evidence that these could be constructed (ie landowner approval).

Note that Tasman Street has higher than average pedestrian use. As such any degradation of the pedestrian wind environment is of concern.

7. Amenity Effects

The assessment below is made in the context of District Plan Policy 12.2.5.10. This policy implies that consideration will be given to the amenity experienced in other Central Area properties but allows for a consideration of 'permitted baseline scenarios'. A permitted baseline scenario at 1 Tasman Street would be an 18.6 metre high building, whereas at 23 Tasman Street it would be a 10.2 metre building.

The applicant has provided a set of shading diagrams that demonstrate the shading effects of the proposal. The shading diagrams show that the proposal will create shading effects at the following sites: 4, 22, 40-44 Tasman Street, 25, 27 and 33-39/39A Tasman Street and 80/80A/80B Rugby Street. This shading exceeds the shading that would occur if an 18.6 metre high building was constructed at 1 Tasman Street. Buildings A and E have windows above the 18.6 metre level that provide overlooking towards the east and south respectively.

Neither the shading nor privacy effects can be discounted in this case, as they reduce the amenity at the abovementioned sites in excess of the effects that would result from a 'permitted baseline scenario'.

The Council considers the parties listed above to be adversely affected parties and would serve notice on these property owners if the application went through the RMA process.

8. Special Circumstances

There are a number of special circumstances in relation to this application, primarily resulting from the proximity of the site to the National War Memorial, which is a nationally significant location bestowed the title 'National' War Memorial through an Act of Parliament.

The context of the National War Memorial has been significantly enhanced since the current District Plan provisions became operative through the construction of the Arras Tunnel (providing for the re-routing of State Highway One) and Pukeahu National War Memorial Park above this.

Public Interest:

The District Plan heritage inventory identifies the 'social values' of the National War Memorial as follows:

Identity and Sense of Place Continuity

The structure is the site of New Zealand's Anzac Day dawn service and the Tomb of the Unknown Warrior. Therefore it is a place of national identity.

Public Esteem

The structure is held in high public esteem.

Sentiment Connection

The building is the national memorial to those New Zealanders who died while serving in the armed forces, the structure has sentimental value to people on a national level.

Symbolic Commemorative Traditional Spiritual

The National War Memorial is New Zealand's foremost symbolic and commemorative building, a place of pilgrimage and ceremony, and of very high social value to the country. The structure has symbolic and commemorative value to members of the New Zealand Defence force and the families of those who lost members while serving in overseas conflicts.

As such:

- The national significance of the context results in an exceptional set of circumstances that would not occur at most other Central Area sites.
- It is likely that there are parties that the Council and applicant have not identified that will have an interest in the proposal due to their intrinsic connection to the National War Memorial site (listed later in these comments).
- This context is likely to have higher significance to the general public as it is a space for all New Zealanders given that it is a "place of national identity".
- It is possible that there is information that the Council is not currently aware of that needs to be taken into account in making a decision on the application.

Carillon Tower:

The Carillon tower is the most visible feature of the National War Memorial, with the heritage inventory noting: "the Carillon is a distinctive landmark visible from many parts of the city".

The proposed towers (buildings A and E) will be significantly taller than the existing building on the subject site and all other existing buildings in the immediate context, particularly to the east of the National War Memorial site. While not as tall as the Carillon, the new towers add two additional high elements to the visual context and, as a result, the Carillon becomes less notable. From some viewpoints to the east and north-east views of the Carillon will be partially or almost fully obscured (depending on the level the viewer is standing and viewing location). When viewed from the City (north), the Carillon will become one high feature in a setting of three tall buildings and its visual prominence will be reduced.

The special circumstance in this case is the proximity of the subject site in relation to landmark Carillon tower, and that the proposed tower buildings will detract from this landmark status.

	<p><u>Precedent:</u></p> <p>Following on from this, the Council is also concerned that the proposal has the potential to set a precedent for the area – whereby future proposals with similar circumstances would need to be assessed in the same way for reasons of consistency and fairness, resulting in further degradation of the landmark/symbolic status of the National War Memorial (Carillon tower) over time.</p> <p><u>Building Height:</u></p> <p>As noted, the two new towers will be well in excess of the 18.6 metre height limit specified for the site and, in this respect, are ‘exceptional’ as there is no inherent expectation set by the District Plan that development of this building height could occur.</p> <p>9. Notification</p> <p>On the basis that there are both more than minor adverse effects and special circumstances, if this proposal was to be assessed under the RMA, public notification would be required.</p>
<p>Is Fast-track appropriate?</p>	<p>The Council supports the development and intensification of this site but there remain unresolved concerns in relation to heritage and wind effects.</p> <p>The Council is also concerned that if this project is to go through the fast track legislation then the affected parties (to the south) and wider community would have limited legal rights of participation.</p>
<p>Reports and assessments normally required</p>	<p>Urban Design Report Assessment against the Central Area Urban Design Guide Townscape views Heritage Report Contaminated Land Report, with clarification as to whether the NES for Contaminated Soil applies Structural Engineering Report Acoustic Report, with details of operational noise (post occupation) and construction noise Wind Report/Wind Tunnel Test Traffic Report Servicing Report Earthworks/Geotechnical Report Cultural Report / Cultural Impact Assessment Crime Prevention Through Environmental Design (CPTED) Assessment Landscaping Assessment, with confirmation the trees shown would be able to grow in this location and the sizes required to achieve mitigation for wind effects. Shading Assessment Assessment from the Wellington Water Land Development Team, with confirmation of network capacity and details of servicing requirements. A draft Construction Management Plan</p> <p>And:</p> <p>Approval from the land owner in relation to any works on legal road Record of consultation with iwi Record of consultation with Heritage New Zealand Pouhere Tāonga Any other relevant consultation such as landowner support</p>
<p>Environmental compliance history</p>	<p>The Council is not aware of any compliance issues with One Tasman Development Limited Partnership / Willis Bond Limited.</p>

<p>Iwi and iwi authorities</p>	<p>The Council's mandated iwi partners are:</p> <ul style="list-style-type: none"> - Te Rūnanga o To Rangatira, 2/4 Nohorua Street, Takapuwahia, Porirua 5022 - Port Nicholson Block Trust, PO Box 12164, Thorndon, Wellington 6011 <p>The context has recognised cultural value, being an area of pre-European occupation and a site of significance to Māori. Additionally, the Wellington Tenth Trust is co-owner of the Massey University site.</p> <p>The applicant has provided suitable information in relation to this, has undertaken consultation, and has provided a Cultural Impact Assessment.</p> <p>The Council is aware that consultation with iwi has influenced the submitted design, including with respect to landscaping.</p> <p>The site is not a Statutory Acknowledgement Area.</p> <p>If the proposal was publicly notified, the Council would serve notice on both iwi.</p>
<p>Relationship agreements under the RMA</p>	<p>The Council has no specific relationship agreements under the RMA.</p>
<p>- Insert responses to other specific requests in the Minister's letter (if applicable)</p>	<p><u>Question 1: Are there any reasons that you consider it more appropriate for the project, or any part of the project, to continue to proceed through the existing RMA consenting processes rather than the processes in the Act?</u></p> <p>The scale and proximity of this project create a unique set of concerns which give rise to a particular public interest in what occurs on this site. If this project was to proceed under the RMA consent process these concerns would be addressed through public notification.</p> <p>The Council has been assessing an application for this development under the RMA for around three months, with pre-application meeting discussions occurring before this. For the reasons discussed earlier in these comments, the Council advised the applicant in December 2021 that it would be necessary to publicly notify the application. The application has since been on suspend under the RMA.</p> <p>If the application was to continue under the RMA public notification would be required.</p> <p>The Council is concerned that there would be a number of adjacent property owners (listed previously) that would be directly affected by the proposal, as well as the wider community – which in this case might extend to parties outside of Wellington, due to the national significance of the National War Memorial.</p> <p>The Council has identified a number of parties that would potentially have an interest greater than the public in general, including iwi, Heritage New Zealand Pouhere Tāonga, and:</p> <ul style="list-style-type: none"> - The Ministry of Culture and Heritage, as custodians of the National War Memorial, Pukeahu National War Memorial Park and Home of Compassion Crèche. - The Ministry of Foreign Affairs and Trade, as the liaison with respect to the international memorials. - The Parliamentary Service, due to the visibility of the development from Government House. - Veterans' Affairs New Zealand, due to their association with the National War Memorial. - Royal New Zealand Returned and Services Association, due to their association with the National War Memorial. - Massey University, as adjacent landowners. - Capital Hill Limited, as adjacent landowners. - Wellington High School, as adjacent landowners. - The New Zealand Transport Agency, due to the proximity to State Highway 1. - The Basin Reserve Trust, due to the proximity of the site to the Basin Reserve and potential heritage and shading effects. - The Embassy of the People's Republic of China in New Zealand, due to the proximity of the subject site and the Embassy's Rugby Street site, and potential sensitivities.

	<ul style="list-style-type: none"> - The Mt Victoria Residents' Association, due to the visibility of the site from Mt Victoria. - Mount Count Mobilised, as the residents' association representing Mt Cook, again due to the location of the site. - Inner-City Wellington (Residents' and Business Association Incorporated) as the residents' association representing inner city residents. <p>Taking this into account, the Council has concerns that if this project is to go through the fast-track legislation the affected parties (to the south) and wider community would have limited legal rights of participation. Additionally, important information not known to the Council may be revealed through the public notification process.</p> <p>This project both challenges the existing District Plan provisions (with respect to the tower height) and exceeds the proposed heights for the site as set out in the District Plan Review. With respect to the plan review, the Council is concerned that the proposed new heights have not been through a public notification process either as yet, and may change/lower.</p> <p><u>Question 2: What reports and assessments would normally be required by the Council for a project of this nature in this area?</u></p> <p>The necessary reports and assessments have been listed previously in these comments.</p> <p><u>Question 3: Does the applicant, or a company owned by the applicant, have any environmental regulatory compliance history in your region?</u></p> <p>As noted, the Council is not aware of any compliance issues with One Tasman Development Limited Partnership / Willis Bond Limited.</p>
<p>Other considerations</p>	<p>The Council has identified that special circumstances apply in this case due to the unique setting of the subject site. Both the reasons for these concerns and the parties with a potential interest in the development have been set out above.</p> <p>Some consideration has been given to conditions, with the Council's engineers (traffic, drainage, Wellington Water) having made site-specific recommendations. The Council would like to review/have input to draft conditions, should the proposal be accepted for fast-track consent.</p>

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Samantha Maxwell

From: Anna McLellan s 9(2)(a)
Sent: Thursday, 17 March 2022 4:18 pm
To: Fast Track Consenting
Subject: [COMMERCIAL]Further consultation on One Tasman, Pukeahu Park - comments due end of day Monday 21 March

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Kia ora

I am responding on behalf of GWRC to the question below. I note the clarification regarding the applicants name. This has no bearing on the comments we originally provided other than in response to the enforcement history.

We have can now confirm there is no enforcement history for *One Tasman Development Limited Partnership*.

Please do not hesitate to contact me if you require any clarification.

Ngā mihi



Anna McLellan

Kaitaki-a-tīma | Team Leader, Consents and Compliance
Greater Wellington Te Pane Matua Taiao
s 9(2)(a)
100 Cuba St, Te Aro, Wellington 6011
Follow us online: [Facebook](#) | [Twitter](#) | [gw.govt.nz](#)

From: Fast Track Consenting <fasttrackconsenting@mfe.govt.nz>
Sent: Wednesday, 16 March 2022 10:43 am
To: Nigel Corry <s 9(2)(a)>; Luke Troy s 9(2)(a); Alistair Cross <s 9(2)(a)>; Shaun Andrewartha s 9(2)(a)>
Cc: Fast Track Consenting <fasttrackconsenting@mfe.govt.nz>; Fast Track Consenting <fasttrackconsenting@mfe.govt.nz>
Subject: [COMMERCIAL]Further consultation on One Tasman, Pukeahu Park - comments due end of day Monday 21 March

Hi Nigel,

Please see attached a letter seeking further comment on information received from Willis Bond (also attached).

Many thanks

Maggie

Maggie Vickers
(Acting) Team Leader /Kaiarataki Rōpū - Fast Track Consenting

Ministry for the Environment | Manatū Mō Te Taiao

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Many thanks

Maggie

Maggie Vickers
(Acting) Team Leader /Kaiarataki Rōpū - Fast Track Consenting

Ministry for the Environment | Manatū Mō Te Taiao
[Redacted] | fasttrackconsenting@mfe.govt.nz | mfe.govt.nz

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Thank you.

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From: Fast Track Consenting <fasttrackconsenting@mfe.govt.nz>

Sent: Tuesday, 15 March 2022 6:38 pm

To: John s 9(2)(a); Ritchie, Samuel s 9(2)(a); Hughes, Simon
s 9(2)(a); fasttrackconsenting@tearawhiti.govt.nz; Michael Hurley [EXTERNAL] (HUD)
s 9(2)(a); FionaMcCarthy [EXTERNAL] (HUD) s 9(2)(a); Jason Haskell
s 9(2)(a); Tim Penney s 9(2)(a); amanda mulligan [EXTERNAL] (MCH)
s 9(2)(a) Graham.Nielsen
s 9(2)(a)

Rebecca Davies [EXTERNAL] (NZDF) s 9(2)(a)

s 9(2)(a); John Scott [EXTERNAL] (DPMC) s 9(2)(a); Linley Wilkinson
s 9(2)(a)

Cc: Fast Track Consenting <fasttrackconsenting@mfe.govt.nz>

Subject: [COMMERCIAL]Further consultation on One Tasman, Pukeahu Park - comments due end of day Monday 21 March

Hi all,

Please see attached a further consultation letter on the One Tasman project, as a result of additional information received from the applicant (also attached).

We would appreciate receiving comments (only on the new points raised) via your Minister in the usual manner by Monday so we can continue to progress the application.

Many thanks

Maggie

Maggie Vickers
(Acting) Team Leader /Kaiarataki Rōpū - Fast Track Consenting

Ministry for the Environment | Manatū Mō Te Taiao
Ph [REDACTED] | fasttrackconsenting@mfe.govt.nz | mfe.govt.nz

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Thank you.

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Samantha Maxwell

From: Lisa Hayes s 9(2)(a)
Sent: Thursday, 17 March 2022 10:12 am
To: Fast Track Consenting
Cc: Halley Wiseman
Subject: FW: [COMMERCIAL]COVID-19 Recovery (Fast-Track Consenting) Act 2020 – One Tasman, Pukeahu Park
Attachments: Stage 1 One Tasman, Pukeahu Park - Consultation Letter - Wellington City Council.pdf; Letter to Wellington City Council seeking further comments - One Tasman.pdf; Letter from Willis Bond clarifying applicant name and project funding.pdf

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Hi Maggie

Thanks for the opportunity to comment on the attached letter.

The Council has no comments in relation to the applicant name or project funding.

Kind regards

Lisa Hayes

Senior Consent Planner | Kaiwhakamahere Matua
Resource Consents | Whakaaetanga Rawa
Wellington City Council | Te Kaunihere o Pōneke
s 9(2)(a)

W Wellington.govt.nz |  

Please note, from Tuesday to Friday I am only in the office until 2pm.

Wellington City Council has adopted a COVID Vaccine Pass requirement for entry into our public facing facilities, this includes our Level 16 public meeting space in our Corporate Offices, Tahiwī, on 113 The Terrace, and Level 7, Kai Ūpoko, 79 Boulcott Street. In order to gain entry, you must wear a mask, scan with the contact tracing app, present your COVID Vaccine Pass and sign in at reception.

If this is problematic for you, please let the organiser of this meeting know and virtual meeting arrangements will be made.

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