

16 July 2021

Environment Protection Authority
Level 10, Grant Thornton House
215 Lambton Quay
WELLINGTON 6011



PO Box 588
Level 10, 57 Willis Street
Wellington 6140, New Zealand
Phone 04 472 2261
Email admin@spencerholmes.co.nz

Attention: Elliot Dennett/Sandra Balcombe

Dear Elliot/Sandra

Request for information from Prime Property Group Limited in relation to Molesworth Street Office Development under COVID-19 Recovery (Fast-track Consenting) Act 2020

We are writing in response to your further information request, received in respect to this application on the 6th July 2021.

There are a number of matters where information/clarifications are sought. We will respond to each of those matters in turn.

1. *Please advise whether any specific wind mitigation measures are proposed in the vicinity of the south-eastern corner of the proposed building where gust speeds have increased over the 20m/s District Plan Safety Criteria as described in the WSP Wind Tunnel Study (Attachment 4 to the Application at pages 12-13).*

Please see the response from Jasmax Architects in relation to the wind mitigation measures.

2. *Please provide an assessment by a suitably qualified urban design professional of the proposal by specific reference to the Central Area Urban Design Guide and consistent with clause 3.2.4.1 of the Operative District Plan. (See Application at pages 34-35).*

Please find an additional urban design assessment, further to the Design Statement which accompanied the application. The specific Central Area Design Guide (CADG) assessment has been carried out by Senior Urban Designer, Alistair Ray of Jasmax Architects.

His summary of the proposal is as follows:

The assessment finds that the proposal is consistent with the identified six design matters of design coherence; relationship to context; Siting/height/bulk and form; edge treatment; façade composition; and materials and details. It proposes this in the context of responding to the challenge of a landmark heritage neighbour.¹

3. *Please provide an assessment by a suitably qualified urban design professional as to whether the proposal achieves design excellence given that the building height exceeds the*

¹ *Urban Design Assessment – 61 Molesworth Street, Wellington – Dated 14 July 2021 – Page 13, paragraph 4.*

permitted height but is within the 15% design excellence allowance. (See District Plan Policy 12.2.5.5 and COVID-19 Recovery (Fast-Track Consenting) Referred Projects 2020 (Order in Council), Schedule 5, clause 6(d)).

The attached urban design statement, has included a discussion on the Design Excellence. The statement includes the following:

This assessment considers that this proposal achieves design excellence for the following reasons:

- *The height of the building itself is not considered to have a material impact on the most sensitive contextual consideration, which is the setting of the adjacent cathedral.*
- *The design concept coherently integrates a massing approach which discreetly references the cathedral forms and is crafted to minimise wind effects while highlighting an entrance and street frontage configuration which is positively organised towards the cathedral and the public space on the opposite side of the road.*
- *The building edge conditions enhance the street and the unique private boundary conditions on other facades.*
- *The approach to composing and materially articulating elevations is well judged between consistency and contrast with the cathedral, creating a backdrop which both maintains the primacy of the cathedral as a landmark object and quietly defines a modern character and activities in a positive piece of urban fabric.²*

The term ‘design excellence’ is not defined in the District Plan. There are no agreed standards or guidance documents to assist in determining what is ‘design excellence’.

The urban designer has outlined their view of the proposal and why it would be considered ‘design excellence’. Additional to the urban design outcomes, the features of the building that would also contribute to it being considered in this excellence category are:

- Base Isolation and resilience of the building, significantly exceeding the 100% New Building Standard (NBS) required under the Building Act.
- 5-6 Green Star/NABERS rating

The building will be a highly resilient and efficient building which will also be a landmark building in this area. In my view, this would be considered to be design excellence.

4. *The Application at page 10 shows the Site as including Collina Terrace and refers to the definition of Site in Chapter 3.10 of the District Plan. Collina Terrace adjoins the carpark next door to the Red Cross building. This carpark is zoned Inner Residential. The Panel is yet to consider the interpretation of Site (and Site area) but it would assist the Panel if the applicant could provide elevations in the vicinity of where Collina Terrace adjoins the land zoned Inner Residential to demonstrate whether the Application can comply with Rules 13.6.3.1.9 and 13.6.3.1.10 (if applicable)?*

In responding to this item of further information we note that clarification is being sought in respect to the compliance with the height recession and yard rules of the Central Area in respect to properties that adjoin Residential Areas.

^{2 2} *Urban Design Assessment – 61 Molesworth Street, Wellington – Dated 14 July 2021 – Page 13, paragraph 2.*

To assist in this response, I firstly provide Figure 1, which is an extract from the District Plan maps which annotates the site and the relevant boundary.

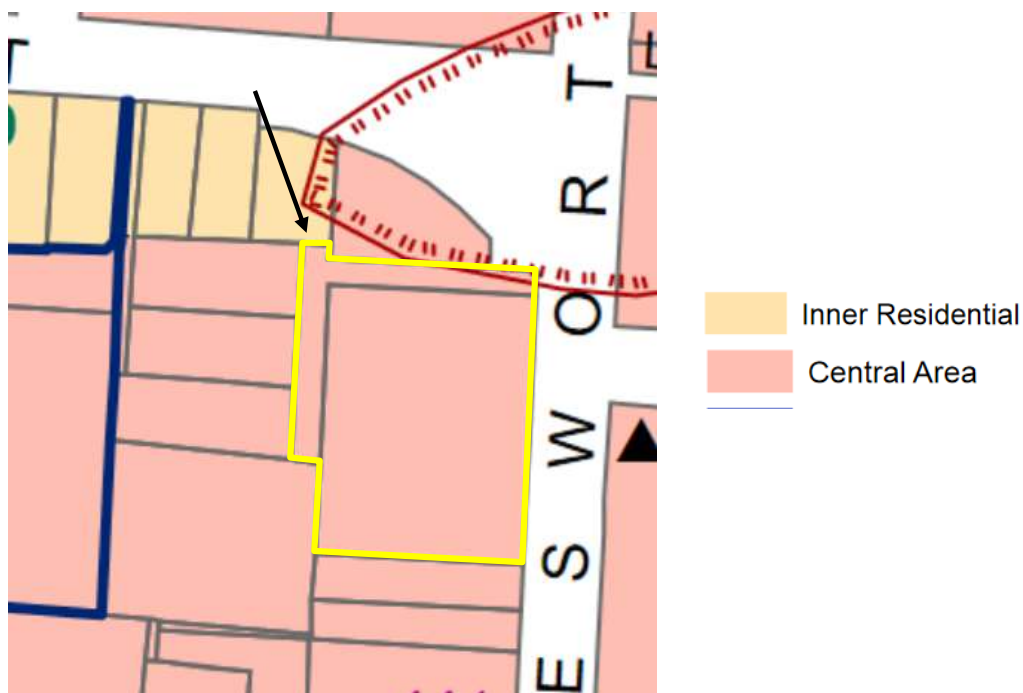


Figure 1: The District Plan MaP

The main title for the site does not adjoin a residential area. Only Collina Terrace adjoins a residential zoned property. The residentially zoned land in questions, is held by the New Zealand Red Cross known as 69 Molesworth St and is currently used as a car park.

The recession plane and yard rule applies to only this one boundary which is indicated by the arrow in Figure 1.

Rule 13.6.3.1.9 states:

13.6.3.1.9 Any building or structure must comply with the building recession Rule for the Inner Residential Area at any point along a boundary adjoining the Residential Area.

In respect to this Central Area Rule, the relevant building recession plane is defined under Rule 5.6.2.8.1 which states:

5.6.2.8.2 Each recession control line shall rise vertically for 2.5m from ground level at the boundary and then incline inwards, at 90° to the boundary in plan. For each boundary the angle of inclination to the horizontal is determined by the direction in which the boundary faces (i.e. its compass bearing) which is ascertained by the bearing of a line drawn **outwards from the site perpendicular to that boundary line.** [my emphasis]



From this we can determine that the building recession plane is applied to the boundary at 90 degrees to the relevant bearing of the boundary. In this case, the residential boundary adjoins only Collina Terrace and does not therefore come into effect for the main site i.e. the height recession plane does not cut into the building and therefore full compliance is achieved.

Rule 13.6.3.1.10 states:

13.6.3.1.10 Subject to the building recession plane referred to in 13.6.3.1.9, a maximum height of 3 metres is set for buildings and structures at the Residential Area boundary and extending perpendicular into the site for a distance of 5m. The 3m maximum height will be measured at the boundary and will extend into the site at that height regardless of any change in the underlying land contour.

In respect to this Rule, Collina Terrace is shown in Figure 2, which is a diagram generated from the Quickmap system which draws on LINZ data. Figure 2 shows the dimensions of Collina Terrace.

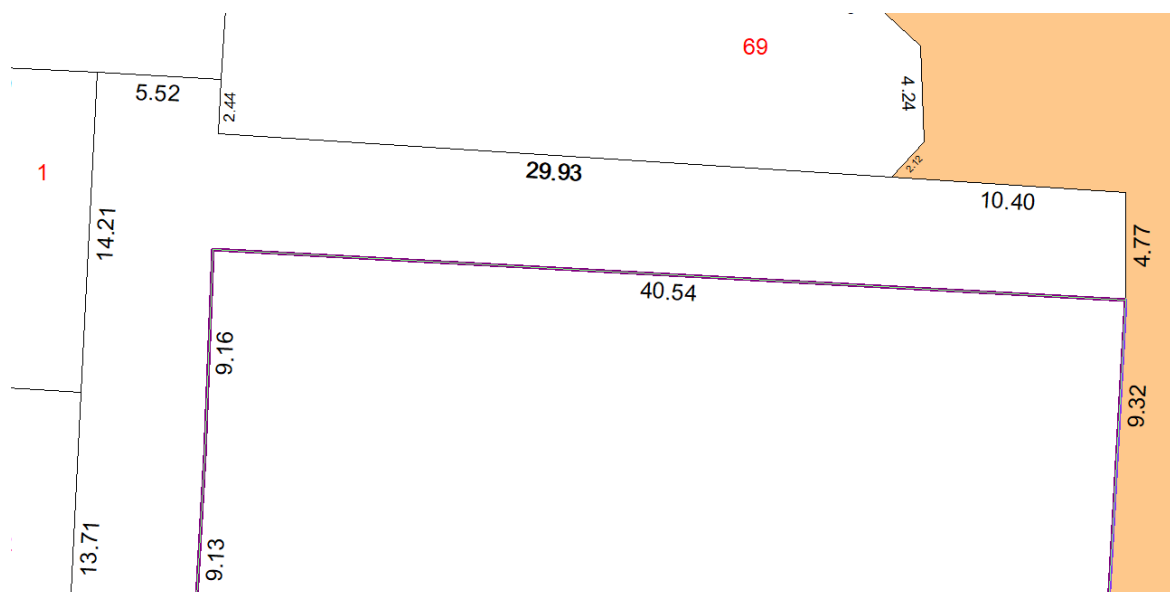


Figure 2: Dimensions of Collina Terrace.

From Figure 2, it can be seen that the boundary of the main site, is approximately $4.77 + 2.44 = 7.21$ metres from the residential boundary.

Therefore no breach of the permitted standard 13.6.3.1.10 will occur.

5. *Please advise whether Heritage New Zealand / Pouhere Taonga has been consulted and if so what was the outcome of that consultation. (Order in Council clause 6(b)).*

Heritage New Zealand was not consulted.

The subject site is not subject to any heritage listing. Under the District Plan, there would have been no requirement to consider the heritage provisions of the District Plan and no direct effects on a heritage listed building or site.

The adjoining heritage building is listed under the District Plan but is not a Heritage New Zealand listed building, hence the reason why NZ Heritage were not consulted.

6. *Please advise whether there is, or there will likely to be, any stormwater discharges to the stormwater network from the site during construction and if so how they will be managed in compliance with any relevant statutory requirements and the requirements of Wellington City Council and Wellington Water Limited.*

Stormwater would discharge from the site during the works in a rainfall event.

The proposed earthworks for the development are carried out over an area of approximately 2100m². The earthworks do not trigger the requirement for any Greater Wellington Regional Council (GWRC) consents.

The application for consent, already outlines the triggers for earthworks consents under the Wellington City area of authority and states that a consent is normally required under District Plan Rule 30.2.2³.

The matters of discretion under Rule 30.2.2 include erosion, sediment and sediment control.

Attachment 10 of the application is an earthworks management plan (EMP). Section 3 of that document (pages 6 to 9) specifically deal with the erosion and sediment control measures to be used to control the effects.

No other specific approvals are required to meet the statutory requirements to enable discharge during construction.

From our experience, the measures proposed are typical of those regularly used in Central Area construction in the city. The proposed EMP would satisfactorily address the potential effects to an acceptable level.

7. *Please provide an assessment of the Proposal as against the following objective and policies in the District Plan:*
- *Objective 20.2.1;*
 - *Policy 12.2.5.6;*
 - *Policy 12.2.6.1;*
 - *Policy 12.2.6.10; and*
 - *Policy 12.2.15.6.*

Objective 20.2.1 was assessed at page 23 of the main application information.

³ See *Fast Track Application for Approval – 61 Molesworth St* - Page 32, paragraph 10

21.2.5.6 states:

Ensure that buildings are designed to avoid, remedy or mitigate the wind problems that they create and where existing wind conditions are dangerous, ensure new development improves the wind environment as far as reasonably practical

The main application information assessed the related policy 21.2.5.7, but I accept it did not discuss 21.2.5.6 directly. The architect has described in the attached information, the efforts made in the design process to mitigate the wind. The design team tested numerous different designs and chose the best response. Other mitigation measures were put in place, such as the verandah and planting to mitigate the wind effects. The proposal is therefore consistent with this policy.

21.2.6.10 states:

Encourage the provision of pedestrian shelter along streets and public spaces throughout the Central Area (including the Pipitea Precinct)

This particular policy is support for the various permitted standards in the District Plan which require verandahs. The proposal provides a pedestrian verandah and is therefore consistent with the Policy and the relevant Rules discussed in the application.

12.2.15.6 states:

Manage the supply of commuter car parking.

This particular Policy, provides support for the District Plan provisions to not require car parking and to require an assessment of the traffic effects when over 70 car parking spaces are provided. The proposal provides less than 70 car parks and therefore, as the parks that are provided comply with the standards in respect stall and aisle size, this particular part of the proposal is a permitted activity.

The Wellington City District Plan allows for limited parking spaces (less than 70) to be provided at the applicant's choice. This proposal is therefore consistent with the permitted standards and the Policy which is about 'managing' the supply of commuter parking.

Conclusion

We trust that the response above, addresses all outstanding matters and the panel can provide through the decision making process on this application.

Yours faithfully

Spencer Holmes Limited



Ian Leary

Director – Survey and Planning