

23 June 2006

File: WGN060184 [24997] [24998] [24999] [24500]

WGN_DOCS-#349257-v1

Report to the Hearing Committee
From Natasha Tod, Senior Resource Advisor

Waterfront Investments Limited

Contents

1.	Purpose	1
1.1	Scope of report	1
2.	Executive summary	1
3.	Application	2
3.1	Applicant	2
3.2	Consents applied for	2
3.3	Summary	4
3.4	Location	4
4.	Background	4
5.	Existing environment	5
5.1	Built environment	5
5.2	Site history	6
5.3	Surrounding uses	7
6.	Proposal/description of activities	7
6.1	Building	8
6.2	Public space	8
6.3	Vehicle access	9
6.4	Demolition, re-piling and refurbishment of wharf	9
7.	Other consents and approvals required	10
8.	Consultation	10
9.	Notification and submissions	11
9.1	Notification	11
9.2	Submissions	12
9.3	Late submissions	12
9.4	Issues raised by submissions	13
9.4.1	Summary of submissions in support	13
9.4.2	Summary of submissions in conditional support and neutral	13
9.4.3	Summary of submissions in opposition	14
10.	Further information and meetings	15
11.	Statutory reasons for requiring resource consents	16
11.1	Occupation – WGN060184 [24997]	16
11.2	Structures – WGN060184 [24998]	17
11.3	Disturbance – WGN060184 [24999]	18
11.4	Discharge – WGN060184 [25000]	18
12.	Matters for consideration	19
12.1	Resource Management Act 1991 (the Act)	19
12.1.1	Interpretation	19
12.1.2	Sections 104, 105, 107 and 108	20

13.	Assessment of effects	21
13.1	Short-term effects	21
13.1.1	Effects on marine organisms and habitat	21
13.1.2	Effects on coastal water quality	22
13.1.3	Effects on public access	24
13.1.4	Construction traffic effects	26
13.1.5	Summary of short-term effects	27
13.2	Longer-term effects	28
13.2.1	Effects on berthing space	28
13.2.2	Heritage	32
13.2.3	Natural hazards	35
13.2.4	Amenity values, public use and existing uses	37
13.2.5	Urban design	38
13.2.6	Public space design	39
13.2.7	Wind	39
13.2.8	Traffic	40
13.2.9	Noise	41
13.2.10	Effects on viewshafts	42
13.2.11	Effects on private views	42
13.2.12	Effects on sunlight/shading	43
13.2.13	Summary of long-term effects	43
13.3	Summary of issues to be addressed	44
14.	Assessment of statutory documents	45
14.1	New Zealand Coastal Policy Statement 1994(NZCPS)	45
14.2	Regional Policy Statement for the Wellington Region (RPS)	47
14.2.1	Chapter 4 – The iwi environmental management system	47
14.2.2	Chapter 7 – The coastal environment	48
14.2.3	Chapter 10 – Landscape and heritage	49
14.2.4	Chapter 11 – Natural Hazards	50
14.3	Regional Coastal Plan for the Wellington Region (RCP)	50
14.3.1	Chapter 4 – General objectives and policies	51
14.3.2	Chapter 6 - Structures	56
14.3.3	Chapter 7 – Destruction, damage or disturbance of foreshore or seabed	58
14.3.4	Chapter 10 – Discharges to land and water	60
14.3.5	Chapter 14 – General standards and terms	60
14.3.6	Chapter 18 – Cross boundary issues	60
14.3.7	Summary	60
14.4	Other relevant matters	61
14.5	Part II – Purpose and principles	61
14.5.1	Section 5 - Purpose	61
14.5.2	Section 6 – Matters of national importance	62
14.5.3	Section 7 – Other matters	63
14.5.4	Section 8 – Principles of the Treaty of Waitangi	64
15.	Conclusion	64
16.	Recommendation	66

Appendix 1: District Planning report – Mary O’Callahan

Appendix 2: Wind report – Mike Donn

Appendix 3: Traffic assessment – Steve Spence

Appendix 4: Noise assessment – Mathew Borich

Appendix 5: Urban design/Waterfront framework report - TAG

Appendix 6: Natural hazards assessment – Helen Grant

Appendix 7: Heritage assessment – Barbara Fill

Appendix 8: Submission summary

Appendix 9: Suggested conditions

Appendix 10: Relevant statutory provisions

Appendix 11: Further information

1. Purpose

To report to the Hearing Committee on resource consent applications made under the Resource Management Act 1991 (the Act) to Greater Wellington Regional Council (GW) by Waterfront Investments Limited.

1.1 Scope of report

This application is for activities wholly within the coastal marine area (CMA) and GW is the only consent authority. The matters considered in this report and attachments are accordingly broad, and include an assessment against the Wellington City District Plan and the Wellington Waterfront Framework, as provided for by the Regional Coastal Plan for the Wellington Region.

2. Executive summary

The application is for four coastal permits to construct, use and maintain a hotel building on the Outer T of Queens Wharf, and to undertake associated activities.

The assessment of this proposal has identified a number of areas where either additional detail needs to be provided by the applicant, or the proposal needs to be modified to ensure potential adverse effects can be satisfactorily avoided, remedied or mitigated. While some adverse effects have been appropriately addressed in the application, there are other effects which I am not satisfied that the proposal appropriately avoids, remedies or mitigates.

The proposal in its current form is not consistent with all objectives and policies of New Zealand Coastal Policy Statement, Regional Policy Statements and the Regional Coastal Plan.

There are a number of specific fundamental aspects of this particular hotel proposal which result in the proposal, as submitted, to be inconsistent with Part II (the purpose and principles) of the Resource Management Act 1991.

I consider that the application should be declined unless the outstanding matters summarised in section 13.3 of this report can be adequately addressed by the applicant.

In the event that the applicant modifies the proposal to address the issues identified, conditions have been drafted for those adverse effects which are able to be dealt with through consent conditions. These conditions require the resolution of the matters identified in section 13.3 before being relied upon to provide satisfactory mitigation of the anticipated effects of this proposal.

Overall, my conclusion is that the proposed development, as submitted, is not consistent with the relevant statutory and non-statutory documents, nor is it entirely consistent with the purpose and principles of the Act.

My recommendation is to decline the application.

Should the applicant modify the proposal to accommodate the key concerns raised I have requested the opportunity to review my conclusions at the hearing.

3. Application

3.1 Applicant

Waterfront Investments Limited
C/- Urban Perspectives Limited
PO Box 9042
Wellington

3.2 Consents applied for

WGN060184 [24997] Discretionary activity

Coastal permit to occupy the land of the Crown in the CMA with the north jetty structure.

The north jetty structure is a low level platform just above water level that extends from the north end of the Outer T. The proposed dimensions of the structure protrude 8.5 metres out, along an 18 metre length of the north end of the wharf.

A coastal permit for the occupation of space is only required for land of the crown in the CMA. The north end of the Outer T of Queens Wharf is the seaward boundary of the land owned by Wellington Waterfront Limited. The proposed structure to the north of this is within crown-owned land in the CMA. The other parts of the proposal are all located within an area owned by Wellington Waterfront Limited and therefore do not require a coastal permit to authorise the occupation of space.

The occupation of space in the CMA by the north jetty structure is a controlled activity provided the structure is lawfully established. The controlled activity status only applies if the Hearing Committee determines to grant the consent authorising establishment of the structure [24998]. If the Hearing Committee does not grant the consent authorising the structures then the occupation of space by the north jetty structure is a discretionary activity under Rule 25 of the Regional Coastal Plan for the Wellington Region (RCP), as the structure can not be lawfully established.

I have noted this activity to occupy space in the as a discretionary activity on the basis of my recommendation to decline the applications.

WGN060184 [24998] Discretionary activity

Coastal permit for the use and development of structures including a hotel building, decks, jetties, a vehicular access tunnel, and the refurbishing of the existing wharf structure associated with the proposal.

This includes:

- Constructing a five-storey hotel building comprising approximately 142 hotel rooms, a restaurant, bar, function and conference facilities; decks adjoining the hotel building; and ancillary structures and signage.
- Enhancing the public space in the general vicinity of the hotel, including constructing two jetties for public use, and altering a section (4 metres wide by 18 metres long) of the north end of the Outer T so that it steps down to facilitate access to the northern jetty.
- Constructing a vehicular access tunnel from the existing Queens Wharf Events Centre basement carpark to the Outer T of Queens Wharf. The traffic access is proposed to be single-lane, one way (alternating) through the tunnel.
- Demolition and site works including the removal of Shed 1 and new piling and refurbishing of the existing wharf structure to facilitate the proposal.
- Providing vehicular and pedestrian access from Jervois and Customhouse Quays to the hotel, in particular the use of the wharf areas in the immediate vicinity of the hotel for vehicle manoeuvring and short-term parking associated with the operation of the hotel.

WGN060184 [24999] Discretionary activity

Coastal permit to disturb the foreshore and seabed associated with the re-piling of the existing wharf structure.

This permit is to authorise disturbance within the CMA associated with the re-piling of the wharf necessary for the new building structure and new tunnel/accessway structure.

Works include:

- The repair / replacement of existing rotten piles and substructure at the north end of the Outer T;
- Any ongoing maintenance to the piles and substructure;
- Seismic and gravity load strengthening of the north end of the Outer T including alterations to wharf and new piles;
- Removal of piles in the path of the new tunnel;
- New piling under the tunnel; and
- Relocation of existing sub-wharf services and installation of new services.

As part of the initial works, surveying will be undertaken to determine the extent of maintenance requirements. This will require the removal of marine

life attached to the wharf piles for some metres below the water surface. Rotten piles will require jacketing or replacement. Ongoing surveying and maintenance of the sub-wharf structure will be necessary on a 5-10 year cycle.

Preliminary identification of piles to be repaired or replaced and locations of new piling is contained in *Hotel Pile Plan drawing 2438-P2 - revision E* and *Car Ramp Under Wharf Plan drawing 2438-P50 – revision E* contained within the Structural Assessment report by Dunning Thornton (Appendix 4 of the Resource Consent Application).

WGN060184 [25000] Discretionary activity

Coastal permit to discharge contaminants to the CMA, in connection with demolition and construction activities.

This permit is to allow for any intermittent discharges to coastal water that may occur during site works, including the discharge of sediment material during re-piling and repair / removal works on existing piles.

3.3 Summary

The application is for four coastal permits, all of which are full discretionary activities under the Regional Coastal Plan. On this basis, the consent authority may grant or refuse consents under section 104B. If granted, conditions may be imposed under section 108 of the Act.

3.4 Location

The site is located in the area of the waterfront generally known as the “Outer T” of Queens Wharf, Wellington; at or about map reference NZMS260: R27;591.899, NZMS260: R27;591.898, and NZMS260: R27;590.899. The area subject to these applications comprises the north arm of the Outer T, where Shed 1 is currently located, and includes a proposed vehicle access tunnel to access the site from the Queens Wharf Events Centre basement carpark. The vehicle access point up to Queens Wharf from the basement carpark will be outside Dockside Restaurant on the main stem of the Outer T at or about map reference NZMS 260: R27;590.898.

The site is legally described a Lot 1 DP66187, Pt Bed Port Nicholson Survey Office Plan 34851, and Lot 2 DP 330534.

4. Background

Since the use of much of the Lambton Harbour development area as a working commercial port and shipping operation has ceased, it has been recognised that the space has the potential to become a significant amenity for the people of Wellington City. Lambton Harbour is the interface between the heart of the city and the Wellington Harbour, and has extensive land area available for redevelopment.

Since 1988, when the original concept plan for the redevelopment of Lambton Harbour was produced, there has been a large number of projects initiated to

improve the waterfront area. There have also been several statutory planning regimes proposed since 1988. In 1996 a public process was commenced to gain an understanding of the public's views on the future of the Lambton Harbour area. The "Wellington Waterfront Framework", a report of the Waterfront Leadership Group, was produced as a result of this process. The Waterfront Leadership Group was a group appointed by Wellington City Council (WCC) to recommend a framework to guide the future development of the waterfront area. The Wellington Waterfront Framework (WWF) was adopted by WCC on 3 April 2001.

The Wellington City District Plan provisions for the Lambton Harbour Area were recently changed in a significant way as a result of WCC adopting Variation 22. The final appeals against Variation 22 were resolved in 2004. The purpose of *Variation 22 – Lambton Harbour Area*, is to incorporate into the District Plan the vision, values, principles and themes of the WWF, to guide the development of the waterfront. Variation 22 to the District Plan places the Wellington Waterfront Framework (WWF) as the over-arching strategy for the waterfront area and provides guidance for its development.

5. Existing environment

The site is located within the Queens Wharf precinct of Lambton Harbour, Wellington. Queens Wharf is on the seaward side of Customhouse Quay and Jervis Quay generally between Hunter Street and Panama Street. A major focal point of Queens Wharf is the Queens Wharf public plaza which provides a significant pedestrian connection between the central city area and the waterfront.

Queens Wharf is primarily a public space and is used extensively for recreational purposes, including walking, running, cycling, fishing and general open space enjoyment. The space is characterised by heritage buildings and maritime history, pedestrian-oriented open space, city to sea linkage, and an active, working wharf.

5.1 Built environment

On the Jervis and Customhouse Quays end of Queens Wharf are the Category 1 listed historic buildings Wellington Harbour Board Head Office and Bond Building (currently occupied by Museum of Wellington City and Sea and GW Harbours Department), and the Wellington Harbour Board Wharf office Building, Shed 7 (currently occupied by the NZ Academy of Fine Arts).

Further toward the Outer T of Queens Wharf are located Sheds 5 and 6, and on the main stem of the Outer T is Shed 3 (known as the Dockside restaurant and bar). Sheds 3 and 5 are listed heritage buildings. Shed 6 is located on the coastal side of the Events Centre. It is of similar age and design as Shed 1 and is currently occupied by Fergs Kayaks. Existing modern buildings in the vicinity of the public plaza are The Events Centre and Synergy Harbourside (originally built as a retail complex).

On the northern end of the Outer T is Shed 1 which is occupied by various activities including Wellington Indoor Sports, the “East by West” ferry offices and Helipro depot and offices. The southern arm of the Outer T is used for helicopter operations.

Shed 1 was built in 1964 and has a height of 13m as measured at the apex of the roof. This building is not recognised as having any historical or heritage value and it is intended that it be demolished to enable development of the hotel at the site.

5.2 Site history

The history of Queens Wharf is well documented in the archaeological assessment contained in Appendix 6 of the application, a summary of which is below.

The original outer T was located where Sheds 5 and 6 are now, and was constructed in 1862. The second (current) Outer T was built in 1865 and has been enlarged a number of times, and the original part was repiled in 1910. The earliest known record of a shed on the northern arm of the Outer T is a photograph dated 1869.

In 1885 the Outer T was increased in size substantially, and in 1894 each end of the Outer T was extended. Shed “B” was built on the northern arm in 1885, replacing the earlier building. It is thought that this building remained until the 1960’s when it would have been demolished to enable the construction of Shed 1 in 1964.

Queens Wharf is strongly associated with early Colonial European settlement of Wellington. It played a vital part of the early shipping history of Wellington and New Zealand. Queens Wharf is very rare because of its age. It dates back to the earliest times of European settlement, and only a handful of structures remain from that period. It is also unique because it was the first deep-water wharf, and the first publicly-owned wharf in Wellington.

The Wharf played a strategic part in the early European economic, social and engineering activities of Wellington. It is currently surrounded by heritage buildings and is in the vicinity of the heritage area of Post Office Square.

Queens Wharf was historically defined by the gates and the long row of sheds and wharf offices parallel to the quays and harbour. The gates and buildings strongly define the waterfront from the rest of the city, with these features creating an enclosed and sheltered place.

Further detail of the recorded history of Queens Wharf, and its context within surrounding heritage items can be found in the archaeological report by Pam Chester, which was submitted as Appendix 6 to the resource consent application.

The Wharf and wharf edge is identified in the Regional Coastal Plan as a protected feature of historic merit. Shed 3 and Shed 5 are within the immediate surrounds of the proposed development and are also identified in the Regional

Coastal Plan as protected historic features. In the wider context, a number of other buildings on Queens Wharf have heritage values, including Wellington Harbour Board Head office, the (former) Bond Store and Wharf Offices (Shed 7). Sheds 11 and 13 are also in the immediate vicinity of Queen's Wharf as well as the Iron Gates and Railings. These buildings are also registered by the New Zealand Historic Places Trust as either Category I or Category II items.

5.3 Surrounding uses

The waters surrounding the Outer T are used for both active port operations and recreational activities. Recreational use of the waters in the vicinity is primarily kayaking, pleasure boating and fishing.

Much of the water space around the Outer T is currently leased by CentrePort for the provision of ship/boat berthing space. The berthing space on the eastern (outer) side of the Outer T is favoured by naval vessels (up to 176m in length) and smaller cruise ships (in the vicinity of 100-134m in length). The more sheltered berths west of the Outer T are used for recreational boats, and research and small commercial vessels (including the East by West ferries and the Wellesley Charter Boat).

Development of the waterfront in the Queens Wharf area is primarily a mix of commercial and recreational use, with many of the businesses located there being service-oriented (e.g. café, restaurants and bars), which draws people to the waterfront. Other businesses (such as Fergs Kayaks, Helipro and East by West Ferry) are generally more tourist-focussed, with the exception of Synergy Harbourside (offices). By the nature of their businesses, both Fergs Kayaks and the East by West Ferry are directly linked to the water.

Queens Wharf has strong ties to its maritime past, and this is emphasised in previously consented developments that are being implemented in line with the Wellington Waterfront Framework.

6. Proposal/description of activities

The proposal which is the subject of these resource consent applications is to construct, maintain and use a hotel building on the Outer T of Queens Wharf and undertake associated works and activities (including the provision of infrastructure services, and pedestrian and vehicular access). The building will be operated as a hotel. A management contract has been entered into with Hilton Hotels.

In summary, the main aspects of the proposal are as follows:

- Constructing a hotel building including a restaurant, bar and conference facilities; and modifying the public space in the vicinity of the hotel, including constructing two jetties for public use;
- Constructing and using a vehicle access tunnel from the Event Centre carpark to the Outer T of Queens Wharf;

- Associated demolition and site works including the removal of Shed 1, new piling and refurbishing of the existing wharf and associated discharges and disturbance to the seabed.

6.1 Building

The height of the proposed building roofline is varied, with the mid section being 20.4 metres above the existing wharf level. On the northern end of the building there is a plant room and wing walls extending above the roofline to a height of 22.9 metres above existing wharf level. On the southern end of the building there is a plant room, stairwell lightbox and two masts projecting above the roofline giving a maximum height of 32.1 metres.

The existing Shed 1 building has a peaked roof, with the apex of the existing building being approximately 13 metres, and the sides of the roof approximately 10 metres above the wharf, respectively.

The main building is predominantly within the footprint of Shed 1, but considerably higher. Outside the existing building footprint are the dining decks/steps around the northern end of the building, extending down the eastern and western sides (adjoining the restaurant) and on the western side of the building adjoining the bar/lounge. Parts of the front entrance at the southern end and southern stairwell enclosure are also outside the existing building footprint. These features extend a maximum of five metres beyond the existing building footprint.

6.2 Public space

The scope of the modifications to the public space surrounding the Hotel building is outlined in Appendix 2 to the application which contains a report by Isthmus Group Ltd detailing the *Public Space Enhancement Descriptions and Drawings*.

In summary the proposed modifications to the public space on the northern arm of the Outer T are to:

- Retain all the requirements for the mooring and berthing of ships including all bollards, wharf piles, wharf barriers and concrete edging;
- Retain and enhance the old steel rails set within the wharf surface;
- Retain and enhance the concrete surfacing between the rails and wharf edges;
- Use asphalt surfacing as a more refined material adjoining the hotel;
- Use timber insets into asphalt and concrete surfaces in selective locations at the northern end of the wharf to provide greater intimacy to these pedestrian priority spaces;
- Construct a fixed low level jetty at the northern end with timber decking;
- Construct a fixed low level jetty on the western side of the wharf to be used for the temporary mooring of pleasure craft; and
- Install downlighting, principally from the hotel building, supplemented with ground level illumination within the steps and terraces.

In relation to the central spine of the Outer T the modifications can be summarised as:

- Timber decking inserted into the wharf to assist in defining pedestrian priority areas, as well as introducing a more intimate scale to the area;
- Lighting poles on the south side of the wharf to assist in defining the space and safe pedestrian use of the area at night;
- Seating associated with the decking areas; and
- Simple robust and open treatment to edges and barriers of vehicle ramp.

6.3 Vehicle access

The proposal for vehicle access is that all 'light' vehicles will access the site via a new vehicle tunnel connecting the existing basement carpark (under the Events Centre) with the Outer T. This involves the construction of a new vehicle tunnel structure approximately 50 metres long. This tunnel structure would be a single lane, light vehicle only facility, with a minimum internal cross-section of 3.5m width and minimum height of 2.2 m. The tunnel will connect to the wharf deck in the vicinity of Dockside restaurant, avoiding the area of the wharf most heavily used as pedestrian thoroughfare.

The tunnel is to be constructed from pre-cast concrete sections on new piling, built from above the wharf and lowered into place. This necessitates the demolition and reconstruction of the existing wharf deck in this location. Existing services will also need to be relocated.

The tunnel would have traffic signals in place at either end and would have an additional barrier control at the entry to the tunnel from the basement to restrict access to authorised vehicles.

It is proposed that all vehicles access the site via the tunnel, other than service vehicles larger than a van and buses. The dimensions of the tunnel are to accommodate all light vehicles including courier/delivery vans and other smaller service vehicles. It is proposed that all smaller service vehicles (including for existing activities) access the wharf via this tunnel, rather than via the Shed 6 route as at present.

It is proposed that larger service vehicles and buses will access the hotel via the service lane entrance at Jervois Quay and around Shed 6.

6.4 Demolition, re-piling and refurbishment of wharf

Approximately 12% of the existing wharf structure (main stem and outer T) will be demolished to facilitate the development. The extent and location of this is shown on drawing number 2438-P3-Rev F (received by GW on 10 May 2006 as part of further information).

Demolition works are for the following purposes:

- To allow new piles to be driven through the wharf;

- To allow new beams and pilecaps to be connected to the existing wharf deck;
- To allow the northern section of the outer T to be separated from the main stem and southern section of the outer T;
- To allow construction of lift-pits, a sewer pumping station and a fuel storage tank;
- To allow construction of foundation beams in the 'back of house' area. This area is required to be at existing deck level and hence new foundation beams must be constructed below deck level;
- To allow construction of the under wharf tunnel;
- To undertake repairs to existing decayed and damaged piles, beams and joists; and
- To allow for services.

Discharge of contaminants into the CMA associated with these works include:

- The discharge of dust and other small debris during the demolition and construction works. This aspect of discharges associated with the proposal is expected to be effectively controlled through mitigation measures to be included in the site management plan, ensuring all construction and demolition related material is removed from the site, with only minor fugitive discharges sought by this consent.
- The discharge of sediment (via re-suspension in the water column) during removal of old piles and re-piling with new piles;
- The discharge of silts on existing piles to enable jacketing of a number of these piles and the ongoing survey of the piles to ensure maintenance is undertaken in a timely manner. The detail and extent of piling work is shown on drawing 2438-P2-Rev E in Appendix 4 of the application.

7. Other consents and approvals required

The site is wholly within the CMA; as such GW is the sole consenting authority and no resource consents are required under the Wellington City District Plan.

Building consents under the Building Act 2004 will be required from WCC (under delegated authority from GW) prior to construction commencing.

8. Consultation

Prior to lodgement of the application, the applicant undertook consultation with the WCC Waterfront Development Subcommittee's Technical Advisory Group (TAG). TAG is a group of independent design professionals set up by WCC to provide technical design advice on waterfront proposals and to monitor consistency of proposed developments with the Waterfront Framework.

The level and detail of consultation is not well documented in the application; however, it is understood that the applicant first undertook consultation with TAG in December 2001.

Since the lodging of the application and close of submissions, the applicant has undertaken further consultation with some key submitters, including CentrePort and Wellington Waterfront Ltd.

An external planning consultant, Mary O'Callahan of GHD Limited was engaged to assist with the preparation of this report. This was to ensure a thorough assessment of the proposal was completed, including consideration of those environmental effects relating to land use that, on the landward side of the CMA boundary, would fit within the jurisdiction of the relevant territorial authority,. The assessment process included liaising with WCC officers and other technical experts to assess issues against the Wellington City District Plan provisions for the Central Area and the Wellington Waterfront Framework. Ms O'Callahan's assessment is attached as Appendix 1 to this report.

In undertaking our assessment of the application, Ms O'Callahan and I have consulted with the following parties to obtain technical and expert advice in relation to the wide range of issue to be assessed:

- Michael Donn, WCC wind consultant – wind assessment (see appendix 2);
- Steve Spence and Patricia Wood, WCC - traffic assessment (see appendix 3);
- Mathew Borich, WCC – noise assessment (see appendix 4);
- Technical Advisory Group (TAG) – urban design and consistency with the Wellington Waterfront Framework (WWF) (see appendix 5);
- Helen Grant, GW Hazards Analyst – natural hazards assessment (see appendix 6.
- Barbara Fill, WCC – heritage assessment (see appendix 7);
- Mike Pryce and Patrick Atwood, GW Harbours Department - harbour/port related effects/activities;
- Murray McLea & Piotr Swierczynski, GW Policy Department – RCP policy interpretation.

9. Notification and submissions

9.1 Notification

The application was publicly notified in the Dominion Post on Saturday 28 January 2006. In addition three signs were put up at the site, and notice of the application was served on 32 affected/interested parties, including:

- Adjoining land owners/occupiers in the Queens Wharf area
- Existing occupiers of Shed 1

- Local iwi
- CentrePort
- Waterfront Watch
- Wellington Civic Trust
- NZ Historic Places Trust
- Wellington Inner City Residents Association
- Campaign for a Better City

9.2 Submissions

At the close of submissions 943 submissions had been received. In the month following close of submissions 51 additional submissions were received, with the majority of these received in the week following the end of the submission period.

A total of 994 submissions were received. Two neutral submissions were received on the proposal. 155 submissions were received in support of the proposal, with another three submissions providing support subject to conditions. 834 submissions were received in opposition to the application.

A summary of all submissions received and the issues raised is attached as Appendix 8 of this report.

9.3 Late submissions

As identified above 51 late submissions were received. Four were in support and 47 were in opposition. Four of these late submitters requested in their submission to be heard.

To accept the late submissions, the timeframe within which submissions must be received needs to be extended under section 37 of the Act. In extending this timeframe the consent authority must take into account;

- (a) *the interests of any person who, in its opinion, may be directly affected by the extension or waiver; and*
- (b) *the interest of the community in achieving adequate assessment of the effects of a proposal, policy statement, or plan; and*
- (c) *its duty under section 21 to avoid unreasonable delay.*

The acceptance of late submissions has been discussed with the applicant, who did not indicate any specific concern in principle in relation to the acceptance of the late submissions. Given the wide range of issues raised by submissions received within the submission timeframe there are no new issues introduced by the late submissions. For this reason I am satisfied that the applicant is not prejudiced by the acceptance of the late submissions. In addition there is significant community interest in the application. The acceptance of the late submissions will not result in any delay to the process.

Considering the above matters I recommend that the late submissions are accepted.

9.4 Issues raised by submissions

Given the large number of submissions received I have not addressed comments made in individual submissions, as the specific issues are generally addressed at the appropriate point within the assessment of environmental effects (section 13 of this report), and assessment of statutory documents (section 14 of this report). Where appropriate I have also identified and discussed relevant comments from certain submissions within the report.

9.4.1 Summary of submissions in support

- The economic benefit to Wellington
- The creation of employment
- The further enhancement of the waterfront
- The need for a 5 star hotel to encourage tourism
- The design of the building
- That the hotel does not impose on views
- That the height is not over bearing on the landscape
- The area being more public
- The need for a restaurant with panoramic views
- The removal of Shed 1 which detracts from the aesthetics of Queens Wharf
- Replacing the existing uses which provide limited value to our city
- The under wharf tunnel will improve access to the area
- Problems finding accommodation for guests every time a large event is held
- The Hilton Hotel in Auckland has been a key to the success at Princess Wharf
- This is the best development opportunity that Wellington will have
- That public access is retained
- The construction of jetties for public use
- The ability of Wellington to host more international events e.g. Rugby World Cup 2011
- Proposal provides competition between hospitality establishments on Queens Wharf
- The hotel should also include a casino

9.4.2 Summary of submissions in conditional support and neutral

- Adverse effects on CentrePort's delivery of service to its ship operating customers from reverse sensitivity impacts including: noise, blockage of view, wharf structural movement, privacy, traffic, ships services and glare from ships lighting not considered adequately.
- Support with sufficient sound proofing from the surrounding businesses
- Support with acceptable locations for the relocation of East by West's office

- Support with finding a suitable alternative indoor sports venue

9.4.3 Summary of submissions in opposition

Traffic

- Conflict between vehicular and pedestrian traffic
- The lack of thorough assessments on traffic
- Disruption to the traffic along the quay
- The site as being inappropriate for a hotel due to the restrictive access
- That all vehicles should be prohibited from using the Shed 6 route from 7am-7pm, seven days a week
- The hotel relying on the reservation of public car parking in the Queens Wharf basement car park
- Not the space for transport and logistical infrastructure
- The access as not being suitable for Fire and Ambulance services
- Mitigation measures should include barging of construction materials

Building

- The design not being iconic or fitting in with surroundings
- The building being too large and out of scale for the site
- The height of the building
- Not allowing for viewshafts
- The loss of opportunity to open up the new viewshafts
- The design of the hotel
- The design not keeping in with other more traditional buildings
- The adverse effects on structures of architectural or historic merit
- That the design will break the stepping down pattern of buildings
- Shading and dominance effects on existing businesses and activities in the area
- Wind effects on existing businesses and public spaces
- The uncertainty of the acoustic performance of the hotel in respect of reverse sensitivity concerns regarding existing businesses in the area
- The design of the interior layout
- The design of the proposing servicing along the seaward side of the site
- Possible reverse sensitivity from glare and noise
- Inappropriate commercial use of a special and unique site

Public space and recreation

- The privatisation of a public space
- The reduction in public open space
- Limiting the site's recreational purpose
- The removal of the indoor sports centre (which an excess of 2,600 people per week participate in)

Coastal

- The construction of jetties that will cause a hazard and intrusion into the marine environment
- Jetties limiting boat access, navigation and manoeuvring
- Disturbance to foreshore and seabed and associated marine ecology
- Discharge of contaminants to the CMA
- That large ships and cruise liners may be forced to berth away from the CBD

Consultation and costs

- Inadequate consultation
- Ratepayers having to contribute
- Probable large expenditure by ratepayers for foundation work and tunnel
- That there has been no competition for the development of the site
- The proposal as it is against the wishes of many Wellingtonians
- That the Wellington Tenth Trust has not endorsed the hotel – contrary to claims from consultants

Other

- The proposal affecting Helipro which would have an adverse effect to other businesses and rescue operations
- The effect of relocating businesses currently in Shed 1
- The consent should expire if work is not commenced within 12 months
- That the proposal is only dealing with one arm of the outer T structure
- That the ownership of the site is in dispute due to settlement not being reached for Waitangi Claims in the area
- Disruption and noise caused by construction
- There are other better alternative hotel sites (events centre, Overseas Passenger Terminal, Kumutoto site, etc)
- A bond of sufficient size should be imposed to cover costs if applicant fails to observe any consent conditions
- Opposes the need for another 5 star hotel
- That there is no guarantee of a 5 star status
- That the proposal will affect the research of the School of Biological Sciences, VUW, as they rely on Helipro for transport to islands
- Proposal should be assessed under District Plan Rule 13.4.7, particularly 13.4.7.3 in regards to the Intercontinental
- Unacceptable natural hazards risks

10. Further information and meetings

Further information was requested¹ from the applicant on 12 April 2006 in relation to a range of matters identified through further assessment of the application following the close of submissions. Additional information on

¹ Under section 92 of the Act

heritage was requested on 23 April 2006. Details of the information requested is attached in Appendix 9 of this report. A response to the further information requests was received on 10 May 2006. All submitters were sent a letter on 26 May 2006, advising that the further information was available from GW.

In their written response to the information request, the applicant confirmed that they were willing to remove the jetties and associated timber insets from the proposal if the Hearing Committee considered it necessary. However, they have not amended the application to remove these structures.

Following the receipt of further information, additional clarification was sought from the applicant in relation to traffic flow modelling through the tunnel and clarification of structural matters relating to the continued berthing of medium-large ships. Correspondence received clarifying matters is included in Appendix 11 of this report.

Amendments made to section 92 of the Act in August 2005² point toward the continuation of processing where aspects of further information have not been adequately provided and for the recommendation to the Hearing Committee to be based on the information available. These amendments also introduce a new Section 41C which sets out directions and requests before or at hearings. This enables the Hearing Committee to request the applicant to provide further information at/during the hearing, if considered necessary.

A pre-hearing meeting has not been held, primarily due to the large number of submitters.

11. Statutory reasons for requiring resource consents

11.1 Occupation – WGN060184 [24997]

Section 12(2)(a) of the Act provides as follows –

(2) *No person may, in relation to land of the Crown in the coastal marine area, or land in the coastal marine area vested in the regional council, -*

(a) *Occupy any part of the coastal marine area;...*

Unless expressly allowed by a rule in a regional coastal plan and in a relevant proposed regional coastal plan or by a resource consent.

The proposed occupation of CMA by the north jetty structure is not expressly allowed by a rule in a regional coastal plan or by an existing resource consent; therefore resource consent is required for this activity.

Structures within the Lambton Harbour Development Area owned by Wellington Waterfront Limited (including the west jetty and existing Outer T wharf) do not require consent for occupation of space within the CMA.

² See Resource Management Amendment Act 2005 which amended the principal Act.

Resource consent for occupation is only required in relation to the occupation of land of the crown in the CMA.

The relevant plan is the Regional Coastal Plan (RCP). Rule 16 of the RCP provides for the occupation by structures of land of the Crown or any related part of the CMA as a **controlled activity**, provided the structure is lawfully established. For structures that are not lawfully established the occupation of space is a **discretionary activity** under Rule 25 of the RCP.

Should the Hearing Committee determine to grant the coastal permit for the jetty structures then the occupation of the CMA by the proposed north jetty structure falls within the ambit of rule 16, and requires resource consent as a *controlled activity*. Should the Committee determine to decline the coastal permit for the structure, then the structure can not be lawfully established and the occupation of space falls outside of the scope of Rule 16, becoming a **discretionary activity** under Rule 25 of the RCP.

11.2 Structures – WGN060184 [24998]

Section 12(1)(b) of the RMA 1991 provides as follows –

- (1) *No person may, in the coastal marine area,...*
- (b) *Erect, reconstruct, place, alter, extend, remove, or demolish any structure or any part of a structure that is fixed in, on, under, or over any foreshore or seabed;...*

Unless expressly allowed by a rule in a regional coastal plan and in any relevant proposed regional coastal plan or a resource consent.

Rule 6 of the RCP provides for the maintenance, repair, replacement, extension, addition or alteration to, or of, any existing lawful structure or any part of any existing lawful structure that is fixed in, on, under, or over any foreshore or seabed as a permitted activity, provided the changes fit within specified limits and the structure is not listed in Appendix 4 of the RCP.

Rule 7 of the RCP provides for the removal or demolition of any structure or any part of a structure that is fixed in, on, under, or over any foreshore or seabed as a permitted activity, provided the structure is not listed in Appendix 4.

WGN060184 [24998] involves changes to existing structures (e.g. demolition of Shed 1, destruction, modification, re-piling and refurbishment of parts of Queens Wharf, relocation and addition of services), and construction of new structures (the vehicle access tunnel, the hotel building and jetties).

Queens Wharf and wharf edge are listed in Appendix 4 of the RCP. Therefore the demolition, modification and proposed additions to this structure do not fit within the ambit of Rules 6 and 7.

Rule 13 of the RCP provides for the maintenance, repair, replacement, extension, addition or alteration to, or of, any existing lawful structure or any part of any existing lawful structure that is fixed in, on, under, or over any foreshore or seabed as a *controlled activity*, provided the changes fit within specified limit. Although some of the smaller aspects of the proposal (e.g. relocation of existing services and addition of new services) may fit within this rule; overall, the scale of the structural changes and additions does not fit within the limits specified in Rule 13. As such it is appropriate that the proposal to construct, maintain and use structures is considered as a **discretionary activity** in accordance with Rule 25 of the RCP.

11.3 Disturbance – WGN060184 [24999]

Section 12(1) of the RMA 1991 provides as follows –

- (1) *No person may, in the coastal marine area,...*
 - (c) *Disturb and foreshore or seabed (including by excavating, drilling, or tunnelling) in a manner that has or is likely to have an adverse effect on the foreshore or seabed (other than for the purpose of lawfully harvesting any plant or animal);...or*
 - (g) *destroy, damage, or disturb any foreshore or seabed (other than for the purposes of lawfully harvesting any plant or animal) in a manner that has or is likely to have an adverse effect on historic heritage-*

Unless expressly allowed by a rule in a regional coastal plan and in any relevant proposed regional coastal plan or a resource consent.

The proposed disturbance associated with the works at Queens Wharf (as listed in WGN060184 [24999], is not expressly allowed by a rule in a regional plan, or by an existing resource consent; therefore resource consent is required for this activity.

The relevant plan is the RCP. Rules 38 and 42 of the RCP provide for differing levels of “major” disturbance of the foreshore or seabed (excavate, drill, move, tunnel etc.), including the removal of sand, in the Lambton Harbour Development Area. The level of disturbance is not significant enough to fit within the ambit of rule 38 or rule 42. Therefore consent is required under Rule 40 of the RCP for the destruction, damage, or disturbance of foreshore or seabed as a **discretionary activity**.

11.4 Discharge – WGN060184 [25000]

Section 15(1) of the RMA 1991 provides as follows –

- (1) *No person may discharge any –*
 - (a) *Contaminant or water into water, or*

- (b) *Contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water;...*

Unless the discharge is expressly allowed by a rule in a regional plan and in any relevant proposed regional plan, a resource consent, or regulations.

The proposed discharge associated with demolition and construction activities, including the discharge of sediment and material associated with the re-piling work and necessary restoration work on remaining piles as necessary, is not expressly allowed by a rule in a regional plan, or an existing resource consent. Therefore resource consent is required.

The relevant plan is the RCP. Rule 61 of the RCP provides for any discharge of contaminant or water onto land or water in the CMA, outside any Area of Significant Conservation Value as a **discretionary activity**. I consider that the proposed discharge falls within the ambit of this rule.

12. Matters for consideration

12.1 Resource Management Act 1991 (the Act)

The matters to which GW, as consent authority, shall have regard to when considering an application for resource consent and related submissions are set out in Sections 104, 105, 107 and 108 of the Act. The circumstances in which GW can make a decision to grant or refuse resource consent are set out in Sections 104A-104D.

12.1.1 Interpretation

Section 104(1) of the Act requires that consideration be given to the actual or potential effects on the environment of allowing the activity. In the Act the terms “*environment*” and “*effects*” have been defined as follows.

The term “*environment*” includes “*..ecosystems and their constituent parts, including people and communities; all natural and physical resources; amenity values; and the social, economic, aesthetic and cultural conditions which affect the matters stated in... ..this definition or which are affected by those matters...*”

In this Act, unless the context otherwise requires, the term “*effect*” includes “*...any positive or adverse effect; any temporary or permanent effect; any past present or future effect; and any cumulative effect which arises over time or in combination with other effects, regardless of the scale, intensity, duration, or frequency of the effect; and also includes any potential effect of high probability; and any potential effect of low probability which has a high potential impact.*”

12.1.2 Sections 104, 105, 107 and 108

Subject to Part II of the Act, the following matters in Section 104(1) are relevant to this application:

- (a) *any actual and potential effects on the environment of allowing the activity; and*
- (b) *any relevant provision of-*
 - (i) *a national policy statement*
 - (ii) *a New Zealand coastal policy statement;*
 - (iii) *a regional policy statement or proposed regional policy statement;*
 - (iv) *a plan or proposed plan; and*
- (c) *any other matter the consent authority considers relevant and reasonable necessary to determine the application.*

The relevant sections of the Act, New Zealand Coastal Policy Statement (NZCPS), Regional Policy Statement (RPS) and Regional Coastal Plan (RCP) are listed in Appendix 10 of this report. Other matters I consider to be relevant to this application include the Wellington Waterfront Framework (the Framework) and Wellington District Plan provisions for the Central Area.

Section 104(5) allows an application to be categorised as determined appropriate by the consent authority, regardless of what category of activity is stated in the application.

Sections 108(1) and 108(2) specify the types of conditions that may be included in resource consents, and section 108(3) and 108(4) authorises conditions requiring monitoring and the supply of information. Section 108(2)(e) and 108(8) relates to matters regarding coastal or discharge permits.

Section 105 of the Act specifies matters relevant to coastal permits to discharge contaminants into the coastal environment. The nature of the discharge (section 105(a)) is outlined in section 13.1.2 of this report. In terms of 105(b) and (c) above, the applicant's reasons for the proposed choice relates primarily to there being a lack of viable alternatives. The initial structural survey undertaken by the applicant indicates that there is a need for maintenance works on the wharf, in particular the piling, to be undertaken regardless of the proposed development.

The consent authority's power to grant consent for a discharge permit or coastal permit is restricted by section 107 of the Act. The discharge of contaminants associated with the re-piling and jacketing works on the existing piles may result in some of the effects outlined in section 107(1); however, these effects will only be temporary. Section 107(2) therefore allows the

granting of the coastal permit to discharge contaminants, should the Hearing Committee consider it appropriate.

13. Assessment of effects

This assessment considers the potential environmental effects of the proposed development with respect to short-term effects when the site is under construction; and the long-term effects of the proposal, including those effects relating to land use that on the landward side of the CMA boundary would fit within the jurisdiction of WCC.

13.1 Short-term effects

Short-term effects considered are effects on:

- Marine organisms and habitat
- Coastal water quality;
- Public access; and
- Construction traffic effects.

13.1.1 Effects on marine organisms and habitat

The applicant provided an assessment of the impact of the proposed development on the marine environment. This ecological assessment was contained in Appendix 11 of the application.

The ecological assessment provides an outline of the existing environment and an assessment of the likely impact on it as a result of the proposed works.

The existing marine environment in the vicinity of the proposed hotel location has a seabed depth of approximately five metres below chart datum. The benthic environment affected is typical soft bottom substrate comprised of primarily mud and sand. Water is circulated relatively quickly within the Harbour, with a total flushing time of around 10 days.

Species that inhabit the sediments at Queens Wharf are considered to be typical of those found in similar soft sediment environments. A benthic survey undertaken in 1998 identified up to 69 taxa at three Queens Wharf sites. The majority of these were Polychaete, Mollusc and Arthropod taxa. The intertidal and shallow sub-tidal fauna inhabiting the wharf piles are species common to most hard substrates in Wellington Harbour and similar temperate environments throughout New Zealand.

The marine fauna in a soft sediment environment are generally those species that are able to adapt to temporary increases in sediment loads as may occur during turbulence from storm events and other natural events.

The area of the proposed development is not considered to be pristine and has undergone significant alteration as a result of the development of surrounding port facilities and the regular passage of vessels.

Relatively small areas of benthic habitat will be affected in the vicinity of new piles and the existing piles that are to be replaced or repaired. In addition tidal and sub-tidal fauna attached to the existing wharf piles will be removed for some metres below the water surface during the jacketing of these piles and during on-going survey and maintenance.

The existing wharf piles to be replaced or jacketed are inhabited by mussels and other common encrusting organisms that are found throughout much of Wellington Harbour. I concur with the opinion of the applicant's marine ecologist that the replacement or jacketing of some of the existing wharf piles will not result in the loss of significant marine habitat or associated organisms. The organisms are likely to re-colonise the piles relatively quickly from nearby communities. The new piles will provide additional new habitat.

The benthic habitat loss and disturbance associated with the pile removal and re-piling work is confined to small areas. As with the tidal and sub-tidal fauna, it is expected that disturbed areas will be quickly re-colonised from nearby benthic communities.

Overall the disturbance and discharge to the CMA associated with the proposal is of a small-scale and is likely to have only a minor spatial and temporal effect. Suitable consent conditions on permits WGN060184 [24999] and [25000] can ensure that adverse effects are appropriately avoided, remedied or mitigated, should Committee decide to grant consents.

13.1.2 Effects on coastal water quality

WGN060184 [25000] is to discharge contaminants into coastal waters associated with the construction and demolition activities. The majority of contaminants to be discharged originate from the marine environment, and is associated with the structural works on the wharf. The primary effect of the discharge will be an increase in turbidity and suspended matter in the water column.

The following construction activities will generate sediment and suspended material and increase turbidity in the water column:

- Removal of old piling;
- Re-piling;
- Addition of new piling; and
- Jacketing of existing piles.

These activities will result in a localised increase in turbidity and sedimentation associated with the disturbance to the seabed. The new piles will be pre-cast concrete. It is proposed that they will be installed from deck level. These piles will create no additional spoil.

Approximately twelve large diameter piles are also required to increase the seismic capacity of the wharf. These will be cased down into the seabed and bored to adequate founding. Spoil can be recovered from the casing above the deck, minimising discharge to the water column.

The discharges associated with construction and on-going activities (survey and maintenance) are primarily as a result of re-suspension of existing sediments and other material within the CMA, with only a small proportion of new material being discharged.

I consider that any increase in turbidity and suspended material in the water column will only be temporary during the works, and any discolouration can be expected to have dissipated within a short period of time. I consider that this temporary decrease in water quality will have no more than a minor effect on marine organisms.

These discharges to the water column could be minimised by careful management of the activities to capture and contain as much of the discharge material as possible.

There are known to be elevated levels of some heavy metals in the sediments, due to a combination of stormwater discharges from nearby piped streams/stormwater outlets (Kumototo Stream and Shed 5 Stream) and the history of shipping and wharf facilities in the area. The concentration of metals in the sediment is known to significantly decrease within 20-30 metres of the stream outlets. Heavy metals generally bind to finer sediments; re-suspension of these sediments can affect the concentration and distribution of these heavy metal contaminants.

The level of disturbance is relatively minor; therefore I do not consider it will result in any significant changes to the concentration and/or distribution of heavy metals in the marine environment in the vicinity of Queens Wharf.

There may also be small discharges of construction and demolition debris from the following activities:

- Modifications to the wharf decking and sub-structure associated with strengthening of the wharf;
- Demolition of the wharf to separate the northern arm from the central and southern sections of the Outer T; and
- Demolition and construction works associated with the construction of the vehicle tunnel.

The applicant proposes that demolition of the wharf will be minimised as far as possible. Mitigation measures include the removal of all demolition debris from the site. The applicant indicates that before and after surveys of the seabed will be carried out to ensure that no demolition debris has fallen to the seabed.

The applicant has not provided a timeframe for works in the CMA, but has advised that the total construction period is likely to be in the order of two years.

In the context of the highly modified coastal edge, the temporary effects on the coastal water and ecology during construction are not considered to be significant, and can be mitigated through appropriate construction management and sediment control measures.

Conditions requiring the preparation and approval of site management and construction management plans would be appropriate to ensure that effects from the above activities are appropriately avoided, remedied and mitigated.

Overall, I consider that the increase in turbidity will be minor and of a temporary nature. Should consents be granted, suitable consent conditions on permits WGN060184 [24999] and [25000] can ensure that adverse effects and are appropriately avoided, remedied or mitigated. Suggested conditions are included in Appendix 9 of this report.

I do not consider there will be a long term effect on water quality in the CMA once the proposed structures are in place as they are of a permanent nature.

13.1.3 Effects on public access

The Queens Wharf area is within the area of land owned by Wellington Waterfront Limited (WWL), a WCC controlled company. WWL owns and manages the waterfront area from Waitangi Park to North Queens Wharf (Shed 21) and is the key facilitator of development within this area, within the context of the Wellington Waterfront Framework (the Framework). A key focus of the Framework is that the open space in the waterfront area is primarily a public space.

The immediate area around Shed 1 does not currently have a high public use, except during special events. Public use of the Outer T does increase when large ships, such as naval vessels or mid-sized cruise ships, are berthed on the eastern side of the wharf, creating a point of interest for the general public.

The restriction of public access on the Outer T in the vicinity of the site is only temporary for the duration of the construction phase and is a normal expectation during the development of a site. I consider that this aspect of the restriction on public access will have no more than minor effects. The main effect on public access during the construction phase is likely to be associated with access to the site by construction vehicles and during the construction of the vehicle tunnel.

The vehicle access tunnel is to be constructed in an area of higher public use and any area around this where public access needs to be restricted for safety purposes could have a more significant impact.

It is proposed that the majority of construction traffic will be accessing the site via the service lane off Jervois Quay and around Shed 6.

The draft construction management plan (Appendix 12 to the application) states the following in relation to the issue of access, specifically trucks and heavy machinery traversing the public spaces:

- *Access zones to be fenced and/or signed as appropriate to prevent danger to the public. This may necessitate the need for security people to provide a measure of control.*
- *Vehicular and pedestrian intersections are to be controlled.*
- *Site space to be provided for truck stacking and turning.*
- *Loose material to be prevented from blowing off trucks.*

The above statement indicates the possibility of restricting public access along the promenade around Shed 6, and that space in addition to the northern arm of the Outer T will be required for construction-related activities.

The applicant has indicated construction would be completed within a two year period. The public access in the vicinity of the site will be restricted during the construction phase for public health and safety purposes. However, it is not clear in the application what area(s) of the Outer T the public would be restricted from, and to what extent public access would also be restricted along the main access route for construction traffic.

Although only over an 18-month period, this disruption to public access associated with construction is likely to be significant, and insufficient detail has been provided by the applicant on how these effects are to be avoided, remedied or mitigated, including consideration of alternatives. The applicant acknowledges the potential for disruption during the construction period and indicates that mitigation measures will be covered by the final construction management plan. This is further discussed in section 13.1.4 of this report.

A draft construction management plan was provided in appendix 12 of the application; however, additional detail is required to determine whether the impact on public access is adequately avoided, remedied or mitigated.

In addition to the effects on public access, it is recognised that the construction activity is likely to have significant effects on some existing activities in close proximity to the site, such as Dockside, Shed 5, Helipro and Fergs Kayaks. These adverse effects will particularly relate to noise, vibration, dust and traffic movements, which impact on the general amenity of the area. The nature of the Dockside and Shed 5 businesses rely on a high level of amenity to attract customers. Accordingly effects on public access, physical or perceived, will impact on these existing users.

Should the Hearing Committee consider it appropriate to grant the consents, it would be appropriate for a consent condition to require additional detail on the management of public access restrictions to be provided in the construction management plan, and for this plan to be approved by the Manager, Consent Management of Wellington Regional Council prior to construction commencing.

Issues relating to construction traffic, including alternatives and recommended conditions, are discussed further in section 13.1.4 below.

Other effects associated with construction such as noise, vibration and dust may reduce the public usage of the immediately surrounding area, as these effects can result in the surrounding area being less pleasant to be in. These effects can be mitigated to an extent by good construction practices. Specific measures taken would be expected to be detailed and approved in construction and site management plans.

13.1.4 Construction traffic effects

The primary access route for construction traffic is proposed to be along the service lane near Frank Kitts Park and around Shed 6 to the Outer T. This is a high pedestrian use area, and is in close proximity to a children's playground. Peak pedestrian times are generally in early morning, lunchtime and late afternoon/early evening during weekdays, and around midday during weekends. This route is currently used by service vehicles. There is potential for this traffic to impact on pedestrians and public use of the nearby areas. The estimated 6,000 construction related deliveries during the 18-month construction period, corresponds to peak daily demands of 20 vehicles (40 trips), and peak hourly demands of 4 vehicles (8 trips).

This number of vehicle movements would have significant impact on public access along the promenade. Construction traffic is generally physically dominating to pedestrians and likely to impact significantly on pedestrian usage of the promenade along Shed 6, even if it is possible for the route to remain open to pedestrians. In addition, this could impact on the accessibility of the existing business within Shed 6 (Fergs Kayaks) which, as a recreational outlet, relies on foot traffic.

The existing conflict between vehicles and pedestrians along this route is highlighted in the Framework, as is the urgent need for a solution to this current conflict. In relation to a solution the Framework highlights that the principle 'pedestrians must come first' must be applied directly to this area.

The applicant's traffic assessment (appendix 10 of the application) indicates that the construction traffic management plan (to be agreed with Wellington Waterfront Limited) would include conditions prohibiting vehicles travelling the wharf access route during peak pedestrian periods. The traffic assessment also states that temporary traffic signals will be required for the duration of construction along the length of the wharf adjoining Shed 6 to restrict vehicle traffic to one-way.

This issue is identified in the traffic assessment by Steve Spence (see Appendix 3 of this report) and covered by Ms O'Callahan in 6.73 of her report (see Appendix 1). I support Ms O'Callahan's conclusions that the applicant should be expected to barge in a significant portion of their construction materials and limit other construction traffic to hours outside of the peak pedestrian times. Peak pedestrian times are considered to be between 7.00am-9.30am, 12.00pm-2.00pm, and 4.00pm-6.30pm on weekdays and after 11.00am on weekends.

I consider it appropriate that, should consents be granted, conditions relating to these matters are included. Suggested wording of these conditions can be found in Appendix 9 of this report.

I also consider construction of the vehicle access tunnel prior to other works to be an appropriate mitigation measure. Completion of this tunnel will enable light vehicles associated with the construction works (e.g. trades people and construction staff vehicles) to travel to the site without using the Shed 6 route. This would alleviate some of the pressure on the use of the Shed 6 access route.

Construction traffic will potentially have significant effects. However, I am satisfied that these effects can be predominantly addressed by way of consent conditions requiring specific mitigation. This is consistent with the recommendations of Ms O'Callahan and Mr Spence

Should consents be granted by the Hearing Committee, I consider that conditions should specify requirements to barge in bulk construction materials, restrict use of the Shed 6 route by construction traffic to outside of peak pedestrian times, and for the vehicle access tunnel to be completed prior to other works commencing. Suggested wording for these conditions is included in Appendix 9 of this report for completeness.

I am satisfied that these conditions will appropriately mitigate potential adverse effects from construction traffic.

13.1.5 Summary of short-term effects

In summary, the construction effects of the work will occur on site over a period of around two years. The works will involve disturbance below the low tide mark of the CMA, resulting in localised turbidity, sedimentation and habitat disturbance.

A draft construction management plan is contained in the Appendix 12 of the application. This plan indicates the range of potential effects that will be controlled through site management; however, it provides insufficient detail on the specific measures that will be taken to ensure these effects will be adequately controlled.

I consider that with appropriate mitigation measures and construction techniques, the effects can be minimised and mitigated to an appropriate level. Conditions would be expected to include a requirement for a Construction Management Plan to be supplied that details the basis for the construction processes and site management and also details the mitigation measures to minimise turbidity increase in coastal water.

I consider that effects on water quality and marine organisms and habitat would be minor, and that adverse effects can be appropriately avoided, remedied or mitigated through consent conditions.

The proposal will result in restrictions on public access in the vicinity of the site during the construction period. At present it is not clear as to the extent of

such restrictions. Additional detail on the level and extent of restrictions will need to be supplied in any construction management plan, as will detail of how this is to be managed.

As suggested in Ms O’Callahan’s report, the applicant should be expected to barge in a significant portion of their construction materials, limit other construction traffic to hours outside of the peak pedestrian times, and ensure the vehicle access tunnel is completed prior to commencement of other site works. These aspects could be covered by consent conditions.

13.2 Longer-term effects

Long-term effects considered are:

- port activities/berthing space;
- effects on heritage structure;
- natural hazards;
- amenity values, public use and existing uses; and
- land use planning issues.

The land use planning issues are covered in the report by Mary O’Callahan, attached to this report at Appendix 1, and summarised in this report. Issues considered by Ms O’Callahan include:

- waterfront amenities;
- urban form;
- urban design;
- public space design;
- heritage context;
- wind;
- traffic;
- noise;
- viewshafts;
- private views;
- sunlight; and
- lighting.

13.2.1 Effects on berthing space

(a) Eastern berth

The berthing space along the eastern side of the Outer T is the preferred berthing space for smaller cruise ships and navy vessels between 100-200m in length. This is an important berthing space for a number of reasons, including it being one of the few locations left where the public are able to get close to large shipping vessels.

The berthing of these vessels at that location plays an important role in enhancing the vitality of the waterfront area, and provides an important link to the maritime use of the area as an active port. There is also an economic

benefit in having cruise ships berth in such close proximity to the city centre. On-going use of the Outer T for berthing cruise ships and large vessels is specifically recognised as a use to be provided for in the Wellington Waterfront Framework. Continued port use of the Lambton Harbour Area is also supported by the RCP.

The larger vessels that have been berthed at the eastern berth since January 2005 range in size from 103 to 176 metres in length and 5218 to 21903 gross registered tonnes. The most recent of these being the 138 metre long Naval tanker “Endeavour”, which was in berth from 8 June to 12 June 2006. CentrePort plans to berth a 196m cruise ship “The World” alongside the Outer T later this year. The Prinsendam is a 203m long cruise ship that berthed at the Outer T in 2002.

The CentrePort submission (submission #941) expresses concern regarding the effects of this proposal, particularly effects on the use of this berthing space. This issue has also been raised as a significant concern by the GW Harbours Department.

The Wharf can be subject to significant vibrations both during the activity of berthing a vessel and for the duration of the time the vessel is in the berth, as the vessel moves and ‘nudges’ against the wharf. These vibrations are caused by the weight of the vessel moving against the static wharf structure.

In further information supplied by the applicant on 10 May 2006, the applicant’s consultant engineers, Dunning Thornton Consultants, state that: *“Currently, during unfavourable wind conditions, when a large vessel is moored against the Outer T, unacceptable accelerations are transmitted through the wharf at least as far as Shed 6”*. This indicates that regardless of the hotel development, the wharf will require structural maintenance works in the future as a result of its aging state.

The application indicates that there will be restrictions on the berthing of medium-large ships due to issues regarding the structural integrity of the wharf, and that as a result, these ships would result in vibrations occurring in the hotel building. In order to strengthen the wharf to meet the building code requirements for the hotel, the applicant intends to physically separate the northern section of the Outer T from the southern and central sections. From an operational aspect the applicant needs to ensure any vibrational impacts on the hotel are minimised.

The Hearing Committee need to ensure that adverse reverse sensitivity effect from vibration are minimised.

Clarification of the extent of the impact on the current port use of the eastern berthing space was sought from the applicant. The applicant advised that once the Hotel is in operation, medium-large, heavy vessels will not be permitted to berth directly against the northern end of the Outer T. Berthing against the northern end shall be limited to vessels that do not cause discernable vibrations within the Hotel structure. Further information from Norman Disney Young

Ltd received on 10 May 2006 states their understanding that “..vessels above 300 tons are not expected to be permitted to tie up to the wharf for structural vibration reasons...” This is likely to pose considerable restrictions on the use of the northern part of the eastern berth.

The proposal does not allow for ships greater than 120 metres in length to continue to berth at Queens Wharf, and requires large vessels up to 120 metres in length to berth against the southern end of the Outer T.

GW Harbours Department have advised that they consider the berthing restrictions that would result from the applicant's proposal are an unsatisfactory solution. They have advised that it is generally preferable to berth large ships centrally along the eastern berth, being the strongest part of the Wharf. In addition, the berthing of ships down the southern end may have implications for Helipro operations.

Information was also sought to clarify the extent to which this impact could be mitigated by further structural engineering works. In response the applicant's structural engineer stated that “*It is not practicable to make the wharf stiff enough to mitigate the movements/vibrations/accelerations that can be transmitted from a large tonnage vessel ‘bumping’ against the Outer T.*” I note the applicant refers to practicality rather than possibility. There has been no satisfactory engineering argument put forward as to why the existing wharf cannot be made to structurally withstand the vibrations transmitted through the wharf by large vessels. Their reasoning appears to be that they consider their proposal of berthing vessels up to 120 m in length down the southern end of the Outer T as adequate and do not consider further structural works necessary.

The development of a hotel at the proposed site places a sensitive activity (hotel guests with a high expectation of amenity) near a potential source of disturbance (vibrations and noise from berthing ships). The continued berthing of ships along the full length of the Outer T is clearly anticipated in both statutory and non-statutory documents relating to this location, regardless of any development at the northern end of the Outer T. Inadequate mitigation at the development stage is likely to result in future complaints from hotel occupants and managers.

I consider this is a significant issue that currently has been inadequately addressed by the applicant. It is the responsibility of the applicant to ensure that their proposal does not adversely impact on the structural strength of the wharf and use of the adjoining the berthing space, rather than expect to restrict existing uses in order to minimise effects.

The applicant has given little consideration to suitable mitigation options, stating that it is outside of the scope of the application and that it is a matter for agreement between CentrePort and Wellington Waterfront Limited. However, in my opinion it is appropriate that the proposal incorporates adequate mitigation to address this significant issue and the potential for reverse sensitivity to effects.

There are several options available to address this issue of providing for the continued berthing of larger ships at the Outer T eastern berth:

1. The establishment of mooring 'dolphin(s)' (isolated pile groups) off the southern end of the Outer T.
2. The establishment of a new line of fendering/piles to the east of the existing wharf edge, to which vessels can berth against.
3. The isolation of the hotel from the eastern (as well as southern) side of the wharf and additional strengthening of the eastern side of the wharf, adequate to enable continued berthing.

I acknowledge that there will potentially be additional or altered environmental effects with all mitigation options. Regarding the first two options, an assessment would need to be made on whether these were within the scope of this application or whether further resource consents were required. The mooring dolphin is likely to have additional visual impact

I consider the third option to be the most straightforward option, in terms of the scale of works already required to the northern arm of the Outer T and keeping modification work within the envelope of the existing wharf. This option also ties the necessary works to the proposed development. There is merit in this option being investigated further, to mitigate effects of the proposed development on the working port operations.

(b) Inner (western) berths

The northern end of the Outer T creates a sheltered waterspace between the Outer T and Shed 5. This is used as a berthing space for smaller recreational boats, some fishing vessels and smaller research boats. The East by West Ferries and The Wellesley charter boat use the berthing space adjoining Shed 5.

The public space design is assessed in 6.75-6.80 of Ms O'Callahan's report. One key aspect of the public space design associated with the development is the addition of two jetties, one on each the northern and western side of the northern end of the Outer T.

It is outlined in Ms O'Callahan's report that TAG consider that these jetties are inconsistent with the specific intentions of the Framework. Ms O'Callahan supports the TAG recommendation that the jetties be deleted (paragraph 6.77 of Ms O'Callahan's report).

Both CentrePort and GW Harbours Department have raised concerns that these jetties could have adverse effects on the availability of these berthing spaces for a variety of vessels and that there could be difficulties in manoeuvring some vessels around these jetties. Several other submissions also identified this as a concern.

I note that several submitters support the proposed jetties; however, I note that other opportunities for berthing small vessels are proposed within the Kumototo development. I consider that they are not also necessary in this location.

The applicant has indicated, in further information provided on 10 May 2006, that they are comfortable in principle with removing the jetties from the application; however, they have not done so, preferring instead the Hearing Committee to consider their appropriateness in light of the evidence before them.

I do not support the proposed jetty structures due to the effects on berthing space and boat manoeuvring, and the subsequent inconsistencies with the Framework and the RCP. I concur with the recommendation by Ms O'Callahan that these jetties be deleted.

13.2.2 Heritage

The heritage assessment contained within this report is based on the limited assessment undertaken to date by the applicant, and my assessment of the proposal against relevant provisions of the Act and planning documents. In undertaking this assessment advice was obtained from Barbara Fill, WCC Senior Heritage Policy Advisor, GW Policy Advisors and Ms O'Callahan (the consultant engaged to assess the 'land-use' aspects of the application). Consideration has also been given to the matters raised in the submission from New Zealand Historic Places Trust (HPT) (submission number 253).

In her conclusion Ms Fill states that: "*Queens Wharf and its associated heritage buildings are extremely significant features of Wellington's historic heritage that date from the mid-19th century*" and ".*Given that very little remains of the city's maritime heritage from this period Queens Wharf can be considered unique in Wellington.*"

Ms Fill expresses concern that the height and bulk of the proposed hotel, in conjunction with the modification to the wharf structure, have an adverse effect on the heritage values on the wharf and its surroundings which include a number of significant heritage buildings.

There are two aspects of historic heritage affected by the proposal:

1. The physical impact of works on historic heritage items;
2. The impact of the proposal (primarily the bulk, scale and design of the building) on the surrounding historic landscape

The Historic Places Trust submission opposed the granting of resource consent on the grounds that it will have adverse effects on the heritage values of the area, and that these effects have not been adequately mitigated in the proposal.

Barbara Fill raised concerns that the application does not address matters of historic heritage in terms of the Act, and that in particular it does not address the effects of the proposal on the surroundings.

Further information on heritage was requested from the applicant under section 92 of the Act. The applicant was requested to provide *“an assessment of the effect that the proposal will have on historic heritage, both in terms of the direct impact on the modifications to the wharf, and wider impact on the historic heritage landscape (including adjacent buildings and their surroundings) of Queens Wharf, and what measures will be taken to avoid, remedy or mitigate these effects.”*

The reason given for requesting this information was *“historic heritage is a relevant matter for assessment in the consent process under sections 6(f) and 12(1)(g) of the RMA and policies 4.2.12 and 6.2.2 of the Regional Coastal Plan (RCP).”*

Further information was also requested on the amount of the wharf that was to be demolished. Further information was received from the applicant on 10 May 2006 in response to this request. This provided some additional information on how the proposal would affect the historic heritage of Queens Wharf, mainly in terms of the direct impact of modifications/destruction of the wharf. I consider that the overall heritage assessment provided in response to the request falls short of what was requested. This has been discussed with Peter Coop of Urban Perspectives. Peter indicated that no additional assessment information was available at this stage, but that they would be providing specialist heritage advice to the Hearing Committee at the hearing.

In terms of the physical impact of the works, further information provided by the application identified that approximately 12% of the existing Queens Wharf will be demolished by works associated with the development. This figure excludes that associated with the public space modification (e.g. the steps inset into the northern wharf edge to facilitate access to the northern jetty). This scale of destruction of the wharf is considered necessary to facilitate the construction of the vehicle access tunnel, separation of the northern arm of the Outer T from the main stem, construction of servicing, foundation beams and for the seismic/structural strengthening of the wharf (including repiling and addition of new piles).

The structural assessment undertaken by Dunning Thornton Consultants for the applicant (see appendix 4 of the application) identifies that the wharf is currently in a mixed state of condition, with some piles and beams suffering from severe decay. They estimate there are approximately 600 existing piles under the northern arm of the outer T, which vary in age, type and condition. Approximately 10-20% of these piles currently require repair and that the deck may undergo structural distress if it were too heavily loaded at critical points.

The applicant also notes that the wharf has been substantially affected by maintenance and improvement work over the years, which have affected the heritage and archaeological resource to a significant extent.

Regardless of the proposed development, at some stage the aging wharf will require maintenance and strengthening works to be undertaken to ensure its safety for on-going public use.

The archaeological report by Pam Chester (appendix 6 of the application) states that the *“archaeological significance of the outer T of Queens Wharf is high and has not been adequately documented. Documentation will add to our knowledge of land use and human activities on the waterfront during the early period of Colonial European settlement of Wellington. Other archaeological evidence e.g. artefacts (including Maori) may be found while the proposed development work is being undertaken.”*

Due to the age of the structure an archaeological authority is required from Historic Places Trust to undertake this work. The applicant has acknowledged this and the archaeological assessment contained as an appendix to the application sets out some recommendations to ensure that the archaeological resource is properly dealt with during the works.

In addition to the works detailed above the wharf is proposed to be modified as part of the ‘public space enhancements’. The works associated with the northern jetty include construction of a wide stepped area within the footprint of the existing wharf and additional detailing in the wharf surface. TAG identified concern with the proposed detailing as it will potentially confuse the historic values of the wharf. In addition the wide-stepped area will result in destruction of the wharf edge in this location.

As outlined in section 14.3.2 of this report, Queens Wharf and wharf edge are recognised as features of historic merit in the RCP. The two jetty structures are modifications to the wharf edge. I do not support the establishment of these jetties.

The effect of the proposal in relation to heritage context is discussed in paragraphs 6.25 – 6.29 of Ms O’Callahan’s report. This is the potential impact on heritage resulting from the design, scale and siting of the new building.

The height, bulk and scale of the building is also assessed in paragraphs 6.10 – 6.12 of Ms O’Callahan’s report. Ms O’Callahan concurs with TAG’s assessment and considers the overall bulk and scale of the proposed development to be acceptable.

Ms O’Callahan’s report identifies the Framework as being particularly relevant in assessing the impact of the proposal on heritage values, and accordingly Ms O’Callahan has relied on the TAG assessment for this. The protection of significant heritage buildings on the waterfront is one of seven objectives in the Framework. Ms O’Callahan identifies the heritage importance of the area as reflected in the first principal of the Framework:

“...there is a range of aspects to the pre and post-colonial history of the waterfront, including maritime, social and economic aspects, and all these stories need to be told”.

Ms O’Callahan is satisfied that the works to the wharf structure itself will not have a significant impact on ‘telling the heritage story of the area’, (i.e. the people’s understanding of the heritage of the area). I concur with this view.

In relation to the wider contextual issue Ms O’Callahan’s report concludes: *“The Framework anticipates old and new buildings on the waterfront and clearly anticipates a new building on the Outer T. TAG have assessed that the height, bulk and scale of the proposed building is generally in accordance with the Framework. This takes into account neighbouring buildings and the waterfront context generally (and includes its relationship with nearby heritage buildings). On the basis of this, I consider that the impact of the proposed development on the heritage context will be no more than minor and that the heritage story will be seen and heard, provided that the issues relating to continued large ship berthing, and public space design are resolved. Furthermore I note that through enhancing the area surrounding the neighbouring heritage buildings and incorporating them into the design of quality public open space, it is considered that the proposal has some positive impacts on the historical value of such buildings.”*

In summary, other than the public space modifications identified, I consider that the direct effects on the wharf are generally acceptable, given that much of the demolition will be to the wharf substructure and will not affect public perception of historic value of the structure. This is consistent with the Ms O’Callahan’s comments in paragraph 6.28 of her report.

I also note that, regardless of the proposal, maintenance of the structure will be necessary at some stage in the future to enable the on-going use of the structure for existing purposes.

I note that heritage is only one aspect of TAG’s considerations. The specific heritage advice sought from by Barbara Fill, Senior Heritage Advisor, WCC, and the Historic Place Trust submission both identified a lack of information in relation to the heritage impacts of the proposal, particularly in relation to the impact on the surroundings.

I consider it appropriate that heritage effects be further assessed once additional information is provided by the applicant at the hearing.

13.2.3 Natural hazards

A natural hazards assessment was provided by the applicant on 20 February 2006. This assessment was reviewed by Helen Grant, GW Hazards Analyst and a further response was received from the applicant dated 5 May 2006, in relation to several matters identified by Ms Grant’s review. The assessment undertaken by Ms Grant is attached to this report as Appendix 6.

The following natural hazards could impact on the proposed development:

- Earthquake
- Tsunami
- Climate change
- Storm surge

In relation to earthquake risk, the assessment notes that the location and nature of the proposed development does not make it any more vulnerable to earthquake than other new buildings being constructed in New Zealand. However, it acknowledges that liquefaction is a potential hazard on Wellington waterfront sites. The assessment notes that liquefaction is typically considered and designed for in the detailed design phase.

In accordance with New Zealand Standard AS/NZS 1170.0, this building has to be designed to withstand an earthquake event that will be exceeded on average once every 500 years. Earthquake risk is mitigated by the addition of new piling to bear additional loads of the development and isolation of the northern end of the Outer T structure from the rest of Queens Wharf. The assessment notes that compliance with the Building Code should result in the proposed structure having the same risk of earthquake damage as any other similar new structure being built anywhere in New Zealand.

In relation to tsunami, the assessment indicates that a 500-year return period tsunami would result in an inundation height of 4.9 m. This would reach the mid-height of the ground floor of the proposed building and result in full flooding of the underground car entrance and Queens Wharf carpark.

The structural integrity is not considered likely to be affected, as loads of the main structure from rapid inundation are likely to be significantly less than similar loads associated with a 500-year return period earthquake. Damage to non-structural elements would be extensive. These non-structural elements would be designed so that they will fail in a way that does not increase loadings on the primary structure.

The preparation of an emergency response plan is an integral part of managing the risk of a locally generated tsunami, and ensuring that any potential impact on hotel occupants is minimised. In response to comments by Ms Grant the applicant has confirmed that such a plan will be prepared.

In relation to the impact of climate change the applicant's hazard advisers and Ms Grant agreed that a net increase in mean sea level of 140 to 180mm is 'most likely' over the next 50 years, based on the 2002 NIWA report referenced in the applicant's assessment. Ms Grant identified that the Ministry for the Environment recommends using a figure of 0.2 m of sea level rise by 2020 when considering planning decisions³. The cumulative effect of this with other hazards needs to be taken into account when assessing and designing for the impacts of storm surges and tsunami.

The wharf deck currently sits approximately 1.5m above the high tide sea level, as such sea level rise will have no direct impact on the hotel. The need for the vehicle access tunnel to be designed to withstand wave action has been identified by the applicant.

A worst case scenario of a 100-year return period storm surge coinciding with high tide would result in a 1.7 metre increase from mean sea level or a 1.9 m

³ "Coastal Hazards and Climate Change", Ministry for the Environment (2004)

increase if the effect of climate change is taken into account. The wharf is approximately 2.6 m above mean sea level, and in addition the hotel sits on 800mm foundation beams on top of the wharf, further elevating the lower floor of the building. Ms Grant is in agreement with the conclusions of the applicant's hazard advisers that a storm surge of this return period would not result in adverse effects on the safety of the hotel, but that it may result in some flooding of the tunnel accessway.

In summary, I consider that the effects of natural hazards can be appropriately addressed at the design stage, and I am satisfied that the storm surge and climate hazard do not provide a significant threat to the hotel over its design life. Helen Grant, GW Hazards Analyst, has confirmed that she is satisfied with the applicant's natural hazards assessment and that it adequately addresses natural hazard issues, provided an emergency response plan is prepared.

I consider it appropriate that, if the consents are granted, a condition should be included on WGN060194 [24998] requiring that an emergency response plan be prepared and approved prior to occupation of the building. This is included in the suggested conditions in Appendix 9 of this report.

13.2.4 Amenity values, public use and existing uses

Once completed the proposed building would not have a significant adverse effect on public access, as this will be maintained around the perimeter of the building. In addition the ground floor of the hotel will be publicly accessible, having a bar and restaurants open to public dining.

At present the variety of public use on the northern arm of the outer T is limited, and predominantly revolves around the ferry office, the indoor sports facility and the southern end of the building. The proposal will reduce this use, with the ferry office, indoor sports facilities and Helipro offices/shed space requiring relocation, and the southern end of the building becoming the main area for manoeuvring vehicles associated with the hotel. However, the use of the northern end will increase, with this area being the main dining/restaurant area of the hotel.

The compatibility of the proposed hotel activity, in the context of the Framework is assessed within 6.3 - 6.9 of Ms O'Callahan's report, and I concur with this assessment.

A number of submissions expressed concern about a perceived loss of public space/access around the building once the hotel and associated vehicles are present. Other submissions expressed concern about the privatisation of public space. The restriction on public use in the immediate vicinity of Shed 1 is most likely to affect those members of the public that are connected with the existing facilities within Shed 1, the Helipro operations and members of the public who visit the Outer T to observe boats.

The submission by Save our Sport (formed by users of the Shed 1 sports facility) states there are 100 lunchtime soccer teams, 100 lunchtime netball

teams and 150 evening soccer teams, resulting in over 2000 people using the facility every week. It is the only accessible indoor sports venue near the central business district. The central location is a key to the success of the facility, which plays a role in enhancing the social fabric and vibrancy of the central city.

While the indoor sports facility is not inconsistent with the Framework, the re-development of the Outer T is anticipated in the Framework, and through the use of the existing Shed 1 site for this development the impact on the wharf and public access is generally minimised. In addition, concerns regarding privatisation of the site have essentially been dealt with through adoption of the Framework.

13.2.5 Urban design

Urban design matters are considered by Ms O'Callahan in 6.13 – 6.24 of her report, drawing on the assessment undertaken by TAG. The TAG assessment is attached to this report as Appendix 5.

A key part of this assessment is the design detail of the proposed building and whether this achieves the level of visual amenity envisaged for this site, for which the Framework calls for an iconic building. TAG consider that the proposal has the potential to be an iconic building, but consider it prudent that outstanding design issues are satisfied prior to a resource consent being granted.

At this stage TAG are not fully satisfied with the building design. The main reason for this is the lack of information on construction materials to be used and design detail. Concern has also been expressed by TAG about the service penetrations (air conditioning units etc.) on the roof and the design's ability to provide a sheltered front entrance to the hotel. This is consistent with concerns expressed in relation to wind.

The main aspects of the building design where the detail is lacking is outlined in paragraph 6.16 of Ms O'Callahan's report and repeated below for clarity:

- *Details, materials and finishes associated with: decks, accessways, windscreens, rails, ramps and canopies (both permanent and lightweight components);*
- *Detailed treatment of the ground floor east façade and use of the adjacent promenade; and*
- *Details, materials and finishes for the prominent northern and southern end of the building, including the external stair towers.*

Guidance on how this detail might be provided is set out in 6.17 of Ms O'Callahan's report.

I support the conclusion of Ms O'Callahan that:

“Accordingly, it is my understanding, that without modifications to the service penetrations on the roof and further design detail to give some indication that an iconic building can be achieved with this design, the building does not meet the urban design requirements of the Framework. TAG would also like to see the front entrance design altered to provide better shelter.”

13.2.6 Public space design

The public space design modifications are assessed in 6.19 – 6.24 of Ms O’Callahan’s report. Ms O’Callahan notes a number of concerns identified by TAG in their assessment of the public space design, but also that with the exception of the matters identified below (particularly the jetties) TAG support the proposed public space development and consider it to be consistent with the Framework.

Matters that TAG consider need to be addressed are:

- Deletion of the proposed jetties, as these are inconsistent with the intentions of the Framework for this area;
- Timber inserts and paving details associated with the jetties should also be removed;
- Deletion of the concrete paving proposed between the rail and the outside of the wharf, and deletion of the proposed new rail along the west side of the wharf; and
- Further design details, in relation to materials, needs to be supplied, via a ‘sample board’, on the items identified in paragraph 6.77 of Ms O’Callahan’s report.

13.2.7 Wind

The impact of the proposal on wind flow patterns and speeds is assessed in 6.30 – 6.41 of Ms O’Callahan’s report, which in turn relies on the technical assessment undertaken by Mike Donn, WCC consultant wind expert. Mr Donn’s work included reviewing the wind tunnel testing information prepared by Opus Consultants Ltd, on behalf of the applicant. Mr Donn’s assessments are attached to this report as Appendix 2.

Mr Donn’s assessment indicates that the proposed building design will cause localised adverse wind effects at the southern end of the building. Ms O’Callahan considers that these effects are more than minor, given this area is proposed as public amenity space.

Paragraph 6.35 of Ms O’Callahan’s report states:

“I understand the proposed development reduces wind speeds in all positions around the site, except for the southern end of the building where it causes increases during southerlies. Figures 9 (southerlies) and 12 (northerlies) in the Opus report summarise the wind effects of the proposed development and

highlight where the problem area is – the red “dots” on Figure 9 are the main concern in terms of effects. The increases here exceed the danger threshold of 18m/sec with up to 28m/sec recorded at point N for the proposed development. The duration of time when dangerous wind speeds are experienced are also increased for tested points to the immediate south of the proposed building”.

Ms O’Callahan’s report outlines the importance of wind effects as a consideration in relation to this proposal, given the location is in a primarily public open space. Further, she identifies that the development does not represent the best practicable option for a new building on this site as the same impacts would not result from a building with a fairly modest modification that incorporated a 5-6 metre horizontal surface at the southern end of the building.

The current proposal has no wind-mitigating features within the building design due to its simple form.

I concur with Ms O’Callahan that the building requires modification to appropriately resolve this issue. Modification options are summarised in 6.40 of Ms O’Callahan’s report.

Ms O’Callahan notes that without such modification, the proposal as submitted will have more than minor adverse wind effects and would not meet the intent of the assessment criteria in the Wellington City District Plan with regard to the best practicable option.

13.2.8 Traffic

Effects of the proposal relating to traffic are assessed in 6.42 – 6.61 of Ms O’Callahan’s report, which takes into account assessment advice from Steve Spence, WCC Chief Transportation Engineer, and Patricia Wood, WCC Vehicle Access Engineer. Mr Spence’s assessment is attached to this report as Appendix 3.

The applicant has given consideration to effects on pedestrians in determining appropriate location and extent of the proposed vehicle access tunnel; as a result the entrance onto the wharf deck is satisfactorily located to avoid traffic/pedestrian conflict at the eastern part of Queens Wharf.

The aspects relating to the dimensions and gradients of the tunnel, loading area at the hotel, and potential impacts on the local road network are considered satisfactory.

It is identified that car parking impacts are not a required consideration under the District Plan, and considered to be a matter for the hotel operator rather than the consent authority.

In the event that the Hearing Committee considers granting the applications appropriate, Mr Spence has recommended conditions restricting use of the Shed 6 access route to outside of peak pedestrian times, and preventing coach access to the hotel via the Shed 6 route. Conditions related to these matters are supported by both Ms O’Callahan and myself; subsequently these have been included in the suggested conditions in Appendix 9 of this report.

I note that 6.59 of Ms O’Callahan’s report observes that Mr Spence does not support the use of the Shed 6 route by light vehicles during conferences or other events at the hotel. This could be addressed by a condition of consent restricting all light vehicles to the tunnel.

Several important concerns are raised by Mr Spence, that are yet to be adequately dealt with by the applicant. Outstanding matters that need to be addressed by the applicant are:

- whether the level of vehicle activity which will be introduced onto the wharf surface is fully compatible with the Framework, in terms of the pedestrian priority. The proposed absence of road markings delineating vehicle areas from pedestrian areas is not considered satisfactory based on the evidence provided in the application to date; and
- the Jervois Quay access point to the vehicle route around Shed 6 needs to be redesigned prior to construction commencing.

Mr Spence also identified matters relating to construction traffic effects. These have already been discussed in section 13.1.4 of this report.

I concur with Ms O’Callahan’s conclusions in relation to traffic effects, which are summarised in 6.61 of her report. I have repeated these below for clarity:

“In terms of the overall traffic impacts of this proposal and based on Mr Spence’s assessment, I consider the proposal is likely to have more than minor adverse impacts, particularly in terms of pedestrian safety and convenience. With some further design and/or suitable evidence in relation to the layout of the wharf area between the hotel and the tunnel exit, these effects may be acceptable, subject to conditions relating to the Hunter St (Jervois Quay) access design, servicing hours, coach access, event management and construction access as discussed above.”

13.2.9 Noise

The assessment of noise is contained in 6.62 – 6.68 of Ms O’Callahan’s report, which draws on the assessment undertaken by Mathew Borich, WCC Noise Officer. Mr Borich’s report is attached to this report as Appendix 4.

In terms of noise generation by the proposed development, it is not expected to generate significant noise; however, it would be appropriate to include a condition setting a maximum noise level for activities on the site.

Noise sources that may impact on the hotel include the helicopter operations, amplified music from nearby restaurants and bars, and port operations. Large vessels can be a source of significant low frequency noise from both engines and generators. The potential for the hotel to have reverse sensitivity to existing noise effects is identified in 6.65 of Ms O’Callahan’s report.

I concur with Ms O’Callahan’s comment in this section, that, given the very noisy nature of the site, it is appropriate that the applicant be required to adopt

a greater level of noise insulation than other Central Area sites. I am also satisfied that the approach of requiring noise sensitive sites to insulate against existing and permitted future noise is consistent with the approach taken on other developments, and is also appropriate in this situation.

Mr Borich considers it appropriate to apply a minimum performance standard for external sound insulation of $(DnTw + Ctr) > 35$ dB to the entire building. I am satisfied that the minimum insulation performance levels suggested by Mathew Borich are appropriate.

I note that even if this performance level is met, the proposed activity and existing helicopter activity may not be compatible. Accordingly, Mr Borich recommends a condition requiring an internal noise level of no greater than 55 dBA (Lmax) to be met in bedrooms. This is to prevent sleep disturbance from helicopter operations, and is considered a necessary mitigation measure.

Issues identified by Mr Borich relating to amplified music noise from Dockside are currently being investigated by GW and, should these consents be granted, will be dealt with by requiring compliance with section 16 of the Act (adoption of the best practicable option to ensure that noise emissions do not exceed a reasonable level) by Dockside. On the basis of recent monitoring undertaken on behalf of GW, I am satisfied that the above external sound insulation performance standard suggested by Mr Borich is adequate to ensure no reverse sensitivity effects will occur from Dockside.

Ms O'Callahan concludes that, subject to the imposition of the conditions recommended by Mr Borich, adverse noise effects, including reverse sensitivity, will be minor.

13.2.10 Effects on viewshafts

The effect of the proposal on viewshafts is assessed in 6.69 - 6.74 of Ms O'Callahan's report. Ms O'Callahan concurs with the TAG assessment and concludes that the effect of the proposal on Viewshaft 9 (Brandon Street) is not significant as the existing view has limited visual appeal, and the impacts on Viewshaft 8 (Johnston Street) are minor as visual connection between the city and harbour/Roseneath will be maintained.

Ms O'Callahan concludes that the proposed development deals with the issue of view protection in a suitable way, by confining the proposed building footprint to the existing Shed 1 footprint.

I am satisfied that these effects will not be significant.

13.2.11 Effects on private views

The effect of the proposal on private views is discussed by Ms O'Callahan in 6.75 – 6.79 of her report. Her conclusion is that the effects of the proposal in terms of any loss of private views available from surrounding properties will be no more than minor, and within the scope of that which could be reasonably be expected by surrounding landowners.

I am satisfied that these effects will not be significant.

13.2.12 Effects on sunlight/shading

The effects of the proposal on sunlight and shading are assessed in 6.80 – 6.83 of Ms O’Callahan’s report. I concur with Ms O’Callahan that the shading effects as a result of the development will be no more than minor.

13.2.13 Summary of long-term effects

I am satisfied that effects relating to natural hazards, waterfront amenity, public use and existing uses, viewshafts, private views and sunlight/shading are minor or the effects are appropriately dealt with in the proposal. However, I consider that the proposed activity will have significant adverse effects in relation to berthing and navigation of boats, wind, and traffic – pedestrian/vehicle conflict that are not appropriately avoided, remedied or mitigated by the current proposal. In addition, further detail is required on design aspects and heritage.

Effects relating to continued berthing of medium to large sized vessels along the eastern berth of the Outer T are significant and have been inadequately addressed. Further mitigation is required.

The proposed jetties could have significant effects on boat access and manoeuvring to the west of the Outer T and are not considered to be a satisfactory inclusion in the proposal.

In terms of heritage effects, the direct effects on the wharf structure are considered to be minor. In relation to the wider contextual impacts on heritage, concerns have been raised by Barbara Fill and by HPT on the adequacy of information provided. I consider it appropriate to assess this contextual heritage issue further once additional information on heritage impacts is provided by the applicant at the hearing.

In relation to wind, there are potentially significant localised adverse effects at the southern end of the proposed building. The proposed design is not the best practicable option for mitigating this effect. It is considered that re-design of the building is necessary to reduce these wind effects.

Several building design aspects are considered to be inappropriate and an additional level of detail is required to satisfy us that the intent of the Framework can be achieved, particularly in relation to an iconic building for the site. The service penetrations on the roof need to be reconsidered, and additional details need to be provided on materials to be used and design detail.

Traffic aspects relating to the tunnel design, hotel loading area and impacts on local road network are considered satisfactory. However, a number of concerns have been raised that need addressing. At present it is considered that inadequate measures have been proposed to ensure pedestrian priority on the wharf, and the current design of the existing vehicle access from Jervois Quay needs to be improved.

In addition to these matters, it is considered necessary mitigation that restrictions are in place over the use of the Shed 6 route, including no use during peak pedestrian times, no coach access and no use of this route by light vehicles, which could use the tunnel.

I am satisfied that noise effects can be appropriately avoided, remedied or mitigated by the adoption of conditions covering aspects as suggested by Mr Borich. This includes minimum insulation performance standards to apply to all of the building facade, and a two-stage signoff process. The provision of full insulation details by the applicant at the hearing could avoid the need for a two-stage sign off process.

13.3 Summary of issues to be addressed

I consider that the proposed activity will have significant adverse effects that are not appropriately avoided, remedied or mitigated.

The assessments of this proposal have identified a number of areas where either additional detail needs to be provided, or the proposal needs to be modified to ensure effects are satisfactorily avoided, remedied or mitigated.

The overall recommendation is to decline the application. There are a number of matters where adequate mitigation has not yet been proposed, and therefore additional information on the proposed mitigation needs to be supplied. Additional information is also required on a number of design aspects.

During the course of the hearing it is possible that the applicant could satisfy the outstanding issues. Accordingly I consider it appropriate for suggested conditions to be included which address appropriate issues. Suggested conditions are attached as Appendix 9 to this report. I anticipate these conditions will be subject to amendment and addition during the hearing, on the basis of information provided.

For outstanding matters that require additional information or design detail, conditions have not been supplied as it is unknown what form the mitigation/detail will take. In addition, the mitigation options potentially have further environmental effects that need to be considered in the overall assessment of the proposed development.

Ms O'Callahan has identified the following list of unresolved matters that are fundamental to the scope, scale and character of the proposal and therefore need to be addressed before suitable conditions of consent can be drafted:

- A. *The need to reconsider the design for the wharf area between the tunnel exit and the hotel entrance, in order to provide for pedestrian priority.*
- B. *The need to redesign and then carry out further wind tunnel testing of the southern end of the building to address pedestrian wind effects and the design of the building entrance.*

- C. *The need for structural redesign of the proposal, such that continued berthing of large vessels on Queens Wharf is possible (without vibration impacts) in order to achieve consistency with the Wellington Waterfront Framework.*
- D. *The need to redesign the service penetrations (pipes, exhausts and lift overrun) on the building to address urban design concerns.*
- E. *The need for the proposed jetties and associated timber inserts to be deleted to achieve consistency with the Wellington Waterfront Framework.*
- F. *The need to reconsider the use of concrete paving and rails in certain parts of the public space design, as detailed in the TAG report.*
- G. *The need for adequate design details, materials and finishes (including a sample board) in respect of key building and public space details to be submitted upfront, to establish whether an iconic building will be achieved.*

I consider that appropriate conditions for these aspects could be formed during the course of the hearing, should the applicant provided satisfactory information.

14. Assessment of statutory documents

14.1 New Zealand Coastal Policy Statement 1994(NZCPS)

The purpose of the NZCPS is to state policies in order to achieve the purpose of the Act in relation to the coastal environment of New Zealand.

The NZCPS includes some general principles that provide for the special context of the coastal environment and the sustainable management of New Zealand's Coastal Environment.

The following principles are particularly relevant to this application:

Principle 2 – The protection of the values of the coastal environment need not preclude appropriate use and development in appropriate places.

Principle 3 – The proportion of the CMA under formal protection is very small and therefore management under the Act is an important means by which the natural resources of the CMA can be protected.

Principle 4 – Expectations differ over the appropriate allocation of resources and space in the coastal environment and the processes of the Act are to be used to make the appropriate allocations and to determine priorities.

Principle 7 – The coastal environment is particularly susceptible to the effects of natural hazards.

Principle 8 – Cultural, historic, spiritual, amenity and intrinsic values are the heritage of future generations and damage to these is often irreversible.

Principle 13 – A function of sustainable management of the coastal environment is to identify the parameters within which persons and communities are free to exercise choices.

A number of the specific policies contained within the NZCPS provide specific direction for the development and content of regional plans and regional policy statements, rather than being specifically relevant to the consideration of resource consent applications. However, there are a number of policies relevant to this proposal. The relevant policies are identified below and are repeated in full in Appendix 10 to this report.

Chapter 1: The protection of the natural character the coastal environment and appropriateness of development (Policies 1.1.1 and 1.1.3).

Chapter 2: The protection of characteristic of special value to tangata whenua (Policy 2.1.2).

Chapter 3: Identifying recreational and historic area which are important to the region; recognising the amenity values of open space, (Policies 3.1.2 and 3.1.3), ensuring appropriate subdivision, use and development; avoiding, remedying, and mitigating adverse effects of subdivision, use and development (with a priority to avoidance); and the provision of adequate services to development in the coastal environment. (Policies 3.2.1, 3.2.2 and 3.2.5), location and design of new developments should avoid the need for hazard protection works (Policy 3.4.5), Maintenance and enhancement of public access (Policies 3.5.1 and 3.5.2)

Chapter 4: Alternatives to the occupation of Crown land (Policy 4.1.6), and consultation with tangata whenua (Policies 4.2.1, 4.2.2)

These relevant policies are reflected in the more specific objectives and policies of the RPS and RCP; therefore the discussion relating to these matters is contained in sections 12.2 and 12.3 of this report, rather than repeated here.

In summary, I have reviewed the NZCPS in relation to this application, and I consider that the current proposal is not consistent with policies 3.2.1 and 3.2.2 relating to appropriate use and development in the CMA, and adverse effects of use and development being avoided, remedied or and mitigated. The proposal in its current form falls short of meeting these policies, in the specific areas summarised in section 13.3 of this report. The proposed development will have significant adverse effects on the environment. While some effects have been appropriately addressed in the application, there are other effects I am not satisfied that the proposal appropriately avoids, remedies or mitigates. For some aspects insufficient information has been provided to determine whether or not some effects will be adequately avoided, remedied or mitigated.

This is not to say that there is any inherent problem with a hotel development on the Outer T of Queens Wharf; however, there are some challenges due to the location that need to be satisfactorily addressed. At this stage, based on the information provided to date, I am not satisfied that the application does this.

It is my expectation that the applicant will provide information at the hearing to address the matters identified, in which case I may be in a position to review conclusions and the recommendation following assessment of this information.

14.2 Regional Policy Statement for the Wellington Region (RPS)

The RPS for the Wellington Region became operative in May 1995. This document is an overarching statement about the resource management issues of significance to the region and the objectives, policies and methods which are designed to achieve integrated management of the natural and physical resources of the whole region. The full wording of the relevant objectives, policies and methods are contained in Appendix 10 of this report. In exercising its functions and powers under the Act, GW needs to have regard to the following relevant provisions of the RPS.

14.2.1 Chapter 4 – The iwi environmental management system

Chapter 4 states broad issues of resource management significance to tangata whenua of the region. In general, it states that the Treaty of Waitangi is the basis of Maori involvement in resource management in the context of the Act. It also identifies kaitiakitanga and tikanga as being two primary ways of implementing the iwi management system in relation to natural and physical resources.

Objectives, policies and methods relevant to this application include the following:

- Objectives 4.3.1, 4.3.2 and 4.3.4
- Policies 4.4.2 and 4.4.4
- Methods 4.5.2, 4.5.3 and 4.5.4

Objective 4.3.2 calls for the principles of the Treaty of Waitangi to be taken into account in resource management. Objective 4.3.4 is for there to be increased opportunities for the cultural aspirations and tikanga of tangata whenua with regard to natural and physical resources to be met. Policy 4.4.2 supports the active participation of tangata whenua in the resource consent process. Policy 4.4.4 states that the relationship of Maori and their culture and traditions, with their lands, water, sites, waahi tapu and other taonga is to be recognised and provided for.

The cultural impact report prepared by Raukura Consultants states that it was prepared in consultation with the two relevant recognised iwi authorities, Wellington Tenth Trust and Te Runanganui o Taranaki Whanui ki te Upoko o

te Ika a Maui. It goes on to say that both these organisations, on behalf of their members, have received and endorsed this report.

No submission was received from either iwi authority; however, it is stated in the Waterfront Watch submission (submission number 995) that on Waitangi Day at Frank Kitts Park members and executives of the Wellington Tenth Trust signed the Waterfront Watch petition (that was appended to the submission) as they did not agree with the report from Raukura Consultants.

I contacted Liz Mellish of Wellington Tenth Trust to clarify the Trust's position in relation to the proposal. She advised that the Cultural Impact Report prepared by Raukura Consultants had not been signed off by the Trustees at a Trustees meeting. She clarified that members/trustees who signed the Waterfront Watch petition did so as individuals rather than as Trust representatives. I provided the Trust with copies of the Cultural Impact Report. Following this I received confirmation on 2 June 2006 that the Trust has endorsed the Cultural Impact Report.

I am satisfied that these objectives and policies have been met by this process and by the proposal, as is indicated by the cultural impact report and the support given to this cultural impact report by Wellington Tenth Trust. It is understood that the applicant is working to develop a memorandum of understanding with the Trust that will further achieve these objectives.

14.2.2 Chapter 7 – The coastal environment

Chapter 7 contains objectives, policies and methods, which address coastal issues in terms of balancing the use and protection of the coastal environment, and the importance of the character of the coastal environment.

Objectives, policies and methods relevant to this application include the following:

- Objectives 7.3.1, 7.3.2, 7.3.3 and 7.3.4
- Policies 7.4.1, 7.4.2, 7.4.4, 7.4.5 and 7.4.6
- Method 7.5.3

Objective 7.3.1 sets out ways to ensure the preservation of natural character of the coastal environment, including managing the subdivision, use and development so that adverse effects are avoided, remedied or mitigated. Objective 7.3.2 and policy 7.4.4 relate to the maintenance and enhancement of public access to the CMA. Objective 7.3.3 and policy 7.4.5 relate to maintenance or improvement of coastal water quality. Objective 7.3.4 provides for increased opportunities for the aspirations of the tangata whenua for the coastal environment to be met.

Policy 7.4.1 sets out specific matters for protection to be considered when planning for and making decisions on subdivision, use and development in the coastal environment. This policy includes the protection of the values

associated with nationally or regionally outstanding landscapes, and sites of historical or cultural significance, including those listed in Tables 9 and 10. Wellington Harbour, Sheds 7, 11-13 and 21 are listed in Table 10 as historical features. They are not included in those noted in the table as being of regional or national significance. These sheds are not in the immediate vicinity of the proposed development, and given the physical distance to the site I consider it unlikely that the curtilage of these buildings would be adversely affected. Neither Shed 1 nor Queens Wharf are listed in Table 9 or 10. The proposal is consistent with this policy.

In assessing the effects of this application I have given consideration to the matters set out in policy 7.4.2 when making decisions about subdivision, use or development in the coastal environment. These matters include the potential impact of projected sea level rise, adverse effects of the development on historic resources and on recreation, open space or amenity values, as well as the viability of alternative sites outside the coastal marine area, and the impacts on natural character, including cumulative effects.

Policy 7.4.6 states that a precautionary approach should be adopted to the evaluation of risk in making decisions that affect the coastal environment, recognising that some situations have a low probability of occurring but high potential for major adverse effects. Such events include earthquakes and tsunami and accidental release of contaminants into the coastal marine area. The assessment of natural hazards is discussed in section 14.2.4 of this report. Natural hazards matters have been adequately addressed, provided an emergency response plan is prepared prior to occupation of the building. This is included in the suggested conditions.

14.2.3 Chapter 10 – Landscape and heritage

Chapter 10 contains objectives, policies and methods, which relate to landscape management, particularly the integration of the management of resources, including cultural heritage.

Objectives, policies and methods relevant to this application include the following:

- Objectives 10.3.3, and 10.3.4
- Policies 10.4.5, 10.4.6, 10.4.7 and 10.4.8
- Methods 10.5.8, 10.5.13 and 10.5.17

Objective 10.3.3 gives effect to the requirement in the Act to recognise and protect heritage values of sites, buildings, places or areas. Objective 10.3.4 recognises that one of the most important aspects of landscapes (and the natural and physical resources that make them up) is their capacity to provide recreational opportunities.

The proposed site is not identified in the RPS as being part of a regionally outstanding landscape. Neither Queens Wharf nor Shed 1 fits the definition of

a “regionally significant cultural heritage resource” (i.e. they are not listed by Historic Places Trust as Category 1 items). Several of the surrounding buildings are Category 1 items, including Sheds 3 and 5, which are in close proximity to the proposed site.

Policies 10.4.5 and 10.4.6 are therefore relevant considerations in relation to the wider heritage impacts of the proposal. These policies relate to the management of regionally significant cultural heritage resources in making decisions on new subdivision, use and development, and ensuring adverse effects are avoided, remedied or mitigated.

Policy 10.4.7 is to manage and protect existing recreational opportunities of regional significance. Policy 10.4.8 is to promote, on behalf of future generations, the protection of the potential for recreation in a range of areas, including open space and the coast. I consider that the proposal meets the requirements of these two policies, in that in the proposal enhances the existing recreational opportunities that the waterfront area is highly valued for, provided the adverse effects (including wind and shading effects) on adjoining recreational opportunities are appropriately avoided, remedied or mitigated.

14.2.4 Chapter 11 – Natural Hazards

Chapter 11 contains objectives, policies and methods, which relate to reducing the impacts of natural hazards.

Objectives, policies and methods relevant to this application include the following:

- Objective 11.3.1
- Policies 11.4.1 and 11.4.2
- Method 11.5.9

Objective 11.3.1 is that any adverse effects of natural hazards on the environment of the Wellington Region are reduced to an acceptable level. Policy 11.4.1 is to ensure that there is sufficient information available on natural hazards to guide decision making.

- (1) Policy 11.4.2 specifies a number of matters to be considered when making decisions on new subdivision, use and development in areas which are known to be susceptible to natural hazards.

I consider that the proposal is consistent with policies relating to natural hazards, provided that appropriate condition relating to an emergency response plan is included, should consent be granted. This is incorporated into the suggested conditions.

14.3 Regional Coastal Plan for the Wellington Region (RCP)

The RCP is a statutory document which became operative in June 2000. It contains a number of objectives and policies relevant to this proposal, which

are identified and discussed below. The RCP is operative within the CMA of the Wellington Region. In the vicinity of the proposed site the landward boundary of the CMA is at the reclamation edge under Sheds 5 and 6. The entire proposal, including the vehicle tunnel is within the CMA.

The full wording of the relevant objectives and policies is contained in Appendix 10 of this report. In exercising its functions and powers under the Act, GW needs to have regard to the following relevant provisions of the RCP.

14.3.1 Chapter 4 – General objectives and policies

Chapter 4 of the RCP identifies general objectives and policies which apply to all activities to which this application relates. Given the wide scope and large scale of the proposal a large number of objectives and policies within this chapter are relevant. Relevant objectives and policies within this chapter are identified below, and beneath that there is some discussion on key objectives and policies.

Environmental objectives: 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.8, 4.1.9, 4.1.10, 4.1.11, and 4.1.12,

Environmental policies: 4.2.2, 4.2.3, 4.2.6, 4.2.7, 4.2.8, 4.2.12, 4.2.15, 4.2.17, 4.2.18, 4.2.19, 4.2.20 and 4.2.21,

Tangata whenua objectives: 4.1.14 and 4.1.16

Management objectives: 4.1.19, 4.1.23, 4.1.24, 4.1.25 and 4.1.26,

Management policies: 4.2.33, 4.2.34, 4.2.35, 4.2.36, 4.2.37, 4.2.38, 4.2.39, 4.2.42, 4.2.43, 4.2.44, 4.2.45, 4.2.46 and 4.2.47

Objective 4.1.2 supports appropriate use and development in the CMA which meets set criteria, including requiring a CMA location, providing an essential public service, having minor adverse effects or adverse effects being remedied or mitigated. The current hotel proposal, as submitted, does not meet the criteria of this objective.

Objective 4.1.3 and policy 4.2.8 both relate to ensuring that adverse effects of new activities on legitimate activities in the CMA are avoided, remedied or mitigated as far as is practicable. Legitimate activities can be interpreted as including those activities which have reasonable need to be located in the CMA. I understand that discussions have been held between WWL and East by West Ferry to determine a suitable alternative office, but that arrangements are still needed in terms of workshop space. The presence of the low-level jetties could also have adverse effects on existing berthing and manoeuvring of ferries in and out of berths, and reduce available space in the enclosed area between the northern end of the Outer T and Shed 5. These jetties need to be omitted, to ensure the development is consistent with this objective and policy.

Reverse sensitivity noise effects on Helipro operations from the hotel could be appropriately mitigated by ensuring an appropriate level of insulation is

required. Other effects on Helipro, such as the impact of construction activities, restriction on access and loss of offices and shed space are more difficult to avoid, remedy or mitigate.

I consider that the proposal meets objective 4.1.8 relating to public access, provided this is appropriately managed during the construction phase.

I am satisfied that the proposal meets objective 4.1.12 and policy 4.2.21 relating to natural hazards and hazardous substances. I recommend a condition ensuring adequate safety provisions are in place for the diesel storage tank and the sewage sump/pump station is placed on [24998] should the Hearing Committee decide to grant the consents.

Objectives 4.1.14, 4.1.16 and 4.1.19 relating to tangata whenua and community involvement are met.

Objective 4.1.23 is that the conditions placed on resource consent are used as a means of avoiding, mitigating or remedying adverse effects. Suggested conditions have been included as Appendix 9 of this report, should the Hearing Committee determine it appropriate to grant the consents. Additional conditions are also expected to be necessary dependant on the information and mitigation put forward by the applicant at the hearing.

Objective 4.1.24 relates to providing for the comprehensive development of Lambton Harbour Development Area. The proposal is consistent with this objective which acknowledges that development of this area is appropriate; however, it is not saying that *every* development is appropriate.

The development itself still has to be appropriate for the proposed site, and potential adverse effects avoided, remedied or mitigated. The northern Outer T site is acknowledged in the Framework as being a special and unique site suitable for an iconic structure.

Objective 4.1.25 states that activities which span the line of mean high water springs are managed in accordance with the provisions of both this plan and any requirements set out in the relevant district plan. Corresponding policy 4.2.42 is to have particular regard to the objectives and policies of the relevant district plan(s) when assessing an application for an activity which spans the CMA boundary, and where appropriate, to deal with such applications through joint hearings. This objective and corresponding policy support the approach taken to assess the effects of this application, in particular the consideration given to issues covered by the Wellington City District Plan and the Wellington Waterfront Framework. I am satisfied that these two documents are appropriate considerations for assessment under section 104(1)(c).

Objective 4.1.26 states that in promoting the sustainable management of the CMA, the importance of the Port of Wellington to the social and economic well being of the Region is recognised.

Policy 4.2.6 is to recognise the importance of the CMA as a place for the safe and convenient navigation of ships and aircraft, and to protect these activities from inappropriate use and development.

Policies 4.2.7 and 4.2.43 are to recognise that port and harbour activities are an appropriate use of the CMA provided that the environmental protection policies of this Plan can be satisfied.

These policies, as well as policies 4.2.44 and 4.2.45 give weight to the importance of ensuring the continue berthing of large vessels on the eastern berth of the Outer T, and ensuring that any potential for reverse sensitivity effects (relating to noise and/or vibration) are adequately addressed should the Hearing Committee determine it appropriate to grant the resource consent application. This policy also supports the effects assessment regarding the need for the deletion of the jetties from the proposal, given the effect on navigation and berthing space.

I have given consideration to policy 4.2.3, which provides guidance when considering the significance of adverse effects of activities on the CMA.

I consider that policies 4.2.15, 4.2.17 and 4.2.18, relating to public access, are met; in particular policy 4.2.17 recognises that there are occasions when some restrictions on public access are appropriate, such as during construction. The applicant will need to put in place some restrictions on public access for health and safety reasons. This is considered appropriate, although very little detail has been provided on the extent of any such restriction. I consider that this could be appropriately dealt with by a condition requiring this detail be provided in a construction management plan provided to GW for approval prior to construction commencing.

Policy 4.2.12 relates to the protection of significant cultural and historic features from the adverse effects of use and development, in particular the features and buildings identified in Appendix 4 of the RCP are to be protected. The wharf and wharf edge are identified in Appendix 4, as are both the Dockside and Shed 5 buildings. The potential impact of the proposal on these heritage features is discussed in section 13.2.2 of this report. It is identified by Barbara Fill, Senior Heritage Advisor, WCC, that there has been a lack of adequate assessment of heritage impacts by the applicant; however, I have been advised that a heritage expert will be presenting evidence on the applicant's behalf at the hearing. This should provide further clarity in relation to this issue, in order to make a more informed assessment against policy 4.2.12.

Policies 4.2.19 and 4.2.20 relate to recognising the importance of amenity values in the CMA, and recognising the importance of the CMA to recreation activities, respectively. These policies require any adverse effects on these values to be avoided, where practicable; and where avoidance is not practicable, to remedy or mitigate the adverse effects.

Aspects of the proposal where this policy is not met is identified in the assessment of environment effects (section 13 of this report), and summarised

in section 13.3 of this report, particularly in relation to the public space design and mitigation of effects on pedestrians, to be consistent with both policies 4.2.19 and 4.2.20.

I consider that policies 4.2.33 and 4.2.34, relating to coastal occupation, the involvement of stakeholders in the coastal management, and transparent decision-making, are both met.

Consideration was given to policies 4.2.35 and 4.2.37, in forming the suggested conditions provided in Appendix 9 for matters where conditions are considered an appropriate way to avoid, remedy or mitigate adverse effects. Further consideration should be given to these policies should the Hearing Committee determine to grant the resource consents. I note that these policies specifically refer to public access, views to and from the CMA, amenity values, recreational opportunities, characteristics of historical significance; and the improvement, provision, reinstatement, protection, restoration or enhancement of these.

In undertaking my assessment and in making my recommendation I have given regard to the matters identified in policy 4.2.36, including:

- *The significance of the adverse effects arising as a consequence of, or in association with, the proposed activity;*
- *The extent to which the proposed activity contributes to adverse effects;*
- *The extent to which the adverse effects of the proposed activity can and have been dealt with by other means;*
- *Any proposals by the applicant to avoid, remedy or mitigate, adverse effects, and any agreements reached at pre-hearing meetings;*
- *The extent to which the community as a whole benefits from the proposed activity and from any proposed conditions on a consent;*
- *The financial cost of complying with any conditions on a consent; and*
- *The extent to which a condition placed on a consent will, avoid, remedy or mitigate any adverse effects.*

There are a number of aspects of this proposal which currently may result in significant adverse effects, and/or which have been inadequately mitigated. Where appropriate, conditions have been suggested to avoid, remedy or mitigate adverse effects (see Appendix 9); however, conditions are not considered an appropriate method of addressing a number of aspects. These are outlined in section 3.3 of this report.

Policy 4.2.38 is to encourage applicants to... *identify in the consent application how adverse effects may be avoided, remedied or mitigated.* This aspect of this policy has been inadequately met by the applicant in that there are a

number of aspects to which I am not satisfied have been adequately addressed in the application, or further information supplied by the applicant.

Policy 4.2.39 is to recognise that there are circumstances where placing conditions on resource consents may not be sufficient to avoid, remedy or mitigate the adverse effects of a proposal, and that such circumstances consent applications will be declined. As identified above there has been insufficient information supplied by the applicant to satisfy me that the adverse effects will be appropriately avoided, remedied or mitigated. This is supported by the technical advice received in assessing the application.

As has already been outlined, there are a number of aspects to the proposal where the lack of mitigation and/or detail is such that it would be very difficult to put appropriate conditions on the consent to remedy these deficiencies that are practical, legal, certain and enforceable. This policy supports the approach I have taken to recommend the application be declined, unless the matters outlined in section 13.3 of this report are satisfactorily addressed by the applicant at the hearing.

Policy 4.2.45 relates specifically to the Lambton Harbour Development Area, which this application is within. The policy states that the Lambton Harbour Development Area should:

1. *Provide for a wide range of activities appropriate to the harbour/city interface;*
2. *Provide for a development compatible with the urban form of the city;*
3. *Recognise the heritage character, development and associations of the area;*
4. *Develop and have particular regard to any design guides for the area which are contained in any proposed or operative Wellington City District Plan;*
5. *Provide for a range of public open spaces, access and through-routes, and to ensure that their nature, purpose and function is maintained;*
6. *Ensure that the effects of development and activities do not detract from people's enjoyment of the this area; and*
7. *Ensure that the area is an integral part of the working port of Wellington.*

These aspects are assessed in the report of Ms O'Callahan and the TAG report. These reports confirm that the proposal is consistent with points 1-3 and point 5. The proposal requires modification to be consistent with the Framework, which is the relevant design guide for this area, and additional mitigation is required to achieve point 6.

It is possible for this proposal to be developed further/modified to ensure that effects associated with it (e.g. traffic, wind, public space perception) do not detract from people's enjoyment of the area.

In relation to point 7, I am not satisfied that the application currently achieves this. It acknowledges that the location is within the working port; however, it seeks to modify some of the current port uses of the adjoining space, by changing the way the eastern berth of the outer T is currently utilised, and through the presence of the jetties.

Policies 4.2.46 and 4.2.47 provided for the RCP to be varied or changed once the relevant District Plans become operative to ensure cross-boundary consistency in the Lambton Harbour Development Area and Commercial Port Areas. The RCP has not been varied or changed as outlined in policies 4.2.46 or 4.2.47, this was considered unnecessary given that objective 4.1.25 and policy 4.2.42 enables the relevant aspects of the District Plan and relevant design guides can be taken into account in determining a resource consent application of this nature.

14.3.2 Chapter 6 - Structures

Chapter 6 of the RCP sets out relevant objectives, policies and rules regarding the use, construction, alteration, maintenance, removal, etc of structures in the CMA. Relevant objectives and policies within this chapter are identified below.

This chapter relates specifically to the use and development of proposed structures including a hotel building, decks, jetties, a vehicular access tunnel, and the refurbishing of the existing wharf structure.

Relevant objectives and policies within this chapter are identified below.

Environmental objectives: 6.1.1, 6.1.2, 6.1.3 and 6.1.4

Environmental policies: 6.2.1, 6.2.2, 6.2.4, 6.2.5, 6.2.6, 6.2.7, 6.2.9 and 6.2.12

Objectives 6.1.1 and 6.1.2 both relate to the appropriateness of structures. Objective 6.1.1 is that appropriate structures which enable people and communities to provide for their economic and social well-being are allowed. Objective 6.1.2 is that there is no inappropriate use or development of structures in the CMA. I consider that the jetties in particular are inappropriate.

Objectives 6.1.3 and 6.1.4 and subsequent policy 6.2.12, are to protect the environment, the community and its assets from risks and adverse effects associated with spills from facilities using and/or storing hazardous substances. The proposal includes an emergency supply diesel tank to be slung under the wharf. The tank is to be double-lined in a concrete chamber. In addition to the double-lining, I consider it appropriate that the concrete chamber also be adequately sealed to ensure no leaks occur, given the immediate exposure to the marine environment in the event of a leak or spill. If consent is granted, I suggest inclusion of a consent condition requiring this, to ensure consistency with this objective.

Policy 6.2.1 identifies the use and development of certain structures as appropriate in the CMA. The proposal is not an activity that is fundamentally

dependant on a location in the CMA; nor does it support and service those that must be located in the CMA and are unable to be located outside of the CMA. However, it is within the Lambton Harbour Development Area, which is identified as an appropriate location for the use and development of structures and activity that are not dependant on a coastal location.

Policy 6.2.2 sets out what adverse effects and significant adverse effects will result in not allowing use and development of structures, unless such adverse effects can be satisfactorily mitigated or remedied.

This policy includes adverse effects on significant places or areas of historic or cultural significance. As identified earlier this section Queens Wharf and wharf edge and Sheds 3 and 5 are identified as significant historical features. Additional information from the applicant in terms of assessing the impact on heritage landscape will assist in determining the level of effects on these features and whether appropriate mitigation is contained in the proposal.

While the proposal will have effects on risks from natural hazards, views to and from the CMA, and recreational uses, I do not consider that these effects are significant.

There is insufficient information to determine how significant the effects on amenity values (primarily in terms of pedestrian/vehicle conflict on the wharf) and existing lawful public access will be, and how these adverse effects will be remedied or mitigated. The issue of pedestrian / vehicle conflict from the tunnel entrance onto the wharf to the hotel entrance is identified as a major concern, requiring additional information.

The application includes provision for meeting policy 6.2.4, which relates to provision of reasonable and adequate access and facilities for disabled persons.

Matters identified in policy 6.2.5 have been appropriately considered in the applicant's natural hazards assessment and in the assessment by Helen Grant, GW Hazards Analyst.

Policy 6.2.6 relates to lighting not causing adverse effects. Lighting has been addressed in paragraphs 6.31 – 6.34 of Ms O'Callahan's report. It is requested that the applicant confirms the lux levels for the promenade at the hearing. Information provided in the application indicates a low level of lighting; therefore it is likely that the proposed exterior lighting will be consistent with this policy.

I consider that the proposal adequately meets policy 6.2.7 relating to the maintenance of structures so that they remain safe and visual amenity effects are minimised.

Policy 6.2.9 is to have particular regard to any relevant provisions in appropriate district plans relating to the protection of important views when assessing an application for an activity involving the development of a structure in the CMA. This is covered in paragraphs 6.16 – 6.21 of Ms O'Callahan's report.

14.3.3 Chapter 7 – Destruction, damage or disturbance of foreshore or seabed

Chapter 7 of the RCP sets out relevant objectives, policies and rules regarding any activity which results in destruction, damage, or disturbance of foreshore or seabed.

This chapter relates specifically to the disturbance and damage to the seabed associated with the re-piling of the wharf structure outlined in section 6.4 of this report.

Relevant objectives and policies within this chapter are identified below.

Environmental objectives: 7.1.2

Environmental policies: 7.2.1

Management objectives: 7.1.4

Objective 7.1.2 is that adverse effects from activities which destroy, damage or disturb foreshore or seabed are avoided, remedied or mitigated. Objective 7.1.4 is for positive effects from activities which disturb foreshore or seabed are recognised where such activities are undertaken for the well-being or the community.

Policy 7.2.1 is to allow activities involving damage or disturbance to any foreshore or seabed, where the adverse effects are short-term, reversible, or minor; and to allow other activities where adverse effects can be satisfactorily avoided, remedied or mitigated. The policy sets out criteria for determining whether effects are deemed to be ‘minor’. The proposed disturbance meets most, but not all of the criteria; however, the nature of the disturbance is short-term. I consider that a construction management plan would be an appropriate way of ensuring that appropriate measures are in place to avoid, remedy or mitigate adverse effects on water quality, and to minimise potential for off-site effects. A condition requiring a construction management plan to be submitted to GW for approval is included in the suggested conditions.

Activities with minor adverse effects are allowed. The works to re-pile and strengthen the wharf will disturb the seabed. The effects of these works will be temporary for the duration of the works and a short time following. Positive effects of the works are that the strengthening of the wharf will enhance the longevity of the wharf structure. Provided appropriate additional measures are implemented to ensure that adverse effects on port use are sufficiently avoided, remedied or mitigated and that the wharf structure in its entirety is not weakened by the proposal, I consider that these objectives could be met. Structural effects on the wharf have been discussed in section 13.2.1 of this report.

14.3.4 Chapter 10 – Discharges to land and water

Chapter 10 of the RCP sets out relevant objectives, policies and rules regarding the discharge of a contaminant or water to coastal water, water in the lower reaches of rivers within the CMA, or to land in the CMA.

This chapter relates specifically to the discharge of contaminants associated with the demolition and construction works, including the discharge of sediment, marine flora and fauna necessary for the surveying of the existing piles and the re-piling of the wharf structure as outlined in section 6.4 of this report.

Relevant objectives and policies within this chapter are identified below.

Environmental objectives: 10.1.2, 10.1.3 and 10.1.5

Environmental policies: 10.2.2, 10.2.4, 10.2.8, 10.2.9 and 10.2.11

Objectives 10.1.2, 10.1.3 and 10.1.5 relate to maintaining or enhancing water quality, that it is consistent with tangata whenua values, and ensuring that there is no risk to human health.

Policy 10.2.2 sets out water quality standards which water is to be managed to meet. This includes managing water in the CMA within Wellington Harbour for contact recreation purposes, unless specified in policy 10.2.1 (which specifies management for shellfish gathering purposes). The inner harbour is not specified in policy 10.2.1. Water quality that must be met is set out in Appendix 6 of the Regional Coastal Plan – included in Appendix 10 of this report.

Policy 10.2.4 is that these water quality standards do not apply if after reasonable mixing:

- The discharge is not likely to cause a decrease in the existing quality of water at that site; or
- The discharge would result in an overall improvement in water quality in the CMA; or
- The discharge was present at the time this plan was notified and the person responsible for the discharge has defined a programme of work for the upgrading of the discharge so that it can meet the requirements of policies 10.2.1, 10.2.2 and 10.2.3; or
- The discharge is of a temporary nature or associated with necessary maintenance works or there are exceptional circumstances and that it is consistent with the purposes of the Act to do so.

The proposed discharge associated with the construction, demolition and re-piling works is of a temporary nature. It would not be inconsistent with this policy or the Act to grant the resource consent for this purpose WGN060184 [25000], provided the issues relating to the other aspects of the proposal can be satisfactorily resolved.

Policy 10.2.8 relates to monitoring the effects of the discharge and compliance with any conditions or standards imposed on the consent. I consider that appropriate monitoring requirements could be included in consent conditions,

should the Hearing Committee consider it appropriate to grant the application. In forming these conditions regard should be given to those matters specified in policy 10.2.9.

Policy 10.2.11 is to have particular regard to the views, values, aspirations and customary knowledge of tangata whenua when assessing applications to discharge contaminants to land or water in the CMA. These matters have been discussed in sections 12.4.6 and 12.1.7.

14.3.5 Chapter 14 – General standards and terms

This chapter sets out general standards and terms which apply only where a rule in the Plan requires that an activity comply with them. All activities require consents under ‘catch-all’ rules and have full discretionary status, with the exception of WGN060184 [24997] for the occupation of space, which is a controlled activity provided the consents are granted. The controlled activity rule (rule 16) is the only specific rule which refers to the general standards and terms in chapter 14.

Relevant standards for this activity include 14.1.1 which relates to public safety, and 14.1.2 which relates to lighting and glare. Standards 14.1.3 and 14.1.5 which relate to noise and storage of hazardous materials, respectively, are relevant to the activity as a whole but not specifically to permit WGN060184 [24997].

14.3.6 Chapter 18 – Cross boundary issues

This chapter sets out procedures to be used to resolve cross boundary issues. The cross boundary issue in relation to this application is that some effects cross between territorial authority and regional council boundaries. Processes set out in this chapter include:

‘to seek a consistent approach between plans dealing with the control of activities where such activities span boundaries or the effects of activities span boundaries.’

While this activity itself does not span the CMA boundary, some of the effects of the activity are likely to. In addition, the RCP indicates the intent for activities in the CMA to be dealt with in a consistent manner to activities located in a similar environment on the landward side of the CMA boundary.

This section reinforces our approach of assessing the proposed activities against the relevant aspects of the Wellington City District Plan and the Wellington Waterfront Framework, and seeking assessment advice from relevant WCC technical advisors on the proposal.

14.3.7 Summary

The RCP enables the consideration of relevant aspects of the Wellington City District Plan and the Waterfront Framework, in determining this application. These have been assessed by Ms O’Callahan in her report, attached in Appendix 1.

The proposal in its current form falls short of meeting the NZCPS, RPS and RCP, in the specific areas summarised in section 13.3 of this report. The proposed development will have significant adverse effects on the environment. While some effects have been appropriately addressed in the application, there are other effects which I am not satisfied that the proposal appropriately avoids, remedies or mitigates. For some aspects insufficient information has been provided to determine whether or not some effects will be adequately avoided, remedied or mitigated.

This is not to say that there is any inherent problem with a hotel development on the Outer T of Queens Wharf; however, there are some challenges due to the location that need to be satisfactorily addressed. At this stage, based on the information provided to date, I am not satisfied that the application does this.

It is my expectation that the applicant will provide information at the hearing to address the matters identified, in which case I will be in a position to review conclusions and the recommendation following assessment of this information.

14.4 Other relevant matters

Given the nature of the application I consider it appropriate that the Wellington City District Plan and the Wellington Waterfront Framework are considered as relevant matters under section 104(1)(c) of the Act. These matters have been considered in the report by Ms O'Callahan that forms Appendix 1 of this report. Appendices 2 – 5 of this report are the technical assessments in relation to wind, traffic, noise and urban design/Waterfront Framework.

14.5 Part II – Purpose and principles

Part II of the Act encompasses sections 5, 6, 7 and 8. Section 5 sets out the purpose of the Act. Section 6 sets out matters of national importance to be recognised and provided for; and section 7 sets out other matters to be given particular regard to. Section 8 embeds the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) into the Act.

The considerations of section 104 of the Act are all subject to Part II of the Act. This gives primacy to Part II and is an indication that this is the key aspect of the Act.

The consideration of Part II of the Act in relation to the current application is set out in the following four sub-sections of this report (14.5.1 to 14.5.4)

14.5.1 Section 5 - Purpose

The purpose of the Act is to promote sustainable management of natural and physical resources.

Section 5(2) defines “sustainable management” as:

*In this Act **sustainable management** means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which*

enable people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while-

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The proposal will provide economic and social benefits in terms of increasing tourist dollars to Wellington and providing employment. The bar and restaurant facilities on the ground floor provide another place for the Wellington public to undertake more relaxing social activities. The presence of a new 5-star Hotel in Wellington may result in new events taking place, enhancing the vibrancy of the City.

The proposal has both positive and negative impacts on the social wellbeing of people and communities. The closure and/or relocation of Wellington Indoor Sports recreational facility will have a negative social impact. The facility, in a location easily accessible for central city workers, provides an important social 'good' in terms of enhancing the health and wellbeing of the facility users. However, I note that the Framework clearly anticipates development on this site is appropriate; there this issue of effects on the existing Shed 1 sports facility may sit outside of the consent process for this application.

I am not satisfied that 5(a) is met by this proposal as it does not provide for the sustained potential of physical resources, in particular continued use of the full Queens Wharf berth. With the proposed mitigation measures in relation to the discharge of contaminants and disturbance to the seabed and requirement for a both sediment and construction management plans, section 5(b) is met.

On the basis of the information provided by the applicant, I consider that the proposal falls short of meeting the requirements of 5(c) in a number of areas including traffic, wind, design, construction effects, and the effects on port activities.

Within this framework, I consider that the proposal at present is not consistent with the purpose of the Act, given that there are a number of significant issues that need to be addressed. However, should the applicant modify the proposal to adequately address the concerns summarised in section 13.3 of this report and confirm acceptance of the suggested conditions, consistency with section 5 of the Act could be achieved.

14.5.2 Section 6 – Matters of national importance

In exercising its powers and functions under the Act, the consent authority, in relation to managing the use, development, and protection of natural and

physical resources, is required to recognise and provide for the matters set out in Section 6 of the Act, which are considered to be of national importance.

I consider the following matters identified in section 6 to be of relevance to this application:

- (d) *The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers.*
- (e) *The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*
- (f) *The protection of historic heritage from inappropriate subdivision, use and development.*

There will be some restriction to public access to and along the CMA in the vicinity of the site during construction for public health and safety reasons. This restriction will only be temporary. In the long term the proposal will not reduce public access to and along the Outer T of Queens Wharf.

The cultural impact assessment report by Raukura Consultants gives support for the proposal conditions on the Hilton Hotel development taking an active role in promoting the cultural history of the area as an extension to the harbour frontage of Kumototo Pa, and as a central link to in the harbour circle of māori significant sites. The Raukura Consultants report sets out five recommendations by which it considers this can be achieved. These recommendations primarily relate to hotel management issues and sit outside the consent process. Wellington Tenth Trust have endorsed this report.

In terms of heritage effects, the direct effects on the wharf structure are considered to be minor. Maintenance of the structure is required to ensure the ability of the structure to provide for existing uses, including berthing of large vessels. This is consistent with the heritage policies in the RCP which refer to protection rather than preservation of heritage features.

In relation to the wider contextual impacts on heritage, I note that while some assessment has been provided by TAG in relation to the bulk and scale of the building being appropriate for the site, heritage is only one of their considerations. Concerns have been raised by Barbara Fill and by HPT on the adequacy of information provided. I consider it appropriate to assess this contextual heritage issue further once additional information on heritage impacts is provided by the applicant at the hearing.

14.5.3 Section 7 – Other matters

The other matters to which GW must have particular regard in relation to managing the use, development, and protection of natural and physical resources are listed in section 7 of the Act.

Section 7(a) and 7(aa) provides opportunities for tangata whenua, through the practical expression of kaitiakitanga and the ethic of stewardship to be

involved in managing the use, development and protection of their ancestral taonga(resources). This has been provided.

The maintenance and enhancement of amenity values (section 7(c)), the maintenance and enhancement of the quality of the environment (section 7(f)), any finite characteristics of natural and physical resources (section 7(g)) and the effects of climate change (section 7(i)), are discussed in section 11 of this report.

The proposal has the potential to enhance the quality of the waterfront environment; however, modifications are necessary to satisfactorily achieve this. The proposal currently is likely to have significant effects on the amenity of the waterfront area, particularly in terms of the effects of wind and potential vehicle - pedestrian conflict. I consider that the current proposal is not consistent with this section.

14.5.4 Section 8 – Principles of the Treaty of Waitangi

I consider the proposal is in accordance with section 8.

15. Conclusion

I have considered the application, submissions, and expert advice of specialist advisors, as well as assessing the proposal in relation to relevant aspects of statutory and non-statutory documents.

I consider that the adverse effects arising from the proposal will be more than minor. In a number of areas, the proposal as submitted is not consistent with the objectives and policies of the Regional Policy Statement, Regional Coastal Plan, Wellington City District Plan or the Wellington Waterfront Framework.

The proposed development will have significant adverse effects on the environment. While some effects have been appropriately addressed in the application, there are other effects I am not satisfied the proposal appropriately avoids, remedies or mitigates. For some aspects insufficient information has been provided to determine whether or not some effects will be adequately avoided, remedied or mitigated.

There are a number of specific fundamental aspects of this particular hotel proposal that causes the proposal, as submitted, to be inconsistent with the relevant planning documents and inconsistent with Part II of the RMA.

This is not to say that there is any inherent problem with a hotel development on the existing Shed 1 site on the Outer T of Queens Wharf; however, there are some challenges due to the location that need to be satisfactorily addressed. At this stage, based on the information provided to date, I am not satisfied that the application does this.

On this basis, I consider that this application should be declined unless the outstanding matters summarised in section 13.3 of this report and repeated below can be adequately addressed by the applicant.

In forming this recommendation, I have considered in conjunction with Ms O’Callahan, whether appropriate conditions of consent could be drafted to adequately address the issues of concern, such that the effects of the proposed development could be adequately avoided, remedied or mitigated. I consider that this can be achieved for some, but not all, of the issues referred to in the assessment at the time of writing.

I concur with Ms O’Callahan’s conclusions that based on the current design and levels of detail provided to date, appropriate conditions of consent cannot be drafted to suitably address or mitigate the following issues:

- A. The need to reconsider the design for the wharf area between the tunnel exit and the hotel entrance, in order to provide for pedestrian priority.
- B. The need to redesign and then carry out further wind tunnel testing of the southern end of the building to address pedestrian wind effects and the design of the building entrance.
- C. The need for structural redesign of the proposal, such that continued berthing of large vessels on Queens Wharf is possible (without vibration impacts).
- D. The need to redesign the service penetrations (pipes, exhausts and lift overrun) on the building to address urban design concerns.
- E. The need for the proposed jetties and associated timber inserts to be deleted.
- F. The need to reconsider the use of concrete paving and rails in certain parts of the public space design, as detailed in the TAG report.
- G. The need for adequate design details, materials and finishes (including a sample board) in respect of key building and public space details to be submitted upfront, to establish whether an iconic building will be achieved.

The unresolved matters listed above are fundamental to the scope, scale and character of the proposal and therefore need to be addressed before suitable conditions of consent can be drafted in relation the theses aspects.

In the event that the applicant modifies the proposal (including updating all architectural and landscape plans) to address the issues identified above, conditions have been drafted for those adverse effects which are able to be dealt with through consent conditions. These conditions have been formed with a view to ensuring the adverse effects of the activity are appropriately avoided, remedied or mitigated. These have not been formed in consultation with the applicant, and at this stage the applicant’s acceptance of these is not known. These conditions are included as Appendix 9 to this report. To be explicitly clear, these conditions require resolution of the matters listed A – G

above, before being relied upon to provide satisfactory mitigation of the anticipated effects of this proposal.

Overall, I conclude that the proposed development, as submitted, is not consistent with the relevant statutory and non-statutory documents, nor is it entirely consistent with Part II of the Act. Should the applicant modify the proposal to accommodate the key concerns raised I request the opportunity to review my conclusions at the hearing.

16. Recommendation

*That under sections 104B, 105 and 107 of the Resource Management Act applications WGN060184 [24997] [24998] [24999] and [25000] by Waterfront Investments Limited be **declined**.*

Report prepared by:

Recommendation approved by:

NATASHA TOD
Senior Resource Advisor, Consents Management

AL CROSS
Acting Manager, Consents Management

Appendix 1: District Planning report – Mary O’Callahan

**Report to the Resource Hearing Committee
Greater Wellington Regional Council**

20 June 2006

Notified Application

<u>Site Address:</u>	“Outer T”, Queens Wharf, Lambton Harbour
<u>Legal Description:</u>	Lots 1-2 DP 66187
<u>Applicant:</u>	Waterfront Investments Ltd
<u>Proposal:</u>	WGN060184 [24998] - Coastal permit for the use and development of structures including a hotel building, decks, jetties, a vehicular access tunnel, and the refurbishing of the existing wharf structure associated with the proposal.
<u>Owner:</u>	Wellington Waterfront Limited
<u>Plan Numbers:</u>	Hotel - Plans by Sumich Architects labelled resource consent application job number 5833 drawings 01-10, dated 04/11/05 and 11 dated 1/11/05. Public Space Enhancement – Plans by Isthmus Group labelled Queens Wharf Hilton Hotel Site job number W520 sheets 5-9, dated Dec 2005.

1. Introduction

- 1.1 The purpose of this report is to provide an assessment of the land use related effects and relevant land use planning documents in respect of the resource consent application to develop a hotel and associated public space enhancements on the Outer T of Queens Wharf within Lambton Harbour.
- 1.2 The report has been commissioned by Greater Wellington, to form part of the officer’s report for the resource consent application lodged by Waterfront Investments Ltd for the proposed hotel and associated works.
- 1.3 This report only addresses the land use related environmental effects of the proposed development and provides an assessment against the Wellington City District Plan and the Wellington Waterfront Framework. I understand that the Regional Coastal Plan directs consideration of this application under the Wellington City Council planning documents. While both the Wellington City Council planning documents are non-statutory documents for the purposes of this application, they provide the necessary guidance on the land use effects and resource management framework considering these effects. Conclusions are based on a land use effects assessment and the above planning documents only and not the overall environmental effects of this proposal. No

overall assessment under the Resource Management Act, in particular Part II of the Act, has been completed. The overall assessment of the proposed development is to be completed by the Greater Wellington Senior Resource Advisor, Natasha Tod.

1.4 This report collates urban design, wind, traffic and noise advice provided to Greater Wellington by Wellington City Council specialist advisors. Generally, the specialist assessments and this report have been prepared as if the site were within the Wellington City District Plan (Lambton Harbour Area) jurisdiction, in a similar manner to other recent waterfront developments where land use consent from the Wellington City Council was required for the proposed development.

1.5 To this end, the report is structured as follows:

- Site description
- Proposal description
- Notification and submission details
- District Plan analysis
- Assessment of effects
- Objectives and policies
- Conclusions

2. Site Description

2.1 The site is located in the area of the waterfront commonly known as the Outer T, being the seaward most point of Queens Wharf, within Lambton Harbour. The site is part of a large stretch of land owned and managed by Wellington Waterfront Limited. The site includes the existing Shed 1 site and the surrounding wharf area.

2.2 Shed 1 an existing single story wharf shed, which is currently used by Wellington Indoor Sports as a business house sports venue, Helipro (for helicopter storage), East by West Co ferries as well as other occupiers who use the building for storage and office space.

2.3 The wider area is a vibrant mixed-use area containing a range of maritime and urban activities, reflecting its location at the edge of the urban area, adjacent to the harbour. While the site is within the coastal marine area, to most, the site would appear as “land” and as part of the urban area, as there is a seamless transition from land to the wharf structure west of the nearby Dockside restaurant building (Shed 3).

2.4 The Shed 5 restaurant, the Queens Wharf plaza, events centre and retail/office building are located west of the application site and Dockside. Vehicle access to this part of the waterfront from Jervois Quay is from an intersection opposite Hunter Street, around the harbour side of Shed 6, which is located to the south-west of the subject site (and south of Shed 5).

2.5 The subject site is part of 20-hectares of waterfront land running from the Overseas Passenger Terminal near Oriental Bay to Shed 21 opposite the Wellington Railway Station. The land is owned and managed by Wellington Waterfront Limited, a Wellington City Council controlled organisation.

3. Proposal

- 3.1 It is proposed to construct, use and maintain a new building on the northern arm of the Outer T of Queens Wharf for hotel purposes. The exact siting and design of the building is depicted on the plans submitted (those prepared by Sumich Architects), but generally the building will be of a rectangular configuration, located generally within the footprint of the existing Shed 1 building, but approximately twice the height. The roof form is varied, but generally, the mid section of the hotel is approximately 20.4 metres above existing wharf level, with the higher portions at the northern and southern ends of the proposed building, which are up to 22.9 and 32.1 metres respectively.
- 3.2 The proposed building comprises a ground floor with reception, restaurant, bar, function and back of house (kitchen and loading dock) space. Exterior dining is proposed at ground level as well (via decking). The first floor has approximately half of the floor space set aside for conference space and the rest, hotel rooms. Floors 2-4 are hotel rooms, with a total of 142 (approximately) hotel rooms proposed.
- 3.3 It is also proposed maintain and enhance the wharf area as public amenity space in and around the proposed hotel, in conjunction with the hotel construction. These works are illustrated on the plans prepared by Isthmus Group Ltd submitted with the application. These works include a proposal to construct 2 new jetties, one on the northern-most end of the Outer T and another alongside and west of the proposed hotel, on the inland side of the Outer T.
- 3.4 Demolition and re-piling of the existing wharf structure is proposed to facilitate the development. This includes the construction of a “structural separation” for the northern arm of the Outer T from the rest of the Queens Wharf structure, to accommodate the hotel building.
- 3.5 A new under-wharf vehicle tunnel will be constructed from the existing Events Centre car park to a proposed exit point, immediately alongside the existing Dockside building. This will provide access for small vehicles, including cars and taxis. Larger service vehicles and buses are proposed to access the hotel via the existing route around Shed 6, with access from the Hunter Street intersection.

4. Notification and submissions

- 4.1 On 28 January 2006, the application was publicly notified in accordance with section 93 of the Act.
- 4.2 A large number of submissions were received in response to the notification of this application. I have reviewed the summary of submissions prepared by Greater Wellington and individual submissions. My understanding of the key issues raised in submissions are summarised below.

Summary of Submissions in Support

- The economic benefit to Wellington
- The creation of employment

- The further enhancement of the waterfront
- The need for a 5 star hotel to encourage tourism
- The design of the building
- That the hotel does not impose on views
- That the height is not over bearing on the landscape
- The area being more public
- The need for a restaurant with panoramic views
- The removal of Shed 1 which detracts from the aesthetics of Queens Wharf
- Replacing the existing use which provides limited value to our city
- The under wharf tunnel will improve access to the area
- Problems finding accommodation for guests every time a large event is held
- The Hilton Hotel in Auckland has been a key to the success at Princess Wharf
- This is the best development opportunity that Wellington will have
- That public access is retained
- The construction of jetties for public use
- The ability of Wellington to host more international events e.g. Rugby World Cup 2011
- Proposal provides competition between hospitality establishments on Queens Wharf
- The hotel should also include a casino

Summary of Submissions in Conditional Support and Neutral

- Adverse effects on Centerport's delivery of service to its ship operating customers and protection from reverse sensitivity impacts including: noise, blockage of view, wharf structural movement, privacy, traffic, ships services and glare from ships lighting not considered adequately.
- Support with sufficient sound proofing from the surrounding businesses
- Support with acceptable locations for the relocation of East By West's office
- Support with finding a suitable alternative indoor sports venue

Summary of Submissions in Opposition

Traffic

- Conflict between vehicular and pedestrian traffic
- The lack of thorough assessments on traffic
- Disruption to the traffic along the quay
- The site is inappropriate for a hotel due to the restrictive access
- That all vehicles should be prohibited from using the Shed 6 route from 7am-7pm, seven days a week
- The hotel relying on the reservation of public car parking in the Queens Wharf basement car park
- Not the space for transport and logistical infrastructure
- The access is not suitable for Fire and Ambulance services

Building

- The design not being iconic or fitting in with surroundings
- The building being too large and out of scale for the site
- The height of the building

- Not allowing for viewshafts
- The loss of opportunity to open up new viewshafts
- Effects on private views
- The design of the hotel
- The design not keeping in with other more traditional buildings
- The adverse effects on structures of architectural or historic merit
- That the design will break the stepping down pattern of buildings
- Shading and dominance effects on existing businesses and activities in the area
- Wind effects on existing businesses and public spaces
- The certainty of the acoustic performance of the hotel with respect to reverse sensitivity concerns regarding existing businesses in the area
- The design of the structural layout
- The design of the proposing servicing along the seaward side of the site
- Possible reverse sensitivity from glare and noise

Public space and recreation:

- The privatisation of a public space
- The reduction in public open space
- Limiting the sites recreational purpose
- The removal of the indoor sports centre (which an excess of 2,600 people/week participate in)

Coastal

- The construction of jetties that will cause a hazard and intrusion into the marine environment
- Decks limiting boat access
- Disturbance of foreshore and seabed
- Discharge of contaminants to the coastal marine area
- The effects of undermining the seabed
- That large ships and cruise liners may be forced to Berth away from the CBD

Consultation and costs

- Inadequate consultation
- Ratepayers having to contribute
- Probable large expenditure by ratepayers for foundation work and tunnel
- That there has been no competition for the development of the site
- The proposal is against the wishes of many Wellingtonians
- Claims from consultants that the Wellington Tenth Trust endorses the hotel
- A bond of sufficient size should be imposed to cover costs if applicant fails to observe any consent conditions

Other

- The proposal affecting Helipro which would have an adverse effect to other businesses and rescue operations
- That the proposal will affect the research of the School of Biological Sciences, VUW by limiting helicopter access.
- The effect of relocating businesses currently in Shed 1
- The consent should expire if work is not commenced within 12 months

- That the proposal is only dealing with one arm of the outer T structure
- That the ownership of the site is in dispute due to settlement not being reached for Waitangi Claims in the area
- Disruption and noise caused by construction
- There are other better alternative hotel sites (events centre, Overseas Passenger Terminal, Kumutoto site, etc)
- Opposes the need for another 5 star hotel
- That there is no guarantee of a 5 star status

4.3 The vast majority of comments made by submitters relate to specific land use matters and/or wider issues of principle relating to the development of public waterfront land.

5. District Plan Analysis

5.1 In approaching the District Plan assessment of this proposal, it is firstly useful to think about how this proposal would be assessed, if it were within the Wellington City Council jurisdiction. That is, what rules would it be assessed under in terms of the Central Area provisions, as they apply to the Lambton Harbour Area?

5.2 The District Plan provisions for the Lambton Harbour Area incorporate the provisions of Variation 22, which became operative on 27 July 2004. This variation incorporated the Wellington Waterfront Framework (the Framework) into the District Plan by way of Central Area objectives, policies and rules relating specifically to the waterfront, with the Framework becoming the over-arching strategy for guiding the future development of the waterfront.

5.3 If it were assessed under the District Plan, it is my assessment that the proposal would require consent under the following rules, as a number of permitted activity standards would not be met:

- ⇒ Rule 13.3.2.7 in respect of permitted wind speeds not being met. The permitted wind rules apply to all central area buildings of more than four stories in height (i.e. more than 18.6 metres above ground).
- ⇒ Rule 13.3.2.8 as the proposed building intrudes into Viewshafts 8 and 9 (the Johnston Street and Brandon Street viewshafts).
- ⇒ Rule 13.3.1.5, as the proposed hotel loading bay does not meet the District Plan permitted loading standards which are based on accommodating a medium rigid truck.
- ⇒ Rule 13.3.1.3 as the minimum lux level under rule 13.1.1.4 would also not be met, as the lighting levels for the promenade areas will be less than 10 lux.

5.4 If it were required to be assessed under the District Plan, the proposal would require resource consent as a discretionary activity (unrestricted) under rule 13.4.7 for the construction of a new building in the Lambton Harbour Area. The proposal would also require a resource consent as a discretionary activity (unrestricted) under rule 13.4.8 for the development of new open space in the Lambton Harbour Area. These rules have specific assessment criteria relevant to Lambton Harbour Area developments and include a cross-reference requiring an assessment under the Wellington Waterfront Framework.

- 5.5 If it were assessed under the District Plan, the proposal would in fact be elevated to non-complying activity status, by virtue of the discretionary limit applicable to viewshaft intrusions. That is, where the viewshaft intrusion is more than 15% in cross section, an application would be assessed as a non-complying activity. I estimate that the viewshaft intrusion of the proposed hotel is in the order of 60% (Johnston Street) and 95% (Brandon Street) in cross section.
- 5.6 In terms of the legal activity status for this resource consent application, I understand that the proposal is for a **Discretionary Activity (Unrestricted)** under Rule 25 of the Regional Coastal Plan. On this basis, I understand that discretion is unlimited, the consent authority may grant or refuse consent under section 104B of the Act and, if granted, conditions may be imposed under section 108 of the Act.

6. Assessment of Effects

- 6.1 The purpose of this assessment is to analyse the anticipated land use effects that the proposal would have on the surrounding environment, particularly the extent or degree to which the proposal would adversely affect the open space and recreational character and amenities of the area, and the amenities of surrounding land owners and occupiers. Key effects will be addressed as follows – hotel activity, urban form, urban design, public space design, heritage context, wind, traffic, noise, viewshafts, private views, sunlight and lighting.
- 6.2 Relevant assessment criteria contained within the District Plan will be referred to where appropriate.

Hotel Activity

- 6.3 The site is located within the Lambton Harbour Area, an area of the city highly valued for its historical significance, diverse uses and city to water connections (visual and physical). As such, the proposal requires consideration in respect of its place within the overall and long-term development plans for the waterfront area.
- 6.4 The Wellington Waterfront Framework (the Framework) is Wellington City Council's guiding document for the future development of the waterfront area. The Frameworks intents to provide clarity and certainty about the overall direction of the development of the waterfront, while still allowing some flexibility in the development of the detail of each area. The Framework was the result of extensive public input and an open decision-making process.
- 6.5 The applicant consulted with the Technical Advisory Group (TAG), which is a group set up by Wellington City Council to provide technical design advice on waterfront proposals and to monitor consistency of proposed developments with the Framework. The applicant first commenced consultation with TAG in December 2001. TAG is a group of independent design professionals formed to provide advice to applicants and to review resource consent applications within the Lambton Harbour Area against the Framework to feed into the City Council's resource consent processes. It is therefore appropriate that TAG assesses the current proposal in a similar manner to other waterfront applications. The full assessment prepared by TAG is contained within Appendix 5 of Ms Tod's report.

6.6 In considering the potential effects of the hotel proposal in respect to overall waterfront amenities, the assessment by TAG is relevant. TAG has concluded that the proposal with certain design amendments and further design detail can satisfy the Framework. Of note, TAG (at 1.2 of their report) provided the following comments in relation to the overall impact on waterfront amenities and the Framework:

At a functional level this proposal responds positively to Framework concerns. In particular, the design:

- Is of a form and scale that is appropriate in this setting, complementing other waterfront buildings and the adjacent city, and providing appropriately scaled edge definition to the water and other open spaces.
- Allows for quality public space around the hotel, introducing active building edges and visual interest that will encourage public use of the promenade.
- Provides publicly accessible restaurant, bar and lobby spaces at ground level which can be entered through a variety of openings along the promenade.
- Approximates the current footprint of Shed 1, thereby maintaining views from the centre of Queens Wharf
- Provides shelter for Shed 5, Dockside and the water enclosed by Inner and Outer T's. This is achieved in a similar manner to the existing Shed 1.
- Aligns with the Framework's guidance on activity and diversity...
- ... The public domain and landscape treatment is appropriately minimal. It essentially retains what is existing and continues the robust industrial character of the waterfront, although some simplification of paving and removal of jetties is required.

6.7 As a result of the assessment provided by TAG, and the effects described above, it is considered that, at a conceptual level, an appropriately designed and managed hotel on the Outer T is consistent with the Framework and in turn aligned with general community expectations for development within this area of the waterfront. TAG identify that the Framework calls for an "iconic" building for this site and raise concern about whether this will be achieved with the hotel proposal on the basis of the design details submitted to date. The TAG report does go on to express concern in relation to design detail, which TAG considers needs to be changed. TAG also raises concerns in relation to wind issues and pedestrian/traffic conflict in relation to the proposal as submitted. These matters are discussed in detail below.

6.8 I note that there are submissions both in support of the hotel concept and against this activity. A number of submissions in opposition raise concern about the loss of the indoor sports facility within Shed 1. While this existing activity is clearly popular and not inconsistent with the Framework, I consider that the Framework anticipates re-development on the Outer T and through using the existing Shed 1 site for this, the impact on the wharf and public access generally is minimised. The existing shed building does not have particular heritage or architectural merit and is a "closed" structure, without an active frontage as sought by the Framework, and specifically in the District Plan with reference to the assessment criteria at 13.4.7.2 of the District Plan:

Whether the ground floors of buildings have an active edge that support the public use of the space and are predominantly accessible to the public.

- 6.9 Concerns regarding privatisation of the site have essentially been dealt with through adoption of the Framework, which outlines in a general sense, the location and type of development which will achieve an appropriate balance between commercial and informal use of the waterfront land. The use of this site for a hotel is consistent with achieving this balance.

Urban Form

- 6.10 A number of submitters raised concern about the height, bulk and scale of the proposed building being out of character with its surrounds and suggest that the design will break the stepping down pattern of buildings towards the harbour.
- 6.11 The District Plan sets a “zero” height limit for developments on the waterfront. That is, there no maximum permitted height limit. This is a specific mechanism for assessing waterfront applications and not an indication of the appropriate height for the site. The bulk and scale of each new building is therefore assessed on its merits in terms of the assessment criteria under rule 13.4.7, which refer to the Framework and amenity impacts on adjacent Central area properties. The comments from TAG are relevant to the matter of urban form. TAG have noted the following at 5.1 of their report:

Scale

The *Framework* notes as a principle that: “Any new buildings will be complementary to, and in a scale appropriate to, the existing buildings around them.” (p.18) The overall general form and envelope of the building is appropriate in this setting. While it is taller than its immediate neighbours, the proposal is very similar in height to the Wharf Office Apartments and to other buildings on the waterfront. It is similar in length to most buildings in this part of Queens Wharf. Its scale complements the immediate context, particularly the water space enclosed between Inner and Outer T’s. The hotel also acts as a transitional volume between the CBD’s multi-storey office blocks and the harbour. In this way it is consistent with wider city patterns. The building is strongly articulated in both vertical and horizontal directions. As a result, a collection of visual modules of varying sizes and proportions establish positive visual relationships with neighbouring structures. These modules also mediate between human form and the overall building envelope.

- 6.12 I concur with TAG’s assessment in relation to urban form and consider the overall bulk and scale of the proposed development is acceptable.

Urban Design

- 6.13 The design, external appearance and siting of buildings is controlled by the District Plan to ensure new buildings are designed, sited and finished in appropriate materials so as to ensure they have a positive contribution to the city in terms of streetscape/character and the relationship between the private and public domain. New buildings always have an impact on streetscape. The key assessment tool for determining whether this impact is positive or negative within the Lambton Harbour Area is the Wellington Waterfront Framework.
- 6.14 Accordingly, the assessment prepared by TAG pays particular attention to design of the proposed building and whether this achieves the level of visual amenity envisaged for this site, by the Framework which calls for an iconic building. TAG state:

An alternative approach (*to unique architectural design*) uses high quality architecture to enhance the memorable qualities of a place...

In our opinion, the proposal takes the second (*above*) approach. Assuming detailed design is well handled, it has the potential to meet the objectives listed above in 3.4. As noted in 1.7 above, before a Resource Consent is granted, it is prudent to ensure that outstanding design issues will be satisfied. In TAG's opinion, the application still does not provide sufficient information on materials and details.

6.15 At this stage TAG are not satisfied with the building design, but the main reason for this is the lack of information on materials and design detail. The applicant was asked to provide further information on this matter, however, the information is still insufficient to conclude that the design will meet the Framework's intentions with regard to achieving iconic quality. In addition, TAG does not support the proposal to include service penetrations (pipes, exhausts and lift overrun) in the manner illustrated on the plans. These utilitarian elements are seen as being inconsistent with the Framework and need to either be eliminated or relocated and re-designed. TAG also express concern about the design's ability to provide a sheltered front entrance to the hotel. This concern is consistent with the concerns expressed by Mike Donn with regard to wind impact on the public environment (discussed below) and needs addressing by the applicant.

6.16 The aspects of the building design where detail is lacking are:

- ⇒ Details, materials and finishes associated with: decks, accessways, windscreens, rails, ramps and canopies (both permanent and lightweight components);
- ⇒ Detailed treatment of the ground floor east façade and use of the adjacent promenade;
- ⇒ Details, materials and finishes for the prominent northern and southern end of the building, including the external stair towers.

6.17 TAG have recommended the following be provided at the hearing:

The most appropriate way to ensure a successful result is to provide an indication of design intent prior to Resource Consent approval. This should include a 'sample board' of materials and colours along with perspectives drawing and details which show responses to the issues identified in 1.5 and 1.6 (*of the TAG report*). The Framework states: "The waterfront is locally and internationally recognized for its design." (Objective p.21) In particular, the Outer T development is to be an iconic structure for an iconic site. To ensure that these objectives are met, there should be further indication of details, materials and finishes. At this stage of the development, such information must remain provisional. Nevertheless, it provides a valuable benchmark against which to measure future design decisions.

6.18 Accordingly, it is my understanding, that without modifications to the service penetrations on the roof and further design detail to give some indication that an iconic building can be achieved with this design, the building does not meet the urban design requirements of the Framework. TAG would also like to see the front entrance design altered to provide better shelter.

Public Space Design

6.19 Rule 13.4.8 in the District Plan requires resource consent for the development of new or the modification of existing open space in the Lambton Harbour Area. The relevant

assessment criteria simply provides reference to the principles and objectives of the Wellington Waterfront Framework.

6.20 Accordingly, the TAG assessment is relevant to the design of the public open space and landscape features around the proposed hotel. These works are generally illustrated on the plans prepared by Isthmus Group, lodged with the application.

6.21 TAG have a number of concerns regarding the design of the public space, as follows:

Proposed low-level jetties are inconsistent with the specific intentions of the Framework for this area. They 'domesticate' the edge of the Outer T, and they duplicate similar features either built or planned for the Queens Wharf/Kumutoto area. TAG recommends that these jetties be deleted.

If the jetty at the northern end of the Outer T is deleted (as recommended), modifications should also be made to proposals for the adjacent wharf deck. Timber inserts and associated paving details should be removed because they are no longer consistent with the wider landscape treatment.

Concrete paving is proposed between the rail and the outside of the wharf. This change of material seems unnecessarily fussy. It is inconsistent with the treatment of wharf edges elsewhere along the promenade, and it should be avoided. The new rail along the west side of the wharf is also questionable.

6.22 TAG were also concerned about trees and bollards shown on the perspectives prepared by Cadabra Ltd and submitted with the application. Trees and bollards are not shown on the Isthmus Group plans and I understand these are not proposed. Nonetheless, it would be helpful if the applicant could update the perspectives for the Hearing, to accurately reflect the development proposed.

6.23 TAG has also requested further design detail in regard to the public space development. In this regard, I recommend that the applicant present the following design details, via a 'sample board' of materials and colours along with perspective drawings and details at the hearing, addressing design, materials, finishes and construction associated with:

⇒ decks, rails and the wharf area between the tunnel and the hotel (note there are traffic concerns about this area too).

⇒ Wharf inserts, including timber inlays in the centre of the wharf to the immediate south of Dockside

6.24 With the exception of the matters identified above (particularly the proposed new jetties) TAG support the proposed public space development and consider the proposed treatment is consistent with the Framework. TAG note that the proposal maintains an appropriately generous public promenade around the perimeter of the proposed building. The promenade is an important element of the waterfront, connecting the various parts of the waterfront by a shared pathway. The Framework also notes that there should be opportunities for buildings to open out onto the promenade and provide different levels of activity along its length. This proposal can achieve this.

Heritage Context

- 6.25 There has been concern raised in submissions about the impact of the proposed development on heritage issues. The wharf structure has been afforded heritage recognition via the Regional Coastal Plan, so Ms Tod, will assess the impact of the proposed works on the heritage fabric/structure. I do not consider the impact on the heritage fabric is a relevant District Plan issue in relation to this application as there is no reference to the wharf structure in the District Plan heritage schedule (unlike nearby Sheds 3 and 5 which are listed in but noted as being outside of the District Plan jurisdiction. However, I note that the heritage value of the wharf structure of Queens Wharf is referred to on pages 34 and 44 of the Framework.
- 6.26 In terms of the wider area, there is widespread acknowledgement in both the City Council's planning documents that the waterfront area has heritage values generally. The site is close to a number of heritage buildings, which individually and collectively contribute to the heritage significance of the area.
- 6.27 In terms of whether the proposal fits within this heritage context, the Framework is relevant. The Framework is the most detailed planning document for this part of the city. Heritage and the history of the waterfront are identified as important parts of the identity of the waterfront. The first principal in the Framework states:
- “...there is a range of aspects to the pre and post-colonial history of the waterfront, including maritime, social and an economic aspects, and all these stories need to be told”.*
- 6.28 The protection of significant heritage buildings on the waterfront is one of 7 objectives in the Framework. Subject to TAG's comments regarding the public space design above, in my view works to the wharf structure itself will not have a significant impact on “telling the heritage story of this area” (i.e. the public's understanding of the heritage). In my view, the impact of wharf modification on the heritage context will be minor provided it continues to be utilised as a working wharf. There are concerns that the structural design will limit this, which will be addressed by Ms Tod.
- 6.29 The other potential impact on heritage context and arises from the design, scale and siting of the new building. The Framework anticipates old and new buildings on the waterfront and clearly anticipates a new building on the Outer T. TAG have assessed that the height, bulk and scale of the proposed building is generally in accordance with the Framework. This takes into account neighbouring buildings and the waterfront context generally (and includes its relationship with nearby heritage buildings). I note the heritage assessment prepared by Wellington City Council's Senior heritage Advisor Barbara Fill (in Appendix 7 of Ms Tod's report). Ms Fill assesses a range of heritage matters, including heritage context. Ms Fill has a different view and considers that the height and bulk of the proposed building and the associated modifications to the wharf structure will have an adverse effect on the heritage surroundings and considers any new building should be of a similar scale to the nearby misted buildings. Upon reviewing both of these documents, it is my opinion that the adverse impact of the proposed development on the heritage context will be no more than minor. I consider that the heritage story will be seen and heard, provided that the issues relating to continued large ship berthing, and public space design are resolved. Furthermore I note that through enhancing the area surrounding the neighbouring heritage buildings and

incorporating them into the design of quality public open space, it is considered that the proposal has some positive impacts on the historical value of such buildings.

Wind

- 6.30 Building form and siting can affect wind flow patterns and speeds. This is an especially important consideration in and around open public spaces such as is intended to be developed within the overall redevelopment of this waterfront area. In this regard, the applicant has provided the results of wind tunnel test prepared by Opus Consultants Ltd. Wellington City Council's consultant wind expert, Mike Donn, has reviewed the Opus report in the same manner as other central area buildings within Wellington City.
- 6.31 A wind tunnel test is required for every new Central Area building over 4 stories in height (which is interpreted as 18.6 metres above ground level). Where new buildings are unable to meet the permitted wind speeds, then rule 13.3.2 applies which is a discretionary assessment of whether the new building is acceptable in terms of wind effects.
- 6.32 The permitted wind speeds can be difficult for developers to meet on windy sites such as this one, as the permitted standards require a reduction where certain speeds are exceeded. The existing and proposed wind speeds for this site exceed the danger threshold of 18 metres/second.
- 6.33 The relevant criteria for considering wind impacts in the District Plan is as follows:
- Whether a proposed development makes the environment dangerous or makes the existing wind environment significantly worse. Under this rule any reduction in the specified standard will only be considered where it can be shown that every reasonable alternative building design has been explored. A full wind report must be supplied in support of the application.*
- 6.34 Accordingly, there is a need to look at the actual wind effects as well as the design of the building and whether it represents the best practicable design for the site in terms of wind performance. There are no wind-mitigating features with the existing building due to its simple plan form. Therefore a well-articulated and aerodynamically designed building on this site has the opportunity to perform much better than the existing building.
- 6.35 I understand the proposed development reduces wind speeds in all positions around the site, except for the southern end of the building where it causes increases during southerlies. Figures 9 (southerlies) and 12 (northerlies) in the Opus report summarise the wind effects of the proposed development and highlight where the problem area is – the red “dots” on Figure 9 are the main concern in terms of effects. The increases here exceed the danger threshold of 18m/sec with up to 28m/sec recorded at point N for the proposed development. The duration of time when dangerous wind speeds are experienced are also increased for tested points to the immediate south of the proposed building.
- 6.36 The Opus report submitted with the original application appears to acknowledge this issue as the authors tested an alternative design option which had a free-standing canopy at the southern end of the building. The Opus report concluded that a free-

standing canopy had significant benefits for wind. The applicant did not submit the proposal with the free-standing canopy because of concerns expressed during preliminary consultation with TAG regarding impact on views along Queens Wharf towards the sea and the disjointed nature of a free-standing structure in this location.

- 6.37 The report also included the testing an 18.6 metre block alternative, but I consider this is not relevant to this case, as there is no permitted baseline for comparing effects against on waterfront sites as wind is clearly within the consent authorities discretion for all new waterfront buildings (refer to assessment criteria at 13.4.7.3 of the District Plan).
- 6.38 Mr Donn's initial assessment of the development recommended, in the absence of the free-standing canopy (which I consider is impracticable) that the developer had not demonstrated their design was the best practicable option for this site. Accordingly, further information was requested on the performance of alternative designs.
- 6.39 On the basis of the original report and the further testing carried out, Mr Donn has commented:

The wind report shows what the results of the tests on the canopy ought to have told us: that a large horizontal surface is already a successful means of reducing the effect of the South face of the building on the wind. The design features of an alternate entrance and revolving doors mentioned in the Assessment of Effects information copied to me are focused on getting customers into and out of the Hilton. What this report focuses on is the passersby. This building makes their environment significantly worse. This is not merely the unpleasant cold 'wind tunnel' past the doors of the Hilton on the waterfront in Auckland. This is winds that are regularly dangerous now and are made significantly worse.

...There is also a need to acknowledge that the wild and windy edge to the city is an aspect of the local environment people go to the wharf to celebrate, not something to be tamed...[however]... buildings that make this experience more extreme and less predictable and thus distort the wildness ought not to be encouraged.

As noted previously: "In Southerlies (Figure 9) there is one place where the wind speeds are increased. This is at the Southern end of the proposed building." I also noted that "...the design is not optimum from an aerodynamic point of view. It does not follow any of the recommendations provided by the WCC in its Design Guide."

This second examination of the aerodynamics of the building has not apparently been informed by the first test. Clearly that first test showed that a large horizontal surface in front of the Southern façade of the building would solve these problems. It is therefore surprising that the design alternatives examined in the test are not all large horizontal surfaces. The 3m setback of the South façade is the most successful, and the closest in achieved reduction in wind speed to the canopy that all the presented documentation keeps promoting. This clearly points to the likelihood that an increase in the setback size would produce results that are closer and closer to those achieved by the canopy.

...From the wind tunnel tests it would seem that the goal is a setback on the South façade of the building of 5 to 6m or a canopy of equivalent size. Anything else has I believe been shown to be unreliable.

- 6.40 Based on Mr Donn's review of the Opus report, I consider the proposed development will cause localised adverse wind effects at the southern end of the building. These effects are more than minor, given this area is proposed as public amenity space. Furthermore, the development does not represent the best practicable option for a new building on this site as the same impacts would not result from a building with a fairly

modest modification that incorporated a 5-6 metre horizontal surface at the southern end of the building. It is likely that a horizontal surface will need to be incorporated via a setback or a setback combined with a very modest canopy attached to the building. A 5-6 metre canopy attached to the current building would have unacceptable impacts on design, public space and views. I acknowledge that a setback will have some economic impacts for the developer, but I consider this is essential for mitigating the adverse effects of the proposed development on the amenity of the area, in terms of wind.

- 6.41 Without such modification, the proposal as submitted will have more than minor adverse wind effects and would not meet the intent of the assessment criteria with regard to best practicable option.

Traffic

- 6.42 New developments have the potential to influence parking demand and traffic patterns and in turn affect the efficiency and safety of the surrounding road network and pedestrian areas. Of particular importance for this proposal is the need to ensure the hotel development is accommodated in a manner that maintains pedestrian safety on the waterfront.
- 6.43 The application includes a detailed assessment of traffic related impacts and 2 further reports were provided following the further information request, all prepared by Traffic Design Group. The Wellington City Council's Chief Transportation Engineer Steve Spence has reviewed the applicant's assessment in a similar way to other Central Area resource consent applications. Manoeuvring space and the design of the new access tunnel and loading area have been checked by the City Council's Vehicle Access Engineer, Patricia Wood.
- 6.44 Ms Wood has commented that the proposed tunnel would have a height clearance of 2.2 metres which would make it suitable for most light vehicles, except for large 4 wheel drives and large vans. Ms Wood has commented that the gradient of the ramp is steeper than the normal 1 in 8 maximum required within the Central Area, as a gradient of 1 in 5 is proposed. She advised me that suitable transition gradients of 1 in 10 are proposed at each end of the steeper section, meaning that the proposed gradient would be acceptable, given only light vehicles are proposed to use the tunnel. The length of the transitions also allow for a suitable pedestrian visibility splay to be available for vehicles entering the wharf area from the tunnel exit.
- 6.45 Ms Wood noted that vehicles at the car park end of the ramp would need to queue in the manoeuvring aisle of the car park as no separate area is proposed. The TDG report dated 29 May 2006 indicates that queues of up to 4 vehicles at each end could be expected during peak times. Ms Wood noted that there is sufficient space at both ends of the tunnel for queuing, but that when more than 2 cars are queuing for the tunnel, within the car park, this will start to cause inconvenience for car park users.
- 6.46 In terms of the loading area within the hotel, Ms Wood commented that the size of this and the space available for manoeuvring into the bay, mean that it will only be suitable for access by a small rigid vehicle (not the District Plan sized medium rigid truck). She noted that this size vehicle was likely to be sufficient for the servicing of the proposed hotel, with few large vehicles expected.

6.47 Mr Spence has prepared a detailed traffic assessment, which is contained in Appendix 3 to Ms Tod's report. Mr Spence's assessment focuses on the effects of the proposed development, particularly in relation to the requirement within the key planning documents (i.e. the District Plan and the Framework) of maintaining pedestrian priority on the waterfront.

6.48 A key comment made by Mr Spence is:

Of particular concern to me is whether the level of vehicle activity which will be introduced on the Queens Wharf Tee is fully compatible with the Wellington Waterfront Framework. In particular the amount of private car, taxi and servicing traffic which will require to access the hotel, although not quantified in the report, would appear to involve some hundreds of vehicle movements over a full day, which do not occur at present. For example in the "worst" morning peak hour, typically a Monday morning, the report indicates a total of around 170 vehicle trips by car, taxi or service vehicle which will use the proposed vehicle tunnel.

The effect of this additional traffic will be offset to an extent by the removal of much of the existing conflict between vehicles and pedestrians on the portion of shared roadway along the eastern edge of shed 6. However I do not consider that the applicant has produced sufficient evidence to show that a satisfactory level of priority, convenience safety or amenity will be achieved for pedestrians in the area where the proposed traffic tunnel emerges onto the Queens Wharf Tee, through to and around the hotel frontage, without some clear demarcation to provide guidance for both moving and stationary vehicles and to achieve the priority for pedestrians expected in this area.

6.49 The applicant was asked for further information regarding the matter of pedestrian protection around the wharf area between the tunnel exit and the hotel. The applicant clarified that the design is purposely based on an absence of road markings delineating vehicle areas from pedestrian areas, so as not to imply priority of vehicles over pedestrians. At this stage, Mr Spence is not satisfied with the adopted approach, particularly as the applicant has not submitted any evidence to suggest this approach has been used successfully in other similar situations.

6.50 On this matter, Mr Spence recommends

I consider therefore that until the applicant addresses this issue with an appropriate design, or can provide compelling evidence that the lack of any traffic controls or demarcation will be acceptable in this case, that the application should not be approved

6.51 At a practical level, Ms Wood noted that there will need to be waiting areas identified in front of the tunnel, so that the traffic signals are triggered.

6.52 In terms of other traffic matters, Mr Spence notes that the additional traffic generated by the hotel can be accommodated on the local road network, and in particular the intersections providing access to the site on Jervois and Customhouse Quays with no more than minor effects on safety and congestion.

6.53 Mr Spence notes that there is no requirement to provide car parking for activities within the Central Area but that some conveniently located car parks will be important for the viability of the hotel. I note that submitters have queried the adequacy of the parking proposed for the hotel. As the City Council would not ordinarily require any car parking to be provided for any activity within the Central Area, in order to assist with minimising the number of cars coming into the city, it would be unreasonable and

inconsistent with the District Plan to require car parking for this activity. This matter is something for the hotel operator to determine, not the consent authority.

6.54 In terms of the proposed servicing of the hotel, Mr Spence is satisfied that this occurs via the Shed 6 route, provided the access onto Jervois Quay is upgraded and servicing occurs outside of peak pedestrian times. In terms of the Jervois Quay vehicle entry, the design submitted as part of the further information request (plan C100 in Appendix 7) is not adequate. Mr Spence is happy that this matter be dealt with as a condition of consent if necessary. The vehicle entry upgrade would need to be completed prior to any construction works or hotel use commencing.

6.55 In terms of ensuring servicing occurred outside of peak pedestrian times, a condition of consent is recommended by Mr Spence as follows:

I suggest that to minimise pedestrian/vehicle conflict along the proposed large service vehicle route alongside Shed 6, that service vehicle access to the hotel via this route be limited to outside the peak pedestrian times of 7am to 9.30 am, 12pm to 2pm and 4pm to 6.30pm during weekdays, with no access after 11am weekends. Access for emergency vehicles (Police Fire and Ambulance) will need to be available at all times and these vehicles will need to use the route around Shed 6.

6.56 Mr Spence is concerned about coach access to the hotel:

On the matter of tour coaches, I do not consider it appropriate to take tour coaches around Shed 6. These very large vehicles, even in small numbers would present in my view an unacceptable obstruction to pedestrians and seriously compromise the pedestrian amenity along this major pedestrian route. I would also note that coaches typically arrive and depart at similar times to the peak pedestrian commuter activity. I suggest that coaches load/unload in the existing coach parking area at the rear of the City to Sea Museum and that visitors either walk or get transported by shuttle van, or other smaller vehicle

6.57 Concerns regarding coach access to the hotel are also raised in the TAG report. Based on Mr Spence's advice, a condition of consent would be necessary preventing all coach access to the hotel via Shed 6 and requiring coach access to be via the existing coach area at the rear of the Museum. This may be an issue for the applicant, but I consider it is necessary and reflects the unique nature of this site. The site is a unique and interesting site for a hotel. However, it cannot be expected to provide the same level of vehicle access as a normal central city site.

6.58 In the event the Committee felt that some limited coach access might be acceptable, a condition limiting the number of coach movements would be necessary to address the concerns raised by TAG with regard to the potential for the hotel traffic profile to change over time, which would most likely lead to more coach movements (i.e. if it did not maintain a 5-star hotel).

6.59 The Traffic Design Group report submitted with the original application outlines the applicant's intention to use the Shed 6 route for light vehicles during certain conference or other events hosted within the hotel. Mr Spence does not support this aspect of the proposal and recommends that all light vehicles be restricted to the tunnel, on all occasions.

6.60 Finally, in terms of the construction phase, Mr Spence raises concern about the conflict between construction traffic and the need to maintain pedestrian priority. The option of

barging has been briefly addressed and dismissed in the Traffic Design Group report. Mr Spence recommends that construction traffic be limited to hours outside of the peak pedestrian times (as outlined above under paragraph 6.54) and that evidence be produced to substantiate why barging of a significant portion of construction materials is not feasible. I note that the submission of a detailed construction management plan is normally a matter left for the condition process, however I think in this instance, the Committee will need to determine whether the applicant is obliged to barge in some or all of their materials and the hours for any other traffic accessing the construction site up front. At this stage, I recommend that the applicant should be expected to barge in a significant proportion of their construction materials and limit any other construction traffic to hours outside of the peak pedestrian times.

6.61 In terms of the overall traffic impacts of this proposal and based on Mr Spence's assessment, I consider the proposal is likely to have more than minor adverse impacts, particularly in terms of pedestrian safety and convenience. With some further design and/or suitable evidence in relation to the layout of the wharf area between the hotel and the tunnel exit, these effects may be acceptable, subject to conditions relating to the Hunter Street access design, servicing hours, coach access, event management and construction access as discussed above.

Noise

6.62 The introduction of a new activity to an area has the potential to create additional noise effects, in terms of both actual noise effects generated by the proposal, and reverse sensitivity effects on other existing or legitimate activities in their vicinity particularly by leading to restraints in the carrying out of those activities.

6.63 The application includes a noise assessment prepared by Norman Disney and Young. The Wellington City Council's Noise Officer, Matthew Borich has reviewed the applicant's assessment in a similar way to other Central Area resource consent applications. Mr Borich's report is included in Appendix 4 of Ms Tod's report.

6.64 The proposed development is not expected to create significant effects in respect of generated noise levels, however a condition of consent is recommended setting a maximum noise level for activities on the site.

6.65 The proposed development does potentially create an issue of reverse sensitivity in terms of noise. Mr Borich is satisfied that a hotel can be accommodated here, subject to stringent conditions relating to noise insulation. The recommended conditions are outlined in Mr Borich's report and they do impose a greater level of noise insulation than on other Central Area sites. I consider this is reasonable and essential, given the very noisy nature of this site. The approach of requiring noise sensitive sites to insulate against existing and permitted future noise is consistent with the approach taken on other developments within Wellington.

6.66 Further information on the construction materials required to comply with the recommended conditions was sought. In response to this request, the applicant's noise advisor questioned the need for the amount of acoustic insulation recommended by Mr Borich and whether this needed to be applied to all of the facades of the building. The condition of concern to the applicant was the requirement for a minimum performance of $DnTw + Ctr > 35$ for the entire building (this is the amount of noise reduction

achieved by the building façade, rather than an internal noise level). Mr Borich considers that this should relate to the entire building and I concur with this.

- 6.67 The condition relating to an internal level of 55dBA is recommended to prevent sleep disruption from the neighbouring helicopter operations. On this basis, the hotel and helicopter activity will not be incompatible. The noise insulation recommended will not adequately mitigate against the amplified music noise currently generated by Dockside (in particular low frequency “base” noise). I understand insulation cannot readily deal with this type of noise and it has to be mitigated at source. Mr Borich has some comments regarding this existing activity and the need for this to be managed differently in the future, to remedy impacts. On this basis, it is expected that the new activity can be accommodated on the wharf without unduly restricting existing established activities.
- 6.68 The detail provided in the application is not sufficient for a single design certification condition to be imposed, which is normally the approach on new Central Area buildings. Unless full insulation details are provided, there will need to be a two-stage sign-off process whereby the construction plans are reviewed by an acoustic expert (e.g. prior to lodging a building consent) and an acoustic expert will also need to check the completed construction, prior to occupation of the building. Subject to the imposition of the conditions recommended by Mr Borich, I consider adverse noise effects, including noise sensitivity, will be minor.

Viewshafts

- 6.69 Views of the harbour, local hills and townscape features are an important element of the cityscape, and building development that impinges on identified views require special consideration.
- 6.70 A number of submissions raised concerns about the impact of the proposal on the identified viewshafts within the District Plan. The application includes two photomontages, which illustrate the impact of the proposal on the identified viewshafts along Johnston and Brandon Streets out towards the harbour.
- 6.71 The relevant assessment criteria set out under rule 13.3.2.16 in the District Plan with regard to viewshaft intrusion are:

Whether the development frames the view horizontally or vertically from the edges of the viewshaft. The level of acceptable intrusion will depend on the extent to which the context elements and their relationship to each other (specifically, but not exclusively, vertical relationship) are maintained.

Whether the development breaks up the view vertically or horizontally. This in general will be unacceptable unless the intrusion is minor.

Whether the central core of the view is impinged upon. This in general will be unacceptable unless the intrusion is minor.

Whether the development intrudes upon one or more of the view's focal elements. This in general will be unacceptable.

Whether the development removes existing intrusions or increases the quality of the view, particularly in relation to focal elements.

6.72 TAG have provided an assessment (at 5.4-5.8 of the report) with regard to the viewshaft impacts:

Impact on view shafts

The hotel proposal appears in view shafts VS8 and VS9 (down Johnston and Brandon Streets respectively) ... the development's impact on these view shafts is important from an urban design perspective. In particular, east-west views along Johnston and Brandon streets provide connections between the city and its wider context of harbour and hills. Because portions of the hotel are higher than the existing Shed 1, the development reduces visual connection somewhat, concealing features in both view shafts.

VS8 Johnston Street

The focal elements of this view are the Inner Harbour and Roseneath. The stair tower at the centre of the north end of the hotel extends approximately 2 metres beyond the footprint of Shed 1. However, because the hotel sits at an angle to the view shaft, the proposed building does not protrude past a line fixed by the north-east corner of the existing shed. As a result, views of the inner harbour are maintained. The hotel extends above the roof of Shed 1, and this additional volume obscures approximately half the built up ridgeline of Roseneath which is noted as a "context element". Roseneath remains in view, albeit to a lesser extent than at present. Visual connection is reduced but remains at an acceptable level.

VS9 Brandon Street

The focal element of this view is a glimpse of Roseneath and Mt Victoria just visible above the line of existing buildings on Queens Wharf. The additional height completely obscures this focal element of the view shaft.

In assessing the effect of this loss, the following points may be considered. Roseneath is a distant feature, and is only just visible in the existing view shaft. As a result, it constitutes a very small proportion of the total visual field. On the other hand, loss of the remnant portion of Roseneath is significant because it severs a visual connection between Lambton Quay and a distant landscape feature. Roseneath is also a focal element of the current view.

Although this particular view of Roseneath is designated in the District Plan, the content of the view is already limited by existing buildings. If this argument is given weight, the viewshaft can be regarded as one of the less important vista views, and its loss need not be considered significant.

6.73 I concur with the assessment undertaken by TAG and also note the comments made in the application regarding viewshaft impact. The applicant notes that the Queens Wharf office/retail building already substantially obscures almost the entire focal element of VS9 to the extent that the integrity of the viewshaft has effectively been lost. For this reason, I consider the effect of the proposed development on VS9 is not significant, as the existing view has limited visual appeal. I consider the impacts on VS8 are minor, as visual connection between the city and harbour/Roseneath will be maintained.

6.74 Submitters have suggested it is a lost opportunity for opening up the viewshafts and enhancing views between the city and the sea. I consider the proposed site maximises the views along Queens Wharf. While the District Plan does not specifically protect this view, it offers considerable amenity, particularly for pedestrians approaching the waterfront from Post Office Square. With the Framework anticipating a new building on the Outer T, I consider the proposed development deals with the issue of view protection in a suitable way, by confining the proposed building footprint to the existing Shed 1 footprint.

Private Views

- 6.75 I note the applicant's assessment that the proposed development will not have any material "blocking effect" of private harbour views from other sites within the Queens Wharf area or from Central Area buildings due to the footprint being essentially unchanged and the generous separation distances involved. Based on the submissions received, it would appear that the proposed building may intrude into some private views, including those from the Intercontinental Hotel on Grey Street, Castrol House and Deloitte House which are both on the western side of Customhouse Quay and Queens Wharf Apartments on the eastern side. While the submitters concerned have not provided any detail on the extent of the impacts, I do not expect the individual impacts to be significant given the height and siting of the proposed building.
- 6.76 The proposed building has the potential to adversely affect private views from the above listed and other surrounding properties. In this regard, thought must be given to the contribution that any private views that may be lost as a consequence of the proposal make enhancements to the general amenities of the waterfront area.
- 6.77 The subject site, and adjoining properties, are situated within the central city area, which is a dynamic area of Wellington where on-going development is anticipated and indeed desirable. This is supported by the Framework, which indicates that new buildings can be considered on the waterfront.
- 6.78 Such central locations are valued for their proximity to the entertainment opportunities, places of employment and general vibrancy provided within the Central Area, and in this context it is considered that, while the proposed building will alter the outlook from adjoining properties, it will not significantly detract from these amenities.
- 6.79 Overall, it is considered that the effects of the proposal in terms of a loss of limited private views available from adjoining properties will be no more than minor, and within the scope of that which could be reasonably be expected by surrounding landowners.

Sunlight

- 6.80 Access to direct sunlight is an important amenity, significantly influencing the appreciation and enjoyment of open spaces. In this regard, the application included an assessment of shading impacts, based on shading diagrams prepared by Cadabra Applied Computer Graphics (NZ) Ltd. Further shading plans were supplied as a part of the section 92 request for further information. There were three sheets of plans provided following the further information request showing the shading of the existing Shed 1 building. These can be easily compared with Drawings S10, S11 and S12 submitted with the original application to understand shading effects. The shading information provided with the further information request does not differ to the original plans, but is clearer and easier to understand than the composite diagrams submitted originally.
- 6.81 TAG have reviewed shading effects under section 5.2 of their report, so I have included their assessment here:

Shading diagrams have been provided for the proposal and for existing conditions associated with Shed 1. The proposed hotel is somewhat taller than Shed 1 and, as a result, shadows will be proportionately longer than those currently experienced.

- (a) Shading effects to public space are, on balance, acceptable.
- (b) Increased height will lead to increased morning shade on the water space and on the promenade adjacent to Shed 5. This is shown to be in shade at 9.00am on 21 June, however the promenade is sunny again before 10.00am.
At the same hour, Shed 1 does not cast an appreciable shadow on this portion of the promenade. Although this shading only occurs in winter when the sun is low, this is precisely the time when sunlight is most welcome in public space. The effect is of short duration, and is limited in extent. However, it should be noted that overshadowing occurs at a time when the waterfront is travelled by large numbers of pedestrians on their way to work.
- (c) At the Equinox the promenade enjoys full sun at 9.00 am. However, additional shade is cast on the water and on boats moored between the Inner and Outer T's. Although this shadow affects visual amenity, it occurs only for a short period in the morning during the middle of the year.
- (d) The proposal increases the extent of morning shading of the deck to the north of Dockside during the winter and at the equinox, although by mid to late morning sun will reach a significant portion of the deck. This deck area can be differentiated from public open space in that it is privately used and controlled, and enclosed by a canopy/tent structure.
- (e) The north-south orientation of the hotel means that midday sun will always reach the promenade, dining areas and the enclosed water between the Inner and Outer T's. This is important because these areas are used for both walking and outdoor dining during the middle of the day. The additional height of the hotel over the existing Shed 1 has no effect on sun to these spaces beyond 12.00 noon.
- (f) In the afternoon, at all times of year, the bulk of shading from the hotel will be cast towards and over the open harbour. The additional height of this building over and above Shed 1 will increase the extent of shade on the eastern part of the wharf especially between 1.00 and 2.00pm. After 2.00pm in Winter (and after 3.00 pm at the Equinox), the bulk of this area is already in shadow. As a result, increased height produces only a modest increase in shading along this stretch of the promenade.
- (e) In summer, shadows are relatively short. During the middle of the day, there are benefits in providing shade, especially when adjacent areas are in full sun. In these circumstances, the marginal increase in shade can be considered a positive rather than negative effect.

6.82 With reference to the above assessment, I note that the additional shading on the Dockside site does not occur during peak dining periods. The north-south orientation of the building means that the most of the additional shade generated by the additional height of the proposed building falls on water, where it has no real adverse amenity effects.

6.83 Based on the shading diagrams and the assessment provided by applicant and TAG, I am satisfied that the proposal minimises the loss of sunlight to the area while providing for the scale and intensity of development as anticipated under the Framework, to the extent that the shading effects are considered to be no more than minor.

Lighting

6.84 The relevant criteria for addressing lighting within pedestrian areas under the District Plan are set out under rule 13.3.1.10 of the Plan:

The consideration of applications to provide less intensive lighting on site areas open to public use will take into account the nature of activities on the site, the

extent of public use and whether other measures will be taken to maintain public safety.

- 6.85 It is noted that one of the central objectives of the Framework is that the waterfront is, and is perceived to be, safe at all times. The District Plan seeks to ensure that places available for public use are safely illuminated. Specifically, the District Plan requires that lighting of car parks and pedestrian routes available for public use during hours of darkness be lit to a minimum of 10 lux. The public spaces included in this proposal are proposed to be lit at a lesser level, which is not uncommon for the waterfront area where lighting is generally not as intense as within car parks, which is the type of environment the permitted activity standard relates to.
- 6.86 The application includes an assessment with regard to the level of lighting proposed. Existing lighting levels in the vicinity of Shed 1 are typically 1 lux. I understand the proposal is for around 5 lux on the promenade areas around the new hotel, although there are different figures included in the application. In this regard, it would be useful if the applicant could confirm the predicted lighting level of the promenade areas for the Hearing Committee.
- 6.87 In terms of effects, I concur with the applicants assessment of lighting effects (on page 27 of the application) that the lighting associated with the proposal will enhance the locality, improve public safety and thus encourage more people to use the Outer T area. Therefore, the effects will be positive and inline with the above criteria.

7. Assessment against objectives and policies

The relevant objectives and policies of the District Plan are as follows:

Objective 12.2.1 To promote the efficient use and development of natural and physical resources within the Central Area.

Policy 12.2.1.1 Contain Central Area activities and development within a defined boundary.

Policy 12.2.1.2 Encourage a wide range of activities within the Central Area by allowing most uses or activities provided that the conditions specified in the Plan are satisfied.

The proposal provides for the use and development of a currently under-utilised site. The proposal will provide positive growth and enhanced vitality within the immediate locality whilst maintaining the urban form anticipated and encouraged under the District Plan provisions. Accordingly, the proposal promotes the efficient use and development of resources.

Objective 12.2.2 To maintain and enhance the amenity values of the Central Area

Policy 12.2.2.1 Ensure that activities are managed to avoid, remedy or mitigate adverse effects in the Central Area or on properties in nearby Residential Areas.

Policy 12.2.2.3 Control the adverse effects of noise in the Central Area.

- Policy 12.2.2.4** *Ensure that the buildings are designed to avoid, remedy or mitigate wind problems that they create.*
- Policy 12.2.2.5** *Protect sunlight to identified Central Area parks and pedestrian malls and encourage improved sunlight access to buildings and public places when new building development occurs.*
- Policy 12.2.2.7** *Protect, and where possible enhance, significant vista views of the harbour, hills and townscape features from within and around the Central Area.*
- Policy 12.2.2.11** *Manage the road network to avoid, remedy or mitigate the adverse effects of road traffic on the amenity of the Central Area and the surrounding Residential Areas.*

I consider the proposal, subject to appropriate conditions, is consistent with policy relating to noise effects within the city.

As noted in the assessment under ‘wind effects’ above, it is considered the proposed building will make the pedestrian wind environment worse and that the wind effects have not been effectively mitigated. Appropriate mitigation can be incorporated into the design. The proposal, as submitted, is therefore considered to be inconsistent with policy relating to wind effects.

The site is not an identified park, but I consider the proposal does provide for a reasonable level of sunlight for the surrounding public spaces and is therefore consistent with policy 12.2.2.5 above.

The proposal does not protect or enhance the identified viewshafts in the District Plan, but overall, I do not consider this proposal is a significant or concerning departure from policy 12.2.2.7 above, as the view down Queens Wharf is maintained which is a key harbour view in relation to the development of this site. In addition, the impacts on the protected viewshafts were not assessed as being significant adverse effects.

The proposal as submitted does not adequately avoid, remedy or mitigate the effects of hotel traffic upon pedestrian amenity, therefore it is not consistent with policy 12.2.2.11.

In terms of the District Plan objective of maintaining amenity values, the proposal as submitted, falls short of maintaining and enhancing amenity values in terms of pedestrian and wind amenity.

Objective 12.2.3 *To maintain and enhance the physical character, townscape and streetscape of the Central Area.*

Policy 12.2.3.1 *Preserve the present general urban form of the Central Area.*

Policy 12.2.3.2 *Enhance the public environment of the Central Area by guiding the design of new building development and enhancing the accessibility and usability of buildings.*

Policy 12.2.3.3 *Maintain the distinctive elements of areas or districts of special character within the Central Area.*

The proposed development will preserve the present general urban form of the Central Area so is consistent with policy 12.2.3.1.

Policy 12.2.3.2 and 12.2.3.3 seek to control the design and appearance of buildings to enhance the public environment and to create a positive relationship between public spaces and the wider city setting. Urban design issues have not been satisfactorily addressed by the applicant to date, so at this stage, I consider the proposal is not entirely consistent with policy 12.2.3.2 above. I note that while the urban design matters are matters of design detail rather than a fundamental concern with having a hotel on this site, the detail of the hotel design is critical for this very sensitive site that calls for an iconic building. I am not satisfied at this stage that the proposal provides for an iconic building. The urban design assessment is relevant to the objective above also.

Objective 12.2.5 To maintain and enhance the quality of the coastal environment within and adjoining the Central Area.

Policy 12.2.5.1 Maintain the public's ability to use and enjoy the coastal environment by requiring that, except in Operational Port Areas, public access to and along the coastal marine area is maintained, and enhanced where appropriate and practicable.

Policy 12.2.5.2 Enhance the natural values of the urban coastal environment by requiring developers to consider the ecological values that are present, or that could be enhanced, on the site.

Policy 12.2.5.3 Ensure that any developments near the coastal marine area are designed to maintain and enhance the character of the coastal environment.

The proposal will maintain public access to and along the coast.

The developer has considered ecological values as is required by policy 12.2.5.2 by preparing an ecological assessment as a part of the application. Any actual ecological effects for this development relate to the marine environment and will be addressed in the report by Ms Tod. I consider the proposal satisfies policy 12.2.5.2 above.

The area of the proposed development is a highly modified coastal environment. Wellington waterfront developments are intended to maintain and enhance the character of this coastal environment. At a conceptual level, a hotel on the Outer T will maintain and enhance the character of this urban coastal environment as sought by policy 12.2.5.3 and objective 12.2.5 above by providing public space enhancement and more activity, which will increase vitality and use of the Lambton Harbour Area.

Objective 12.2.6 To avoid or mitigate the adverse effects of natural and technological hazards on people, property and the environment.

Policy 12.2.6.1 Identify those hazards that pose a significant threat to Wellington, to ensure that areas of significant potential hazard are not occupied or developed for vulnerable uses or activities.

Policy 12.2.6.2 Ensure that the adverse effects of hazards on critical facilities and lifelines are avoided, remedied or mitigated.

Policy 12.2.6.3 Ensure that the adverse effects on the natural environment arising from a hazard event are avoided, remedied or mitigated.

Ms Tod will assess natural hazards, so the above objective and policies have not been specifically considered.

Objective 12.2.8 To enable efficient, convenient and safe access for people and goods within the Central Area.

Policy 12.2.8.1 Seek to improve access for all people, particularly people travelling by public transport, cycle or foot, and for people with mobility restrictions.

Policy 12.2.8.3 Limit the supply of commuter carparking and require appropriate loading and site access for activities in the Central Area.

Policy 12.2.8.5 Protect and enhance access to public spaces in the Central Area.

Based on Mr Spence's advice, I consider the proposal is not consistent with policies 12.2.8.1 or 12.2.8.3, due to concerns relating to pedestrian priority. Subject to this matter being resolved along with the inclusion of the recommended conditions relating to the Hunter Street access, servicing hours, event management, construction traffic and coaches, the proposal could be considered to be consistent with the above objective and policies, but at this stage it remains inconsistent.

Objective 12.2.9 To promote the development of a safe and healthy city.

Policy 12.2.9.1 Improve the design of developments to reduce the actual and potential threats to personal safety and security.

Policy 12.2.9.2 Promote and protect the health and safety of the community in development proposals.

I consider the proposal is consistent with the objective and policies relating to safety as the increased activity, people, vitality and public space lighting will create improved safety for this part of the waterfront.

Objective 12.2.10 To facilitate and enable the exercise of tino rangatiratanga and kaitiakitanga by Wellington's tangata whenua and other Maori.

Policy 12.2.10.1 Identify, define and protect sites and precincts of significance to tangata whenua and other Maori using methods acceptable to tangata whenua and other Maori.

Policy 12.2.10.2 Enable a wide range of activities that relate to the needs and wishes of tangata whenua and other Maori, provided that physical and environmental conditions specified in the Plan are met.

Policy 12.2.10.3 In considering resource consents, Council will take into account the principles of the Treaty of Waitangi/Te Tiriti o Waitangi.

Iwi issues will be assessed by Ms Tod, so the above objective and policies have not been considered.

Objective 12.2.11 To ensure that the development of the Lambton Harbour Area, and its connections with the remainder of the city's Central Area, maintains and enhances the unique and special components and elements that make up the waterfront.

Policy 12.2.11.1 Maintain and enhance the public environment of the Lambton Harbour Area by guiding the design of new open spaces and where there are buildings, ensuring that these are in sympathy with their associated public spaces.

Policy 12.2.11.2 Ensure that a range of public open spaces, public walkways and through routes for pedestrians and cyclists and opportunities for people, including people with mobility restrictions, to gain access to and from the water are provided and maintained.

Policy 12.2.11.3 Encourage the enhancement of the overall public and environmental quality and general amenity of the Lambton Harbour Area.

Policy 12.2.11.4 Maintain and enhance the heritage values associated with the waterfront.

Policy 12.2.11.5 Recognise and provide for developments and activities that reinforce the importance of the waterfront's Maori history and cultural heritage.

Policy 12.2.11.6 Provide for new development which adds to the waterfront character and quality of design within the area and acknowledges relationships between the city and the sea.

Policy 12.2.11.7 Maintain and enhance the Lambton Harbour Area as an integral part of the working port of Wellington.

Policy 12.2.11.8 To provide for and facilitate public involvement in the waterfront planning process.

Policy 12.2.11.9 Encourage and provide for consistency in the administration of resource management matters across the line of mean high water springs (MHWS).

At this stage, the proposal is not consistent with policies 12.2.11.1 or 12.2.11.3 as there are some inconsistencies with the Wellington Waterfront Framework (which are a key implementation method under these policies). However, modifications could be made to the proposed design by the applicant to achieve consistency with the Framework and the above policies.

The concerns relating to pedestrian priority in the area between the proposed tunnel and the hotel mean that policy 12.2.11.2 is not satisfied at this stage.

In terms of policy 12.2.11.4 above, I believe the proposal maintains the heritage values of the waterfront in terms of heritage context. I have not assessed the physical impact of the proposed development on the heritage wharf fabric.

Iwi issues will be assessed by Ms Tod, so policy 12.2.11.5 has not been considered.

In terms of policy 12.2.11.6, the proposal will definitely add to the waterfront character, but as there are concerns relating to design issues remaining, it is my assessment that this policy is not satisfied at this stage.

While I have not carried out any detailed assessment with regard to the impact of the proposed development on port operations (this will be assessed by Ms Tod), it is clear from the application and the TAG assessment, that the proposal to not provide for continued large vessel berthing along the full length of the Outer T, would be inconsistent with policy 12.2.11.7 above. I note this aspect of the proposal is also inconsistent with the Wellington Waterfront Framework.

Policy 12.2.11.8 is satisfied through the public involvement in the Wellington Waterfront Framework and through the public notification of this resource consent application.

Policy 12.2.11.9 is satisfied by the completion of this specific District Plan assessment and through seeking an assessment of key environmental effects by Wellington City Council specialist advisors in a similar manner to resource consent applications under Wellington City Council jurisdiction.

8. Conclusion

Having considered the application and submissions received, together with the expert advice of Wellington City Council's specialist advisors, I consider that the adverse land use effects arising from the proposal will be more than minor. In a number of areas, the proposal as submitted is not consistent with the objectives and policies of the Wellington City District Plan or the Wellington Waterfront Framework.

In my view, providing a hotel on the existing Shed 1 site could be consistent with the District Plan and the Wellington Waterfront Framework. However, there are a number of specific fundamental aspects of this particular hotel proposal that causes the proposal, as submitted, to be inconsistent with the relevant land use planning documents.

I consider the concept of a hotel on this site is sound, so I have considered whether appropriate conditions of consent could be drafted to adequately address the issues of concern, such that the effects of the proposed development could be adequately avoided, remedied or mitigated. I consider that this can be achieved for some, but not all, of the issues referred to in the above assessment. In my opinion, based on the current design and levels of detail provided to date appropriate conditions of consent cannot be drafted to suitably address or mitigate the following issues:

- A. The need to reconsider the design for the wharf area between the tunnel exit and the hotel entrance, in order to provide for pedestrian priority.
- B. The need to redesign and then carry out further wind tunnel testing of the southern end of the building to address pedestrian wind effects and the design of the building entrance.

- C. The need for structural redesign of the proposal, such that continued berthing of large vessels on Queens Wharf is possible (without vibration impacts) in order to achieve consistency with the Wellington Waterfront Framework.
- D. The need to redesign the service penetrations (pipes, exhausts and lift overrun) on the building to address urban design concerns.
- E. The need for the proposed jetties and associated timber inserts to be deleted to achieve consistency with the Wellington Waterfront Framework.
- F. The need to reconsider the use of concrete paving and rails in certain parts of the public space design, as detailed in the TAG report.
- G. The need for adequate design details, materials and finishes (including a sample board) in respect of key building and public space details to be submitted upfront, to establish whether an iconic building will be achieved.

The unresolved matters listed above are fundamental to the scope, scale and character of the proposal and therefore need to be addressed before suitable conditions of consent can be drafted. Another key reason why appropriate conditions of consent cannot be drafted to address the above matters, is that the mitigation options potentially have further environmental effects that need to be considered in the overall assessment of the proposed development. For example, the first matter has been included in response to the report prepared by Mr Spence. A response to this matter would need to be assessed in terms of effects on pedestrian priority and safety, as well as public space design and consistency with the Wellington Waterfront Framework. The second matter would involve further wind tunnel testing and considerations in terms of both wind performance and urban design. The structural issue could potentially have a range of effects, depending on the approach taken to resolve this issue. A redesign of the service penetrations (item D above) would need to be considered in terms of the overall design of the building. The design of the public space (items E and F above) would alter and would therefore need to be re-assessed in terms of the Framework. Item G is essential to establish whether an iconic building is proposed and a condition would simply defer this essential determination to a later date, potentially creating compliance monitoring difficulties.

In the event that the applicant modifies the proposal (including updating all architectural and landscape plans) to address the seven issues above, the following conditions would be appropriate to provide for continuing design review and in order to ensure consistency with the agreed details at the construction stage. To be explicitly clear, the following conditions require resolution of the matters listed A – G above, before being relied upon to provide satisfactory mitigation of the anticipated effects of this proposal:

- 1) That the proposal must be in general accordance with the information provided with the application (including the materials board submitted at the hearing) and the plans by Sumich Architects labelled resource consent application job number 5833 drawings:
 - ⇒ (List all final drawing numbers and dates).
- 2) In order to ensure compliance with condition (1) above, full working drawings must be submitted to and approved by the Manager, Consents Management prior to any building or public space construction works commencing.

Note - The Manager, Consents Management will seek the specialist advice of the Wellington City Council Waterfront Development Subcommittee's Technical Advisory Group (TAG) in the assessment of the plans submitted under this condition. It is recommended that the designers meet with TAG at least once in each of the developed and detail design stages (that is, the 2 critical stages of developing the working drawings for the development).

- 3) The detailed building and public space design must be completed in accordance with the approved working drawings (condition (2) above).

The remaining issues highlighted in my assessment of effects could be mitigated by conditions of consent as follows. It should be noted that this is not necessarily a full list of possible conditions. Further detailed conditions may be appropriate depending on the mitigation needed to resolve issues A-G above.

- 4) Detailed plans showing the design and specifications for modifications to the Hunter Street vehicle access shall be submitted to and approved by the Manager, Consents Management, prior to any other works commencing on site. The modified design must ensure that service vehicles, which are unable to pass through the proposed bollards, can manoeuvre and exit the site in a forward direction.

Note – The Manager, Consents Management will consult with Wellington City Council's Chief Transportation Engineer with regard to this condition.

- 5) The modified Hunter Street access must be constructed in accordance with the plans approved under condition (4) above, to the satisfaction of the Manager, Consents Management, prior to any other works commencing on site.
- 6) Following the completion of the Hunter Street access, the tunnel must be constructed to the satisfaction of the Manager, Consents Management, prior to any other works, including demolition of the existing Shed 1 building, commencing on site.
- 7) That all light vehicles accessing the hotel are restricted to the tunnel access only, at all times, including during conferences or other special hotel events.
- 8) That no coaches will be taken to the hotel entrance. All coaches servicing the hotel must load and un/load in the coach parking area at the rear of the Museum of Wellington City and Sea.
- 9) All vehicles servicing the hotel via the Shed 6 route must do so outside of the peak pedestrian times of 7.00 am to 9.30 am, 12.00 pm to 2.00 pm and 4.00 pm to 6.30 pm during weekdays, with no access after 11.00 am on weekends, with the exception of emergency vehicles (Police, Fire and Ambulance) which may access the hotel at any time.
- 10) The hotel shall be designed and constructed so that any habitable room in the building shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the following minimum performance standard:

$DnTw+Ctr > 35 \text{ dB}$

- 11) The hotel shall be designed and constructed so that internal noise levels from helicopter movements, to and from the existing landing area located at the southern end of the Outer T, do not exceed 55 dBA (Lmax) within any bedroom between the hours of 10.00 pm and 7.00 am.
- 12) An acoustic design certificate signed by a suitably qualified acoustic engineer shall be provided prior to any building construction works (i.e. approximately at building consent stage) stating that the design as proposed will achieve compliance with conditions 10 and 11 above.
- 13) Before occupation of the building the consent holder shall provide certification from a suitably qualified person that the building has been constructed in accordance with the acoustic design certificate required by condition 12.

Note: The Council regards the following persons as fulfilling the requirements for being suitably qualified with respect to the above:

Members of the Association of Consulting Engineers of New Zealand (Incorporated);
Members of the Institute of Professional Engineers of New Zealand (I.P.E.N.Z.);
Members of the New Zealand Institute of Architects (N.Z.I.A.); and,
Registered Clerks of Works
An acoustic consultant

- 14) Noise emission levels emanating from any activity on the hotel site, when measured at or within the boundary of any other site, or at the outside wall of any building other than the hotel, shall not exceed the following:

At all times	60 dBA (L10)
At all times	85 dBA (Lmax).

This includes all fixed plant and equipment such as, pool pumps, all fans, heating, cooling and ventilation plant which shall be designed and sited to ensure compliance with the above noise levels.

Noise shall be measured and assessed in accordance with NZS 6801:1991 and NZS 6802:1991.

A construction management plan will be required as a condition of consent. This condition will address a range of construction related effects. Ms Tod will draft any recommended wording for this condition of consent. In terms of issues raised by the Wellington City Council specialists and highlighted in my assessment of effects above, the construction management plan will need to demonstrate:

- ⇒ That a significant proportion of construction materials will be barged to the site. This should include, but is not limited to demolition material and bulk construction items including large items of plant, steel, piles, cement, etc.
- ⇒ That all light vehicles that are physically able to access the hotel construction site via the tunnel, are required to use this;

- ⇒ That any construction material requiring transportation via the Shed 6 route is on a vehicle no larger than a single unit truck (HCV1 vehicle) and must be transported outside of the peak pedestrian times of 7.00 am to 9.30 am, 12.00 pm to 2.00 pm and 4.00 pm to 6.30 pm during weekdays, with no access after 11.00 am on weekends;
- ⇒ The methods by which noise associated with the work will comply in all aspects with the controls set out in NZS 6803:1999, Acoustics Construction Noise, and how the best practical option will be adopted at all times to ensure the emission of noise from the site will not exceed a reasonable level in accordance with Section 16 of the Resource Management Act 1991.

In reviewing the construction management plan, it is recommended that Mr Spence and Mr Borich be consulted.

It is requested that the applicant confirms the lux levels for the promenade at the hearing. Furthermore, it is requested that the applicant provides updated visual perspectives, which accurately reflect the architectural and landscape plans, to the Hearing Committee.

Overall, I consider the proposed development, as submitted, is not consistent with the Wellington City District Plan, or the Wellington Waterfront Framework. In the event the applicant modifies the proposal to accommodate the key concerns outlined in A-G above, I request the opportunity to review my conclusions at the hearing.

Report prepared by:

MARY O'CALLAHAN
Senior Environmental Planner
GHD Limited

Appendix 2: Wind report – Mike Donn

Building Aerodynamics

Audit of wind report for Hilton Hotel Queen's Wharf

To: Mary O'Callahan GHD

Date: April 13, 2006 Service Request number: 140143

My file reference : wccwr450

Documents seen

- Urban Perspectives' "Application for Resource Consent" 40 page report plus Annexes dated December 2005 including ½ page examination of wind report by Opus.
- Opus Central Labs wind tunnel test report 520A44 dated November 2005.
- Picture of hotel on cover of Application.
- Conversations with Warren Ulusele of WCC and Mary O'Callahan of GHD re TAG view of building design

Contents

Documents seen.....	1
Contents	1
Brief.....	2
Summary	2
Background	2
The wind environment.....	2
The wind report	2
The effect of the proposed building.....	3
Mitigation measures and their anticipated effect.....	3
Action	3
Appendix.....	4
References.....	8

Brief

The brief for this exercise is to provide comment on *whether there is any concern with the proposal in terms of wind effects and whether further info on wind effects is required, or whether the proposal will not have any wind effects and thus no further information or mitigation is required.* It has been assumed that this type of request is to be interpreted in terms of the *acceptability or otherwise of the proposed building vis-a-vis the relevant planning controls Rule 13.1.2.11 and 13.3.2.25 of the District Plan.* The relevant sections of the District Plan specify standards of performance with which *new buildings or structures above 4 storeys in height (to be interpreted as 18.6m) shall be designed to comply.*

Summary

There are no wind mitigating features in the existing building, and compared to this the greater articulation of the proposed design offers the potential of reducing the wind in some areas. The building reduces wind speeds in all positions around the site except at the Southern end. A canopy here is shown in the tests to remove these increases. The resulting wind speeds are still very high and in many cases exceed the WCC danger criteria.

I recommend approval of the building as proposed, subject to the condition that a canopy aerodynamically equivalent to the one wind tunnel tested is constructed around the Southern end of the proposed building. The aerodynamic equivalence between the canopy and the design wind tunnel tested should be independently verified. If, as I understand, the canopy is not considered acceptable, then further wind tunnel testing is required. This testing should examine design alternatives that avoid the problems that the TAG see with the canopy but achieve the same function. A wind tunnel test of these design alternatives is the only way to determine what other design features could match or better a canopy.

Background

Any building constructed in the open is going to radically alter the wind flows just through redirection of the wind around it. This clearly happens with the current building on the site. The proposed building follows essentially the same plan outline as the existing building so can be expected to have similar redirection effects. Because it is a simple plan form there are no wind mitigating features in the existing building. The articulation of the proposed building form has the potential to improve the wind in the neighbourhood.

The wind environment

The existing wind on the outer T of Queen's wharf is shown in the wind tunnel test to be unpleasant a lot of the time. Most of the places measured exceed the WCC danger criterion currently. In the words of the applicant's Wind Tunnel Test report presented with the Resource Consent Application: *"For both Northerly and Southerly wind directions there were a significant number of wind speeds greater than"* the WCC danger criterion.

The wind report

The wind report shows (most obviously in Figure 12) that the wind speeds are reduced significantly during Northerlies by the proposed building. The resultant wind speeds are still high, but this is largely a function of the exposed site. The key factor here is that the wind is not made significantly worse. In normal circumstances in the CBD, one would ask the developer to design their building acknowledging the existence of the dangerous existing winds. They would at least be asked to consider providing means of moving past the existing danger spots in shelter. This would not be a change in the form of the building but might be covered walkways or internal routes past the problem. On the waterfront there is very little

freedom to pick a different placement on the site, so redesign of the site footprint is not feasible.

There is also a need to acknowledge that the wild and windy edge to the city is an aspect of the local environment people go to the wharf to celebrate, not something to be tamed.

The effect of the proposed building

In Southerlies (Figure 9) there is one place where the wind speeds are increased. This is at the Southern end of the proposed building.

From the illustration provided of the proposed building, the design is not optimum from an aerodynamic point of view. It does not follow any of the recommendations provided by the WCC in its Design Guide. Given that this design guide is mostly about the design of buildings in open spaces such as this site, this is surprising because it would be relatively easy to do. For best results for the harbour area I would have expected that the performance of alternative designs would have been documented.

However, it must be acknowledged that the basic WCC goal of not making the local environment worse and of improving it in some places is achieved. What is left unknown is any knowledge of whether a better job might have been done had the design been different.

Mitigation measures and their anticipated effect

As noted in the wind tunnel test report, a canopy around the Southern end will largely reduce the wind speed increases there. There seems every reason to presume that further modifications to the building could well make the surroundings even less windy than is achieved by this design. What is not clear, and the wind tunnel test does not explore, is what amount of further improvement any additional design effort might offer.

I am given to understand that the canopy proposal is unacceptable to the TAG. This leaves the proposers with a dilemma: an effect of their building on the wind, about which some action is required before Resource Consent can be given, and for which there is only one tested design solution, a canopy on the Southern end of the building. Alternative means of achieving the same necessary improvements in wind conditions must therefore be proposed and wind tunnel tested in order to evaluate their effect. Such building design changes are documented in the WCC Wind Design Guide. They include reduction in height of the building at the Southern end; punching a 1-1.5m high and 10+m wide hole through the building two floors above the Southern problem area; or aerodynamically shaping the plan of the Southern end of the building..

Action

I recommend approval of the building as proposed, subject to the condition that a canopy aerodynamically equivalent to the one wind tunnel tested is constructed around the Southern end of the proposed building. The aerodynamic equivalence between the canopy and the design wind tunnel tested should be independently verified. If, as I understand, the canopy is not considered acceptable, then further wind tunnel testing is required. This testing should examine design alternatives that avoid the problems that the TAG see with the canopy but achieve the same function. A wind tunnel test of these design alternates is the only way to determine what other design features could match or better a canopy.

Appendix

In his text book *Wind Effects on Buildings* T V Lawson (1980) relates wind speeds to physical phenomena experienced or observed on land. He does so in order to provide a conversion table between these speeds and the (Admiral) Beaufort Scale used at sea to rate wind strength. This text book along with a 1982 review paper by Shuzo Murakami was used extensively in 1984 to set the current wind speed criteria for Wellington City. Lawson's book contains the following Table:

TABLE 1: The Admiral Beaufort wind speed scale - and associated effects of the wind

Beaufort range	Hourly average windspeed limits of ranges (m s ⁻¹)	Description of wind	Noticeable effect of wind - after Lawson Effect of wind noted in Appendix A of Opus report (after Penwarden)
3	3.35-5.6	Light	Leaves and twigs in motion; wind extends a light flag
4	5.-8	Moderate	Raises dust and loose paper and moves small branches Raises dust, dry soil and loose paper; hair disarranged
5	8-11	Fresh	Small trees in leaf begin to sway Force of wind felt on body; limit of agreeable wind
6	11-14	Strong	Large branches begin to move; telephone wires whistle Walking irregular; hair blown straight; umbrellas used with difficulty
7	14-17	Strong	Whole trees in motion Walking difficult to control; wind noise unpleasant; body leans into wind.
8	17-21	Gale	Twigs break off; progress generally impeded Great difficulty with balance; body blown sideways; dangerous for elderly people
9	21-24	Gale	Slight structural damage occurs; chimney pots removed People blow over by gusts
10	24-28	Strong Gale	Trees uprooted; considerable structural damage Impossible to stand up; necessary to crouch and hold onto a support.
11	28-32	Storm	Damage is widespread Unlikely ever to be experienced

Penwarden writes: In comparing the descriptions (in the above table) with other information it is important to know the time scale involved; that is, whether gusts or long term average speeds are involved. The Beaufort scale is not explicit on this point, but it would seem that the wind speeds quoted are fairly long term averages perhaps over a period of 10 minutes to one hour. The wind speeds in Table 1 are therefore long term average wind speeds. Lawson provides a graphic (p236) showing the relationship between these long term average and the one to three second average (gust) speeds. These 1-3 second gusts are agreed to be the danger to people. The 3 second gust is the basis of WCC design criteria. Table 2 below lists

these ten minute average wind speeds and their 3 second gust equivalents, alongside the very low to extremely high criteria used by Opus. This data is consistent with data published by Arens and Melbourne.

Lawson proposed typical Beaufort wind speed ranges which cause accident and annoyance. These are listed in Table 3. In applying these criteria it is reasonable to aim for the more inclusive Beaufort scale 6 rather than Beaufort 7. The rationale is that while Wellington is windy, there is no reason to suppose its citizens are any more stable than people from other places. In fact, it is quite probable that internationally agreed standards like these would be found unacceptable in less windy locales because they have been established by observations in windy cities like Wellington (Jackson, 1980).

TABLE 2: Beaufort Scale Ranges: their average and gust wind speed equivalents

Beaufort range	Hourly average windspeed limits of ranges (m s ⁻¹)	3 Second average (gust) speed limits of ranges (m s ⁻¹)	WCC Criteria (3 second Gust speeds) (m s ⁻¹)	Opus Net effective gust speed (m s ⁻¹)	Opus qualitative descriptors
3	3.35-5.6	5.7-9.3	< 10	Under 11	Very low
4	5.-8	9.3-13.6	< 15	12-14	Low
5	8-11	13.6-18.4		15-17	Moderate
6	11-14	18.4-23.7	> 18	18-20	Moderately high
				21-23	High
7	14-17	23.7-29.3		24-26	Very high
				27 & above	Extremely high
8	17-21	29.3-35.5			
9	21-24	35.5-41.8			

TABLE 3: Danger and Annoyance - Beaufort scale wind speeds and their effects on people

Accident	Beaufort Speed Range	Annoyance	Beaufort Speed Range
Old lady blown off bicycle	>5	Adult walking (working?) around building	>4
Old lady upset while walking	>6	Pedestrian walking	>4
Adult upset while walking	>7	Pedestrian sitting	>3
Child upset while walking	>6	Covered walkways	>2
Adult working around building	>6		

The WCC District Plan contains the following clarifying statement:

For information, the effects of wind at various speeds are:

<i>10 metres per second</i>	<i>Generally the limit for comfort when standing or sitting for lengthy periods in an open space</i>
<i>15 metres per second</i>	<i>Generally the limit of acceptability for comfort whilst walking</i>
<i>18 metres per second</i>	<i>Threshold of danger level</i>

The final step in any wind comfort assessment is the application of the criteria: the District Plan requirement is to assess the wind speeds from six wind directions (being judged more than sufficient to cover all relevant wind directions in Wellington City) and to ensure that the estimated 3 second gust speeds do not exceed the WCC criteria for each direction more than once per year during daylight hours. The once per year criterion is apparently very tough. It implies a 1 hour in 4335 hours (the daylight hours in a year) occurrence of wind exceeding these criteria. However, as there are six wind directions tested each of which may be subject to this criterion, the allowance comes closer to 6 hours per year or a 1 in 700 hours occurrence of winds exceeding the WCC criteria as an acceptable maximum at any one spot around a site.

The other criteria determining the acceptability or not of a particular design are

- a) the area of extent of the wind acceleration - at how many points around the building and what proportion of the area of the site do these points represent?
- b) the significance to the city of each point measured; there is an implied hierarchy of significance affording highest priority to public outdoor spaces like parks; then high pedestrian count footpaths; then low pedestrian count footpaths; then driveways and car only access lanes. The principle that is applied is that if accelerations seem unavoidable, or the placement of the building merely shifts the position of existing accelerations along the street then the priority for the city is to shelter the higher priority spaces.

EXTENT OF WIND ACCELERATION AROUND A SITE

The acceleration of the wind around a site is determined by two separate techniques in the wind tunnel test process that are specified in the WCC District Plan. First, there is a requirement to use flow visualisation techniques (such as erosion of particles like cork granules or polystyrene beads) to display the windy areas around the proposed building. Second, there is a requirement to measure wind speeds and to compare these with the WCC performance criteria.

Figure 1 shows an example of a photograph taken during a wind tunnel test of the clearance of polystyrene beads. The dark areas cleared of beads indicate the extent of the wind effects due to these buildings. This process is intended to produce pictures that define a map of the area with contours indicating wind exposure levels around the proposed building. Wind exposure contours are defined by the boundaries between black and white areas on the plan.

Wind speed measurements are normally made at particular points on the plan. If there were enough measurements made at regular intervals on a grid then it would be possible to extrapolate from these spot measurements to the extent of the wind effects. However, they are time consuming and expensive to perform for each wind direction. Therefore, it is normal to combine the two techniques to extrapolate from a minimum series of spot measurements to predictions of the extent of the winds around the buildings.

The WCC District Plan requires that each building assessment be conducted as a comparative assessment: the wind effects of the proposed building design are compared to the effects of the existing buildings on the site.

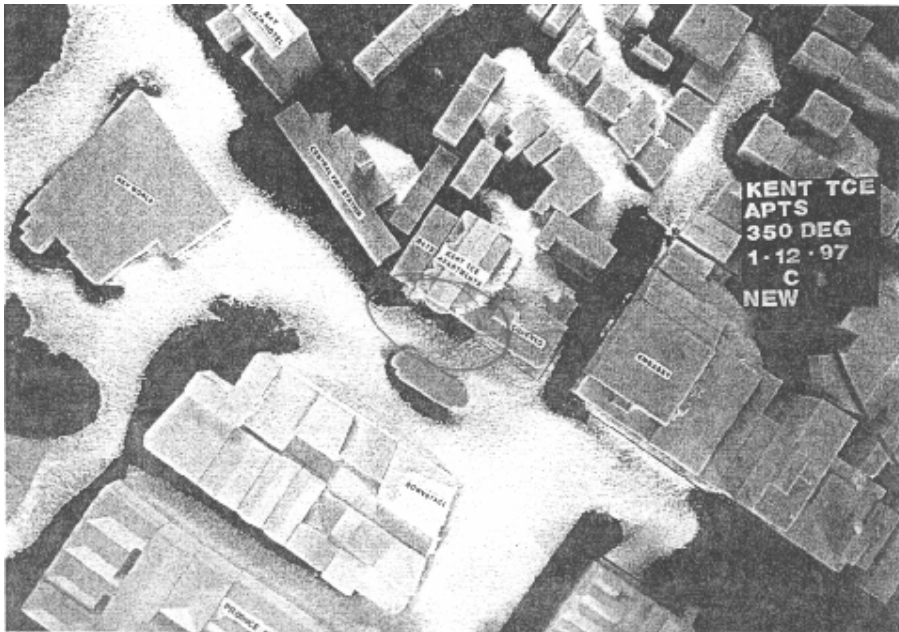


Figure 1 Flow visualisation: photograph of bead clearance from wind tunnel

SIGNIFICANCE OF EACH POINT

The final step in any assessment of the effect of a building on the wind is an assessment of the importance of the areas affected. It is expected that building designers will work to make every point around the building comply with the WCC performance criteria. If necessary the building must be redesigned to meet these criteria. In some cases the wind tunnel test will indicate that no matter how the building is designed, the wind is accelerated relative to what is currently on the site. Only when all other design options have been evaluated, including redesign of the building, the District Plan allows for the application of discretion by the WCC to accept that some wind speeds are made worse around the site. In such circumstances the City looks to place a priority on achieving the performance goals in areas with high pedestrian count. Wind acceleration in areas such as service lanes designed primarily for vehicles will be tolerated much more than in areas where many people walk or gather.

Often when wind speeds are reported spot by spot in a wind tunnel test there is a temptation to compare the number of points where the wind is increased with the number where it is decreased. For example, if the numbers are about equal, it might be thought that there has been little change. This is normally irrelevant as each point is representative of a different area of the site. One measurement point may represent an area some 2m by 2m in dimension; another may represent an area some 20m by 20m. These points are not comparable. The flow visualisation pictures are very much more useful for assessing general changes. It is possible for example to identify that a building has had a neutral effect with some points increasing and some decreasing by noting that what has actually happened is that the areas of high wind speed in the existing situation are moved along the street by the new design. It is possible to see this as a “movement” of the cleared areas along the street.

References

Arens, Ed. *On considering Pedestrian Winds During Building Design*, in *Wind Tunnel Modelling for Civil Engineering Applications*, Ed. Timothy A Reinhold, Cambridge Univ Press, London. 1982

Lawson, T. V. *Wind effects on Buildings*, Applied Science Publishers. London. 1980

Murakami, Shuzo. *Wind Tunnel Modelling Applied to Pedestrian Comfort*. in *Wind Tunnel Modelling for Civil Engineering Applications*, Ed. Timothy A Reinhold, Cambridge Univ Press, London. 1982

Penwarden, A. D. *Acceptable Wind Speeds in Towns* Building Science v8, pp259-267 (1973)

Penwarden, A.D. and A.F.E. Wise *Wind Environment around Buildings*. Building Research Establishment Report 141, HMSO. 1972.

Building Aerodynamics

Audit of wind report for Hilton Hotel Queen's Wharf - *supplement*

To: Mary O'Callahan GHD

Date: May 16, 2006 Service Request number: 140143

My file reference : wccwr450b

Documents seen

- Urban Perspectives' "Application for Resource Consent" 40 page report plus Annexes dated December 2005 including ½ page examination of wind report by Opus.
- Opus Central Labs wind tunnel test report 520A44 dated November 2005.
- Picture of hotel on cover of Application.
- Conversations with Warren Ulusele of WCC and Mary O'Callahan of GHD re TAG view of building design
- 4 May letter report from Opus Central Laboratories to Peter Coop of Urban Perspectives reporting on supplementary wind tunnel tests

Contents

Documents seen.....	1
Contents.....	1
Brief.....	2
Summary.....	2
Background.....	2
The wind environment.....	2
The wind report.....	3
The effect of the proposed building.....	3
Mitigation measures and their anticipated effect.....	Error! Bookmark not defined.
Action.....	3
Appendix.....	4
References.....	8

Brief

The brief for this exercise is to provide comment on *whether there is any concern with the proposal in terms of wind effects and whether further info on wind effects is required, or whether the proposal will not have any wind effects and thus no further information or mitigation is required.* It has been assumed that this type of request is to be interpreted in terms of the *acceptability or otherwise of the proposed building vis-a-vis the relevant planning controls Rule 13.1.2.11 and 13.3.2.25 of the District Plan.* The relevant sections of the District Plan specify standards of performance with which *new buildings or structures above 4 storeys in height (to be interpreted as 18.6m) shall be designed to comply.*

Summary

In my previous report I recommended “*approval of the building as proposed, subject to the condition that a canopy aerodynamically equivalent to the one wind tunnel tested is constructed around the Southern end of the proposed building. The aerodynamic equivalence between the canopy and the design wind tunnel tested should be independently verified. If, as I understand, the canopy is not considered acceptable, then further wind tunnel testing is required. This testing should examine design alternatives that avoid the problems that the TAG see with the canopy but achieve the same function.*”

Background

As noted in the last report: “*Any building constructed in the open is going to radically alter the wind flows just through redirection of the wind around it.*” Given the background to the report, it is surprising how little testing was done. We are presented in the table of results with 4 slight modifications to the design. The removal of the high level roof cannot be seriously considered likely to affect street level winds even before the wind tunnel test is performed. Therefore, we are presented with three alternatives:

- 1) A set back by 3m of the upper levels of the façade above the projecting canopies – measure that given the bulk of the building is trivial in size and is only of the same scale as the canopies / verandahs.
- 2) Extension of the two apparently decorative canopy elements at present on the southern end of the building so that they form a more effective cover near the building on either side of the stairwell
- 3) A one floor deep breezeway extending right across the southern end of the building and approximately 10m deep – I am uncertain from the description how the stair well is dealt with for this

The fourth ‘alternative’ presented is hardly that: it is the canopy rejected by TAG

The wind environment

The existing wind on the outer T of Queen’s wharf is shown in the wind tunnel test to be unpleasant a lot of the time. Most of the places measured exceed the WCC danger criterion currently. In the words of the applicant’s Wind Tunnel Test report presented with the Resource Consent Application: “*For both Northerly and Southerly wind directions there were a significant number of wind speeds greater than*” the WCC danger criterion.

N just on the seaward side of the Southern end of the building is one such point. The highest 3s gust speed expected annually is 26m/s for 170 direction. The other three Southerly wind measurements confirm how windy this spot is, with all, within the margin of error exceeding the danger annual speed criterion. Buildings of almost any size and shape apparently produce these winds. N therefore seems of lower priority than the other points.

The wind report

The wind report shows what the results of the tests on the canopy ought to have told us: that a large horizontal surface is already a successful means of reducing the effect of the South face of the building on the wind. The design features of an alternate entrance and revolving doors mentioned in the Assessment of Effects information copied to me are focused on getting customers into and out of the Hilton. What this report focuses on is the passersby. This building makes their environment significantly worse. This is not merely the unpleasant cold 'wind tunnel' past the doors of the Hilton on the waterfront in Auckland. This is winds that are regularly dangerous now and are made significantly worse.

I noted last time: *"There is also a need to acknowledge that the wild and windy edge to the city is an aspect of the local environment people go to the wharf to celebrate, not something to be tamed."* The corollary is that buildings that make this experience more extreme and less predictable and thus distort the wildness ought not to be encouraged.

The effect of the proposed building

As noted previously: *"In Southerlies (Figure 9) there is one place where the wind speeds are increased. This is at the Southern end of the proposed building."*

I also noted that *"...the design is not optimum from an aerodynamic point of view. It does not follow any of the recommendations provided by the WCC in its Design Guide."*

This second examination of the aerodynamics of the building has not apparently been informed by the first test. Clearly that first test showed that a large horizontal surface in front of the Southern façade of the building would solve these problems. It is therefore surprising that the design alternatives examined in the test are not all large horizontal surfaces.

The 3m setback of the South façade is the most successful, and the closest in achieved reduction in wind speed to the canopy that all the presented documentation keeps promoting. This clearly points to the likelihood that an increase in the setback size would produce results that are closer and closer to those achieved by the canopy.

Action

As before, I recommend approval of the building as proposed, subject to the condition that an aerodynamic equivalent to the canopy tested in the wind tunnel test. As before: *This aerodynamic equivalence between the canopy and the design wind tunnel tested should be independently verified."*

From the wind tunnel tests it would seem that the goal is a setback on the South façade of the building of 5 to 6m or a canopy of equivalent size. Anything else has I believe been shown to be unreliable.

Appendix

In his text book *Wind Effects on Buildings* T V Lawson (1980) relates wind speeds to physical phenomena experienced or observed on land. He does so in order to provide a conversion table between these speeds and the (Admiral) Beaufort Scale used at sea to rate wind strength. This text book along with a 1982 review paper by Shuzo Murakami was used extensively in 1984 to set the current wind speed criteria for Wellington City. Lawson's book contains the following Table:

TABLE 1: The Admiral Beaufort wind speed scale - and associated effects of the wind

Beaufort range	Hourly average windspeed limits of ranges (m s ⁻¹)	Description of wind	Noticeable effect of wind - after Lawson Effect of wind noted in Appendix A of Opus report (after Penwarden)
3	3.35-5.6	Light	Leaves and twigs in motion; wind extends a light flag
4	5.-8	Moderate	Raises dust and loose paper and moves small branches Raises dust, dry soil and loose paper; hair disarranged
5	8-11	Fresh	Small trees in leaf begin to sway Force of wind felt on body; limit of agreeable wind
6	11-14	Strong	Large branches begin to move; telephone wires whistle Walking irregular; hair blown straight; umbrellas used with difficulty
7	14-17	Strong	Whole trees in motion Walking difficult to control; wind noise unpleasant; body leans into wind.
8	17-21	Gale	Twigs break off; progress generally impeded Great difficulty with balance; body blown sideways; dangerous for elderly people
9	21-24	Gale	Slight structural damage occurs; chimney pots removed People blow over by gusts
10	24-28	Strong Gale	Trees uprooted; considerable structural damage Impossible to stand up; necessary to crouch and hold onto a support.
11	28-32	Storm	Damage is widespread Unlikely ever to be experienced

Penwarden writes: In comparing the descriptions (in the above table) with other information it is important to know the time scale involved; that is, whether gusts or long term average speeds are involved. The Beaufort scale is not explicit on this point, but it would seem that the wind speeds quoted are fairly long term averages perhaps over a period of 10 minutes to one hour. The wind speeds in Table 1 are therefore long term average wind speeds. Lawson provides a graphic (p236) showing the relationship between these long term average and the one to three second average (gust) speeds. These 1-3 second gusts are agreed to be the danger to people. The 3 second gust is the basis of WCC design criteria. Table 2 below lists

these ten minute average wind speeds and their 3 second gust equivalents, alongside the very low to extremely high criteria used by Opus. This data is consistent with data published by Arens and Melbourne.

Lawson proposed typical Beaufort wind speed ranges which cause accident and annoyance. These are listed in Table 3. In applying these criteria it is reasonable to aim for the more inclusive Beaufort scale 6 rather than Beaufort 7. The rationale is that while Wellington is windy, there is no reason to suppose its citizens are any more stable than people from other places. In fact, it is quite probable that internationally agreed standards like these would be found unacceptable in less windy locales because they have been established by observations in windy cities like Wellington (Jackson, 1980).

TABLE 2: Beaufort Scale Ranges: their average and gust wind speed equivalents

Beaufort range	Hourly average windspeed limits of ranges (m s ⁻¹)	3 Second average (gust) speed limits of ranges (m s ⁻¹)	WCC Criteria (3 second Gust speeds) (m s ⁻¹)	Opus Net effective gust speed (m s ⁻¹)	Opus qualitative descriptors
3	3.35-5.6	5.7-9.3	< 10	Under 11	Very low
4	5.-8	9.3-13.6	< 15	12-14	Low
5	8-11	13.6-18.4		15-17	Moderate
6	11-14	18.4-23.7	> 18	18-20	Moderately high
				21-23	High
7	14-17	23.7-29.3		24-26	Very high
				27 & above	Extremely high
8	17-21	29.3-35.5			
9	21-24	35.5-41.8			

TABLE 3: Danger and Annoyance - Beaufort scale wind speeds and their effects on people

Accident	Beaufort Speed Range	Annoyance	Beaufort Speed Range
Old lady blown off bicycle	>5	Adult walking (working?) around building	>4
Old lady upset while walking	>6	Pedestrian walking	>4
Adult upset while walking	>7	Pedestrian sitting	>3
Child upset while walking	>6	Covered walkways	>2
Adult working around building	>6		

The WCC District Plan contains the following clarifying statement:

For information, the effects of wind at various speeds are:

<i>10 metres per second</i>	<i>Generally the limit for comfort when standing or sitting for lengthy periods in an open space</i>
<i>15 metres per second</i>	<i>Generally the limit of acceptability for comfort whilst walking</i>
<i>18 metres per second</i>	<i>Threshold of danger level</i>

The final step in any wind comfort assessment is the application of the criteria: the District Plan requirement is to assess the wind speeds from six wind directions (being judged more than sufficient to cover all relevant wind directions in Wellington City) and to ensure that the estimated 3 second gust speeds do not exceed the WCC criteria for each direction more than once per year during daylight hours. The once per year criterion is apparently very tough. It implies a 1 hour in 4335 hours (the daylight hours in a year) occurrence of wind exceeding these criteria. However, as there are six wind directions tested each of which may be subject to this criterion, the allowance comes closer to 6 hours per year or a 1 in 700 hours occurrence of winds exceeding the WCC criteria as an acceptable maximum at any one spot around a site.

The other criteria determining the acceptability or not of a particular design are

- a) the area of extent of the wind acceleration - at how many points around the building and what proportion of the area of the site do these points represent?
- b) the significance to the city of each point measured; there is an implied hierarchy of significance affording highest priority to public outdoor spaces like parks; then high pedestrian count footpaths; then low pedestrian count footpaths; then driveways and car only access lanes. The principle that is applied is that if accelerations seem unavoidable, or the placement of the building merely shifts the position of existing accelerations along the street then the priority for the city is to shelter the higher priority spaces.

EXTENT OF WIND ACCELERATION AROUND A SITE

The acceleration of the wind around a site is determined by two separate techniques in the wind tunnel test process that are specified in the WCC District Plan. First, there is a requirement to use flow visualisation techniques (such as erosion of particles like cork granules or polystyrene beads) to display the windy areas around the proposed building. Second, there is a requirement to measure wind speeds and to compare these with the WCC performance criteria.

Figure 1 shows an example of a photograph taken during a wind tunnel test of the clearance of polystyrene beads. The dark areas cleared of beads indicate the extent of the wind effects due to these buildings. This process is intended to produce pictures that define a map of the area with contours indicating wind exposure levels around the proposed building. Wind exposure contours are defined by the boundaries between black and white areas on the plan.

Wind speed measurements are normally made at particular points on the plan. If there were enough measurements made at regular intervals on a grid then it would be possible to extrapolate from these spot measurements to the extent of the wind effects. However, they are time consuming and expensive to perform for each wind direction. Therefore, it is normal to combine the two techniques to extrapolate from a minimum series of spot measurements to predictions of the extent of the winds around the buildings.

The WCC District Plan requires that each building assessment be conducted as a comparative assessment: the wind effects of the proposed building design are compared to the effects of the existing buildings on the site.

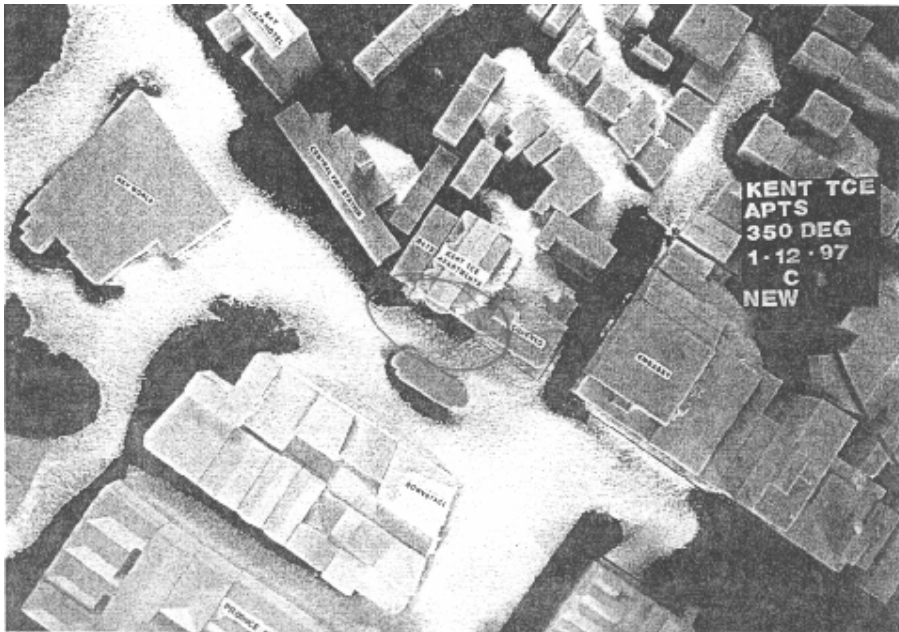


Figure 1 Flow visualisation: photograph of bead clearance from wind tunnel

SIGNIFICANCE OF EACH POINT

The final step in any assessment of the effect of a building on the wind is an assessment of the importance of the areas affected. It is expected that building designers will work to make every point around the building comply with the WCC performance criteria. If necessary the building must be redesigned to meet these criteria. In some cases the wind tunnel test will indicate that no matter how the building is designed, the wind is accelerated relative to what is currently on the site. Only when all other design options have been evaluated, including redesign of the building, the District Plan allows for the application of discretion by the WCC to accept that some wind speeds are made worse around the site. In such circumstances the City looks to place a priority on achieving the performance goals in areas with high pedestrian count. Wind acceleration in areas such as service lanes designed primarily for vehicles will be tolerated much more than in areas where many people walk or gather.

Often when wind speeds are reported spot by spot in a wind tunnel test there is a temptation to compare the number of points where the wind is increased with the number where it is decreased. For example, if the numbers are about equal, it might be thought that there has been little change. This is normally irrelevant as each point is representative of a different area of the site. One measurement point may represent an area some 2m by 2m in dimension; another may represent an area some 20m by 20m. These points are not comparable. The flow visualisation pictures are very much more useful for assessing general changes. It is possible for example to identify that a building has had a neutral effect with some points increasing and some decreasing by noting that what has actually happened is that the areas of high wind speed in the existing situation are moved along the street by the new design. It is possible to see this as a “movement” of the cleared areas along the street.

References

Arens, Ed. *On considering Pedestrian Winds During Building Design*, in *Wind Tunnel Modelling for Civil Engineering Applications*, Ed. Timothy A Reinhold, Cambridge Univ Press, London. 1982

Lawson, T. V. *Wind effects on Buildings*, Applied Science Publishers. London. 1980

Murakami, Shuzo. *Wind Tunnel Modelling Applied to Pedestrian Comfort*. in *Wind Tunnel Modelling for Civil Engineering Applications*, Ed. Timothy A Reinhold, Cambridge Univ Press, London. 1982

Penwarden, A. D. *Acceptable Wind Speeds in Towns* Building Science v8, pp259-267 (1973)

Penwarden, A.D. and A.F.E. Wise *Wind Environment around Buildings*. Building Research Establishment Report 141, HMSO. 1972.

Appendix 3: Traffic assessment – Steve Spence

TRAFFIC ASSESSMENT

Site Address: The Hilton, Queens Wharf

13 June 2006

General

The traffic report submitted by the applicant contains a substantial amount of information on the current situation relating to vehicle access servicing and parking at Queens Wharf and the expected situation, with a new hotel in place. The report also presents the results of modelling the effects of the additional activity likely to be generated by the new hotel including making pro rata comparisons with a similar hotel in Auckland.

The modelling results appear credible. However because I had some concerns over the capacity and operation of the proposed one way tunnel between the existing Queens Wharf basement car park and the hotel entrance, which I believe is a critical feature of the proposal, I have had an independent technical peer review carried out of the applicant's traffic modelling of the performance of the proposed one way tunnel. This has indicated a slightly less satisfactory situation in regard to likely queues at the tunnel ends, but has nonetheless validated the tunnel will provide an acceptable level of service for expected peak demands during a typical week.

Of particular concern to me is whether the level of vehicle activity which will be introduced on the Queens Wharf Tee is fully compatible with the Wellington Waterfront Framework. In particular the amount of private car, taxi and servicing traffic which will require to access the hotel, although not quantified in the report, would appear to involve some hundreds of vehicle movements over a full day, which do not occur at present. For example in the "worst" morning peak hour, typically a Monday morning, the report indicates a total of around 170 vehicle trips by car, taxi or service vehicle which will use the proposed vehicle tunnel.

The effect of this additional traffic will be offset to an extent by the removal of much of the existing conflict between vehicles and pedestrians on the portion of shared roadway along the eastern edge of shed 6. However I do not consider that the applicant has produced sufficient evidence to show that a satisfactory level of priority, convenience safety or amenity will be achieved for pedestrians in the area where the proposed traffic tunnel emerges onto the Queens Wharf Tee, through to and around the hotel frontage, without some clear demarcation to provide guidance for both moving and stationary vehicles and to achieve the priority for pedestrians expected in this area.

Detailed comments on the various traffic related aspects of the proposal are provided below.

Traffic Impacts on the Street Network

Based on the information provided by the applicant I consider that the additional traffic imposed on the local road network and in particular at the key intersections at Jervois Quay and Hunter St and Customhouse Quay and Whitmore St will be able to be accommodated with no more than minor adverse effects in regard to safety and congestion. Levels of service will remain at current levels.

Parking Demand and Provision

No parking is required under the District Plan for the central area zoning which applies here. However the applicant proposes to provide parking on site for hotel use and having convenient parking for a hotel of this nature will clearly be important for its viability.

The small reduction in available public parking in the existing basement car park will have little noticeable effect on the existing car park operation.

Vehicle Access to the Site

Access to the site will be via the existing basement car park for cars and light service vehicles and via the current route around the east side of Shed 6 for the large service vehicles which will not be able to use the proposed vehicle tunnel.

Vehicles accessing the hotel via the basement car park will then be able to gain access to the front of the hotel via a new tunnel which will run beneath the established north-south pedestrian route along the eastern side of Sheds 5 and 6, this will mitigate much of the pedestrian/vehicle conflict which would otherwise have occurred at this location.

On the basis of the information provided and an independent technical peer review of the applicant's traffic modelling of the performance of the proposed one way tunnel, I am satisfied the tunnel will provide an acceptable level of service for expected peak demands during a typical week.

Pedestrians

A strong emphasis is given to pedestrians in the Wellington Waterfront Framework, and bearing in mind the very strong priority achieved for example on the Taranaki Wharf it would seem appropriate to look very seriously at defining parts of Queens Wharf Tee which vehicles are not allowed to use, rather than assume pedestrians will comfortably mix with vehicles in the numbers suggested. Although the main pedestrian north-south route along the waterfront will be segregated from the tunnel traffic, it can be expected that routinely during weekdays, also at weekends, during boat visits, events etc that there will be a level of pedestrian/vehicle conflict which could be seen as undesirable. Further it would appear logical for the waiting and access arrangements at the front of the hotel to be delineated to provide greater guidance for both drivers and pedestrians. I am not convinced that the deliberate absence of guidance will be helpful at times of potential conflict between pedestrians and vehicles.

The applicant has stated that such arrangements are not uncommon at other major hotel developments but has not provided examples

I do not believe therefore that the issue of pedestrians' priority, safety and convenience has been sufficiently considered in the design of the area where the proposed traffic tunnel emerges onto the Queens Wharf Tee, through to and around the hotel frontage. I believe that some clear demarcation will be required to provide guidance for both moving and stationary vehicles and to achieve the clear priority for pedestrians expected in this area. In my experience, where pedestrians are required to share space with vehicles, without a clear degree of demarcation, then it is the vehicles that generally claim the priority. This is particularly the case at times when

pedestrian numbers are low compared with vehicle numbers, or where commercial vehicles may be operating with time pressures as can be expected to be the case with taxis or service vehicles.

I consider therefore that until the applicant addresses this issue with an appropriate design, or can provide compelling evidence that the lack of any traffic controls or demarcation will be acceptable in this case, that the application should not be approved

Servicing

The proposed closure of the roadway around the east side of Shed 6 to service vehicles other than occasional larger vehicles is a positive measure. The applicant indicates that these will amount to around 70 vehicle trips a day. It is highly desirable to manage these numbers down to an absolute minimum in the same way that very strict controls have been placed on vehicle access of all kinds on the Taranaki Wharf. I would expect there to be a continuing demand by drivers to enter and/or exit via this route rather than the somewhat less legible and less convenient access via the proposed one-way tunnel.

I suggest that to minimise pedestrian/vehicle conflict along the proposed large service vehicle route alongside Shed 6, that service vehicle access to the hotel via this route be limited to outside the peak pedestrian times of 7am to 9.30 am, 12pm to 2pm and 4pm to 6.30pm during weekdays, with no access after 11am weekends. Access for emergency vehicles (Police Fire and Ambulance) will need to be available at all times and these vehicles will need to use the route around Shed 6.

Further information will also need to be provided and approved by Council at the detailed design stage on how the existing vehicle access from Jervois Quay can be improved as the existing layout is confusing and inadequate. It will also be necessary to ensure through appropriate design that service trucks that are not allowed to pass the proposed barrier can manoeuvre on site so as to avoid reversing out on to Jervois Quay.

Coach Access

On the matter of tour coaches, I do not consider it appropriate to take tour coaches around Shed 6. These very large vehicles, even in small numbers would present in my view an unacceptable obstruction to pedestrians and seriously compromise the pedestrian amenity along this major pedestrian route. I would also note that coaches typically arrive and depart at similar times to the peak pedestrian commuter activity. I suggest that coaches load/unload in the existing coach parking area at the rear of the City to Sea Museum and that visitors either walk or get transported by shuttle van, or other smaller vehicle

Construction Plan

I have noted the applicant's proposed plan.

In view of the potential for conflict between construction traffic and pedestrians and other vehicles using Queens Wharf, the applicant should be required to investigate barging in most if not all construction materials and equipment, and not assume these should be brought to the site by road.

Where materials are brought in by road then restrictions on construction traffic access will be required to avoid undue conflict with peak traffic on Jervois Quay and with peak pedestrian activity on Queens Wharf. Therefore I propose that construction traffic is limited to the same times as for large service vehicles i.e outside the peak pedestrian times of 7am to 9.30 am, 12pm to 2pm and 4pm to 6.30pm during weekdays, with no access after 11am weekends.

Event Management

A 300 seat conference facility is proposed, to be used on occasions for evening dinner or formal events.

During these events, the applicant proposes to limit vehicle access to the waterfront but suggests however, that taxis with guests could access the hotel via the Shed 6 route and exit via the basement car park so as to reduce congestion on the wharf.

I would suggest that for conferences during the day, no special provision should be made to allow or encourage additional traffic loading to be placed on the wharf. In the situation where more formal occasions or dinners are involved then it might be accepted that additional traffic will need to access the hotel. I consider that this traffic should still be required to use the tunnel which has been provided for the purpose rather than the route around Shed 6. I do not accept the logic that to avoid congestion around the hotel entrance, vehicles which are able to negotiate the tunnel should be allowed instead to drive around Shed 6 which will then result in greater conflict with pedestrians.

Subject to the above comments I consider the proposal is acceptable in terms of its traffic related effects

Steve Spence

Chief Transportation Engineer

Infrastructure Directorate

Wellington City Council

PO Box 2199, Wellington

Ph: (04) 801 3254, Fax: (04) 801 3036, Mobile: 0274 512 350

Email: steve.spence@wcc.govt.nz Website: <http://www.wellington.govt.nz>

Appendix 4: Noise assessment – Mathew Borich

14 March 2006-03-09

ENVIRONMENTAL NOISE REPORT

Service Request No:140143

Service Request Type: Resource Consent,

Site Address: The Hilton, Queens Wharf

INTRODUCTION:

Council has received a resource consent application for the construction of a hotel on Queens Warf, which lies within the Lambton Harbour Area.

The proposed hotel is situated in the Coastal Marine Area and the Greater Wellington Regional Coastal Plan applies. Rule 13.1.1.10 and 13.1.2.12 of the Wellington District Plan which require sound insulation of noise sensitive uses, beyond the requirements of the Building Code do not apply as the hotel is situated outside the Central Area.

DISCUSSION:

There is a proposed port noise plan change based on the New Zealand Standard for Port Noise. A report by Marshal Day Acoustics has been completed which outlines noise boundaries. The hotel will be situated in the proposed Port Noise Inner Control Boundary and will be exposed to noise levels from port activity in excess of 70dBA Ldn in the future.

An external sound insulation level ($DnTw + Ctr$) > 35 dB is being recommended for noise sensitive activities within the inner control boundary to provide adequate internal amenity. This is based on providing internal levels no greater than 35 dBA in habitable rooms, which is deemed to be an acceptable level. People staying at a high quality hotel may expect even higher levels of protection.

There is a helicopter pad near the site. I note from the acoustic assessment from Norman Disney Young Ltd that noise levels from helicopter movements will be up to L max 97dBA at the hotel façade. Some of these flights are at night. With external insulation of $DnTw + Ctr > 35$ provided, the most exposed facades would experience maximum internal noise levels from helicopter movements up to L max 62 dBA

To prevent sleep disturbance an internal level no greater than 55 dBA (Lmax) is required in bedrooms. This will require sound insulation greater than $DnTw + Ctr > 35$ to many of the bedrooms. The Norman Disney and Young acoustic report states that most high quality hotel developments would be developed to maximum internal levels of L max 46 dBA, however to provide this level of protection in this instance would not be practical.

The Dockside (Shed 5) is situated directly adjacent to the proposed hotel site. The Dockside and the site of the proposed hotel are both situated in the Coastal Marine Area and the Commercial Port Area. Rule 14.1.4 of the Regional Coastal Plan, *Noise (from activities located within the Commercial Port Area)* specifies noise levels for noise emanating from activities within the Port Area when measured at the nearest residential boundary. There are no compliance noise levels set between sites or commercial activities located within the Commercial Port Area. However all activities such as the Dockside have statutory obligations pursuant to section 16 of the Resource Management Act to adopt the best practicable option to ensure that emission of noise from that land does not exceed a reasonable level. In my view in this area a reasonable level of noise would be similar to that required in the Central Area in the Wellington District Plan, namely;

Noise emission levels when measured at or within the boundary any site or at the outside wall of any building on any site, other than the site from which the noise is emitted, shall not exceed the following:

<i>At all times</i>	<i>60 dBA (L10)</i>
<i>At all times</i>	<i>85 dBA (Lmax).</i>

The permitted noise levels specified for Central Areas are a “compromise level” between noise sensitive uses and noisy activities in the central city and act as a guide to what is deemed to be a reasonable level of noise in this instance. It is reasonable to expect an entertainment venue to reduce noise emanating from the venue to a reasonable level.

The Dockside in the past has played loud amplified music outside in the canvas lean-to attached to the main building. Noise levels from loud amplified music played in this area would be excessive when measured at the proposed Hilton site and no level of external insulation would provide adequate amenity protection.

Playing loud amplified music in a tent like structure on a regular basis can not be deemed to be the best practicable option. Unlike the noise emanating from the helicopter movements, noise emanating from an activity carried out within a building can be easily mitigated and reduced to a reasonable level

Hence if the hotel is built the dockside will have to stop the current practice of playing very loud music in the tent like structure. A more permanent structure would have to be provided, or the level of music reduced, or the music played inside. However in my view this is not a reverse sensitivity issue as the bar has statutory obligations pursuant to the Resource Management Act and has only being able to play loud music outside because of its location in the Coastal Marine Area with no noise sensitive uses nearby. It would be unreasonable for an entertainment venue to expect a buffer zone around the venue so that the venue can un-necessarily make excessive noise.

Mechanical plant is typically associated with hotels. All new fixed plant and equipment including heating, cooling, ventilation plant and pool pumps shall be designed and sited to ensure a reasonable level of noise.

SUMMARY:

The proposed hotel site is located in a high noise zone. Therefore external insulation beyond the building code will be required to provide adequate internal amenity and prevent sleep disturbance and reverse sensitivity issues arising. The minimum external insulation levels that should be required are $DnTw + Ctr > 35dB$ and internal levels within bedrooms no greater than 55 dBA (Lmax).

To provide a very high level of amenity, that is typical of high class hotels a slightly higher level of external insulation to some of the facades may be required. In my view this is a matter for the applicant to consider.

RECOMMENDATIONS:

That Resource Consent includes the following conditions.

1. The hotel shall be designed and constructed so that any habitable room in the building shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the following minimum performance standard.

$$DnTw + Ctr > 35 \text{ dB}$$

2. The hotel shall be designed and constructed so that internal noise levels from helicopter movements, to and from the existing landing area located at the southern end of the Outer T, do not exceed 55 dBA (Lmax) within any bedroom between the hours of 10pm and 7am.
3. An acoustic design certificate signed by a suitably qualified acoustic engineer shall be provided with the building consent stating that the design as proposed will achieve compliance with condition 1 and 2 above.
4. Before occupation of the building the consent holder shall provide certification from a suitably qualified person that:

The building has been constructed in accordance with the acoustic design certificate required by condition 3.

Note: The Council regards the following persons as fulfilling the requirements for being suitably qualified with respect to the above:

Members of the Association of Consulting Engineers of New Zealand
(Incorporated);
Members of the Institute of Professional Engineers of New Zealand (I.P.E.N.Z.);
Members of the New Zealand Institute of Architects (N.Z.I.A.); and,
Registered Clerks of Works
An acoustic consultant

5. Noise emission levels emanating from any activity on the hotel site, when measured at or within the boundary of any other site, or at the outside wall of any building other than the hotel, shall not exceed the following:

At all times 60 dBA (L10)
At all times 85 dBA (Lmax).

This includes all fixed plant and equipment such as, pool pumps, all fans, heating, cooling and ventilation plant which shall be designed and sited to ensure compliance with the above noise levels.

Noise shall be measured and assessed in accordance with NZS 6801:1991 and NZS 6802:1991.

6. A construction management plan shall be carried out by a suitably qualified person. The plan shall be submitted to the Compliance Monitoring Officer, Urban Strategy before the commencement of any works on site. The plan shall describe the methods by which noise associated with the work will comply in all aspects with the controls set out in NZS 6803:1999, Acoustics Construction Noise, and will specify how the best practical option will be adopted at all times to ensure the emission of noise from the site does not exceed a reasonable level in accordance with Section 16 of the Resource Management Act 1991.

COMMENTS FOLLOWING SUPPLY OF FURTHER INFORMATION:

22 May 2006

I spoke to Richard Finley of Norman Disney and Young today regarding the request for further information.

Richard stated that with regards to the northern façade NDY are not convinced that Dntw >35 is required as the port noise plan change is yet to be notified. They were considering Dntw >28 or 30 may be adequate. He stated that the architectural plans at this stage are not detailed enough to give the specifics requested in the further information request

The information provided by NDY to date discusses the noise environment that the Hilton is likely to be exposed to and discusses what type of glazing and insulation is needed to meet these insulation levels. The report appears to be based on preliminary noise surveys and the report states further sound surveys are proposed. The insulation levels discussed appear to meet or exceed those proposed by Council except for the Northern façade.

The information provided by NDY discusses "how" the initial insulation performance levels proposed by NDY can be met and shows that the insulation requirements proposed by Council could also be met. However it does not go into the specific detail that is normally provided when assessing proposed insulation for apartments in the central area, and does not confirm that the insulation will be provided. Council is not in a position to use the information as a design certificate that if conditioned would ensure the Hilton will meet a certain insulation value.

NDY seems to be basing the level of insulation required on the current noise environment and what is likely to happen in the near future. Council's insulation requirement is based on the current noise environment with regards to the helicopter flights, however also considers the noise environment that is permitted pursuant to the proposed Port Noise Plan Change, and based on noise modelling carried out by Marshal Day Acoustics (report dated 29/11/05 which outlines the proposed Centre Port Noise Boundaries) is estimated to occur within the next 10 years at Centre Point. The predicted noise levels will not necessarily occur at that particular site, however they are permitted and the site falls within the area identified to have these high levels.

Yours sincerely

Matthew Borich
Wellington City Council
Telephone 801 3861
Fax: 801 3165

Appendix 5: Urban design/Waterfront framework report - TAG

**Waterfront Development Subcommittee
Technical Advisory Group**

**Review of
Queens Wharf Outer-T Project
Hotel and Public Space Enhancement**

**Application for Resource Consent by
Waterfront Investments Ltd (December 2005)**

19 May 2006

Contents

Introduction

- 1 Summary Assessment
- 2 General *Waterfront Framework* requirements for Queens Wharf
- 3 Achieving "iconic" quality
- 4 Activity
- 5 Building scale and visual bulk
- 6 Ground level planning and access
- 7 Internal spatial and planning resolution
- 8 Resolution of building design detail
- 9 Public space design proposal
- 10 Vehicle connections and servicing

INTRODUCTION

Scope of Review

This is a design assessment of a proposed hotel on the Outer-T of Queens Wharf (the present site of Shed 1). Included in the proposal is an under-wharf access tunnel emerging at the south of Dockside. Proposed works to public space in the vicinity of the proposed hotel include paving changes and low level jetties.

This design review refers extensively to the *Wellington Waterfront Framework*.

Background

The hotel is the latest version of a proposal first presented in December 2001 and which has been through a sequence of reviews and design developments including changes to the planning, external form, detail and materials.

Documents reviewed

- Queens Wharf Outer T Project, Hotel and Public Space Enhancement; Application for Resource Consent Annexure B: Assessment of Effects on the Environment by Waterfront Investments Ltd
- Sumich Architects Shadow Analysis Waterfront Hotel - Queens Wharf, Wellington (Drawing Nos. S1, S2 and S3)
- Hilton Hotel – Queens Wharf, Wellington Sunlight Shade Assessment Report (Produced by Cadabra Computer Graphics (NZ) Ltd)
- Appendix 1: Architectural Drawings by Sumich Architects Ltd and Perspectives (including View Shaft Perspectives) by Cadabra Ltd
- Appendix 2: Public Space Enhancement Description and Drawings by Isthmus Group Ltd
- Appendix 8: Wind Assessment by Opus International Consultants Ltd
- Appendix 10: Traffic Assessment by Traffic Design Group
- Further information supplied in May 2006 following request under Section 92 of the RMA.

1 Summary Assessment

Relation to the Waterfront Framework

- 1.1 The *Waterfront Framework* requires a special building for this special and unique site. During its evolution, the design has progressed significantly towards this objective. While the architecture is more restrained than special, the design would contribute to the special qualities of its site. Provided issues of detail are resolved, and quality of external detail is high, the proposal can satisfy the requirements of the *Framework*.
- 1.2 At a functional level this proposal responds positively to *Framework* concerns. In particular, the design:
- (a) Is of a form and scale that is appropriate in this setting, complementing other waterfront buildings and the adjacent city, and providing appropriately scaled edge definition to the water and other open spaces.
 - (b) Allows for quality public space around the hotel, introducing active building edges and visual interest that will encourage public use of the promenade.
 - (c) Provides publicly accessible restaurant, bar and lobby spaces at ground level which can be entered through a variety of openings along the promenade.
 - (d) Approximates the current footprint of Shed 1, thereby maintaining views from the centre of Queens Wharf
 - (f) Provides shelter for Shed 5, Dockside and the water enclosed by Inner and Outer T's. This is achieved in a similar manner to the existing Shed 1.
 - (g) Aligns with the *Framework's* guidance on activity and diversity.
 - (h) New under-wharf vehicle access resolves conflict between pedestrians, cars and light service vehicles along the promenade between Sheds 5 and 6. However, projected vehicle numbers raise concerns about the character and quality of the public space beyond the access ramp at the centre of the Outer T. There is a risk that pedestrian use of this area becomes disrupted by vehicles. Additionally, the under-wharf access will not eliminate conflict between pedestrians and coaches or other large vehicles serving the hotel. These will continue to use the surface of the wharf, and the most recent traffic projections suggest a significant number of vehicle movements will remain on this route.

- (i) The public domain and landscape treatment is appropriately minimal. It essentially retains what is existing and continues the robust industrial character of the waterfront, although some simplification of paving and removal of jetties is required.

Response to 'iconic' nature of the site

1.3 The architectural treatment of the proposed hotel is seen as sound rather than spectacular or iconic. It may be described as good quality commercial architecture and as a proficient design, which promises to respond adequately to the *Waterfront Framework*. However, high quality detailed design and execution will be necessary if this promise is to be realised.

1.4 The *Framework* calls (variously) for an iconic structure and for a structure which reinforces the iconic nature of the site. While the proposed hotel may not be 'iconic' in an architectural sense, it is coherently resolved, contemporary in style and makes subtle references to a maritime aesthetic. The proposal also contributes shelter, spatial definition and activity which all help to make Queens Wharf a memorable destination.

Items for further consideration:

1.5 Although this proposal is generally consistent with the design requirements of the *Waterfront Framework*, some aspects of the development are unsatisfactory and require further consideration:

- o Proposed low-level jetties are inconsistent with the specific intentions of the *Framework* for this area. They 'domesticate' the edge of the Outer T, and they duplicate similar features either built or planned for the Queens Wharf/Kumutoto area. TAG recommends that these jetties be deleted. (refer 9.10-9.13, 9.15)
- o If the jetty at the northern end of the Outer T is deleted (as recommended), modifications should also be made to proposals for the adjacent wharf deck. Timber inserts and associated paving details should be removed because they are no longer consistent with the wider landscape treatment (refer 9.15).
- o Service penetrations proposed through the centre of the roof are unacceptable. They compromise treatment of the roof as the building's 'fifth elevation'. This is a significant issue because the site is overlooked by high-rise buildings. TAG recommends either that these penetrations be eliminated or that the location and design of roof top services be comprehensively reconsidered (refer 8.6).
- o TAG has reservations regarding the design's ability to provide a sheltered front entrance in severe southerly winds. The hotel operator may consider that the proposed arrangement is acceptable. However, TAG is concerned that the exposed nature of the main entrance will lead to future demands for design modifications. If, at some future date, the developer or hotel operator wishes to provide further shelter. Alterations should be confined to the footprint and general envelope of the building. In particular, any further provisions for shelter must not impinge on the promenade, or the public space to the south of the building (refer 6.3).
- o Trees should be excluded from the wharf (refer 9.3).
- o Concrete paving is proposed between the rail and the outside of the wharf. This change of material seems unnecessarily fussy. It is inconsistent with the treatment of wharf edges elsewhere along the promenade, and it should be avoided. The new rail along the west side of the wharf is also questionable (refer 9.5 & 9.6).

1.6 Should this proposal be granted consent, it will be essential in design development that the following issues are considered:

- High quality materials and detailing are essential along with ongoing design review to ensure that design objectives are achieved. Ongoing review is particularly important in relation to:
 - Developed design, materials, finishes and construction associated with: decks, accessways, windscreens, rails, ramps and canopies (both permanent and lightweight components) (Refer 6.6, 6.10, 8.5, 8.7 & 9.2).
 - Wharf inserts, including timber inlays in the centre of the wharf to the south of Dockside (refer 9.8).
 - Location, design and management of short term coach parking (refer 6.4).
 - Detailed treatment of ground floor east façade and use of the adjacent promenade (refer 6.9 & 8.4).
 - Prominent northern and southern ends of the building, including details materials and finishes on the external stair towers (refer 8.2 & 8.3).
 - Bollards at the main entry (as seen in perspectives) are not consistent with the public space treatment for the waterfront. These elements should be reviewed (refer 8.7).
 - Continued use of the full length of the Outer-T by cruise ships and other large vessels (refer 9.15).
 - The location, design and management of vehicle access and parking should be reviewed in more detail during design development. This review should ensure that any potential conflicts are eliminated or minimised, and that the Outer-T and the wharf as a whole retain their special working waterfront character (refer 10.2).
- 1.7 The most appropriate way to ensure a successful result is to provide an indication of design intent prior to Resource Consent approval. This should include a 'sample board' of materials and colours along with perspectives drawing and details which show responses to the issues identified in 1.5 and 1.6 above. The *Framework* states: "The waterfront is locally and internationally recognized for its design." (Objective p.21) In particular, the Outer T development is to be an iconic structure for an iconic site. To ensure that these objectives are met, there should be further indication of details, materials and finishes. At this stage of the development, such information must remain provisional. Nevertheless, it provides a valuable benchmark against which to measure future design decisions,
- 1.8 One outstanding concern is that the hotel may fail to achieve or retain a five-star rating. Conversion to more modest accommodation could have an appreciable effect on vehicle servicing requirements, particularly in relation to the frequency of coach movements to the hotel. It could also affect the 'iconic' nature of the site.
- 1.9 Wind, traffic and shading effects are particularly important, as they will directly determine how people will use adjacent spaces. Shading diagrams, and wind reports provisionally indicate an overall improvement in comfort levels for users of the public domain. The wind report suggests that, in north-westerly wind, the proposed building increases shelter significantly at its southern end and along its eastern side. Furthermore, the development increases shelter in a minor way with winds from the south and southwest. The canopies along the west side of the building also appear to provide some shelter from wind and rain. However, there are indications that wind issues need further attention at the south end of the building. In this regard there is scope for a minor southern extension of the cantilevered canopy over the main entrance. However, such an extension should be minimal in order to not have a discernable effect

on views along Queens Wharf. Nor should any extension affect the coherence of the overall design.

- 1.10 Provided design development occurs in identified areas and provided design consultation and review is ongoing, TAG is satisfied that the proposal can contribute to the special qualities of the site and satisfy the requirements of the *Framework*.

2 General Waterfront Framework requirements for Queens Wharf

- 2.1 The *Wellington Waterfront Framework* is the primary reference for this assessment. In addition to providing general design principles, it outlines the following specific intentions for development on Queens Wharf:

- 2.2 The key features of the waterfront are described as (p.22):

Queens Wharf

- *Heart of the waterfront, reflecting working wharf and mercantile history*
- *“Outer-T a special and unique site – competition to explore options for an “iconic” structure.”*
- *Cruise ships and other vessels encouraged to use Queens Wharf*

- 2.3 *The Framework* states (Section 4.3, p.33):

“The outer-T of Queens Wharf is a special and unique site – a focus for the waterfront and for vessels entering the inner harbour. A structure that reflects this “iconic” nature could be located on the outer-T.”

A competition should be held to explore options for the outer-T. The competition brief will require all proposals to respect the general principles of the Framework including public access and the importance of views out to the harbour. All proposals should take into account that the outer-T is a berth for cruise liners and other vessels.

The Group notes that the existing Shed 1 provides shelter for the water space and the Shed 5 and Dockside buildings. This aspect of shelter must be considered in any proposals, particularly for the northern end of the outer-T, but also possibly the southern end. An integrated approach is important.”

- 2.4 The main characteristics for each area are summarised in the Framework's Area Summary (Section 4.7, p.40):

Queens Wharf

Predominant use, Physical character

Working wharf, base for leisure activities, paved surfaces

Water's edge characteristic

High, working wharves, to service shipping

3 Achieving "iconic" quality

- 3.1 The *Waterfront Framework* is ambiguous in its application of the term 'iconic'. This word is used to refer to the “special and unique” nature of

the **site** including its status as a focus for the waterfront and for vessels entering the inner harbour. The *Framework* states: "A structure which reflects this 'iconic' nature could be located on the outer-T." (p.33) The *Framework* also refers to the need for an "iconic' **structure**" responding to this special and unique site (p.27). Regardless of the intention of the *Framework*, it is clear that any development proposal and its associated public spaces should be special and unique. The development should respond to the unusual prominence of this site, and should recognize the area's *mercantile history* and character as a *working wharf* (p.27).

- 3.2 The *Framework* raises two ways of achieving an iconic result. The first is to build an iconic structure. The second method, which is less directly stated, is to reinforce the special and unique qualities of the site. These approaches are discussed below.

Focus on the architecture - a special building for a special site

- 3.3 An iconic structure suggests a building that is special, unique and memorable. It is likely to have the following attributes:

- Memorable elements and/or activities which are integrated within a spectacular and highly original architectural composition.
- Sculptural forms which produce a memorable visual effect.

However they are produced, iconic structures often cater for an extraordinary functional programme. For example, they might house an important public institution or a cultural facility. They frequently result from exceptionally large budgets.

Focus on the qualities of place, reinforcing its special and unique (or iconic) qualities

- 3.4 An alternative approach uses high quality architecture to enhance the memorable qualities of a place. In this case, it is not the individual building but the wider setting that maintains or achieves an iconic status. Taking this approach, a building here need not be a spectacular, original work of art like the Sydney Opera House or the Guggenheim Museum in Bilbao. According to this strategy, a calmer and more restrained structure can be appropriate provide that it:

- establishes coherent relationships with its surroundings,
- defines positive outdoor space,
- enhances the vitality and memorability of adjacent public space,
- treats public and semi-public areas generously and imaginatively,
- relates to both contemporary culture and the history of its site,
- expresses architectural elegance and design coherence,
- exhibits exquisite architectural details and materials.

- 3.5 In our opinion, the proposal takes the second approach. Assuming detailed design is well handled, it has the potential to meet the objectives listed above in 3.4. As noted in 1.7 above, before a Resource Consent is granted, it is prudent to ensure that outstanding design issues will be satisfied. In TAG's opinion, the application still does not provide sufficient information on materials and details.

- 3.6 We note that this proposal is not the result of a design competition as anticipated by the *Waterfront Framework*.

4 Activity

- 4.1 The *Framework* provides guidance on activity and diversity:
- "New building in this area will also have a range of uses, and could include recreational, retail, commercial, residential and institutional uses." (p.34)

- “The waterfront is somewhere to live, work and play.” (p.18)
 - “The waterfront will meet the needs of a diverse range of people.” (p.18)
- 4.2 A five star hotel is an appropriate use for this site. It responds to the *Waterfront Framework’s* theme of *Diversity* (p.15) and to the value placed on *diversity of experience* (p.18). The proposed development introduces a significant new waterfront destination. It will attract tourists and other people to the harbour, and it will enhance the vitality of the city as a whole.
- 4.3 The *Framework* requires that cruise ships and other vessels continue to use the wharf (p.27) and that shelter and access for small craft including yachts, launches, fishing boats, ferries and kayaks be enhanced (p.34). Large vessels provide vitality and interest, and emphasize the maritime character of the waterfront. The jetties included in the proposal will preclude mid-sized vessels from berthing along the west edge of the Outer-T. These jetties further ‘domesticate’ the wharf edge so that berths are restricted to small craft. TAG considers that the jetties are inconsistent with the *Framework* and discusses these in greater detail later in this report (refer 9.10 - 9.13).

5 Building scale and visual bulk

Scale

- 5.1 The *Framework* notes as a principle that: “Any new buildings will be complementary to, and in a scale appropriate to, the existing buildings around them.” (p.18) The overall general form and envelope of the building is appropriate in this setting. While it is taller than its immediate neighbours, the proposal is very similar in height to the Wharf Office Apartments and to other buildings on the waterfront. It is similar in length to most buildings in this part of Queens Wharf. Its scale complements the immediate context, particularly the water space enclosed between Inner and Outer T’s. The hotel also acts as a transitional volume between the CBD’s multi-storey office blocks and the harbour. In this way it is consistent with wider city patterns. The building is strongly articulated in both vertical and horizontal directions. As a result, a collection of visual modules of varying sizes and proportions establish positive visual relationships with neighbouring structures. These modules also mediate between human form and the overall building envelope.

Relation to water space

- 5.2 The proposal maintains an appropriate scale relationship with the water space. The long elevations are orientated in a north-south direction, allowing north light to penetrate this space.
- 5.3 Shading diagrams have been provided for the proposal and for existing conditions associated with Shed 1. The proposed hotel is somewhat taller than Shed 1 and, as a result, shadows will be proportionately longer than those currently experienced.
- (a) Shading effects to public space are, on balance, acceptable.
 - (b) Increased height will lead to increased morning shade on the water space and on the promenade adjacent to Shed 5. This is shown to be in shade at 9.00am on 21 June, however the promenade is sunny again before 10.00am. At the same hour, Shed 1 does not cast an appreciable shadow on the this portion of the promenade. Although this shading only occurs in winter when the sun is low, this is

precisely the time when sunlight is most welcome in public space. The effect is of short duration, and is limited in extent. However, it should be noted that overshadowing occurs at a time when the waterfront is traveled by large numbers of pedestrians on their way to work.

- (c) At the Equinox the promenade enjoys full sun at 9.00 am. However, additional shade is cast on the water and on boats moored between the Inner and Outer T's. Although this shadow affects visual amenity, it occurs only for a short period in the morning during the middle of the year.
- (d) The proposal increases the extent of morning shading of the deck to the north of Dockside during the winter and at the equinox, although by mid to late morning sun will reach a significant portion of the deck. This deck area can be differentiated from public open space in that it is privately used and controlled, and enclosed by a canopy/tent structure.
- (e) The north-south orientation of the hotel means that midday sun will always reach the promenade, dining areas and the enclosed water between the Inner and Outer T's. This is important because these areas are used for both walking and outdoor dining during the middle of the day. The additional height of the hotel over the existing Shed 1 has no effect on sun to these spaces beyond 12.00 noon.
- (f) In the afternoon, at all times of year, the bulk of shading from the hotel will be cast towards and over the open harbour. The additional height of this building over and above Shed 1 will increase the extent of shade on the eastern part of the wharf especially between 1.00 and 2.00pm. After 2.00pm in Winter (and after 3.00 pm at the Equinox), the bulk of this area is already in shadow. As a result, increased height produces only a modest increase in shading along this stretch of the promenade.
- (e) In summer, shadows are relatively short. During the middle of the day, there are benefits in providing shade, especially when adjacent areas are in full sun. In these circumstances, the marginal increase in shade can be considered a positive rather than negative effect.

Impact on view shafts

- 5.4 The hotel proposal appears in view shafts VS8 and VS9 (down Johnston and Brandon Streets respectively), although the view shaft rule" does not apply to any buildings or structures within the coastal marine area" (refer 13.1.2.6.1). Notwithstanding this legal provision, the development's impact on these view shafts is important from an urban design perspective. In particular, east-west views along Johnston and Brandon streets provide connections between the city and its wider context of harbour and hills. Because portions of the hotel are higher than the existing Shed 1, the development reduces visual connection somewhat, concealing features in both view shafts.

VS8 Johnston Street

- 5.5 The focal elements of this view are the Inner Harbour and Roseneath. The stair tower at the centre of the north end of the hotel extends approximately 2 metres beyond the footprint of Shed 1. However, because the hotel sits at an angle to the view shaft, the proposed building does not protrude past a line fixed by the north-east corner of the existing shed. As a result, views of the inner harbour are maintained. The hotel extends above the roof of Shed 1, and this additional volume obscures approximately half the built up ridgeline of Roseneath which is noted as a "context element". Roseneath remains in view, albeit to a lesser extent than at present. Visual connection is reduced but remains at an acceptable level.

VS9 Brandon Street

- 5.6 The focal element of this view is a glimpse of Roseneath and Mt Victoria just visible above the line of existing buildings on Queens Wharf. The additional height completely obscures this focal element of the view shaft.
- 5.7 In assessing the effect of this loss, the following points may be considered. Roseneath is a distant feature, and is only just visible in the existing view shaft. As a result, it constitutes a very small proportion of the total visual field. On the other hand, loss of the remnant portion of Roseneath is significant because it severs a visual connection between Lambton Quay and a distant landscape feature. Roseneath is also a focal element of the current view.
- 5.8 Although this particular view of Roseneath is designated in the District Plan, the content of the view is already limited by existing buildings. If this argument is given weight, the viewshaft can be regarded as one of the less important vista views, and its loss need not be considered significant.

6 Ground level planning and access

Main entrance design and shelter

- 6.1 A south facing canopy has been integrated into the southern end of the building. This provides shelter from the prevailing northerly winds, but not from the severe southerlies which also affect this area.
- 6.2 To provide sheltered entry in southerly wind conditions, a side door accessed off a sheltered ramp has been provided at the south west corner of the building. While illustrating that access can be provided, this sheltered entrance appears under-scaled in relation to other front-of-house spaces.
- 6.3 If this quality of access is considered satisfactory by the hotel operators then the proposed solution can be accepted. However, it does raise the possibility that modification will be required in the future to provide an entry with more generous dimensions and enhanced shelter. Should remedial action be required, it must be achieved within the envelope of the proposed building, and it must not capture or compromise adjacent public space.
- 6.4 Coach drop off at the south end of the hotel is acceptable, however coaches should not remain in this space for extended periods of time. This is because they will partially block the view of the harbour from Queens Wharf. Furthermore, if coaches park there for extended periods, they will tend to 'claim' this part of the public space. No provision is shown for short term coach parking in excess of the time required for passengers to embark or disembark. If such parking is to be provided, it should not be in prominent view. It could be located along the eastern side of the hotel at its southern end, in the area where oil refueling currently takes place. Such a provision should not substitute for the coach parking area at the edge of Jervois Quay which is the preferred option for long term parking.

Public access to the interior

- 6.5 With the exception of kitchen and associated service facilities, the ground floor of the hotel contains lobby bar and restaurant areas that will be open to the public. This maintains multiple connections from the promenade, and provides a degree of ground level public access

that meets *Framework* requirements. The two-tier decking disguises the difference in height between the building interior and the adjoining public promenade.

Disabled persons access

- 6.6 Disabled access must be provided from the promenade to all outdoor terrace areas, including the terrace facing Shed 5. This access should be unobtrusive and integrated with other landscape elements. Ideally, disabled access should also provide attractive entry points for fully mobile patrons. The proposed two-tier external decking permits relatively short access ramps which can readily be coordinated with other outdoor features. However, these ramps should appear on DWG 02 and are not shown, and the Applicant's intentions in this area are not completely clear. The Applicant should also demonstrate that the design meets the disabled access requirements of the New Zealand Building Code.

Visual connections between interior and exterior

- 6.7 The proposal offers good visual and physical connections between internal and external spaces. At ground level, the building opens towards the enclosed water space and Shed 5. It also opens to public spaces at centre of the wharf and at the T's northern end.
- 6.8 At ground level, the central section of the hotel's eastern (harbour) elevation is dominated by service access and other back-of-house functions. With the exception of a central service dock, this portion of the building has little connection with the adjoining public space. This lack of connection is acceptable, given that the hotel's more visually and physically accessible facades are characterised by a high degree of openness and transparency.
- 6.9 The more opaque, utilitarian character of the eastern elevation sets up a useful hierarchy within the surrounding public space. Open space along the eastern flank of the hotel is shielded from public view and is well-suited to the continuation of low-key recreational activities such as fishing. This section of the building also offers to provide shelter and seating to casual wharf users. These opportunities should be further considered during the detailed design phase. The treatment of the eastern edge of the building should be such that it maximizes the quality of experience for all wharf users.

Shelter to occupied edges

- 6.10 Experience with existing outdoor dining facilities on Queens Wharf indicates the importance of shelter. Intensive occupation of the building edge will only occur if adequate wind shelter is provided. A series of east-west orientated glazed sliding wind-screens are proposed. These relate to the position of proposed canopies, and to the structural module of the building. The screens can be expected to enhance shelter in this area. As these screens will be prominent in short range views of the hotel from the promenade, their detailed design resolution is critical.

7 Internal spatial and planning resolution

- 7.1 Internal planning is relevant insofar that it impacts on the quality of the public waterfront and, in particular, on maintenance of the hotel's five-star status. The range of facilities, the dimensions of internal spaces and the quality of finishes fixtures and fittings will all help to determine the hotel's rating. In turn, this is likely to affect the guest profile and

the mode of transport used by visitors to the hotel. This is discussed further in section 10.6 of this report.

8 Resolution of building design detail

- 8.1 The first of the seven 'Waterfront Objectives' in the *Framework* (p.21) is: '*The waterfront is locally and internationally recognised for its design.*' Furthermore, the *Framework* describes this area as the '*heart of the waterfront*' (p.27). This is a high profile site in a heavily used area of the waterfront. The building and associated public spaces will be exposed to a severe marine environment. They will also be experienced at close range, as a public promenade encircles the site. These conditions necessitate careful resolution of detail, including consideration of durability and maintenance. These demands ensure that detailed design will be a significant factor in determining quality and success.

Finish to towers at both ends of the building

- 8.2 The design includes strongly defined architectural features at either end of the building. These are to be clad in a material which suggests a maritime theme. The proposed treatment is 'steel cladding to rust colour paint finish'. We are concerned about the quality of this material and finish, particularly as the ends of the building are visually prominent and provide one of the composition's signature elements. The visual quality and durability of the surface coating and the composition and detailing of the steel plate will all be critical. As a result, we consider that this aspect of the design should be subject to further review and approval.

Stair tower resolution

- 8.3 The egress stairs are dominant elements in the hotel's north and south elevations. They are also prominent in views from the Johnston Street view shaft and from the waterfront promenade. The architect intends these to be carefully constructed, and to have a quality which is appropriate to their conspicuous form and location. In addition, glazed side panels to the base of both stairwells give enhanced connections with adjacent public spaces. All these qualities and characteristics provide some assurance that the stairs will not be seen as secondary utilitarian elements. However, as indicated in the drawings, the space frame structure within each stair appears excessively obvious. The architect has provided an assurance that this impression is a consequence of the style of representation and is not the intended outcome of the design. However, further design review is necessary to ensure that the stairs do not become an overly dominant or utilitarian feature. There is also an opportunity to emphasize the main hotel entrance by further developing the asymmetry of the building's form at this point.

East elevation – ground level treatment

- 8.4 On the hotel's east elevation, a simple glass wall separates ground floor service areas from adjacent public space. This treatment suggests that vents, ducts, access ways and other service connections will not interrupt the building's skin. The seamless glazing is an appropriate treatment, as it minimizes the external impact of back-of-house spaces. However, as detailed design progresses, it is possible that service openings and other penetrations become necessary. If this is the case, openings should be treated as a coherent and integrated part of the overall façade composition. They should also be subject to further design approval.

- Canopies along west facade*
- 8.5 Design changes have recently been made to canopies along the hotel's west elevation. These elements are now treated as horizontal projecting planes, in keeping with the hotel's cantilevered roof. It is proposed that light-weight retractable awnings will project from the outer edge of these canopies. However, updated details and perspectives have not been supplied. As a result, TAG is unable to comment fully on the appearance of these elements.
- Roof treatment*
- 8.6 Service penetrations (pipes, exhausts and lift overrun) detract from the appearance of the roof and prevent this surface being regarded as the building's 'fifth elevation'. The form and location of these utilitarian elements are inconsistent with the *Waterfront Framework* objective relating to local and international recognition of design (p.21). TAG recommends that these elements be eliminated or radically reconsidered.
- Continued design review*
- 8.7 Should this proposal gain approval, a successful resolution of outstanding architectural and urban design issues requires ongoing design review. Ongoing design review should include (but not be limited to) the following issues:
- Low-level decking extends over the public promenade, and its resolution is critical to maintaining the quality of the public environment. The decking must be welcoming and accessible to users of the promenade. It must also be well handled aesthetically, and be constructed with high quality commercial/maritime industrial materials and details. Finally, it must be consistent with other public space works and furniture on the waterfront. (See also section 9.2).
 - Tile and timber components of the ground-level decking along with associated elements such as wind screens, rails and ramps.
 - Bollards at the main entry (as seen in perspectives). These are not consistent with the public space treatment for the waterfront and should be reviewed.
 - Canopies along the western elevation; fenestration on the stairs; materials details and finishes at the north and south ends of the building.

9 Public space design proposal

- Public space treatment*
- 9.1 The *Framework* requires: "*The identity for each area will be in character with the waterfront as a whole*"(p.18). It continues:
"Successful urban environments tend to be characterized by visual diversity within a of unity. That is, components and elements should be of a family common to the waterfront as a whole. ... The approach of visual diversity with reference to a strong common theme fosters visual richness, but avoids arbitrary and confusing visual effects and develops a strong waterfront identity." (p.31)
- Design cues are also given by the *Framework's* observation that Queens Wharf is the *heart of the waterfront, reflecting working wharf and mercantile history. "The important mercantile connection needs to be represented."* (p.34)
- 9.2 With the exception of the proposed jetties, the overall treatment of public space is consistent with this *Framework* requirement. The

scheme maintains an appropriately generous public promenade around its perimeter. The footprint of the new building approximates that of Shed 1 and, as a result, the dimensions of the promenade remain similar to those surrounding the existing shed. However the raised decks and screens which designate higher activity areas do restrict the area of the wharf that could be called fully public. Detailed design of these elements should be subject to continued review by TAG. There is likely to be some minor conflict with pedestrian activity at the south end of the hotel where increased vehicle activity will occur. However, in summary, the proposed development will enhance the public experience of the promenade.

Planting on the Waterfront

- 9.3 Trees located on the west side of the building (indicated on perspective views 6 and 11) are not acceptable. Planting is not in keeping with the maritime environment and the *Framework's* intention of maintaining the character of a *working wharf* (p27). The Outer-T is an inappropriate environment for trees or smaller plants.

Active edges to the promenade

- 9.4 The built edge of the promenade improves markedly with the addition of multiple openings and active ground-floor spaces. There will also be some areas of increased shelter. These improvements are likely to attract more people to the Outer-T. A large open space is maintained in the centre of the wharf and on the southern end of the Outer-T. Extension of outdoor dining and seating spaces onto the wharf enhances the connection between interior and exterior and contributes to the quality and vitality of the water edge promenade. Slight changes of level and partial shelter achieve a desirable transition between inside and outside spaces. Planting is not considered to be a suitable device for reinforcing this delineation as it is not in keeping with the maritime environment and *working wharf* character.

Wharf edge condition

- 9.5 Concrete is proposed between the rail and the outside of the wharf. This change of material seems unnecessarily fussy. It is inconsistent with the treatment of wharf edges elsewhere along the promenade, and it should be avoided. Maintaining the existing wharf edge complete with signs of wear and tear communicates the history of the structure, and is consistent with *Framework* requirements to reflect the area's *mercantile history* and "*working wharf*" character (p.27). The treatment indicated on landscape Sheet 6 of "Existing Edge Treatment Retained and Enhanced" is supported – if this is taken to mean retention of existing materials and artifacts with only minimal replacement and repair.
- 9.6 The retention of existing rail lines along the eastern side of the wharf further highlights the waterfront's industrial heritage. However it is questionable whether a "steel rail insert" is desirable on the western side of the wharf. This is because rails were laid in pairs rather than singly and, in this location, a second rail would be partially concealed by the hotel's raised decking. Furthermore, the curved rail at the northern end of the Outer-T seems inappropriate. Waterfront cranes did not have access to the end of the wharf, and this landscape treatment hinders a clear reading of authentic industrial heritage elements found elsewhere. The proposed inserts on the western side would be better treated, not as a "rail", but as a steel bar with clearly contemporary origins (as noted on sheet 7). In this form, it could add detail, and provide visual separation between new asphalt paving and the existing wharf edge.

Wharf Surfaces

- 9.7 The low key approach to paving (simple asphalt in most places) is supported. The predominance of asphalt is consistent with the treatment of Taranaki Wharf and other parts of the promenade. It is a simple material which provides a good visual foil to the more refined finishes on the hotel. The combination of modest (asphalt) and celebrated (timber) palettes places visual emphasis on the activity of the hotel and on its associated terraces.
- 9.8 Adjacent to Dockside, timber decking flanks the centre of the wharf and delineates this area as a place of movement for people and service vehicles. Conversely, the decking defines areas characterised by occupation. This treatment also maintains patterns established in other parts of the waterfront, for example on the wharf to the north of Te Papa. It is important that the timber selection and detail design of the decking continues the robust and industrial character of the public domain. This feature should be reviewed by TAG as design development occurs.
- 9.9 Timber paving inserts relating to underlying wharf structure are proposed at the north end of the wharf. These are acceptable, but only if the northern pontoon is to remain - an option not favoured by TAG (see sections 9.10 - 9.14 below). Divorced from the pontoon, the timber inserts would appear arbitrary, and would introduce unnecessary complexity to the '*working wharf*' landscape.
- Low-level jetties at edges of Outer-T*
- 9.10 Jetties are proposed on both the north and west sides of the wharf. These would increase opportunities for public access to the water, and would appear to satisfy the *Framework's* waterfront-wide requirement for "*good access to the water*" (p.25). However, at the Outer-T, this measure will have a negative impact on character and activity. As a result, it is inconsistent with the *Framework's* specific requirements for Queens Wharf.
- 9.11 The jetties restrict the size of vessel that can berth in the more sheltered, inner parts of Queens Wharf. This constraint is contrary to explicit area-specific requirements of the *Framework* which states in the "Area Summary" table (p.47) that the expected "*water's edge characteristic*" here is: "*High working wharves, to service shipping*".
- 9.12 TAG considers that the jetties would compromise the scale and "working wharf" character of the Outer-T and risk domesticating the wharf. By constricting the water space, they may also unduly restrict access for the mid-size vessels that currently use this area. In addition, berthing small boats on both the inner and outer arms of the wharf may cause congestion.
- 9.13 The Queens Wharf area already provides low-level boardwalks and pontoons, and some additional low-level wharf edges are to be built at North Queens Wharf (Kumutoto). As a result, there is no justification for additional low-level jetties on the Outer-T.
- 9.14 *The Framework* notes that cruise ships and other large vessels should continue to berth at the Outer-T (p.27):
"*Cruise ships and other vessels encouraged to use Queens Wharf*".
Continued berthing of large vessels and ocean-going ships maintains the special maritime character of the waterfront. It is one of the prime reasons that this place is regarded as unique and 'iconic'. The ability for this to occur must be maintained. TAG believes there should be no reduction in the tonnage of vessels using the wharf, and that large ships should continue to occasionally close off views down the centre

of Queens Wharf. It is only when ships are centred on the wharf in this manner that they fully become part of Queen's Wharf's identity.

- 9.15 TAG recommends that:
- (a) Jetties be deleted.
 - (b) Timber paving inserts and other details associated with the jetty at the north end of the wharf should also be removed if the adjacent pontoon is deleted. Proposals for under-wharf lighting effects (placed in relation to jetties) will need further consideration, if the jetties are removed.
 - (c) Use of the full length of the Outer-T by cruise ships and other large vessels should be maintained.

10 Vehicle connection and servicing

Framework requirements

- 10.1 The *Framework* states "Diversity of experience" as a principle (p19):
"The entire waterfront is predominantly for people, not motor vehicles. Pedestrians and non-motorised transport will be able to use the waterfront safely. However service vehicle access needs to be provided for."

Waterfront-wide "key issues" include:

"As a general principle, vehicle traffic is restricted or excluded from moving on and around the waterfront. Access for service and emergency vehicles will be allowed in a controlled manner, but minimised, as will access for car parking. There will be no routes dedicated to different forms of access, except for a pedestrian-only section of the promenade by Shed 5 because of congestion at this narrow part of the promenade. Otherwise, pedestrians, cyclists, service and emergency vehicles will all share the same space, while still giving pedestrians priority." (p28)

Planning approach

- 10.2 This proposal allows the wharf to remain primarily a pedestrian area with appropriate limits on vehicle use. Given the amount of space available on the Outer-T, it appears that vehicle movement as well as pedestrian access and use can be integrated satisfactorily, even though coaches could occasionally conflict with the use of public space. However, the location, design and management of vehicles should be reviewed in more detail during design development to ensure that potential conflicts are eliminated or minimised. Such reviews should also ensure that the Outer-T and the wharf as a whole retain their special working waterfront character.

Resolution of existing pedestrian-vehicle conflict along the promenade

- 10.3 A proposed under-wharf service 'tunnel' offers an excellent solution to light vehicle access, and promises to resolve the "*existing potentially dangerous conflict between pedestrians and service vehicles*" identified by the *Waterfront Framework* along the promenade between Sheds 5 and 6 (p.27). The 'tunnel's' exit is appropriately located in the centre of the wharf where it will have least impact on pedestrian movement. However, the anticipated volume of light vehicle traffic is high enough to create an appreciable negative impact on the quality of open space in the centre of the T. Traffic projections also suggest that a significant number of large vehicles will continue to use the promenade route (refer 10.6). Both these effects are concerns.

- Visual impact of coach access*
- 10.4 Limited coach and bus use at the centre of the Outer-T is acceptable, however this area should not become dominated by vehicles. Coach parking should not obstruct pedestrian movement or the view along the centre of Queens Wharf (Refer 6.4).
- Sheltered coach access*
- 10.5 A temporary coach parking point combined with sheltered secondary access might be explored at the south-east corner of the hotel. This could utilise the less frequented harbour side of the wharf, opening off the space marked 'concierge'. The revised parking location could also give coach passengers the option of a sheltered entrance away from uncomfortable southerly winds.
- Projected use by coaches and other large vehicles*
- 10.6 The quality rating of the proposed hotel is expected to influence how guests arrive at the site. The 20 August 2002 Traffic Design Group appraisal of traffic effects notes that "*it can be expected that there will be very little coach traffic associated with this 5-star hotel which is targeted at the corporate and not the tourist market.*" (see page 3 of the TDG report). A subsequent report by the same authors is dated May 6 2006. This document estimates up to 35 large vehicles using this route each day. This volume of heavy traffic will have a significant impact on pedestrians and other uses of the promenade, especially in the congested area alongside Shed 6. In addition, the intended five-star quality rating of the hotel should be verified by the appropriate independent monitoring body, because the target user group will have a bearing on traffic patterns. If a five-star rating is not maintained, the hotel may attract a greater number of tour coaches. This would have a more serious impact on the safety and amenity of the promenade, the public domain around Shed 6, and on public open space at the centre of the Outer-T.
- Projected use by cars and other light vehicles*
- 10.7 TAG is concerned about the number cars and light vehicles projected to use the under-wharf access, the associated ramp and the centre of the Outer T. This volume of traffic will reduce pedestrian amenity within the proposed public space. In addition to conflict between pedestrian and vehicle movements, there is a risk that that the presence of these vehicles will characterize the centre of the T as a car-dominated zone. Proposed valet parking reduces the amount of parking required on the Outer-T. However, the valet service may not be maintained if the hotel's five star rating lapses.

END

Appendix 6: Natural hazards assessment – Helen Grant



MEMO

TO Natasha Tod
FROM Helen Grant
DATE 13 April 2006 & 22 May 2006
FILE NUMBER WGN/06/0184/1

Hilton Hotel- Natural Hazards Assessment

Documents reviewed:

- Queens Wharf Outer T Hotel Project - Natural Hazards Assessment; 8 February 2006, Beca Ref: 5271088.

A few points regarding the Natural Hazards Assessment for the Hilton Hotel.

Earthquake hazards

The section on the earthquake hazard only deals with ground shaking hazards. It does not mention the potential for liquefaction at the site, nor does it give any consideration to co-seismic tectonic subsidence which may occur at the site during a Wellington Fault earthquake. There is a 10% (or greater) chance of the Wellington Fault rupturing during the next 50 years (the design life of the building), equivalent to the design event for ground shaking, therefore this hazard warrants consideration.

Tsunami

Tsunami is not specifically mentioned in the Building Act as a hazard (although inundation is). I would be interested to know what parameters the designers are using to withstand lateral loads from a 1 in 500 year tsunami event. I would recommend that an emergency management plan be developed including procedures to be undertaken if a warning is issued for a distant source tsunami, and procedures to be taken in the event of a strong earthquake (the most likely warning of a near source tsunami). It is not good enough to say "if the hotel management train their staff in appropriate emergency management procedures...". There must be an absolute commitment to developing a plan which is practised and reviewed on a regular basis.

Climate Change

The figures quoted in the Climate Change section are incorrect. The 2002 NIWA report states that the *historic* rate of sea level rise in Wellington is 17 mm/yr. This rate is predicted to accelerate in future to result in a sea level increase of 0.14-0.18 metres above 1990 levels by 2050 (not 0.085 metres as stated in the assessment). The Ministry for the Environment's 2004 guidance manual

"Coastal Hazards and Climate Change" recommends using a figure of 0.2 metres of sea level rise by 2050 when considering planning decisions.

Storm Surge

The report quotes a 100 year return period of 1.7 metres above WVD-53 and a 500 year return period of 1.1 metres above New City Datum, but doesn't give the relationship between the two datums. It goes on to say that "an increase of these heights would bring the sea level to approximately level with wharf height". Which height are they talking about? The 100 year or 500 year return period? Also, the storm surge estimates do not take into account predicted sea level rise, recommended as 0.2 metres by 2050 as stated above. That means that by 2050 the 100 year return period storm surge is likely to be around 1.9 metres above WVD-53 and the 500 year return period storm surge is likely to be 1.3 metres above New City Datum. No consideration is given to this in the assessment. If the current figures have the sea at wharf height, what effect will the extra 0.2 metres have?

In terms of mitigation, what does "and could be expected to trigger natural responses from hotel staff that would ensure the safety of staff and guests" mean? What is a "natural response"? I recommend that storm surge be included in the emergency management plan that we would require. Unlike other facilities (i.e. the proposed aquarium) the hotel could not be easily closed before and during a forecast storm surge. What would they plan to do with guests and visitors?

Conclusion

In summing up, the assessment does not give a clear indication of how liquefaction, tsunami, storm surge and sea level rise will be designed for or mitigated. The hotel site *is* at more risk than other waterfront facilities as the consequences of a hazard event, and hence the risk, are likely to be far greater for the hotel than other waterfront facilities given the number of people (particularly overnight guests) that will be on the site.

Natural Hazards Assessment update - 22 May 2006

Additional documents reviewed:

- Hilton Hotel Natural Hazards Assessment - Letter from Beca to Peter Coop of Urban Perspectives; 5 May 2006, Beca Ref: 5271088/100.

I met with Greg Cole and Richard Sharpe from Beca on Friday 19 May to discuss the concerns we had over natural hazard considerations for the Hilton Hotel resource consent application.

Beca have written a letter to Peter Coop at Urban Perspectives (which will be forwarded on to you shortly) that adequately addresses the concerns we raised. However, I recommend that Greater Wellington includes a condition on the coastal permit for the structure that requires a detailed tsunami response plan for a locally generated tsunami and a detailed storm surge plan. The condition should require that:

- (a) the plans be prepared by Hilton Hotel as part of their wider emergency management planning

- (b) the plans address all options for managing people in the event of strong ground shaking (which may generate a locally generated tsunami) and a storm surge
- (c) the plans are provided to Greater Wellington prior to the hotel opening.

Feel free to contact me if you require further details.

Helen Grant
Hazards Analyst
Environmental Management Division
Greater Wellington Regional Council

Appendix 7: Heritage assessment – Barbara Fill

HERITAGE ASSESSMENT CONSTRUCTION OF HOTEL, WHARF ENHANCEMENT AND CONSTRUCTION OF TWO JETTIES ON THE 'OUTER', QUEEN'S WHARF

WGN060184

20 June 2006

1.0 Background and general description

The applicant proposes to demolish Shed 1 and undertake major structural changes including partial demolition of Queens Wharf and construct a new hotel on the 'outer T', Queens Wharf, together with associated works, structures and activities and to undertake works associated with environmental enhancement and public use around the wharf including the construction of two new jetties.

This report discusses the issues pertaining to this proposal in particular the failure to address the protection of the heritage values of Queen's Wharf and its associated buildings.

Queens Wharf is identified in Appendix 4 of the Regional Coastal Plan as a heritage wharf. Shed 3 and Shed 5 which are part of the immediate surrounds of the proposed development are also included in the Regional Coastal Plan. Sheds 3 and 5 are also significant heritage places and listed in the Wellington City District Plan for information purposes because they fall within the jurisdiction of the Greater Wellington Regional Council. Other buildings that have heritage value on Queens Wharf include: the Wellington Harbour Board Head Office and Bond Store (former), the Wharf Offices (Shed 7). Sheds 11 and 13 are also in the immediate vicinity of Queen's Wharf as well as the Iron Gates and Railings. These buildings are also registered by the New Zealand Historic Places Trust as either Category I or Category II.

Queens Wharf, Shed 3 and Shed 5 are also archaeological sites in terms of section 6(f) of the RMA.

The RMA defines historic heritage as those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:

- archaeological:
- architectural:
- cultural:
- historic:
- scientific:
- technological; and

includes:

- historic sites, structures, places and areas; and
- archaeological sites; and

- sites of significance to Maori, including wāhi tapu; and
- surroundings associated with natural and physical resources.

The application does not address matters of historic heritage in terms of the RMA. In particular it does not address the effects of the proposal on the surroundings. I would concur with the definition of surroundings for this project as that set out in the submission by the NZHPT –

The wharf was generally by the gates and the long row of sheds and wharf offices parallel to the quays and harbour. The gates and buildings strongly define the waterfront from the rest of the city since these features created an enclosed space.

The wharf and structures have significant heritage value as identified in Ms Chester's Report attached to the application therefore at this stage there is no need to clearly set these out. However the application fails to address this matter for instance Mr Aburn states in 3.3.6 RCP Provision for Heritage the following: *Appendix 4 of the Regional Coastal Plan lists and Planning Map 4D shows Queens Wharf as a heritage wharf. There are no specific heritage rules in the Coastal Plan. However, heritage is a relevant matter when assessing the effects of the proposal under Section 104 and 105 of the RMA.*

However Rule 25 is clearly triggered in this instant:

Rule 25 All remaining activities involving the use and development of structures outside any Area of Significant Conservation value

Any activity involving the use or development of any structure or any part of a structure fixed in, on, under or over foreshore or seabed outside an Area of Significant Conservation Value:

- *that is not specifically provided for in Rules 6 to 24 or Rules 26 or 27; or*
- *which cannot meet the requirements of those Rules;*

is a Discretionary Activity and shall comply with the terms below.

Mr Aburn then does an assessment of effects in terms of Sections 104 and 105 but when it comes to a matter of historic heritage he states under paragraph 4.2.8 Archaeological Effects - that this matter is covered by Pam Chester's report but states that 'the management of archaeological resources is under the Historic Places Act 1993 and is therefore not a matter for detailed assessment and conditions of resource consent'. The applicant will require an authority and will apply to NZHPT for this.

However Ms Chester says in paragraph 1.2 of her report that her archaeological assessment is for the resource consent application only. It is **not** an archaeological assessment as required by the NZHPT. However Ms Chester's assessment while evaluating the heritage values of the archaeological resource namely Queen's Wharf with a minor reference to Sheds 3 and 5 then provides some conclusions and recommendations in paragraph 5 of her report (p 25) which does not address the matter as an RMA issue but clearly states that the northern end of the outer T and the main stem of the Queen's Wharf are archaeological sites as defined in the HPA 1993 and then goes on to suggest a process to be followed if an archaeological authority is applied for. Ms Chester then goes on to state that if her advice is accepted 'this will appropriately mitigate the adverse effect of the proposal on the archaeological resource.

In my opinion Ms Chester has failed to address the effects of the proposal on the archaeological heritage – i.e. if the wharf is so significant as she states in her assessment should the proposed work in fact take place?

Further Ms Chester's assessment only addresses archaeological values. It does not address other issues pertaining to the historic heritage values of Queen's Wharf e.g. historic, technological, scientific etc and it surrounds which in this instance would include the associated Sheds 3 and 5 which are also listed in Appendix 4 in the Regional Coastal Plan as well as those places identified in the NZHPT submission as set out above.

Because of the failure of the application to address heritage matters there is no assessment of the proposal on the heritage values of the wharf, the amount of demolition what is being kept, what is being lost, what is being restored or on the immediate surroundings including other heritage buildings from the wharf gates to Sheds 3 and 5.

Conclusion

Queens Wharf and its associated heritage buildings are extremely significant features of Wellington's historic heritage that date from the mid 19th century. It is a singular structure that dates from very early in Wellington's development and is integrally linked with the first major reclamation in the city and with the Wellington Provincial Council. Given that very little remains of the city's maritime heritage from this period Queens Wharf can be considered unique in Wellington.

The proposed hotel will, because of its height and bulk and the associated modifications to the wharf structure for carparking and access arrangements, have an adverse effect on the heritage values of the wharf and its surroundings which include a number of significant heritage buildings.

I concur with the NZHPT submission that if there is to be a new building then it should be in a similar scale to the listed heritage buildings. These should be the base line for considering such and not the urban form of the wider city for assessing the visual impact of the whole proposal on the heritage values of the wharf and its surrounds.

Barbara Fill

Senior Heritage Policy Advisor

Council Offices, 101 Wakefield St

PO Box 2199, Wellington, New Zealand

Ph 64-4-801 3541, Fax 64-4-801 3231

E-mail Barbara.Fill@wcc.govt.nz

Appendix 8: Submission summary

Submissions – supports

Submission #:	Name And Address	Wish to be heard	Summary Comments
141	Joe McAndrew 2Hot 2 Handle Ltd Level 5 93 Boulcott Street Wellington 1	Y	Supports – • The need for first class accommodation to attract celebrities
5	Sue Archibald P O Box 50-166 Porirua	N	Supports – • The opportunity to bring more events into Wellington, in particular a property on the waterfront has fabulous appeal
6	Bede Ashby P O Box 11-003 Wellington	N	Supports – • The need for Wellington to have another venue for corporate events • Competition for the standard larger two hotels • Innovation and enhancement of the waterfront to attract visitors
7	Stephen Ashton 35 Lucknow Terrace Khandallah	N	Supports – • The removal of Shed 1 which detracts from the aesthetics of Queens Wharf • Economic spin offs from the hotel • The harbour views being enhanced • That public access will not be impacted • Adding to the vibrancy of Queens Wharf
8	Alistair Boyce Backbencher Pub and Café 34 Moleworth Street Thorndon	N	Supports – • The hotel being an asset for Wellington, adding to the reputation of being the top tourist location • The benefits for the regional economy • Creation of employment
9	Sarah Bain 1/49 King George Ave Epsom Auckland	N	(no comment)

Submission #:	Name And Address	Wish to be heard	Summary Comments
10	John Bannatyne 20 Postgate Drive Whitby Wellington 6006	N	Supports - • The need for a 5 star hotel • Further enhancement of the waterfront • The transparency of the design of the lower level will provide a better view than the shed • The economic benefit to Wellington • The creation of employment
11	Mathew Barber 62 Roxburgh Street Mt Victoria Wellington	N	Supports – • The replacement of the ‘old shed look’ on the waterfront.
12	Peter Barlow 65 Hawker Street Mt Victoria Wellington	N	Supports – • The need for a high quality, strong brand 5 star hotel • The further enhancement of the waterfront
155	Paul Stewart Barrett 47 Rawhiti Tce Kelburn Wellington	?	(no comment)
13	Anna Beccard 3/13 Brougham Street Mt Victoria Wellington	?	Supports - • The ‘tidy up’ of an appealing area • The attraction of tourists • Creation of employment
127	Orsola Bland 89/43 Mulgrave Street Thorndon Wellington	N	(no comment)
14	Mark Herbert Blumsky Level 3/126 Cuba Mall Wellington	Y	Supports - • Economic asset to the regional economy • Tourism and business benefits would flow on into the Wellington region
15	Keith Boden 4 Handley Grove Churton Park	N	Supports – • The benefits that the hotel will provide Wellington • Shed 1 being removed

Submission #:	Name And Address	Wish to be heard	Summary Comments
16	Martin Alan John Bosley 103 Oriental Parade Wellington	N	Supports - <ul style="list-style-type: none"> • The need of 5 star accommodation • The attraction of tourists • Boosting our regional economy • Enhancing the environment • The area being more public
17	Alistair Boyce 14 Burma Road Khandallah	N	Supports – <ul style="list-style-type: none"> • The need for a 5 star hotel • Continuing development in Wellington • Further enhancement of the waterfront •The economic benefit to Wellington
18	Catherine Boyce 14 Burma Road Khandallah	N	Supports – <ul style="list-style-type: none"> • A 5 star hotel on the waterfront (best place for it) • Attracting tourists
19	Gary Brown P O Box 30 273 Lower Hutt	N	Supports – <ul style="list-style-type: none"> • Further development and enhancement of the city • The hotel being a strong brand and 5 star quality • In the proposed location it will be an asset to the city • Growth in population and economy
20	Alexander Brown 5 Myrtle Street Lower Hutt	Y	Supports – <ul style="list-style-type: none"> • A worldwide recognised hotel brand • Additional accommodation • The hotel generating activity and bringing new and improved facilities • Bringing further life to the waterfront, day and night • Removing a building (shed 1)which does not enhance the area
21	Michael J Brown 47 Hanover Street Wadestown Wellington	Y	Supports – <ul style="list-style-type: none"> • Further enhancement of the waterfront • The removal of the eyesore that is Shed 1 • Creation of public spaces around the development • Attraction of tourists • Economic development for the region • The restaurant/bar of the hotel giving the site an attractive entertainment venue • The design of the building

Submission #:	Name And Address	Wish to be heard	Summary Comments
22	Michael L Brown 32 Halladale Road Papakowhai Porirua	N	Supports – • Increasing accommodation • The attraction of tourists and growth in the region • The site of the development and 'fit' into the visual environment
23	Peter Brown 3 Young Nicks Lane Whitby Wellington	N	Supports – • The need for a quality hotel to support Wellington's marketing as an entertainment city • Improvement of public space in the proposed development • The Outer T becoming the focus of the waterfront
24	Gayle Brownlee 337 Richmond Road Grey Lynn Auckland	N	Supports – • The need of a 5 star hotel in Wellington
25	Jarrod Bruce 111 West End Road Westmere Auckland	N	Supports – • Further accommodation in the city • The aesthetic appeal of the building • Increased activity on the waterfront • Economic growth and development for the city
26	Richard Burrell P O Box 9270 Wellington	N	Supports – • The hotel adding to the reputation of Wellington being a top tourist location • The glass in the design opening up the views
27	Cristina Canal 65 Vermont Street Ponsonby Auckland	N	Supports – • The need for a quality 5 star hotel • Waterfront development as being the key success of a waterfront city
28	David Meiklejohn Chairman Capital Soccer P O Box 14-660 Kilbirnie Wellington	N	Supports – • The continuing development of Wellington as the events centre of NZ • The growing reputation having positive spin-offs (bringing more soccer games to the region) • Economic development • Attraction of people and investment providing opportunities for sporting organisations

Submission #:	Name And Address	Wish to be heard	Summary Comments
29	Leasa Carlyon 133 Wadestown Road Wadestown Wellington	N	Supports – • Further enhancement of the waterfront • Wellington developing into a international city which requires international investors and infrastructure such as the Hilton Hotel • The economic benefit to Wellington
30	Colin Carruthers P O Box 305 Wellington	Y	Supports – • The need for an international quality hotel • The need of a restaurant with panoramic harbour views • Development of the Outer T
32	Maxwell Church 7 Gowrie Street Brooklyn Wellington	N	Supports – • Enhancement of the waterfront • Increasing foot traffic of the waterfront from which businesses will benefit • The removal of Shed 1 in its present state
33	Deborah Coddington Box 305 Wellington	N	Supports – • Further enhancement of the waterfront
34	Murray Cole 20 Plunket Street Kelburn Wellington	N	Supports – • The need of quality accommodation for the growth of the city • The design and site for the hotel Recommends – • That the hotel includes a casino
35	Drew Coleman P O Box 19 175 Wellington	N	Supports – • The need for quality accommodation • The site for the proposal • Development of the waterfront for the better future of Wellington
36	John Coleman 11 Ariki Road Hataitai Wellington	N	Supports – • Growth of the capital city through tourism
37	Michael Copeland P O Box 10557 Wellington	Y	Supports – • The benefit for Wellingtonians through economic growth • The need for a quality 5 star hotel to attract up-market visitors who contribute more to the economy than locals • Creation of employment
38	Mark Corbett 24 Falkirk Avenue Seatoun Wellington	N	Supports – • Further development of the waterfront • The need for a quality 5 star hotel to cope with tourist growth

Submission #:	Name And Address	Wish to be heard	Summary Comments
39	Grant Corleison P O Box 10777 Wellington	Y	Supports – • The growth of the vibrancy of the city • The need of a top quality hotel and more accommodation • That the Hilton will 'show case' the harbour
40	Stephen Craig 6 Romesdale Road Papakowhai	Y	Supports – • Development of Wellington so not to be left behind • Increasing the amount of people visiting the site compared to now
41	Curtis McLean Limited P O Box 2293 Wellington	N	Supports – • The need for a 5 star hotel to encourage tourism • The hotel and design will further improve the waterfront • Enhancement of the public space • That other businesses will benefit • Creation of employment
42	Martin Dalgleish 125 Karori Road Karori	N	Supports – • The quality hotel enhancing the reputation and appeal of Wellington
43	Stephen Day 162 Owhiro Bay Parade Owhiro Bay Wellington	N	Supports – • The waterfronts need for this sort of vibrancy and hospitality competition which made Courtney Place so successful
45	Joel de Boer 25 Whanake Street Titahi Bay Porirua	Y	Supports – • Replacement of a rundown and derelict building by a high quality hotel • Creation of employment • Ongoing economic and social benefits to the community • The increase of architectural value of the waterfront • That the effects of the development on the environment will be less than minor
153	Paul Densem NBNZ Level 5 1 Victoria Street Wellington	N	Supports – • The need of a 5 star hotel as tourism is a fast developing opportunity in Wellington • The location as being perfect • Replacing the existing use which provides limited value to our city • Increasing activity and vibrancy in the area • The under wharf tunnel will improve access to the area
46	Brenda Dixon 142 Peary Road Mt Eden	?	(no comment)

Submission #:	Name And Address	Wish to be heard	Summary Comments
44	Murray and Clare Doyle P O Box 38 Arrowtown	N	Supports – • The addition of quality accommodation • Enhancement of the city • Replacement of an ugly building
47	Roger Drummond 43 Totara Street Eastbourne	N	Supports – • The hotel assisting Wellington with maintaining its position as the Events Capital of NZ • The need for top quality accommodation • The economic benefit to Wellington • Attracting and accommodating tourists
48	Mark Dunajtschik 9 Wilkinson Street Oriental Bay Wellington	Y	Supports – • Constant and new development for the city to stay vibrant • The need for top quality accommodation and conference rooms for upmarket tourists
49	Wayne Dyer P O Box 3518 Wellington	Y	Supports – • The need for top quality hotels like that of Australia and Asia • The hotel for the use and attraction of all Wellingtonians and tourists • Removal of the ugly sheds to make good use of the waterfront
50	Jeffrey Edwards 62 Tio Tio Road Wellington	N	Supports – • The economic benefits to Wellington
52	Michael Egan 37 Apuka Street Brooklyn	?	Supports • The hotel adding to the reputation of Wellington being a top tourist location • The benefit to the regional economy • Further enhancement and development of infrastructure in the city
53	John Feast 10/42 Molesworth Street Thorndon Wellington	N	Supports – • The need of a 5 star hotel to support tourism, commerce and associated Government services • Enhancement of the harbour
54	Louise Finlay 3F/42 Molesworth Street Thorndon Wellington	N	Supports – • The removal of the ugly Shed 1 • Development of an area of Wellington which has a lot of potential
55	Kerry Finnigan 168 Kohimarama Road Kohimarama Auckland	N	Supports – • The need of a 5 star hotel • Further growth of Wellington • The attraction of more visitors

Submission #:	Name And Address	Wish to be heard	Summary Comments
56	Charles Finny Wellington Regional Chamber of Commerce PO Box 1590 Wellington	Y	The Wellington Chamber of Commerce, membership 1, 200 Supports <ul style="list-style-type: none"> • Business development for Wellington • A new five star hotel in Wellington • Growth in the economy from the hotel • The attraction of more tourists
57	Ian Fitzgerald 50 Ngatoto Street Khandallah Wellington	Y	Supports – <ul style="list-style-type: none"> • The need for 5 star accommodation • The hotel will be a great asset to the waterfront providing a focal point for activity • Tidying up the wharf • The hotel contributing to tourism • Further growth in Wellington
58	Stephen Florentine 67 Falkirk Avenue Seatoun	N	Supports – <ul style="list-style-type: none"> • The need for a world class hotel in Wellington to attract visitors • Enhancement of the area • The attractive, modern design
59	Andrew Forrest 15a Perth Street Ngaio Wellington	N	Supports – <ul style="list-style-type: none"> • The hotel adding to Wellington's reputation as a top tourist and events location • The benefits to the regional economy • Enhancement of the waterfront • Continued growth in terms of tourism and Wellington's ability to host world class events
60	Gary Fuller 32 Stephen Street Trentham	N	Supports – <ul style="list-style-type: none"> • The hotel being a valuable asset to the waterfront and Wellington as a whole • The hotel enhancing the current buildings in the area • Further vibrancy in the area
61	Ian Galli 18/77 Tory Street Wellington	N	Supports – <ul style="list-style-type: none"> • The benefits that will be obtained by all Wellingtonians • Sensible, progressive development of the waterfront
62	Duncan Garvie Williment World Travel Ltd PO Box 589 Wellington	N	Supports – <ul style="list-style-type: none"> • The need for Wellington to have top quality accommodation – partner in Williment World Travel Ltd and has problems finding accommodation for guests every time a large event is held

Submission #:	Name And Address	Wish to be heard	Summary Comments
63	Sophie Gill 15 Sydenham Street Northland Wellington	N	Supports – • Enhancement of the waterfront • The Hilton brand boosting Wellington’s tourism economy
64	David Gilmour 281 F Katherine Mansfield Drive Whitemans Valley Upper Hutt	N	Supports – • Progress and sensible developments like this on the waterfront • The need for a 5 star hotel
65	David Hackett Level 15 ASB Tower 2 Hunter Street Wellington	N	Supports – • The attraction of upmarket visitors to Wellington • The region benefiting economically
95	John MacWilliam Hale 278 Muritai Road Eastbourne Wellington	N	Supports • Enhancement of the waterfront • The building has architectural merit • Removal of the current eyesore
66	Lee Hales 3/24 Majoribanks Street Mount Victoria Wellington	N	Supports – • The need for quality hotel accommodation • The development of Wellington so that it remains vibrant • The economic benefit to Wellington
152	Clemency and Edward Harding Appt 7 Dorchester 144 Oriental Parade Oriental Bay	N	Supports – • The need for a quality hotel to attract tourists • Enhancement to the skyline • The hotel being an asset to Wellington
67	Calum Haslop 160 Victoria Avenue Remuera Auckland	N	Supports – • The need for 5 star accommodation • Enhancement of the waterfront • The benefits that Wellington will obtain from the hotel

Submission #:	Name And Address	Wish to be heard	Summary Comments
68	Michael Hayes 9 Puketiro Avenue Northland Wellington	N	Supports – • The removal of the shed on the site which is an eyesore • Enhancement of the waterfront • Creation of employment • The hotel being a site for visitors to stay in
69	Aaron Hegan Apartment 26 164 The Terrace Wellington	N	Supports – • The economic benefit to Wellington
70	David Henderson Penthouse, Hilton Hotel Princess Wharf 146 Quay Street Auckland	Y	Supports – • That the Hilton Hotel in Auckland has been a key driver to the success of the \$400 million development at Princess Wharf • The Hilton providing accommodation that will be truly beneficial to Wellington • The creation of between 2,000-3,000 direct or indirect employment opportunities • That this is the best development opportunity down at the waterfront precinct that Wellington will have
71	James Higgie 41 Cecil Road Wadestown	N	Supports – • The benefit to Wellington's economy • Enhancement of the area for public use • The hotel adding to Wellington's reputation as a top tourist location
72	Rohan Hill 47A Clutha Avenue Khandallah	N	Supports – • The removal of Shed 1 which is an eyesore • The increase in tourist numbers • That the hotel is perfect for the location
73	Michael Hobbs 19 Seaview Terrace Northland Wellington	Y	Supports – • The need for 5 star accommodation and more hotel beds • The project being an excellent use of the waterfront • That public access is retained • That harbour views will be maintained and even enhanced
75	Delvin George Hogg 363/4 Karaka Bay Wellington	N	Supports • Replacement of an old industrial building • Further enhancement of Queens Wharf
74	Brendon Hogg P O Box 5656 Wellington	N	Supports – • Progress of the waterfront
76	Malcolm Holmes 3 Sarah Way Crofton Downs Wellington	N	Supports • Wellington's need for more accommodation

Submission #:	Name And Address	Wish to be heard	Summary Comments
77	Mark Hourigan P O Box 829 Wellington 6015	N	Supports – • The need for 5 star accommodation in Wellington • The enhancement of public space in the area • The construction of jetties for public use
78	David Ireland 8 Ngaio Gorge Road Ngaio Wellington 4	N	Supports – • The need for 5 star accommodation in an attractive waterfront location • The project adding credibility to Wellington's reputation as a top tourist destination • The site being ideal for the project • The benefits to the local economy – short-term and long-term
79	Graham Jackson 114 Victoria Avenue Remuera Auckland	N	Supports – • That the project will keep with the theme of the 'Absolutely Positively Wellington' attitude
80	Tally Jackson 4 Agra Crescent Khandallah Wellington	N	Supports – • That the area currently is under utilised and needs development in this focal point • A 5 star hotel adding to the value of the area • The hotel blending in with the surroundings
81	George Janis Grand Arcade Willis Street Wellington	N	Supports – • That the hotel will be beneficial to Wellington • Attracting more people to the area
82	Shannon Jefferies 11Mason Street Moera Lower Hutt	N	Supports – • The need to have a great venue and accommodation of a higher standard • Tidying up the wharf
83	Christy Johnston P O Box 2293 Wellington	N	Supports – • The economic benefit to Wellington
84	Pip Kennedy P O Box 24042 Wellington	N	Supports – • The economic benefit to Wellington • Creation of employment • The attraction of tourists

Submission #:	Name And Address	Wish to be heard	Summary Comments
85	Craig Kilmister P O Box 2293 Wellington	N	Supports – • The economic benefit to Wellington
86	Brenton Knight 40A Orakei Road Remuera	N	Supports – • The need for 5 star accommodation • Further growth and attracting tourists to the region
87	Nicholas Krivan P O Box 2293 Wellington	N	Supports – • The economic benefit to Wellington
88	Richard Laurenson P O Box 2041 Otaki	N	Supports – • The hotel being a great improvement on the current eyesore • Balance being created in that area with the surroundings
89	John Lawrence 99 Boulcott Street Wellington	N	Supports – • The development of an international standard hotel in the unique location • Further enhancing Wellington's reputation as an innovative, exciting and cultural city • Providing appropriate accommodation for both domestic and international visitors
90	Frances Le Fort 46 Waipapa Road Hataitai	N	Supports – • The hotel being an asset to Wellington City as a top tourist attraction
91	Mark Lindale 36 Herne Bay Road Herne Bay Auckland	N	Supports – • The need for a 5 star hotel • Enhancement of the waterfront • The hotel being a great tourist and business asset • The economic benefits for Wellington
92	Rebecca Lineham P O Box 2293 Wellington	N	Supports – • The economic benefit to Wellington

Submission #:	Name And Address	Wish to be heard	Summary Comments
136	Stewart Thwaites The Loaded Hog/One Red Dog P O Box 6347 Wellington	Y	Supports – • The need for 5 star accommodation • Growth and attracting more visitors into the region • The economic benefits to Wellington • Creation of employment
93	Stephen Logan PO Box 6155 Marion Square Wellington	N	Supports • The proposed site for the hotel • The need for a five star hotel • Benefits that will flow on to the city
94	Kirsty MacFarlane 374 Huia Road Titirangi Auckland	N	Supports – • The benefits to Wellington • The design of the building suiting the area • Attraction of tourists • A 5 star hotel to attract a better economy in the area
96	Roger and Sherry Manthel 338A Oriental Parade Wellington	N	Supports – • The need for more quality accommodation to cope with the growth in tourism, business and government • The proposed site as being well suited • That the hotel does not impose on views
97	Allen Mazengarb 93b Mangorei Road New Plymouth	N	Supports – • The need for top quality 5 star accommodation • Further enhancement of the city as a tourist destination
98	Murray McEwen P O Box 738 New Plymouth	N	Supports – • The need for top class accommodation for business people and visitors
99	Kristie McGregor 1250 Akatarawa Road RD 2 Akatarawa	N	Supports – • Further enhancement of the waterfront • The need for a top quality hotel for international visitors • The removal of shed 1 which blocks views and is an eye sore
100	Robert McGregor 59 Glen Road Kelburn Wellington	N	Supports – • The hotel bringing additional visitors to the city • The hotel design enhancing the waterfront • The need for a 5 star hotel

Submission #:	Name And Address	Wish to be heard	Summary Comments
101	Stephanie McLean 4/74 Oriental Parade Wellington	N	Supports – <ul style="list-style-type: none"> • The need for 5 star accommodation • Enhancement of the public space – especially the jetties • The design opening up the harbour views • That any adverse effects from the construction will be short lived • Economic benefits to Wellington • Attracting more visitors
103	Sloan McPhee 5 Paramata Drive Paramata Wellington	N	Supports – <ul style="list-style-type: none"> • Growth and development in Wellington • That the height is not over bearing on the landscape
104	John Meads 20 Ngaio Road Kelburn Wellington	N	Supports – <ul style="list-style-type: none"> • The need for 5 star accommodation • The benefit to the regional economy • The views that are currently blocked by Shed 1 being opened up • The design of the building fitting in with the marine environment • Creation of jobs
105	David Meiklejohn 7 McGowan Road Wainuiomata	N	Supports – <ul style="list-style-type: none"> • The hotel adding to Wellington's reputation as a premier tourist location • Enhancement of the adjacent public areas • Attracting more people to the wharf area
106	Fazilat Mohammed 12A Kivell Street Ranui Heights	N	Supports – <ul style="list-style-type: none"> • The need for 5 star accommodation • Creation of employment • The hotel attracting tourists
107	Arohia Mohi 31 Mark Avenue Paparangi Wellington	N	Supports – <ul style="list-style-type: none"> • The need for 5 star accommodation • Growth and attraction of visitors
109	Andrea Mowby 12 Mossburn Grove Kelson	N	Supports- <ul style="list-style-type: none"> • The economic benefits • That enhancement of Wellington as a destination city

Submission #:	Name And Address	Wish to be heard	Summary Comments
154	Craig Murphy NBNZ Level 5 1 Victoria Street Wellington	N	Supports – <ul style="list-style-type: none"> • The need of a 5 star hotel as tourism is a fast developing opportunity in Wellington • The location as being perfect • Replacing the existing use which provides limited value to our city • Increasing activity and vibrancy in the area • The under wharf tunnel will improve access to the area
110	Chris Parkin Museum Hotel Ltd 90 Cable Street Wellington	N	Supports – <ul style="list-style-type: none"> • That the hotel is a substantially better use for the site than the present situation • The building adding an architectural presence to the area • A 5 star hotel increasing the attractiveness of Wellington as a tourist destination
112	Julie Elizabeth Nicholson 47 Britannia Street Petone Wellington	N	Supports <ul style="list-style-type: none"> • Wellington's need for more luxury hotels • The attraction of more visitors • Progress
113	Sarah Nimmo 2 Cintra Place Glen Innes Auckland	N	Supports- <ul style="list-style-type: none"> • Continued growth and progress • Attraction of visitors
114	Norsewear of New Zealand Attn: Robert Linterman 34 Waione Street Petone	N	Supports- <ul style="list-style-type: none"> • The need for a 5 star hotel • Economic benefits to Wellington • Attracting upmarket tourists
111	Mark Weldon New Zealand Exchange Limited P O Box 2959 Wellington	N	Supports- <ul style="list-style-type: none"> • Adding to Wellington's business accommodation • The waterfront being a lively and attractive place
108	Chris Moller Chief Executive Officer New Zealand Rugby Union P O Box 2172 Wellington	N	Supports – <ul style="list-style-type: none"> • The need for 5 star accommodation • Creation of employment • Attraction of tourists • The ability of Wellington to host more major international events - In terms of NZ hosting Rugby World Cup 2011, the ability for Wellington to provide high level accommodation such as the Hilton will be critical to the success of the event, as well as a positive factor in any future decisions on Wellington hosting any of the matches

Submission #:	Name And Address	Wish to be heard	Summary Comments
115	Lee Blair Our Waterfront Inc P O Box 12-060 Thorndon Wellington	Y	Our Waterfront Inc Supports - <ul style="list-style-type: none"> • The replacement of an ugly old shed • The architectural design of the hotel being mostly glass allowing views of the outer harbour • The enhancement of public space with new decks and jetties • That the project will cause minimal upset to the seabed • The under wharf access tunnel making the area safer for pedestrians • The economic benefit to Wellington • The need for top quality accommodation attracting up market visitors
116	Michael Page 20 Captain Edward David Drive Wellington	N	Supports – <ul style="list-style-type: none"> • The project complementing the existing amenity enjoyed by the public • The opportunity to have excellent facilities and services that the hotel will offer • Queens Wharf to have the same success as Princes Wharf in re-development
117	Larissa Parks 31 Hackett Street St Marys Bay Auckland	N	Supports – <ul style="list-style-type: none"> • The need for a 5 star hotel • The same positive effect that the Hilton Hotel has had on Auckland's waterfront
118	Neil Paviour-Smith P O Box 10-051 Wellington	N	Supports – <ul style="list-style-type: none"> • The need for international quality accommodation • Enhancement in the design and appearance of the waterfront • Replacement of the current shed which is an eye sore • Attracting more people to the wharf
942	Kevin Podmore St Laurence PO Box 1894 Wellington	N	Supports – <ul style="list-style-type: none"> • The hotel enhancing Wellington's reputation as a top tourist and business destination • The design of the hotel opening up harbour views currently not available
119	Tim Cossar Chief Executive Officer Positively Wellington Tourism P O Box 10 017 Wellington	Y	Supports – <ul style="list-style-type: none"> • That investment is essential to support the growing nature of the tourism sector • Adding value and growth to Wellington as a tourist destination • The Hilton Hotel giving more depth to the overall visitor offer

Submission #:	Name And Address	Wish to be heard	Summary Comments
120	Gregory Pritchard 3/279 Karaka Bay Road Seatoun Wellington	N	Supports – <ul style="list-style-type: none"> • That the hotel will complete the dining/entertainment precinct of Queens Wharf • The need for 5 star accommodation • Visitor numbers growing through the Hilton brand • The economic benefit to Wellington • Replacement of the current eyesore
121	Grant Rae 155 Seatoun Heights Road Wellington	Y	Supports – <ul style="list-style-type: none"> • The introduction of a new high end brand to the market • The attraction of wealthy tourists and investors • The promotion of Wellington as an international city • Replacement of the shed with a modern hotel • The hotel providing support for existing and future commercial activity on the waterfront With the following recommendations – <ul style="list-style-type: none"> • To take careful consideration of traffic and parking implications • To make sure that pedestrian access is not compromised • To assist with modest economic incentives so that the project proceeds • To ensure that the Hilton operates in accordance to it's stated intentions
122	Paul Retimanu 45 Churton Drive Churton Parks Wellington	N	Supports – <ul style="list-style-type: none"> • Enhancement of the area • The hotel will help with corporate business Monday to Friday, and events and arts culture in the weekends
123	Hayden Rix 15 Brees Street Boulcott Lower Hutt	N	Supports – <ul style="list-style-type: none"> • Further enhancement to the under utilised waterfront • The hotel brand
124	Terri Rixson 76 Richmond Street Petone Lower Hutt	N	Supports – <ul style="list-style-type: none"> • Enhancement of the waterfront • Creation of employment • Economic benefits to Wellington • The promotion of Wellington as a 5 star tourist destination

Submission #:	Name And Address	Wish to be heard	Summary Comments
102	Alastair Roger 4 Burnham Street Seatoun	N	Supports – <ul style="list-style-type: none"> • The hotel adding to Wellington’s reputation as a top tourist location • Enhancement of the area • The design fitting into the present environment • Economic benefits to Wellington
125	Brendan Hogg Royal Port Nicholson Yacht Club P O Box 9674 Wellington	N	Supports – <ul style="list-style-type: none"> • Enhancement of the public spaces in the vicinity of the hotel • Construction of jetties for public use • Growth for Wellington
126	Timothy Ryan 49 Cavendish Square Strathmore Park Wellington 6003	N	Supports – <ul style="list-style-type: none"> • The need for 5 star accommodation to attract and house VIPs, dignitaries and diplomats • The location as being fantastic
128	Myles Scholey 165 Sutherland Road Lyll Bay Wellington	N	Supports – <ul style="list-style-type: none"> • Providing Wellington people with enjoyment while attracting tourists • The need for quality accommodation
129	Christopher Scott 93 Beauchamp Street Karori Wellington	N	Supports <ul style="list-style-type: none"> • Developing this area of Wellington • The need for more hotel accommodation • Increasing the foot traffic around the surrounding area • Attracting more visitors into the region
130	Brian Fitzgerald Shed 5 Restaurant and Bar 38 Palliser Road Roseneath Wellington	Y	Supports – <ul style="list-style-type: none"> • The hotel as being apart of the Queens Wharf precinct it needs to be built as originally planned • Competition between establishments • The reported additional \$15-20 million per annum into the local economy • Creation of employment

Submission #:	Name And Address	Wish to be heard	Summary Comments
131	Mark Sherlock 48 Alexandra Road Hataitai Wellington	N	Supports – • The hotel being an asset to the city • That the effects on the environment will be short-term and minimal • The location as being ideal
132	David Somerfield 12 Copeland Street Lower Hutt	N	Supports – • The need for a quality hotel • Economic benefit to Wellington • The site as being ideal
133	Timothy Stevens P O Box 38-913 Wellington Mail Centre	N	Supports – • The need for 5 star accommodation for business, sport and tourism • Upgrading the waterfront • Keeping up with other world cities
943	Arthur Stewart 113 Woburn Road Lower Hutt	N	Supports – • Further enhancement of the waterfront • Attracting more tourists
134	Emma Taylor 15A Crieff Street Northland Wellington	N	Supports • Building and enhancement of public space • Vehicle space will not interfere with pedestrian use of the wharf • Development of the waterfront while retaining public use Conditions • Should include the provision of public pedestrian access to be retained or enhanced • Discharge effects to be managed • Minimise interference between vehicle access and pedestrians
31	Ian Cassels The Wellington Company Ltd P O Box 11660 Wellington	Y	Supports – • The replacement of the present structure to improve the area • Creating an environment capable of bringing back our 'brightest' and 'best' from overseas
138	Denis Thom 5A/342 Oriental Parade Wellington	N	Supports – • Enhancement of the area for both locals and tourists • Economic benefits to Wellington • The design as being appropriate for the waterfront and surrounding buildings

Submission #:	Name And Address	Wish to be heard	Summary Comments
135	David Thwaites 14 Mahina Road Mahina Bay Eastbourne Lower Hutt	N	Supports – • The need for an internationally recognised hotel • Economic benefits to Wellington • The building being a feature on the waterfront
137	John Thwaites 76 Richmond Street Petone Wellington 6008	N	Supports – • Wellington becoming a major tourist destination • The positive effect that the hotel will have on the region
140	Matthew Turnbull 24 Browning Street Grey Lynn Auckland	N	(no comment)
142	Rachael Ward 33/230 Middleton Road Johnsonville Wellington	N	Supports – • The need for a 5 star hotel • The attraction of tourists
143	Peter Waters P O Box 1446 Rozelle N.S.W. 2039 Sydney Australia	N	Supports – • The need for a quality hotel on the waterfront and more accommodation
144	John Howarth General Manager Planning and Assets Wellington International Airport Ltd P O Box 14-175 Wellington	Y	Supports – • The need for a quality hotel to capture the full range of market preferences • Further enhancement of Wellington's role as a prime tourist destination • The location as being a major stimulant on the ongoing redevelopment of the waterfront • The design being innovative while respecting its surroundings • Attraction of tourists • Improvement of the waterfront for locals and visitors

Submission #:	Name And Address	Wish to be heard	Summary Comments
145	Ian Pike Chief Executive Wellington Waterfront Limited P O Box 395 Wellington	Y	Supports – <ul style="list-style-type: none"> • Compliance with the Wellington Waterfront Framework – public access, traffic and shelter • The hotel being a quality draw-card for locals and tourists alike • The hotel complementing existing hospitality • The construction costs of \$40-50 million going straight into the local economy • The need for high quality hotel accommodation • Creation of employment • The contribution to the cities economy, predicted to be \$20 million/year. • Attraction of high-spending tourists
146	Emma Wheeler 2/84 Khandallah Road Khandallah Wellington	N	Supports – <ul style="list-style-type: none"> • Improvement of the waterfront entertainment area • The need for quality accommodation for Wellington to become a world leading events capital
147	James Willis 23 Upland Road Kelburn Wellington	Y	Supports <ul style="list-style-type: none"> • Enhancement of the Queens Wharf • Creation of something comparable to Auckland's Viaduct Basin
148	Barry Alexander Wilson PO Box 208 Wellington	Y	Supports <ul style="list-style-type: none"> • The need for a quality hotel for high end business people who are not being currently catered for • The building will be an outstanding architectural feature • The hotel providing somewhere for meetings and functions, while showcasing the city and harbour • The creation of employment • Attracting tourists that are loyal to the Hilton brand • Removal of the current shed which is an eyesore and a waste of vital space • Providing another much needed food establishment • Generating more people traffic • Providing a chance to catch up with Auckland's rapidly growing Viaduct basin and Princess Wharf Conditions <ul style="list-style-type: none"> • In full support but emphasises the haste in seizing the opportunity
149	Robert Wilson 33 Pembroke Street Tawa Wellington	N	Supports – <ul style="list-style-type: none"> • Replacement of Shed 1 for a more modern structure • Attracting more people to the waterfront • Long-term aesthetic and financial benefits for the city • Attracting tourists
150	Dixon Young 8 Guadeloupe Crescent Grenada Village Wellington	N	Supports <ul style="list-style-type: none"> • Wellington's growth • The attraction of more visitors

Submission #:	Name And Address	Wish to be heard	Summary Comments
151	Grant Young 26 Para Street Miramar Wellington	N	Supports – • Removing Shed 1 to better utilise the space • Encouraging more people to use the waterfront • Economic benefits to Wellington
978 (late)	Alistair Stuart Betts 4 A MacDonald Crescent Te Aro Wellington	Y	Supports – • The need for upmarket hotels • Better utilisation of the area for a larger cross section of the community than present • The usage being more consistent with other buildings and activities in the area Recommends - • That the whole Queens Wharf area is predominantly a pedestrian zone • The use of the wharf retained as a working wharf • That the helicopter operation is retained in the southern end or at least relocated to an area not too distant from the Outer T • An alternative venue for Shed 1 indoor sports facilities to be provided that is convenient to CDB users
979 (late)	Paul & Charlotte Bublitz Apt A41 Sanctum 8 Ebor Street Wellington	N	Supports – • The need for an icon 5 star hotel • Further attracting tourism • The hotel being situated on the waterfront • Creation of employment • Economic benefits to Wellington
980 (late)	Collin F M Post 6 B Bay Point 172 Oriental Parade Wellington	N	Supports – • The need for a quality hotel • Attraction of tourists • The site as being ideal to enjoy the harbour
981 (late)	Gerard Shane Rowan 15 Sydenham Street Northland Wellington	N	Supports – • The need for a 5 star hotel to enhance Wellington's reputation as a top quality tourist destination

Submissions - opposed

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
156	Frances and Richard Acey 87 Owen Street Newtown Wellington	2	N	Opposes – <ul style="list-style-type: none"> • Restriction of public access and loss of public space • Unreasonable earthquake and tsunami risk • Public expense of mitigations • The design not being any merit to the site
983 (late)	Josephine Constance Alexander 6 Walmer Street Hataitai Wellington	2	N	Opposes – <ul style="list-style-type: none"> • Loss of a family area • The cities prime site being for VIPs over Wellingtonians
993	D Anstiss and L Garland 73 Cecil Road Wadestown Wellington	5	N	Opposes – <ul style="list-style-type: none"> • All points outlined on postcard • The site as being suitable due to the potential risk of natural hazards
158	Ben Arnold 2A/64 Dixon Street Te Aro Wellington	2	?	Opposes – <ul style="list-style-type: none"> • That the area around the hotel cannot be guaranteed to remain accessible to the public • That few members of the public would find the opportunity to use the space • Environmental and security concerns as numbers to the waterfront increases Recommends – <ul style="list-style-type: none"> • The Overseas Passenger Terminal would be a better site
159	Rosamund Averton 12/17 Brougham Street Mount Victoria Wellington	6	?	Opposes - <ul style="list-style-type: none"> • Privatisation of the wharf for a term yet to be determined • Noise effects from re-pilling the wharf • Long-term effects created from vibrations of the piles being bedded in the seabed. Demolish, construct and excavate seabed in breach of the RMA 1991, RMA 2003, NZ Coastal Policy Statement and Regional Coastal Plan • Disruption during construction on the amenity value, restriction of public access and creation of economic burden on the surrounding businesses • Environmental impacts from aspects of the infrastructure are contrary to the NZ Coastal Plan and the Regional Coastal Plan (4.2.42 and S.4.2.45) • Decks limiting boat access • No reference to sites to be used by fishers, limiting the sites recreational purpose - in breach of RCP:4.2.45 • Vehicular access tunnel and parking will cause restrictions for those using the wharf • Discharge into the coastal marine area Conditions if granted <ul style="list-style-type: none"> • Comply with the conditions and recommendations of Dr. Pam Chester's Archaeological Assessment

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
				<ul style="list-style-type: none"> • Develop the site in a manner that matches this entire proposal for the wharf, seabed and foreshore use • Affected parties be compensated by the developers
160	Lynette Aysey 53 Redwood Village 42 Main Road Tawa Wellington	2	?	<p>Opposes –</p> <ul style="list-style-type: none"> • The height of the building blocking views • Any adverse effects on the foreshore and seabed <p>Recommends –</p> <ul style="list-style-type: none"> • That the hotel be built elsewhere
161	Virginia Barton-Chapple 11 Hay Street Oriental Bay Wellington	2	N	<p>Opposes –</p> <ul style="list-style-type: none"> • Views being blocked from the hotel • More wind tunnels created • Ratepayers having to contribute to payment • Limitation of public access and space • The site being an earthquake fault zone
162	Julian Bateson 6 Sarah Way Chertwell Wellington	2	Y	<p>Opposes -</p> <ul style="list-style-type: none"> • Privatisation of a public space for select individuals • Loss of views from the buildings height <p>Recommends</p> <ul style="list-style-type: none"> • That the area be made attractive to ratepayers
163	Arthur W Beasley 37 Hay Street Oriental Bay Wellington	2	Y	<p>Opposes –</p> <ul style="list-style-type: none"> • That the WWF stated that the site deserved an iconic structure – the Hilton Hotel is not • The hotel not being an amenity for the people of Wellington as a whole • Traffic to the hotel posing a hazard to those using the wharf • The hotel's service areas being on the seaward side – no-one benefiting from the views
164	Marie Bell 32 Imperial Terrace Wellington 6003	2	N	<p>Opposes -</p> <ul style="list-style-type: none"> • The loss of views • Loss of opportunities for recreation • The design of the hotel • Privatisation of Wellington's natural resources
165	Judith L Berryman 27 Trelissick Crescent Ngaio Wellington	2	N	<p>Opposes –</p> <ul style="list-style-type: none"> • The multi-storeyed building closing off the area and views • Taking away any open and public spaces on the harbours edge
166	Susan Bibby 9-2 Hood Street Mt Victoria Wellington	2	N	<p>Opposes –</p> <ul style="list-style-type: none"> • Using public land for private gain • Using ratepayers money for the benefit of visitors over ratepayers wellbeing • Not realising the value of open waterfront spaces • Taking away the enjoyment and health benefits that Shed 1 provides Wellingtonians

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
167	Jocelyn Brooks 3/91 Austin Street Wellington 6001	2	Y	Opposes – <ul style="list-style-type: none"> • Non-compliance with the WWF document (p33) that a competition should be held • The loss of views which is one of the general principles of the Waterfront Framework • The application not complying with the RMA section 1 (b) • Not complying with the Fourth Schedule requiring possible alternative locations to be considered by the applicant • No evidence of compliance with Part 1 of the Fourth Schedule requiring consultation with interested and affected parties and the report of this consultation • That the ownership of the site is in dispute due to settlement not being reached for Waitangi Claims in the area • Vehicular and pedestrian conflict, especially from service vehicles too large to use tunnel • Ratepayers contributing a large amount of money toward foundations because of the earthquake risk • Privatisation of a public space
168	David M Brough C/- Sandy Cumpstone Unit 8, 5 Hopper Street Mt Cook Wellington	2	N	Opposes – <ul style="list-style-type: none"> • That it will end Wellington inner-city indoor sport • Infrequent 'Glitzzy' events taking precedence over sports which are continuously played
169	Denzil and Margaret Brown 7 Corgill Street Karori Wellington	2	N	Opposes – <ul style="list-style-type: none"> • That there has not been any competition to encourage public input and suggestions • The hotel not being 'public friendly' on this 'iconic site' • Conflict of vehicular and pedestrian traffic • The hotel blocking views and being visually intrusive
170	Alistair Mark Buchan 34 A Sutherland Crescent Melrose Wellington	2	N	Opposes – <ul style="list-style-type: none"> • Privatisation of public land • Loss of harbour views • Increased conflict between vehicular and pedestrian traffic • Violation of the existing height restriction of Shed 1 • The development being outside the WWF document Recommends – <ul style="list-style-type: none"> • Listening to the people of the city and the outcome of the opinion polls
171	Brian and Lynette Burrell 38 Marewa Road Hataitai Wellington 6003	2	N	Opposes – <ul style="list-style-type: none"> • The proposed structure being 50% higher than Shed 1 • Loss of views • Increase of vehicular and pedestrian conflict
172	Ann Calhoun 23 Versailles Street Karori	2	N	Opposes – <ul style="list-style-type: none"> • Privatisation of a public space – Volvo Race spectator platform • The hotel reducing public use of the wharf

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
	Wellington			<ul style="list-style-type: none"> The height and design of the hotel
173	Bruce Stuart Campbell 55 Falkirk Avenue Seatoun Wellington 6003	2	?	<p>Opposes –</p> <ul style="list-style-type: none"> Depriving the public of this current amenity and substituting with commercial activity The design of the building being an eyesore
174	David S Capper 147 The Ridgeway Morningside Wellington	2	Y	<p>Opposes –</p> <ul style="list-style-type: none"> The building being on an iconic site, as stated by the Framework The height The design The adverse effect it will have on surrounding people and activities The hotel being in an earthquake site
175	A D Carman 44 Ellesmere Avenue Miramar Wellington	2	N	<p>Opposes -</p> <ul style="list-style-type: none"> Loss of views for those behind Disruption to pedestrians in the area Having to contribute to payment through rates
176	Jean Margaret Cartmell 6 Station Road Khandallah Wellington	2	N	<p>Opposes –</p> <ul style="list-style-type: none"> That there has been no competition for the development of the site The building being over large and ugly Vehicular and pedestrian conflict Privatisation of a public space The site being an earthquake zone
177	Ronald Vining Chapman 18 Silverstream Road Crofton Downs Wellington 6004	2	N	<p>Opposes –</p> <ul style="list-style-type: none"> Disruption caused by construction Interfering with Wellington citizens rights to pursuing a peaceful amenity The loss of views from the building
984 (late)	Jonathan Clarke 7 Johnston Street Featherston	2	N	<p>Opposes –</p> <ul style="list-style-type: none"> Loss of amenity Increase of traffic Increased size of building Tax payer costs of strengthening The missed opportunity for something better
178	Stephen Cobeldick 14 Kipling Street Johnsonville Wellington	2	N	<p>Opposes –</p> <ul style="list-style-type: none"> The site as being unsuitable for a hotel The sports facilities being removed which are irreplaceable Conflict of the current pedestrian, cycle and boating access and flow Views of the harbour being further blocked That noise levels required by a hotel can only be reached by removing activities in the vicinity

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
				<p>Recommends –</p> <ul style="list-style-type: none"> • The Overseas passenger Terminal should be investigated as a site • Wellington facilities used by Wellingtonians must be supported
179	Corrina Connor C/- St Hilda's College Cowley Place Oxford OX41DY	2	?	<p>Opposes -</p> <ul style="list-style-type: none"> • Long-term financial commitment by Wellington ratepayers • Project not being an advantage to domestic ratepayers • Design of building • Loss of views and sun • Privatisation of site
180	Keith Conner 9 Regal Gardens Kilbirnie Wellington	2	?	<p>Opposes -</p> <ul style="list-style-type: none"> • The design of the hotel • Privatisation of the waterfront
182	Rosemary Cook 16 Earls Terrace Mt Victoria Wellington	7	Y	<p>Opposes –</p> <ul style="list-style-type: none"> • Coastal Permits 24997, 24998, 24999, 25000 • The proposal as being contrary to the Wellington District Plan and the Wellington Regional Coastal Plan • The inconsistency with Section 6 sub-sections (d) and (f) of the RMA • The adverse effect on the amenity value of the waterfront • The size of the building • Increased vehicular traffic on the promenade • Effects on existing lawful public access • The loss of views to and from the coastal marine area • The adverse effects on recreational uses • The adverse effects on structures of architectural or historic merit • The lack of thorough assessments on traffic in the Traffic Assessment (Annex 10) <p>Recommends –</p> <ul style="list-style-type: none"> • The council taking into account the cumulative and adverse effects of the traffic, the inconsistency of the traffic management plan described in the TA with the WWF, and the public concerns of the traffic • That a better site for the hotel would be in the site of the existing Events Centre
183	Heidi Joy Cosslett 8 Fitzgerald Place Karori Wellington	2	N	<p>Opposes –</p> <ul style="list-style-type: none"> • That the applicant has not met all the requirements of the RMA • The project not conforming to the WWF • That the hotel will bring an air of elitism to the waterfront • Vehicular and pedestrian conflict • That Shed 1 should be replaced by something that can be enjoyed by all
181	Pieter Couradie 96 Wadestown Road Wadestown	2	N	<p>Opposes -</p> <ul style="list-style-type: none"> • Upsetting the ecological and environmental area • The privatisation of the waterfront

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
	Wellington			
184	Sandy Cumpstone Flat 8, 5 Hopper Street Mt Cook Wellington	2	N	Opposes – • The replacement of largest sports centre which is central city • The loss of views • The hotel lessening the beauty of the waterfront
185	Anthony Patrick Cunneen 62 Ironside Road Johnsonville Wellington	2	N	Opposes - • The site being used for 'rich' overseas visitors and not general wellingtonians • Contrary to the Waterfront Framework Document clause 4.3 regarding that a competition should be held to determine an iconic sites use
186	Kevin John Currie 17 Abbott Street Ngaio Wellington	5	Y	Opposes – • Coastal Permits 24997 and 24998 • The further appropriation of public space for commercial purposes • The reduction in public space to and along the coastal marine area • The reduction in amenity values • Unacceptable and dangerous traffic impacts on the wharf area • The proposal not being compatible with Section 6 (d) and Section 7 of the RMA • The proposal not being compatible with the NZ Coastal Policy Statement, Policy 3.5.1 • The proposal not being compatible with the Regional Coastal Plan, Objectives 4.1.2, 4.1.8, 4.1.9, 4.1.10, 4.1.21 and 6.1.2. Also Policies 4.2.15, 4.2.16, 4.2.18, 4.2.19, 4.2..20 and 6.2.2
187	Jonathan Cutts 151A Barnard Street Wadestown Wellington	2	Y	Opposes - • The design of the hotel not fitting in with the surrounding low profile buildings • The privatisation of the site • Spoiling the waterfront with large commercial buildings
237	H Dare 27 Sydenham Street Northland Wellington	2	?	Opposes – • The loss of views • The size of the development being too big for the site • The removal of Shed 1 as a sports venue • Further development on the waterfront
188	Richard John Davies 2 Shannon Street Mt Victoria Wellington	2	N	Opposes – • The site due to the loss of open space and public recreation • The adverse effects that construction will have on marine life
189	Sam Davy C/- Sandy Cumpstone Unit 8, 5 Hopper Street Mt Cook Wellington	2	N	Opposes – • The removal of the indoor sports centre

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
190	Martin Kester De Jong 29 Randwick Crescent Lower Hutt Wellington	2	N	Opposes – <ul style="list-style-type: none"> • The height • The loss of views • The destruction of a valuable indoor sports facility close to city centre Recommends – <ul style="list-style-type: none"> • If hotel is constructed to ensure that indoor sports facilities are made available elsewhere
191	Dockside Restaurant Ltd C/- PO Box 10-242 Wellington	4	Y	Opposes – <ul style="list-style-type: none"> • The inadequacy of the assessment of effects on the environment that accompanied the application • Effects on the view shafts identified in the District Plan and the urban form of the city • Shading and dominance effects on existing businesses and activities in the area • Wind effects on existing business in the area • Traffic effects associated with the proposed development • The certainty of the acoustic performance of the hotel in respect of reverse sensitivity concerns regarding existing businesses in the area • The effect of relocating businesses currently in Shed 1 • The lack of consideration of possible alternative locations for the development • The failure to comply with the WWF, notably, holding a competition • The hotel not promoting the sustainable management of natural and physical resources and being contrary to Part II of the RMA, in particular being inconsistent with section 5 • The proposed development being contrary to relevant policy and planning instruments and not representing sound resource management practices • The poor urban design of the building
192	Ian Dodds 17 Spicer Place Tawa Wellington 6006	2	N	Opposes – <ul style="list-style-type: none"> • Privatisation of a public area • Possibility of liquidification of site • Increase in traffic • Service areas being open onto pedestrian promenade • Loss of views • Harsh, angular lines of design
193	Kelly Dong C/- Sandy Cumpstone Unit 8, 5 Hopper Street Mt Cook Wellington	2	N	Opposes – <ul style="list-style-type: none"> • Loss of views

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
194	R W England PO Box 27-368 Wellington 6030	2	Y	Opposes – <ul style="list-style-type: none"> • Building a hotel on the focal marine area of Wellington • Privatisation of a public area that citizens and visitors should be enjoying • Driving away visitors that appreciate the coastline Recommends – <ul style="list-style-type: none"> • Holding a competition for a project and premises that would have the pulling power of Te Papa and add to the recreational and financial welfare of this capital
195	Margaret C Foden 24 Awarua Street Ngaio Wellington	2	N	Opposes – <ul style="list-style-type: none"> • The height • The proposed vehicular access • Increasing traffic in this area • The hotel service areas opening onto the pedestrian promenade • Discharging contaminants into the marine area • Not preserving the area for general public use
196	Nigel Foster PO Box 25226 Panama Street Post Office Wellington	6	Y	Opposes – <ul style="list-style-type: none"> • The site being an earthquake zone • The Hilton Hotels being referred to as iconic • Diminishing the Johnston Street view shaft further • The height • The lack of ease that fire engines could reach the site in an emergency • The design of the structural layout • The use of the site not catering for the majority of Wellingtonians • That anything less than the hotel maintaining an occupancy rate of 80%, 365 nights/year as being unacceptable for the viability of the proposal Recommends – <ul style="list-style-type: none"> • That a more accessible and better suited site would be across from POHQ building Waterloo Quay • Providing more information to the public in the application document
197	Betty Fowler 140 Ridgeway Mornington Wellington	2	N	Opposes - <ul style="list-style-type: none"> • Privatisation of a public space • Views of harbour being blocked • Design of hotel not being iconic or fitting in with the surroundings • The public expense
198	Dorothy M Fraser 167 Wadestown Road Wadestown Wellington	2	N	Opposes - <ul style="list-style-type: none"> • The privatisation of the site • Loss of views

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
199	M T Fritzer 44 Ellesmere Avenue Miramar Wellington	2	N	Opposes - <ul style="list-style-type: none"> • The need of a hotel on the site in the first place • Loss of views • Disruption to pedestrian traffic • Congestion resulted from servicing the place • Ratepayers having to contribute towards the project
200	William and Lorraine Grace 3/17 Lewer Street Karori Wellington	2	N	Opposes – <ul style="list-style-type: none"> • The loss of a public amenity • The obstruction of harbour views • The gift of public capital to a private enterprise • The rejection of strong citizen objections to the proposal Recommends – <ul style="list-style-type: none"> • To remove Shed 1 and replace it only with single story building/s for public services e.g. cafes
201	Peter John Graham 19 Beazley Avenue Paparangi Wellington 6004	3	N	Opposes - <ul style="list-style-type: none"> • The hotel as not being unique to Wellington • Structurally the building will not be in harmony with its maritime surroundings • Development contrary to the Wellington Waterfront Framework basis • Loss of amenity value • Potential shading of surrounding businesses especially in winter • Further enhancement of problem of conflict with pedestrians and vehicular traffic • Privatisation of a public space • Lack of exploration into other options for the site
202	Mr Alex Gray 48 Connaught Terrace Brooklyn Wellington	2	Y	Opposes – <ul style="list-style-type: none"> • That the environmental effects are only minor • Heavy vehicle/pedestrian/cyclist conflict • The failure of Waterfront Investments to follow own guiding principle of allowing pedestrians to use the waterfront safely • Closing off access around Shed 6 for the construction period instead of barging the elements Recommends – <ul style="list-style-type: none"> • That all vehicles should be prohibited from using the Shed 6 route from 7am-7pm, seven days a week
203	Christine Greenwood 9 Taipakupaku Road Karaka Bay Heights Wellington	3	N	Opposes – <ul style="list-style-type: none"> • Non-compliance with the WWF policy document • Non-compliance with the RMA - Section 1 (b) of the Fourth Article, Part 1 of the Fourth Schedule and Section 2 • The height • The reduction in views

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
				<ul style="list-style-type: none"> • Further blocking the Johnston Street viewshaft • Conflict with vehicular and pedestrian traffic • Ratepayers contributing to structural and maintenance costs • Privatisation of a public space Recommends – <ul style="list-style-type: none"> • Holding a public competition to explore and access options
985 (late)	J Griffin 7 Sunrise Boulevard Tawa Wellington	1	N	Opposes – <ul style="list-style-type: none"> • Alienation and privatisation of public land • The site as not being suitable for a hotel • Increase of traffic problems
204	Karina Hailwood 20 St Mary Street Thorndon Wellington	2	N	Opposes – <ul style="list-style-type: none"> • The hotel destroying Dockside and businesses on the waterfront Recommends – <ul style="list-style-type: none"> • To develop it somewhere else
205	Guy & Mary Hallwright 2 Selton Street Wellington	2	N	Opposes – <ul style="list-style-type: none"> • The loss of views • Limitations on the use of the wharf for other purposes • Commercial traffic interfering with normal traffic • Conflict between vehicular and pedestrian traffic • The architectural design • The prospect of harbour pollution
206	Dr Timothy J Halpine 5 Surrey Street Wilton Wellington	1	Y	Opposes – <ul style="list-style-type: none"> • The planned structure for the hotel not being suitable to the site • Disruption to pedestrian/cycling traffic along the waterfront • Displacement of the indoor sports facility users inherent in the investment • The project not being unique to Wellington or NZ
51	Jennifer R Hames 12 Paisley Terrace Karori Wellington 6005	2	N	Opposes – <ul style="list-style-type: none"> • Conflict between vehicular and pedestrian traffic • Loss of views • The size of the building Recommends – <ul style="list-style-type: none"> • That any building on the site should be for maritime purposes or fully open to the public and be owned by either the city or the government
207	Roger Hart 23 Shannon Street Mt Victoria Wellington	2	N	Opposes - <ul style="list-style-type: none"> • Loss of aesthetic value • And all reasons listed on postcard

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
208	Dai Hayward 12 Robitson Street Roseneath Wellington	2	Y	Opposes - <ul style="list-style-type: none"> • Private company getting use of public waterfront • Increased traffic demand • Ratepayers money going towards costs of foundations • Council failing to hold contest for options • Destroying the view and character of the site Recommendations <ul style="list-style-type: none"> • To carry out the wishes of 82% of the public against the hotel
209	Heartbeat Wellington PO Box 11-708 Manners Street Wellington	2	Y	Opposes – <ul style="list-style-type: none"> • The style not fitting in with the current character heritage of the area • The size • The incompatibility with WCC policies to link the harbour to city • Traffic impacting negatively on recreational use • Conflict of vehicular/pedestrian/cyclist traffic • The limitation of public use of the area • The proposal being contrary to the WWF
211	Ronald Alan Henry 43 Ngaio Road Kelburn Wellington 6005	2	N	Opposes – <ul style="list-style-type: none"> • Privatisation of a public space for commercial use • Erection of a building totally out of scale • The loss of views
212	Marilyn Hester 6 A Trelissick Cesent Ngaio Wellington	2	N	Opposes – <ul style="list-style-type: none"> • Loss of views of harbour and surrounding hills • Increase of vehicular traffic in pedestrian areas • Location proposed for service access • Cost to ratepayers to fund foundation reinforcement
213	Charlotte Hird PO Box 9332 Wellington	2	N	Opposes – <ul style="list-style-type: none"> • The loss of views to harbour • The height • Service to the site impeding pedestrian access • The use of a public area for a hotel • The services required having a negative impact on the surrounding businesses and public space

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
214	Peter Holbert 18 Amritsar Street Khandallah Wellington	2	Y	Opposes – <ul style="list-style-type: none"> • The loss of views • Removing a vital facility for lunchtime activity • Spoiling the vista and vibe of the waterfront\ Recommends – <ul style="list-style-type: none"> • Keeping tall buildings away from the front so not to disrupt views for others • To maintain Shed 1 & 6 for recreational activities
215	Marie Holgate 23 Everest Street Khandallah Wellington	2	Y	Opposes - <ul style="list-style-type: none"> • Danger of storms/tsunami on hotel • Many recreational activities ruined
216	Peter Hollier PO Box 19012 Courtney Place Wellington	2	Y	Opposes - <ul style="list-style-type: none"> • Privatisation of the site • The height of the building • Environmental and ecological damage to the seabed from constructing the tunnel and strengthening the foundations • Further limitation of views • Increased service vehicle traffic to the site • The costs associated with the tunnel and strengthening
217	John C Horne 28 Kaihuia Street Northland Wellington 6005	2	Y	Opposes – <ul style="list-style-type: none"> • The proposal contravening the RMA • The proposal contravening the NZ Coastal Policy Statement • Privatisation of public space • The danger to pedestrians • The adverse effect of urban amenity
218	Janet Valerie Horney 7 Pitarua Street Wellington	2	N	Opposes – <ul style="list-style-type: none"> • The height • Loss of views • Increased conflict between vehicular and pedestrian traffic
219	Euan James Howden 59 Raina Crescent Khandallah Wellington	2	N	Opposes – <ul style="list-style-type: none"> • Ending indoor sport on the waterfront Recommends – <ul style="list-style-type: none"> • That equivalent or better sports facilities are provided within 15 minutes of the CBD

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
220	Marie Hrstich 18 Torridon Road Miramar Wellington	3	N	Opposes – <ul style="list-style-type: none"> • Privatisation of a public area • Disruption of traffic on the public and other services in area • The architectural design Recommends – <ul style="list-style-type: none"> • That prime land such as this be made available to the whole of Wellington and its visitors • Building a hotel elsewhere
221	Wesley Hutton 53 Overtoun Terrace Hataitai Wellington	2	N	Opposes – <ul style="list-style-type: none"> • Privatisation of more of the waterfront • Removal of Shed 1 and the lack of sports facilities already in Wellington • The site as being unsuitable
222	The Intercontinental Hotel C/- Spencer Holmes Limited Engineers, Surveyors & Planners Level 6, 8 Willis Street PO Box 588 Wellington	8	Y	Opposes – <ul style="list-style-type: none"> • The height of the building and mast structure • The loss of amenity for the Intercontinental that it relies on providing • That the design will break the stepping down pattern of buildings • Inconsistency with the WWF, particularly Section 4.1 • That the hotel will inhibit cruise ships in the area as encouraged by the WWF • The proposal being inconsistent with the RMA Recommends – <ul style="list-style-type: none"> • Although the proposed site is outside the area under the District Plan, the Regional Council Coastal Plan makes reference to the District Plan <ul style="list-style-type: none"> → recommends that all applications within the Harbour Area be assessed under a consistent set of rules and requirements → should therefore be assessed under District Plan Rule 13.4.7, particularly 13.4.7.3 in regards to the Intercontinental
986 (late)	Irene Lilian Jackson 30 Phillip Street Johnsonville Wellington 6004	2	Y	Opposes – <ul style="list-style-type: none"> • The privatisation of public land • Adversely effecting the freedom of the land for present and future generations

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
223	Kevin M Jamieson 10 Miles Crescent Newlands Wellington	2	N	Opposes – <ul style="list-style-type: none"> • The privatisation of public land • That a competition for the site was not held • Increased conflict between vehicular and pedestrian traffic • The special site being inappropriate Recommends – <ul style="list-style-type: none"> • That a competition be held to consider alternative uses for the site with a key aim to maximise public use
224	Peter R Jamieson 9 Kinloch Place Papakowhai Porirua 6006	2	N	Opposes – <ul style="list-style-type: none"> • The height for the site • Loss of views • Restrictions in the area for public use Recommends – <ul style="list-style-type: none"> • The waterfront be as open as possible with as few buildings as possible
225	Vera Campbell Johnstone 7 Channel Grove Lower Hutt Wellington	1	Y	Opposes – <ul style="list-style-type: none"> • The design of the building • The size • The height • Ratepayers having to contribute to the ongoing maintenance of the foundations • The site being in a seismic zone Recommends – <ul style="list-style-type: none"> • The Council to be culturally sensitive as guardians responsible for preserving what remains of the foreshore and open spaces • Better locations may be available elsewhere
226	Mona & Berwyn Jones Malvina Major Village 23/134 Barma Road Johnsonville Wellington	2	Y	Opposes - <ul style="list-style-type: none"> • Privatisation of public land • Building design an eyesore on the harbour coastline

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
227	Jennifer Jorgensen 405 Makara Road Makara Wellington	2	?	Opposes – • The loss of space from the additional bulk of the building over Shed 1 • Loss of views • Loss of light • The creation of traffic hazards • The proposal detracting from the amenity value of the waterfront
228	Joan Frances Kac 106 Khandallah Road Wellington 6004	2	N	Opposes – • The loss of more space on the waterfront • The ugly design which is incompatible with the environment • Loss of views Recommends – • No further development to take place on the waterfront other than the enhancement of what already exists
987 (late)	Richard W Keller 13 Endeavour Street Lyllall Bay Wellington	2	N	Opposes – • The height • The loss of views • The proposal only catering for a few
229	Anna Khan C/- Sandy Cumpstone Unit 8, 5 Hopper Street Mt Cook Wellington	2	N	Opposes – • The end of indoor sports • Making the area more difficult for current users
230	Sarah Anne King 141 Tasman Street Mt Cook Wellington	2	N	Opposes – • Privatisation of a public space • Loss of views • Disruption of traffic along the quay Recommends – • As much as possible of the harbour edge to be open space
231	Maria Kirby C/- Sandy Cumpstone Unit 8, 5 Hopper Street Mt Cook Wellington	2	N	Opposes – • Ending city centre indoor sports Recommends – • If accept proposal provide an alternative CBD indoor sporting facility

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
232	Frances M C Lee 24 Orari Street Wellington 6004	2	Y	Opposes – <ul style="list-style-type: none"> • The site as not being suitable • That the proposal will only benefit a few • The hotel being open to the possible threat of natural hazards • The height • Undesirable vehicle access • The foundation work causing damaging effects
233	Marjorie H Lee 34 A Argentine Avenue Miramar Wellington	3	N	Opposes – <ul style="list-style-type: none"> • The height • The proposal contravening the foreshore and seabed regulations • Disruption to traffic along the quay • The design proposing servicing along the seaward side • The site as being unsuitable due to potential liquefaction in an earthquake • The design as not being iconic or fitting in with surroundings Recommends – <ul style="list-style-type: none"> • That the local Iwi have their views listened to
234	Ryan Lewis C/- Sandy Cumpstone Unit 8, 5 Hopper Street Mt Cook Wellington	2	N	Opposes – <ul style="list-style-type: none"> • The end of indoor sports in the CBD Recommends – <ul style="list-style-type: none"> • If consent is granted to provide an alternative indoor sports facility
235	Heather Joyce Lloyd 11 Waikowhai Street Ngaio Wellington	2	N	Opposes – <ul style="list-style-type: none"> • The loss of views • Casting shadows on surrounding areas • The visual impact created • Ratepayers money going towards commercial development • Privatisation of public space Recommends – <ul style="list-style-type: none"> • The area be developed with minimal, low rise buildings with amenities for the general public • Exploring more appropriate uses of the site • Finding another less dominating site for the hotel

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
236	Ricky John Lucas 45-53 The Track Plimmerton Wellington	2	N	Opposes – • The height • The design • Disrupting pedestrian access by vehicles • Loss of views • The cost of the foundation work
238	Dr. John Macalister 59 Karepa Street Brooklyn Wellington 6002	2	Y	Opposes - • Privatisation of a public space • Development not fitting WWF • Loss of views • Ecological impact • Costs and taxes
239	Helen MacDiarmid 19 Raine Street Karori Wellington	2	N	Opposes – • The building being to large for the site • Loss of views • Issues with traffic and parking • Spoiling the current enjoyment in the area
988 (late)	Michael David Mahoney 21 McFartone Street Mt Victoria Wellington	2	N	Opposes – • Helipro being moved from their current location as they are an essential component of the WWF
240	Ronald Makeig Apt 4 Thorndon Court 14 Harriett Street Thorndon Wellington	2	N	Opposes - • Loss of enjoyment of waterfront by ratepayers and residents • Not acknowledging what Wellingtonians want from past surveys
157	Christine McCarthy The Architectural Centre Inc. PO Box 24178 Wellington	2	N	Opposes – • There being no drop off points for buses • Concerns with large trucks occupying pedestrian spaces • The design not allowing for viewshafts • The negative impact on current users of Shed 1 • The potential noise issues in the evenings from the ground floor Recommends – • That an appropriate alternative venue for Shed 1 activities are found – in agreement with Tom Beard's proposal

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
989 (late)	Bill McClellan McClellan Grimmer 139-141 Featherston Street Wellington	2	?	Opposes – <ul style="list-style-type: none"> • The loss of views • Breaking the descending height plane of buildings • The hotel overwhelming current occupants of the area • The restriction of public resources • Conflict between pedestrians/cyclists/vehicular traffic and the hazards Recommends – <ul style="list-style-type: none"> • The right of use to the harbour without having to give way either vehicles or the dollar
241	Patrick McCombs 8 Scarborough Terrace Mt Victoria Wellington	5	Y	Waterfront Watch Opposes – <ul style="list-style-type: none"> • The proposal failing to meet requirements of the RMA, Section 1 (b), Part 1, Section 2a of the Fourth Schedule and Section 2 • The proposal failing to meet requirements of the Regional Coastal Plan, policy 7.2.1, 7.2.3 and 4.2.45 • The proposal failing to meet requirements of the WWF • The proposal being contrary to the purpose of the 2004 Foreshore and Seabed Act • Negative impacts on public amenity • Privatisation of a public space and seabed title • Design values not meeting the inner city design standards of the Wellington City District Plan • The loss of views • The loss of opportunity to open up the Johnston street viewshaft, contrary to WWF • False claims from consultants that the Wellington Tenth Trust endorses the hotel • The reduction in public open space • Increasing traffic on the waterfront • That there is no guarantee of a 5 star status Recommends – <ul style="list-style-type: none"> • Other alternatives be sought for the site before the application is considered any further • Building site 102 North Queens Wharf would be a better alternative for the hotel
242	Hannah McGregor 2 Shannon Street Mt Victoria Wellington	2	N	Opposes – <ul style="list-style-type: none"> • The whole proposal, it will stop indoor sport, building will overwhelm other nearby buildings

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
243	James A McKinstry 43 Awarua Street Ngaio Wellington	2	N	Opposes – <ul style="list-style-type: none"> • The proposed development being contrary to the WWF and the RMA. • The building size - too big • The loss of views • The privatisation of public space • The effects (noise and pollution) during construction • The effects on current tenants • Traffic effects, and conflict with pedestrians • The cost to ratepayers for re-piling of wharf Recommends <ul style="list-style-type: none"> • Competition should be held to explore options for site • To decline the application
326	David MicHaeldome 18 Cheshire Street Wilton Wellington	2	N	Opposes – <ul style="list-style-type: none"> • Impact on indoor sports • Impact on waterfront atmosphere
996 (late)	Norman Ferguson Miller 102 Upland Road Kelburn Wellington	2	N	Opposes – <ul style="list-style-type: none"> • The hotel as being unsuitable development for the site
244	Miro Property Holdings Ltd. C/- Con Anastasiou Barristers & Solicitors Level 11 89 The Terrace PO Box 10779 Wellington	5	Y	Opposes – <ul style="list-style-type: none"> • The proposed development being contrary to the WWF • The proposed development being contrary to the Wellington Coastal Plan • The proposed development being contrary to the Wellington Regional Policy Statement • The proposed development being contrary to the RMA, provisions Part II • The proposed development being contrary to the Wellington City District Plan • The excessive height and bulk of the building • The loss of public and private views • The design of the building which is harsh and angular • The design layout of the hotel with its service areas on harbour side • The shading that will be created on adjacent public spaces • The hotel relying on the reservation of public car parking in the Queens Wharf basement carpark • Increase in conflict between vehicular and pedestrian traffic • The construction of jetties that will cause a hazard and intrusion into the marine environment • The loss of public open space • Inadequate consultation as required in terms of Wellington International Airport Ltd v Air NZ (1993) 1NZLR 671 (CA) • The applicants failure to consider alternatives

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
				<ul style="list-style-type: none"> • Possible reverse sensitivity from glare and noise • That the adverse effects on the environment are only minor Recommends – <ul style="list-style-type: none"> • To decline the application in its totality or grant consent for a hotel that will fit in the building envelope of Shed 1
246	Ann Mitcalfe 4 Hadfield Terrace Kelburn Wellington 6005	2	Y	In addition to the submission of Alexander Mitcalfe, opposes - <ul style="list-style-type: none"> • That the proposal is contrary to the RMA, Sections 5 (a), 2, 3, 6 (a), 5.6 (b), 6 (d), 5.7 • That the construction phase is a breach of the NZ Coastal Policy Statement
247	Barbara J Mitcalfe 15 Boundary Road Wellington 6005	2	N	Opposes – <ul style="list-style-type: none"> • The privatisation of public space • The scale, especially height • Adverse impacts on pedestrians • The danger of establishing a precedent • Loss of amenity • The site being unsuitable due to the potential of natural hazards
245	Alexander Mitcalfe Wilson 4 Hadfield Terrace Kelburn Wellington 6005	2	?	Opposes – <ul style="list-style-type: none"> • That the present activities can not be carried out inside the premises of a hotel • Alienation of free and open public space • That the Hilton will bring benefit as the employment created is low paying • That rates revenue will hardly offset the negative effects on the people of Wellington • That people who will be staying at the hotel will have nothing creative to offer Wellington • That a competition was not held for alternative developments on the site • Wellington City contributing to costs
248	John A Moffat 29 Wilton Road Wellington	3	N	Opposes – <ul style="list-style-type: none"> • That the Outer T is an iconic location and deserves a memorable purpose • The design and bulk of the building • Traffic problems hampering public admission at times like the Volvo Race • The level of security that would be required from terrorist threat Recommends – <ul style="list-style-type: none"> • That the hotel be built on one of the more suitable nearby alternative sites
249	Jennifer A Moore C/- School of Biological Sciences Victoria University of Wellington PO Box 600 Wellington	2	N	Opposes – <ul style="list-style-type: none"> • Demolition and removal of Shed 1 • The height • Disturbance of foreshore and seabed • Discharge of contaminants to the coastal marine area • That the proposal will directly effect the research of the School of Biological Sciences, VUW

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
990 (late)	Jan Kirsten Moore Apt 7 Sunhaven 262 Oriental Parade Wellington	2	N	Opposes – <ul style="list-style-type: none"> • Privatisation of a unique public space • Loss of views • Conflict between traffic and pedestrians • The lack of exploration for other options for the site
250	Jean Grace Morrison 19 Clermont Terrace Kelburn Wellington	2	N	Opposes - <ul style="list-style-type: none"> • A building of it's size on the site
251	Mary & Michael Munro 1 Orari St Ngaio Wellington	2	N	Opposes – <ul style="list-style-type: none"> • The loss of views • The design of the building • The privatisation of a public space • That a competition was not held for alternatives for the site • Discharge of containments into the coastal marine area • Increase of conflict between vehicular and pedestrian traffic
253	Laura Paynter Heritage Adviser New Zealand Historic Places Trust Antrim House 63 Boulcott Street Wellington	2	Y	Opposes – <ul style="list-style-type: none"> • The adverse effects that the proposal will have on the heritage values of the area • That the structure does not fit any of the building patterns and scale in the area • That the proposal is contrary to the RMA, Part II Section 6f • That the impacts on historic heritage have been adequately assessed, avoided or mitigated Informs - <ul style="list-style-type: none"> • That the proposed works requires an authority under the Historic Places Act 1993 Requests for the application to be declined
254	Bruce Winston Nimmo 92 Barton Avenue Heretaunga Upper Hutt 6007 Wellington	2	N	Opposes - <ul style="list-style-type: none"> • The project is not in the wider interests of the public • The architectural design • Not the space for transport and logistical support infrastructure
255	Richard James Northmore 136 Cecil Road Wilton Wellington 6005	2	N	Opposes – <ul style="list-style-type: none"> • The site as being appropriate for a hotel
256	John Terrence O'Leary 16 Newman Terrace Thorndon Wellington 6001	7	Y	Group Submission with six signatures of support, oppose – <ul style="list-style-type: none"> • Coastal Permits 24997, 24998, 24999, 25000 • That the proposal does not meet the objectives of the Regional Coastal Plan • That the proposal does not meet the objectives of the Wellington City District Plan

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
				<ul style="list-style-type: none"> • That the proposal dose not meet the objectives of the WWF • That the proposal is contrary to the above with concerns that relate specifically to <ul style="list-style-type: none"> - Design Shortcomings as an iconic structure - The hotel building not being in scale - Adverse effects on views - Adverse shade effects - Adverse traffic effects - Safety concerns from potential natural hazards Recommends– <ul style="list-style-type: none"> • That the developer find another, less sensitive location for the hotel
257	Craig T Palmer 25 Moir Street Mt Victoria Wellington	2	?	<p>Opposes –</p> <ul style="list-style-type: none"> • Loss of amenity • Privatisation of a public space • Conflict between pedestrian and vehicular traffic • The site as being suitable due to the vulnerability of natural hazards • Possibility of the hotel rooms being converted into private apartments <p>Recommends –</p> <ul style="list-style-type: none"> • That a competition that is a requirement in the WWF be held
258	Kinda Pan C/- Sandy Cumpstone Unit 8, 5 Hopper Street Mt Cook Wellington	2	N	<p>Opposes –</p> <ul style="list-style-type: none"> • The end of indoor sports • Making the area more difficult for current users
259	Ralph & Margaret Pannett 3 Percival Street Wellington 6001	2	N	<p>Opposes –</p> <ul style="list-style-type: none"> • Coastal permit 24998 • Privatisation of a public space • Loss of views • Increase of conflict between pedestrian and vehicular traffic
260	James Partridge 1/59 Ellice Street Mt Victoria Wellington	2	N	<p>Opposes –</p> <ul style="list-style-type: none"> • The loss of inner city sport <p>Recommends –</p> <ul style="list-style-type: none"> • To reject the proposal unless an alternate, equally suitable venue is found
261	R Patrick 340 C Main Road Tawa Wellington	2	N	<p>Opposes –</p> <ul style="list-style-type: none"> • The loss of a day-time sports facility, depriving hundreds of Wellingtonians

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
263	Dr Mike Patrick 165 Hanson Street Newtown Wellington	2	?	Opposes – • That the proposal is in breach of the RMA, Section 5 and 6 of Part II • That the proposal is unable to replace the current health benefits of Shed 1 • That the hotel will not do anything for the cultural well-being of the city
262	Patricia M Peebles 1 Moir Street Mt Victoria Wellington	2	Y	Opposes - • Construction is contrary to opposition of citizens and ratepayers
264	Ken New & Ruth Pemberton 31 Sugarloaf Road Brooklyn Wellington 6002	4	Y	Opposes – • Privatisation of a public space • Using public money for private gain • The need of replacing Shed 1 • The size of the hotel • The hotel not being in character with the heritage buildings • The design of the building • Loss of views • Adverse effects on pedestrian access and areas • The site as not being suitable as it is too exposed and fragile • The proposal as it is against the wishes of many Wellingtonians
265	Donald James Picken 10A/1 Grant Road Thorndon Wellington	5	N	Opposes – • The risk of pedestrians from vehicular traffic • The proposal being contrary to the District Plan policy statement in Section 12.1 Recommends – • To decline the application unless all vehicles are separated from pedestrian areas
266	Alex Pigou C/- Sandy Cumpstone Unit 8, 5 Hopper Street Mt Cook Wellington	2	N	Opposes – • The loss of inner city sport and associated health benefits Recommends – • To reject the proposal or create a new sports facility in the CBD
267	Andrew Pitt C/- Sandy Cumpstone Unit 8, 5 Hopper Street Mt Cook Wellington	2	N	Opposes – • The loss of inner city sport and associated health benefits

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
268	Robert John Pollock 2/2 Malcolm Lane Thorndon Wellington	13	Y	<p>Opposes –</p> <ul style="list-style-type: none"> • The reduction of important view shafts and views • The buildings height, size and scale • The use of the building for the site • The proposal is contrary to the WWF • The proposal is contrary to the Wellington City Operative District Plan • The proposal is contrary to the Regional Coastal Plan, Policies 6.2.2, 6.2.9 • Increasing the risk to pedestrians and cyclists from traffic • That surveys carried out to assess traffic were too limited • That an impact assessment on displacement of existing activities has not been carried out • That the proposal does not provide adequate mitigation measures to natural hazards, especially that of a tsunami <p>Recommends –</p> <ul style="list-style-type: none"> • That a iconic structure should be symbolic of Wellington and its harbour and its tangata whenua • That spring tides, other solar and lunar events, storm surges and global sea rises need to be taken into account
269	Ruth Post 42 Tiber Street Island Bay Wellington	2	N	<p>Opposes –</p> <ul style="list-style-type: none"> • The loss of indoor sport <p>Recommends –</p> <ul style="list-style-type: none"> • To decline the proposal or find another location for a sports facility
270	Prime Commercial Limited C/- Con Anastasiou Barristers & Solicitors Level 11 89 The Terrace PO Box 10779 Wellington	5	Y	<p>Opposes –</p> <ul style="list-style-type: none"> • The proposed development being contrary to the WWF • The proposed development being contrary to the Wellington Coastal Plan • The proposed development being contrary to the Wellington Regional Policy Statement • The proposed development being contrary to the RMA, provisions Part II • The proposed development being contrary to the Wellington City District Plan • The excessive height and bulk of the building • The loss of public and private views • The design of the building which is harsh and angular • The design layout of the hotel with its service areas on harbour side • The shading that will be created on adjacent public spaces • The hotel relying on the reservation of public car parking in the Queens Wharf basement carpark • Increase in conflict between vehicular and pedestrian traffic • The construction of jetties that will cause a hazard and intrusion into the marine environment • The loss of public open space • Inadequate consultation as required in terms of Wellington International Airport Ltd v Air NZ (1993) 1NZLR 671 (CA) • The applicants failure to consider alternatives

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
				<ul style="list-style-type: none"> • Possible reverse sensitivity from glare and noise • That the adverse effects on the environment are only minor Recommends – <ul style="list-style-type: none"> • To decline the application in its totality or grant consent for a hotel that will fit in the building envelope of Shed 1
271	Neil Pryor 241 A The Terrace Wellington 6001	2	N	Opposes – <ul style="list-style-type: none"> • The site as being inappropriate for a hotel • Loss of views • Shading effects of the hotel • Increased conflict between pedestrian and vehicular traffic • That large ships and cruise liners may be forced to berth away from the CBD • That Wellington could be left with an empty hotel if fuel price and availability effect tourist numbers Recommends – <ul style="list-style-type: none"> • The Overseas Terminal as a more appropriate site for the hotel • That the Outer T be developed to enhance and extend the use and enjoyment of this area for Wellingtonians
272	Andy Radka PO Box 13562 Johnsonville Wellington	2	N	Opposes – <ul style="list-style-type: none"> • The hotel dominating and detracting the look of the waterfront • The proposal effecting Helipro which would have an adverse flow on effect to other businesses Recommends – <ul style="list-style-type: none"> • That a more suitable site be found
273	Keri Raeder C/- Sandy Cumpstone Unit 8, 5 Hopper Street Mt Cook Wellington	2	N	Opposes – <ul style="list-style-type: none"> • The end of indoor sports Recommends – <ul style="list-style-type: none"> • Rejecting the proposal or finding a suitable alternative sports facility
275	Beverley Reid 35 Newman Terrace Wellington 6001	2	N	Opposes - <ul style="list-style-type: none"> • The constriction of use of the area by the general public • The loss of views and open space
276	Peter Reiman 51 Heke Street Ngaio Wellington	2	N	Opposes – <ul style="list-style-type: none"> • The design • The hotel dominating the area • Conflict between pedestrian and vehicular traffic • Loss of views • That a competition was not organised for site options – WWF • Costs for mitigation of natural hazards • The site being unsuitable due to risk of sea level rises

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
277	Rick Lucas Helicopters Ltd T/A Helipro Ltd C/- PO Box 10-242 Wellington	3	Y	<ul style="list-style-type: none"> • Opposes – • The inadequacy of the assessment of effects on the environment that accompanied the application • Effects on the view shafts identified in the District Plan and the urban form of the city • Shading and dominance effects on existing businesses and activities in the area • Wind effects on existing business in the area • Traffic effects associated with the proposed development • The certainty of the acoustic performance of the hotel in respect of reverse sensitivity concerns regarding existing businesses in the area • The effect of relocating businesses currently in Shed 1 • The lack of consideration of possible alternative locations for the development • The adverse social, cultural, health and safety effects, including potential loss of tourism and response time for rescue helicopters with Helipro having to relocate • The failure to comply with the WWF, notably, holding a competition • The hotel not promoting the sustainable management of natural and physical resources and being contrary to Part II of the RMA, in particular being inconsistent with section 5 • The proposed development being contrary to relevant policy and planning instruments and not representing sound resource management practices • The poor urban design of the building
278	Roger Morton Ridley-Smith 5 Dekka St Khandallah Wellington	2	N	<p>Opposes -</p> <ul style="list-style-type: none"> • Undermining of ecological balance of the seabed • The height being above that of Shed 1 • Loss of views • Ratepayers having to contribute to quake strengthen the wharf • Conflict between pedestrians and vehicular traffic • Inadequate amount of opportunities researched for the site
279	Helene Ritchie The Penthouse Dominion Apartments 25/80 Victoria Street Wellington	2	Y	<p>Opposes –</p> <ul style="list-style-type: none"> • The privatisation caused by the proposal being contrary to the Foreshore and Seabed Act • The proposal is contrary to the WWF • That the hotel is iconic • The effects on the coastal marine, foreshore and seabed and the surrounding land environment <p>Recommends –</p> <ul style="list-style-type: none"> • That the site be considered under Section 6 of the RMA

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
280	Mary-Jane Rivers 8 Scarborough Terrace Mt Victoria Wellington	5	N	<p>Waterfront Watch Opposes –</p> <ul style="list-style-type: none"> • The proposal failing to meet requirements of the RMA, Section 1 (b), Part 1, Section 2a of the Fourth Schedule and Section 2 • The proposal failing to meet requirements of the Regional Coastal Plan, policy 7.2.1, 7.2.3 and 4.2.45 • The proposal failing to meet requirements of the WWF • The proposal being contrary to the purpose of the 2004 Foreshore and Seabed Act • Negative impacts on public amenity • Privatisation of a public space and seabed title • Design values not meeting the inner city design standards of the Wellington City District Plan • The loss of views • The loss of opportunity to open up the Johnston street viewshaft, contrary to WWF • False claims from consultants that the Wellington Tenths Trust endorses the hotel • The reduction in public open space • Increasing traffic on the waterfront • That there is no guarantee of a 5 star status <p>Recommends –</p> <ul style="list-style-type: none"> • Other alternatives be sought for the site before the application is considered any further • Building site 102 North Queens Wharf would be a better alternative for the hotel
281	Nicki Robinson 4/77 Tory Street Wellington	2	N	<p>Opposes –</p> <ul style="list-style-type: none"> • The removal of Shed 1 which will impact on the enjoyment of others • The shading that the hotel will cause on Dockside • Increased vehicular traffic • Loss of views
282	Jason Rogan C/- Sandy Cumpstone Unit 8, 5 Hopper Street Mt Cook Wellington	2	N	<p>Opposes –</p> <ul style="list-style-type: none"> • The reduction of access to sport in Wellington <p>Recommends –</p> <ul style="list-style-type: none"> • To decline consent unless other CBD sporting facilities are made available
283	Rosalie and David Rowling 61 Bedford Street Northland Wellington	2	N	<p>Opposes -</p> <ul style="list-style-type: none"> • The privatisation of the site • Desires of increasing the city's rate take has been put ahead of citizen's wants <p>Recommends</p> <ul style="list-style-type: none"> • A postal referendum for Wellington ratepayers to solve the issue

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
284	Marjory Dawn Ruston 8 Potomaru Street Lower Hutt Wellington	2	N	Opposes - <ul style="list-style-type: none"> • That the area will not be kept for genuine public use and access • Views of the harbour being blocked • The design of the building • The height exceeds Shed 1 by 50% • Conflict between vehicular and pedestrian access
285	Roderick Niven Rutledge 55 Strathmore Avenue Strathmore Wellington 6003	2	Y	Opposes - <ul style="list-style-type: none"> • Building a multi-national commercial enterprise on Wellingtonians/kiwis heritage
286	Joan Marie Ryan Flat 1/12 Cleveland Street Brooklyn Wellington	2	?	Opposes – <ul style="list-style-type: none"> • Privatisation of a unique public space • Loss of aesthetic value • Loss of views Recommends – <ul style="list-style-type: none"> • Not building there at all
994	Save Our Sport No.9/2 Hood Street Mt Victoria Wellington	48 (31 signatories)	Y	Opposes, with the support of 1,100 signatories - <ul style="list-style-type: none"> • The removal of a sporting facility that over 2,000 Wellingtonians use every week • The proposal is contrary to the Regional Coastal Plan • The proposal is contrary to the WWF • The proposal is contrary to the District Plan • The application was conceived and planned in an era when Shed 1 was under-utilized. It is now outdated • That the proposal is contrary to WCC's statutory role • That the proposal is contrary to Wellington Regional Council's key role – "Quality for Life"
287	Sharyn Saxby 13/3 Sanctum Apartments 10 Ebor Street Wellington	2	?	Opposes – <ul style="list-style-type: none"> • The size of the building being too large for the location • Increased parking/traffic issues • The design not keeping with current buildings • The loss of views • The effects of shading

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
288	Reiner Schoenbrunn 5 Hickson Street Featherston	2	N	Opposes – • A tall structure being built on the waterfront Recommends – • That tall buildings should be kept in the background
289	Diana Shand 194 Oriental Parade Wellington	1	?	Opposes – • The adverse effect on open space • The loss of recreation in the area • The loss of views • Privatisation of a public space
290	Leslie & James Simmons 6/38 A Roxburgh Street Wellington	2	N	Opposes – • The privatisation of a public space • Decreasing pedestrian access to the area • The effects of undermining the seabed • Subjecting ratepayers to a high level of risk based on MfE reports on environmental events • The architectural design • The negative impacts on surrounding businesses, facilities and public activities Recommends – • That the proposal may not be beneficial in the future due to declining tourist numbers • To provide an opportunity for public input for what should reside in the location
291	Tama Skipper C/- Sandy Cumpstone Unit 8, 5 Hopper Street Mt Cook Wellington	2	N	Opposes – • The end of the indoor sport centre
292	Glen Small 8 Fitzgerald Place Karori Wellington	2	N	Opposes – • That the proposal is contrary to the RMA • That the proposal does not conform to the WWF • The hotel dominating the environment • Conflict between pedestrian and vehicular traffic Recommends – • That a competition be held to explore options for the site
293	Gareth Smart 71 Pembroke Road Wellington	2	N	Opposes – • The size of the building being too large for the site • The design not keeping in with other more traditional buildings • Effects on parking/traffic • Loss of views • Effects of shading

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
294	Patricia Smyth 69 Matai Road Hataitai Wellington	2	N	Opposes – <ul style="list-style-type: none"> • The privatisation of a public space • The loss of views • The harsh angular lines of the building • The failure of a competition being held
295	Owen Sopheakra So C/- Sandy Cumpstone Unit 8, 5 Hopper Street Mt Cook Wellington	2	N	Opposes – <ul style="list-style-type: none"> • The loss of the indoor sports facility
296	Southern Environmental Association 260 Mitchell Street Brooklyn Wellington	2	Y	Opposes – <ul style="list-style-type: none"> • The site as being inappropriate for hotel development • The loss of amenity values • The loss of views • The hotel creating an adverse visual impact on the cityscape • The height
297	Michael B Spackman 55 Ferry Street Seatoun Wellington	2	?	Opposes – <ul style="list-style-type: none"> • Increased conflict between pedestrian and vehicular traffic Recommends – <ul style="list-style-type: none"> • That the hotel should replace the Events Centre
298	George Spencer 16 Spencer Street Crofton Downs Wellington	2	N	Opposes - <ul style="list-style-type: none"> • Privatisation of a public space • Undermining of ecological balance of the seabed • Probable large expenditure by ratepayers for foundation work
299	Katherine Stephens 9 Regal Gardens Kilbirnie Wellington	2	Y	Opposes - <ul style="list-style-type: none"> • The design of the building • Loss of views • Ratepayers contributing towards the project • The need for another five star hotel
300	Arthur Richard Stone 14 Rama Crescent Khandallah Wellington	2	Y	Opposes – <ul style="list-style-type: none"> • Privatisation of public land for private profit • The proposed access • The design Recommends – <ul style="list-style-type: none"> • To reject application and any variations to prevent further encroachment on the view and access

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
301	Pauline & Athol Swann 47 Mairangi Road Wadestown Wellington	3	Y	<p>Opposes –</p> <ul style="list-style-type: none"> • The Hilton not being an iconic structure • The height • The site as being appropriate for a hotel due to the restrictive access • The access as not being suitable for Fire and Ambulance services • The site due to the risk of natural hazards • The applicant not providing evidence for cruise liners and other vessels berth in the area • The applicant not providing acceptable evidence of consultation of tangata whenua • That a competition was not held to explore options for the site
302	Edwin Laurence Sylva 9 Magdalen Street Tawa Wellington	2	N	<p>Opposes -</p> <ul style="list-style-type: none"> • The uncertainty of pedestrian access for the future • The design of the building • The height of the building • Profits will go overseas <p>Recommendations</p> <ul style="list-style-type: none"> • Better site would be near the stadium or on the airspace over the railway station
303	Ann Symonds 2 The Crescent Roseneath Wellington	2	N	<p>Opposes -</p> <ul style="list-style-type: none"> • Height exceeds shed 1 by 50% • The tunnel will be inadequate for all vehicles • The council have not heeded the public view or given options • The ratepayers having to pay the deficit if foundations underestimated <p>Recommends</p> <ul style="list-style-type: none"> • That a competition be held on the use of the site
304	Mr M G Taylor 10 Laurent Place Wellington	3	Y	<p>Opposes –</p> <ul style="list-style-type: none"> • The proposal is on and over the foreshore and seabed which is owned by all New Zealander’s • That the application for the site is for private profit not public good • The loss of views • The structure being out of scale and dominant with its surroundings • Disturbances resulting from construction <p>Recommends –</p> <ul style="list-style-type: none"> • That Shed 1 be removed, and not replaced, so that the whole area can be used as public space • That Wellingtonians do not need to sacrifice their best sites to achieve more tourist accommodation <p>Conditions if granted –</p> <ul style="list-style-type: none"> • No vehicles on the ground level of the wharf for access • The height should be no more than two stories • The consent should expire if work is not commenced within 12 month • A bond of sufficient size to cover costs if applicant fails to observe any consent conditions

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
305	Gottfried Theiler 20 Imlay Crescent Ngaio Wellington	2	N	Opposes – • The loss of views • Privatisation of a public space • Restricting pedestrians access
306	Carolyn Mary Theiler-Prebble 20 Imlay Crescent Ngaio Wellington	2	N	Opposes – • Using ratepayers money to subsidise a private enterprise • Privatisation of a public space
307	Alyssa Thomas C/- Sandy Cumpstone Unit 8, 5 Hopper Street Mt Cook Wellington	2	N	Opposes – • The need for another 5 star hotel • The end of inner city sports
308	Meng How Tran C/- Sandy Cumpstone Unit 8, 5 Hopper Street Mt Cook Wellington	2	N	Opposes – • The end of indoor sports in the CBD Recommends – • Rejecting the proposal or providing an alternative indoor sports facility
139	Pamela Ann Tregonning 5 Anne Street Wadestown Wellington	2	N	Opposes – • The privatisation of a public space • The building being too large and out of scale for the site • Loss of views • Conflict between pedestrian and vehicular traffic • Likelihood of cost blow-out for foundation work
309	Russell Tregonning 5 Anne Street Wadestown Wellington	2	Y	Opposes – • Privatisation of a public space • The use as being inappropriate for such a unique site • The height • Loss of views • Undermining the ecological balance of the seabed • Expenditure by ratepayers for foundation work
310	Peter Troughton 24 C Grafton Road Roseneath Wellington	2	Y	Opposes – • Privatisation of a public space • Reduction of amenities for other generations • The height • The design not keeping in with the historic nature of surrounding buildings • The development being contrary to the WWF

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
311	Oliver Vogat 22 Mossburn Grove Kelson Lower Hutt Wellington	2	N	Opposes – • The proposed development obstructing views from the Shed 5 area Recommends – • To reduce the height of the planned hotel to lower than the present buildings
312	Annette Grace Wale 201/28 Waterloo Quay Wellington	2	N	Opposes - • The design of the building not blending in nor enhancing the site • That the hotel will not 'fit' into the existing lines of Shed 1 • The height blocking views Recommends • That the building is modified so to comfortably sit amongst the other wharf sheds e.g. Shed 5
313	John William Warren 17 Gipps St Karori Wellington	2	Y	Opposes - • Proposed site use without full public consultation and exploration of other options Recommendations • Conduct a survey to reflect the views of Wellingtonian's by a company independent of Waterfront Investments Ltd
314	Janet Florence Watchman 22A Cashmere Avenue Khandallah Wellington 6004	2	N	Opposes - • The visual impact of the building is incompatible to the surroundings • Its height will interfere with views • Sinking foundations that will disturb the seabed • Interruption and deprivation of public access to the wharf • Further diminishment of open spaces of the wharf Recommendations • Call a competition/submissions for alternative options for the site
315	Waterfront Watch Inc PO Box 19045 Courtney Place Wellington	8	Y	Opposes – • The proposal not meeting the requirements of the RMA, Section 1 (b), Part 1 and Section 2 (a) of the Fourth Schedule • The proposal not meeting the requirements of the Regional Coastal Plan, Policies 17.1.9, 6.1.4, 7.2.1, 7.2.3, 4.2.45 • The proposal not meeting the requirements of the WWF • Privatisation of a public space • That a competition was not held for alternative uses for the site • The loss of views • The loss of the opportunity to open up new viewshafts • The applicant failing to provide evidence of vessels continuing to berth in the area • The poor urban design • The applicant failing to provide acceptable evidence of consultation with tangata whenua • The applicants false claim of the building not detracting from peoples enjoyment of the area

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
				<ul style="list-style-type: none"> • Reducing public open space • Costs to ratepayers • Conflicts with District Plan's requirements • Issues with traffic • That there is no guarantee of a 5 star status
995	Waterfront Watch Inc PO Box 19045 Courtney Place Wellington	65 (63 signatories)	Y	<p>Opposes, with the support of 1049 signatories –</p> <ul style="list-style-type: none"> • Privatisation of a public space • The special and unique site being inappropriate for such a use • The height • Loss of views • Increased conflict between pedestrian and vehicular traffic • Undermining ecological balance of the seabed • There being any guarantee of star status • The applicant failing to provide evidence how vessels could continue to berth at the Outer T • Ratepayers having to contribute to strengthening costs
316	Sandra Webb Apt. 309 Stadium Gardens 103-115 Thorndon Quay Thorndon Wellington	4	Y	<p>Opposes –</p> <ul style="list-style-type: none"> • The site as being suitable due to potential natural hazards • The destruction of a public place • Taxpayers funding strengthening work <p>Recommends –</p> <ul style="list-style-type: none"> • If consent is given to guarantee that numerous lives would not be at risk during a major natural disaster
991 (late)	P S Webb 6 B/186 The Terrace Wellington	1	?	<p>Opposes –</p> <ul style="list-style-type: none"> • Privatisation of public land • Loss of views • Ratepayers having to contribute to the proposal • Vehicular traffic getting the right of way
317	Mary Beth Weeber 186 Coutts Street Rongotai Wellington	2	Y	<p>Opposes –</p> <ul style="list-style-type: none"> • Privatisation of a public space • Loss of views • The design as being too domineering for the site • The height • Conflict between vehicular and pedestrian traffic • The proposal being contrary to the Foreshore and Seabed Act • The proposal being contrary to the WWF • The proposal being contrary to the RMA • The vehicular access tunnel • Ratepayers contributing to any strengthening work • The site as being suitable due to potential natural hazards

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
318	E A Weinbrenner PO Box 11-387 Wellington	10	Y	<p>Opposes –</p> <ul style="list-style-type: none"> • Privatisation of a public space • The hotel being represented as having 5 star status when not earned yet • Access being effected during construction • Economic burden placed on surrounding businesses during construction • Limiting the sites recreational purpose • Traffic/parking issues • The proposal being in breach with the RMA • The proposal being contrary to the NZ Coastal Policy Statement • The proposal being contrary to the NZ Regional Policy Statement • The proposal being contrary to the WWF • The height • Loss of views • The design of the building causing glare, resulting in accidents • The effects of shading on surrounding businesses • The short and long-term effects of re-pilling the wharf • Adverse environmental effects on strengthening work • The lack of evidence of consultation with Maori <p>Recommends –</p> <ul style="list-style-type: none"> • That if consent is granted then it should be conditional to the developer complying with the ‘Conclusions and Recommendations’ of Dr. Pam Chester’s Archaeological Assessment • That there is not sufficient support from the community to grant consent
319	Wellington Civic Trust PO Box 10183 Wellington	7	Y	<p>Opposes –</p> <ul style="list-style-type: none"> • The proposal being contrary to the RMA, Fourth Schedule Section 1 (b) and 1 (h), Section 2 (a) • The proposal being contrary to the WWF • The applicants lack of involvement with affected parties • Loss of amenity value • The loss of views and viewshafts • The design of the hotel not aspiring to eco-friendly standards • That the proposal is only dealing with one arm of the Outer T structure • Traffic issues • Disruptions during the construction phase • Shading effects • Increased wind effects <p>Recommends –</p> <ul style="list-style-type: none"> • That a contract is formed binding the Hilton Hotel to maintain 5 star status for the full 99 year lease • Redesigning the hotel to meet requirements of the WWF and to prevent any aesthetic or practical problems • The site 10 at Kumutoto as being more ideal

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
				<ul style="list-style-type: none"> • That the applicant submit a traffic plan as part of the consent process • That the applicant submit a construction management plan and a construction traffic management plan as part of the consent process
320	Wellington Indoor Sports C/- Spencer Holmes Limited Engineers, Surveyors & Planners Level 6, 8 Willis Street PO Box 588 Wellington	8	Y	<p>Opposes –</p> <ul style="list-style-type: none"> • Loss of the existing venue for competition which an excess of 2,600 people/week participate in covering 48 weeks of the year • WIS having to cease operation if a suitable venue is not found • The proposal being contrary to the RMA, Fourth Schedule 1 (b) • The proposal being contrary to the WWF • The proposal being contrary to the Regional Council Coastal Plan • The proposal being contrary to the Wellington City Council District Plan • The statement by the applicant that a hotel is a more efficient use for the site • The applicant not identifying the adverse effects on recreational activities in the area
321	Henry Weston 3 Rawhiti Terrace Kelburn Wellington	3	Y	<p>Opposes -</p> <ul style="list-style-type: none"> • Obstruction of views • The height of the building breaks the City Byelaws • Tunnel will take up more public space and will create queues while waiting for access
322	Ngairie Williams Apt 8/248 Oriental Parade Oriental Bay Wellington	2	N	<p>Opposes –</p> <ul style="list-style-type: none"> • Privatisation of a public space <p>Recommends –</p> <ul style="list-style-type: none"> • Not building any more buildings on the wharf
323	Frances & John Williamson 25 Jubilee Road Khandallah Wellington	2	N	<p>Opposes –</p> <ul style="list-style-type: none"> • Ratepayers contributing to foundation costs • Increased conflict between pedestrian and vehicular traffic • The height
324	Jane Young C/- PO Box 10-242 Wellington	3	Y	<p>Opposes –</p> <ul style="list-style-type: none"> • The inadequacy of the assessment of effects on the environment • The effect on the viewshafts identified in the District Plan and Urban form of the city • The effects of wind on the area • Shading and dominance effects • Construction effects on existing businesses and other activities in the area • Traffic effects • The certainty of the acoustic performance in respect of reverse sensitivity concerns regarding existing activities in the area • The lack of consideration of possible alternative locations • The proposal being contrary to the WWF • The development not promoting the sustainable management of natural and physical resources • The proposal being contrary to the RMA, Part II and Section 5

Submission #		Number of Pages in Submission	Wish to be heard	Summary Comments
				<ul style="list-style-type: none"> The poor urban design of the building
325	Patricia A Youngman 7/103 Rongotai Road Kilbirnie Wellington 6003	2	N	<p>Opposes -</p> <ul style="list-style-type: none"> More of the waterfront being compromised with reduced public access Privatisation of a public space The height of the building restricting views Pedestrian access restricted by increasing vehicular access
992 (late)	Helen & David Zwartz 54 Central Terrace Kelburn Wellington 6005		Y	<p>Opposes -</p> <ul style="list-style-type: none"> The height The loss of views The bulky design being inconsistent with other surrounding buildings Conflict between pedestrian and vehicular traffic Ratepayers contributing to strengthening costs A competition not being held for alternative options for the site
210		2	N	<p>Opposes -</p> <ul style="list-style-type: none"> The site as not being appropriate Loss of views The height Possible expenditure by ratepayers towards foundations and maintenance The design of the building having no architectural merit The need for another large hotel as tourist numbers are steadily falling <p>Recommends -</p> <ul style="list-style-type: none"> That the area be kept for genuine public use and enjoyment
252		2	?	<p>Opposes -</p> <ul style="list-style-type: none"> The privatisation of a public space The loss of views The design of the building
274		2	N	<p>Opposes -</p> <ul style="list-style-type: none"> The hotel not fitting in with the rest of the waterfront Privatising the space for the rich

Submissions - neutral

Submission #:	Name And Address	Number of Pages in Submission	Wish to be heard	Summary Comments
4	Wellington Regional Coastal Users Assn Inc Attention: D Noble 141 Clouston Park Rd Upper Hutt	1	N	Support - improvement of Queens Wharf location Support - consider proposal financially viable Neutral – design and height of building too ostentatious and overriding Support – public space enhancements Recommend – grant application but consider decreasing ‘overpowering appearance’
941	Mr Neville Hyde Corporate Advisor Centreport Limited PO Box 794 Wellington	19	Y	Following concerns not addressed in the application - <ul style="list-style-type: none"> • The adverse effects on CentrePort’s delivery of services to its ship operating customers in the areas of access, available berthage area, and security • Issues of reverse sensitivity relative to noise, blockage of view, wharf structural movement, privacy, traffic, ships services and glare from ships lighting. Requests that – <ul style="list-style-type: none"> • The hotel complies with the proposed changes to the Wellington City District Plan and the Regional Coastal Plan relative to mitigating the impacts of Port Noise • Ships continue to be able to berth along the full eastern face of the northern Outer T. If this is unacceptable, that the applicant be required to accept the cost impact of a mooring dolphin further south of the Outer T • The hotel development platform be separated from the wharf structure to remove structural movement from ships berthing being transferred to the hotel

Submissions – conditional supports

Submission #:	Name And Address	Number of Pages in Submission	Wish to be heard	Summary Comments
3	Craig Stinson 68A Barnard Street Wadestown Wellington	2	N	Support with the following conditions <ul style="list-style-type: none"> • Sufficient sound proofing from the surrounding businesses • No interference with the current features • No restrictions placed on current businesses operating in the area
2	East by West Company Limited PO Box 5077 Wellington Attention: Jeremy Ward	2	?	Support with the following conditions - <ul style="list-style-type: none"> • The sourcing of an alternative acceptable location for the relocation of EBW's office, ticketing and workshop facilities in the central waterfront area. On terms acceptable to EBW. • The Construction Management Plan should be extremely stringent and comprehensive as there will be considerable inconvenience to all users of Queens Wharf • An ongoing Hotel Traffic Management Plan which is periodically reviewed to provide fallback for affected parties. Commends – <ul style="list-style-type: none"> • Public accessibility around and in the ground floor of the hotel • The use of glass in the design creating a sense of space and the reasonable amount of seating area
1	Thomas Beard 8B/192 Willis St Te Aro Wellington	3	Y	Support with the following conditions – <ul style="list-style-type: none"> • Finding a suitable alternative indoor sports venue. Suggests under the motorway, over the Clifton Terrace carpark. • A more textural cladding rather than the 'rust-brown' painted steel at the ends

Postcard submissions - opposed

650 submissions received.

Oppose the proposed development on the Outer T because-It will result in:

- Privatisation of public space
- Inappropriate commercial use of a special and unique site
- A building 50% higher than Shed 1
- Loss of views from the city to harbour/harbour to city
- Increased conflict between pedestrians and vehicular traffic
- Undermining of ecological balance of seabed
- Possible significant expenditure by ratepayers for replacement of inadequate foundations

A key part of what makes Wellington so special is the Waterfront. Successive public opinion polls shows that Wellingtonians oppose big new buildings on the waterfront and prefer "open spaces".

Appendix 9: Suggested conditions

Appendix 9: Suggested conditions

General Conditions for all permits

(1) *The location, design, implementation and operation of all works shall be in general accordance with the permit application and associated plans and documents lodged with the Wellington Regional Council as follows:*

- *“Queens Wharf Outer T Project – Hotel and Public Space Enhancements Application for Resource Consent, Waterfront Investments Ltd”; dated December 2005 and received by the Wellington Regional Council on 23 December 2005;*
- *“Queens Wharf Outer T Hotel Project - Natural Hazards Assessment”; Beca, dated 8 February 2006;*
- *Natural Hazard Assessment - Additional Information; Beca, dated 5 May 2006;*
- *“Further Information Provided”; Urban Perspectives Ltd, dated May 2006;*
- *Additional Information, Traffic Design Group; dated 29 May 2006; and*
- *[further plans/information supplied during the hearing]*

Note: Where there may be a conflict in the information provided by the consent holder at different times, the most recent information applies. Where there may be conflict between information provided by the consent holder and the conditions of this consent the conditions shall prevail.

(2) *A copy of this permit and any associated plans and documents shall be given to all contractor(s) carrying out works authorised by this permit, prior to the works commencing.*

(3) *A copy of this permit shall be held on the site for the duration of the works.*

(4) *The permit holder shall remain responsible for the works, and the works shall be maintained to the satisfaction of the Manager, Consents Management, Wellington Regional Council.*

Notice of commencement of works

(5) *The Manager, Consents Management, Wellington Regional Council shall be provided with written notice of the commencement of construction works at least five working days prior to the works commencing.*

Complaints and Incidents Records

(6) *The permit holder shall keep and maintain a record of any complaints received alleging adverse effects from, or related to, the exercise of this permit.*

The record shall include:

- *the name and address (as far as practicable) of the complainant;*
- *identification of the nature of the matter complained about;*
- *date and time of the complaint and of the alleged event;*

- *weather conditions at the time of the complaint (as far as practicable); and,*
- *measures taken to ensure that such a complaint does not occur again.*

This record shall be kept at the work site and shall be made available to the Manager, Consents Management, Wellington Regional Council upon request.

- (7) *The permit holder shall keep and maintain a permanent record of any incidents that occur on the site which result in any adverse effects from, or related to, the exercise of this permit.*

The record shall include:

- *the type and nature of the incident;*
- *date and time of the incident;*
- *weather conditions at the time of the incident (as far as practicable);*
- *measures taken to remedy the effects of the incident; and,*
- *measures put in place to avoid the incident from re-occurring.*

This record shall be kept at the work site and shall be made available to the Manager, Consents Management, Wellington Regional Council upon request.

The permit holder shall notify the Manager, Consents Management, Wellington Regional Council of any such incident, within twenty-four hours of the incident being brought to the attention of the permit holder, or the next working day.

The permit holder shall forward an incident report to the Manager, Consents Management, Wellington Regional Council within seven working days of the incident occurring. This report shall describe reasons for the incident, measures taken to mitigate the incident and measures to prevent recurrence.

Construction Management Plan

- (8) *The permit holder shall prepare and submit a Construction Management Plan for all activities related to the project to the Manager, Consents Management, Wellington Regional Council, for approval, at least 20 working days prior to the works commencing. Works shall not commence until the Construction Management Plan has been approved by the Manager, Consents Management, Wellington Regional Council. The Construction Management Plan shall include, but not be limited to:*

- *a detailed design and construction methodology;*
- *a construction timetable;*
- *identification of who the contractor for the works is;*
- *identification of experienced person(s) who will manage the environmental issues on site;*
- *procedures for the contractor(s) to undertake in the event of a chemical or oil spill in the coastal marine area;*
- *details of any public access restrictions, what measures will be in place to ensure that impacts on the public are minimised; and*

- *An environmental management plan for the site during construction, detailing specific measures to be taken to minimise adverse effects of the activity (including discharges to the coastal marine area).*

In addition to these matters the construction management plan must demonstrate the following:

- *That a significant proportion of construction materials will be barged to/from the site. This should include, but is not limited to demolition material and bulk construction items including large items of plant, steel, piles, cement, etc.*
- *That all light vehicles that are physically able to access the hotel construction site via the tunnel, are required to use this route;*
- *That any construction material requiring transportation via the Shed 6 route is on a vehicle no larger than a single unit truck (HCV1 vehicle) and must be transported outside of the peak pedestrian times of 7.00 am to 9.30 am, 12.00 pm to 2.00 pm and 4.00 pm to 6.30 pm during weekdays, with no access after 11.00 am on weekends;*
- *The methods by which noise associated with the work will comply in all aspects with the controls set out in NZS 6803:1999, Acoustics Construction Noise, and how the best practical option will be adopted at all times to ensure the emission of noise from the site will not exceed a reasonable level in accordance with Section 16 of the Resource Management Act 1991.*

Note: In reviewing the construction management plan, it is recommended that Mr Spence Chief Traffic Engineer, Wellington City Council, and Mr Borich, Noise Officer, Wellington City Council be consulted.

This permit shall be exercised in accordance with this Construction Management Plan.

- (9) *The permit holder shall at all times take all practicable steps to minimise sedimentation and increased turbidity of the coastal marine area during the construction, implementation and maintenance of the works, including:*
- (a) *completing all works in the minimum time practicable; and*
 - (b) *avoiding construction and demolition related materials from entering the coastal marine area.*
- (10) *No contaminants (including but not limited to oil, petrol, diesel, hydraulic fluid) shall be released into the coastal marine area from equipment being used for the works, and no storage or refuelling of equipment and machinery shall take place within five metres of the wharf edge.*
- (11) *The permit holder shall ensure that the emergency diesel storage tank (identified on Drawing number 2438-P3-Rev E, supplied in Appendix 4 of the application) comprises a double-lined tank and that the concrete chamber is sealed to ensure no release of diesel in the event of a spill. Runoff from the tank refilling area shall be collected and diverted into the sewer system.*

Artefacts

- (12) *If koiwi, taonga or other artefact material is discovered in any area during the works, the permit holder shall ensure that Wellington Tenth Trust and Ngāti Toa Rangatira are immediately contacted, and construction work in that area shall be stopped immediately to allow a site inspection by this group and their advisors. The permit holder shall then consult with Wellington Tenth Trust and Ngāti Toa Rangatira on appropriate steps to recover the artefacts in order that work can resume.*

Post-construction conditions

- (13) *All works affecting the coastal marine area, including tidy up on completion of the works, shall be completed to the satisfaction of the Manager, Consents Management, Wellington Regional Council. All material surplus to the works shall be removed from the area and disposed of appropriately.*

Review conditions

- (14) *The Wellington Regional Council shall be entitled to recover from the permit holder the actual and reasonable costs of the conduct of any review, calculated in accordance with, and limited to, that Council's scale of charges in-force and applicable at that time pursuant to section 36 of the Resource Management Act 1991.*
- (15) *The Manager, Consents Management, Wellington Regional Council may review any or all conditions of this permit by giving notice of its intention to do so pursuant to Section 128 of the Resource Management Act 1991, at any time within six months of the [enter years] anniversaries of the date of commencement of this permit for any of the following purposes:*
- (a) *To deal with any adverse effects on the environment, which may arise from the exercise of this permit, and which it is appropriate to deal with at a later stage; and*
- (b) *To review the adequacy of any plans and / or monitoring requirements so as to incorporate into the permit any monitoring or other requirements which may become necessary to deal with any adverse effects on the environment arising from the exercise of this permit.*

Specific conditions for WGN060184 [24998] - Coastal permit for the use and development of structures including a hotel building, decks, a vehicular access tunnel and the refurbishing of the existing wharf structure.

- (16) *That the proposal must be in general accordance with the information provided with the application (including the materials board submitted at the hearing) and the plans by Sumich Architects labelled resource consent application job number 5833 drawings:*
- (List all final drawing numbers and dates).

(17) *In order to ensure compliance with condition (16) above, full working drawings must be submitted to and approved by the Manager, Consents Management, Wellington Regional Council prior to any building or public space construction works commencing.*

Note - The Manager, Consents Management, Wellington Regional Council will seek the specialist advice of the Wellington City Council Waterfront Development Subcommittee's Technical Advisory Group (TAG) in the assessment of the plans submitted under this condition. It is recommended that the designers meet with TAG at least once in each of the developed and detail design stages (that is, the 2 critical stages of developing the working drawings for the development).

(18) *The detailed building and public space design must be completed in accordance with the approved working drawings (condition (17) above).*

(19) *Detailed plans showing the design and specifications for modifications to the Hunter Street vehicle access shall be submitted to and approved by the Manager, Consents Management, Wellington Regional Council prior to any works commencing on site. The modified design must ensure that service vehicles, which are unable to pass through the proposed bollards, can manoeuvre and exit the site in a forward direction.*

Note – The Manager, Consents Management, Wellington Regional Council will consult with Wellington City Council's Chief Transportation Engineer with regard to this condition.

(20) *The modified Hunter Street access must be constructed in accordance with the plans approved under condition (19) above, to the satisfaction of the Manager, Consents Management, Wellington Regional Council prior to any other works commencing on site.*

(21) *Following the completion of the Hunter Street access, the vehicle access tunnel must be constructed to the satisfaction of the Manager, Consents Management, Wellington Regional Council prior to any other works, including demolition of the existing Shed 1 building, commencing on site.*

(22) *That all light vehicles accessing the hotel are restricted to the tunnel access only, at all times, including during conferences or other special hotel events.*

(23) *That no coaches will be taken to the hotel entrance. All coaches servicing the hotel must load and un/load in the coach parking area at the rear of the Museum of Wellington City and Sea.*

(24) *All vehicles servicing the hotel via the Shed 6 route must do so outside of the peak pedestrian times of 7.00 am to 9.30 am, 12.00 pm to 2.00 pm and 4.00 pm to 6.30 pm during weekdays, with no access after 11.00 am on weekends, with the exception of emergency vehicles (Police, Fire and Ambulance) which may access the hotel at any time.*

(25) *The hotel shall be designed and constructed so that any habitable room in the building shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the following minimum performance standard:*

$$DnTw+Ctr > 35 \text{ dB.}$$

(26) *The hotel shall be designed and constructed so that internal noise levels from helicopter movements, to and from the existing landing area located at the southern end of the Outer T, do not exceed 55 dBA (Lmax) within any bedroom between the hours of 10.00 pm and 7.00 am.*

(27) *An acoustic design certificate signed by a suitably qualified acoustic engineer shall be provided prior to any building construction works (i.e. approximately at building consent stage) certifying that the design as proposed will achieve compliance with conditions 25 and 26.*

(28) *Before occupation of the building the consent holder shall provide certification from a suitably qualified person that the building has been constructed in accordance with the acoustic design certificate required by condition 26.*

Note: *The Council regards the following persons as fulfilling the requirements for being suitably qualified with respect to the above:*

- *Members of the Association of Consulting Engineers of New Zealand (Incorporated);*
- *Members of the Institute of Professional Engineers of New Zealand (I.P.E.N.Z.);*
- *Members of the New Zealand Institute of Architects (N.Z.I.A.); and,*
- *Registered Clerks of Works*
- *An acoustic consultant*

(29) *Noise emission levels emanating from any activity on the hotel site, when measured at or within the boundary of any other site, or at the outside wall of any building other than the hotel, shall not exceed the following at all times:*

(a) 60 dBA (L10)

(b) 85 dBA (Lmax).

This includes all fixed plant and equipment such as, pool pumps, all fans, heating, cooling and ventilation plant which shall be designed and sited to ensure compliance with the above noise levels.

Noise shall be measured and assessed in accordance with NZS 6801:1991 and NZS 6802:1991.

(30) *Prior to occupation of the hotel building an Emergency Management Plan (EMP) must be submitted to, and approved by, the Manager, Consents Management, Wellington Regional Council. The EMP must outline the actions and contingencies to be taken in the event of an emergency including strong earthquake, locally generated tsunami and a storm surge. The EMP must consider and address all options for managing people in the event of a strong earthquake (that may be closely followed by a tsunami).*

Specific conditions for WGN060184 [24999] - Coastal permit to disturb the foreshore and seabed associated with the re-piling of the existing wharf structure

(16) *During the exercise of this permit, the permit holder shall take all practicable steps to minimise any discharge to the watercourse, which may result in any of the following effects after reasonable mixing:*

- *The production of any conspicuous oil or grease films, scums or foams or floatable or suspended material;*
- *Any conspicuous change in colour or visual clarity; and*
- *A change of more than 3° Celsius in the natural temperature of the water.*

(17) *Prior to the exercise of this permit the consent holder shall provide a sediment management plan identifying the methodology for undertaking the works on the wharf (including re-piling) and detailing the measures that will be used to ensure that any disturbance and discharge of materials into the water column is adequately minimised. This shall be provided to the Manager, Consents Management, Wellington Regional Council, for approval, at least 5 working days prior to the works commencing. Works shall not commence until the Management Plan has been approved by the Manager, Consents Management, Wellington Regional Council and shall be in accordance with the sediment management plan.*

WGN060184 [25000] - Coastal permit to discharge contaminants the foreshore and seabed associated with the re-piling of the existing wharf structure

(16) *During the exercise of this permit, the permit holder shall take all practicable steps to minimise any discharge to the watercourse, which may result in any of the following effects after reasonable mixing:*

- *The production of any conspicuous oil or grease films, scums or foams or floatable or suspended material;*
- *Any conspicuous change in colour or visual clarity; and*
- *A change of more than 3° Celsius in the natural temperature of the water.*

(17) *Prior to the exercise of this permit the consent holder shall provide a sediment management plan identifying the methodology for undertaking the works on the wharf*

(including re-piling) and detailing the measures that will be used to ensure that any disturbance and discharge of materials into the water column is adequately minimised. This shall be provided to the Manager, Consents Management, Wellington Regional Council, for approval, at least 5 working days prior to the works commencing. Works shall not commence until the Management Plan has been approved by the Manager, Consents Management, Wellington Regional Council and shall be in accordance with the sediment management plan.

Appendix 10: Relevant statutory provisions

Appendix 10: Relevant provisions of statutory documents

Resource Management Act

Section 2: Interpretation

Historic heritage

- (a) means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:
 - (i) archaeological;
 - (ii) architectural;
 - (iii) cultural;
 - (iv) historic;
 - (v) scientific;
 - (vi) technological; andincludes –
 - (i) historic sites, structures, places, and areas; and
 - (ii) archaeological sites; and
 - (iii) sites of significance to Maori, including wahi tapu; and
 - (iv) surroundings associated with the natural and physical resources.

Section 5 – Purpose

- (1) The purpose of this Act is to promote the sustainable management of natural and physical resources.
- (2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while—
 - (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
 - (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
 - (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.

Section 6 – Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
- (b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
- (c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
- (d) The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
- (e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.
- (f) The protection of historic heritage from inappropriate subdivision, use, and development
- (g) The protection of recognised customary activities.

Section 7 – Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

- (a) Kaitiakitanga:
 - (aa) The ethic of stewardship:
- (b) The efficient use and development of natural and physical resources:
 - (ba) The efficiency of the end use of energy:
- (c) The maintenance and enhancement of amenity values:
- (d) Intrinsic values of ecosystems:
- (e) *Repealed:*
- (f) Maintenance and enhancement of the quality of the environment:
- (g) Any finite characteristics of natural and physical resources:
- (h) The protection of the habitat of trout and salmon:
- (i) The effects of climate change:

- (j) The benefits to be derived from the use and development of renewable energy.

Section 8 – Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

Section 12 – Restrictions on use of coastal marine area

- (1) No person may, in the coastal marine area,—
- (a) Reclaim or drain any foreshore or seabed; or
 - (b) Erect, reconstruct, place, alter, extend, remove, or demolish any structure or any part of a structure that is fixed in, on, under, or over any foreshore or seabed; or
 - (c) Disturb any foreshore or seabed (including by excavating, drilling, or tunnelling) in a manner that has or is likely to have an adverse effect on the foreshore or seabed (other than for the purpose of lawfully harvesting any plant or animal); or
 - (d) Deposit in, on, or under any foreshore or seabed any substance in a manner that has or is likely to have an adverse effect on the foreshore or seabed; or
 - (e) Destroy, damage, or disturb any foreshore or seabed (other than for the purpose of lawfully harvesting any plant or animal) in a manner that has or is likely to have an adverse effect on plants or animals or their habitat; or
 - (f) Introduce or plant any exotic or introduced plant in, on, or under the foreshore or seabed; or
 - (g) destroy, damage, or disturb any foreshore or seabed (other than for the purpose of lawfully harvesting any plant or animal) in a manner that has or is likely to have an adverse effect on historic heritage—

unless expressly allowed by a rule in a regional coastal plan and in any relevant proposed regional coastal plan or a resource consent.

- (2) No person may, in relation to land of the Crown in the coastal marine area, or land in the coastal marine area vested in the regional council,—
- (a) Occupy any part of the coastal marine area; or
 - (b) Remove any sand, shingle, shell, or other natural material from the land—

unless expressly allowed by a rule in a regional coastal plan and in any relevant proposed regional coastal plan or by a resource consent.

- (3) Without limiting subsection (1), no person may carry out any activity—
- (a) In, on, under, or over any coastal marine area; or
 - (b) In relation to any natural and physical resources contained within any coastal marine area,—
- in a manner that contravenes a rule in a regional coastal plan or a proposed regional coastal plan unless the activity is expressly allowed by a resource consent or allowed by section 20A (certain existing lawful activities allowed).
- (4) In this Act... -
- (a) *Repealed*
 - (b) “Remove any sand, shingle, shell, or other natural material” means to take any of that material in such quantities or in such circumstances that, but for the rule in the regional coastal plan or the holding of a resource consent, a licence or profit à prendre to do so would be necessary.
- (5) The application of this section to overflying by aircraft shall be limited to any noise emission controls that may be prescribed by a regional council in relation to the use of airports within the coastal marine area.
- (6) This section shall not apply to anything to which section 15A or 15B applies.

Section 15 – Discharge of contaminants into the environment

- (1) No person may discharge any—
- (a) Contaminant or water into water; or
 - (b) Contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or
 - (c) Contaminant from any industrial or trade premises into air; or
 - (d) Contaminant from any industrial or trade premises onto or into land—
- unless the discharge is expressly allowed by a rule in a regional plan and in any relevant proposed regional plan, a resource consent, or regulations.
- (2) No person may discharge any contaminant into the air, or into or onto land, from—
- (a) Any place; or
 - (b) Any other source, whether moveable or not,—

in a manner that contravenes a rule in a regional plan or proposed regional plan unless the discharge is expressly allowed by a resource consent, or regulations, or allowed by section 20A (certain existing lawful activities allowed).

- (3) This section shall not apply to anything to which section 15A or section 15B applies.

Section 104 – Consideration of applications

- (1) When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to—
- (a) any actual and potential effects on the environment of allowing the activity; and
 - (b) any relevant provisions of—
 - (i) a national policy statement:
 - (ii) a New Zealand coastal policy statement:
 - (iii) a regional policy statement or proposed regional policy statement:
 - (iv) a plan or proposed plan; and
 - (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.
- (2) When forming an opinion for the purposes of subsection (1)(a), a consent authority may disregard an adverse effect of the activity on the environment if the plan permits an activity with that effect
- (2A) When considering an application affected by section 124, the consent authority must have regard to the value of the investment of the existing consent holder.
- (3) A consent authority must not—
- (a) have regard to trade competition when considering an application:
 - (b) when considering an application, have regard to any effect on a person who has given written approval to the application:
 - (c) grant a resource consent contrary to—
 - (i) section 107 or section 107A or section 217:
 - (ii) an Order in Council in force under section 152:
 - (iii) any regulations:

- (iv) a *Gazette* notice referred to in section 26(1), (2), and (5) of the Foreshore and Seabed Act 2004:
- (d) grant a resource consent if the application should have been publicly notified and was not.
- (4) Subsection (3)(b) does not apply if a person has given written approval in accordance with that paragraph but, before the date of the hearing (if a hearing is held) or otherwise before the determination of the application, that person gives notice in writing to the consent authority that the approval is withdrawn.
- (5) A consent authority may grant a resource consent on the basis that the activity is a controlled activity, a restricted discretionary activity, a discretionary activity, or a non-complying activity, regardless of what type of activity the application was expressed to be for.

Section 104A – Determination of applications for controlled activities

After considering an application for a resource consent for a controlled activity, a consent authority—

- (a) must grant the application, unless it has insufficient information to determine whether or not the activity is a controlled activity; and
- (b) may impose conditions on the consent under section 108 for matters over which it has reserved control in its plan or proposed plan.

Section 104B – Determination of applications for discretionary or non-complying activities

After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority—

- (a) may grant or refuse the application; and
- (b) if it grants the application, may impose conditions under section 108.

Section 104C – Particular restrictions for restricted discretionary activities

When considering an application for a resource consent for a restricted discretionary activity, a consent authority—

- (a) must consider only those matters specified in the plan or proposed plan to which it has restricted the exercise of its discretion; and
- (b) may grant or refuse the application; and

- (c) if it grants the application, may impose conditions under section 108 only for those matters specified in the plan or proposed plan over which it has restricted the exercise of its discretion.

Section 104D – Particular restrictions for non-complying activities

- (1) Despite any decision made for the purpose of section 93 in relation to minor effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either—
 - (a) the adverse effects of the activity on the environment (other than any effect to which section 104(3)(b) applies) will be minor; or
 - (b) the application is for an activity that will not be contrary to the objectives and policies of—
 - (i) the relevant plan, if there is a plan but no proposed plan in respect of the activity; or
 - (ii) the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or
 - (iii) both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.
- (2) To avoid doubt, section 104(2) applies to the determination of an application for a non-complying activity.

Section 105 – Matters relevant to certain applications

- (1) If an application is for a discharge permit or coastal permit to do something that would contravene section 15 or section 15B, the consent authority must, in addition to the matters in section 104(1), have regard to—
 - (a) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
 - (b) the applicant's reasons for the proposed choice; and
 - (c) any possible alternative methods of discharge, including discharge into any other receiving environment.
- (2) If an application is for a resource consent for a reclamation, the consent authority must, in addition to the matters in section 104(1), consider whether an esplanade reserve or esplanade strip is appropriate and, if so, impose a condition under section 108(2)(g) on the resource consent.

Section 107 – Restriction on grant of certain discharge permits

- (1) Except as provided in subsection (2), a consent authority shall not grant a discharge permit or a coastal permit to do something that would otherwise contravene section 15 or section 15A allowing—
 - (a) The discharge of a contaminant or water into water; or
 - (b) A discharge of a contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or
 - (ba) The dumping in the coastal marine area from any ship, aircraft, or offshore installation of any waste or other matter that is a contaminant,—

if, after reasonable mixing, the contaminant or water discharged (either by itself or in combination with the same, similar, or other contaminants or water), is likely to give rise to all or any of the following effects in the receiving waters:

 - (c) The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials:
 - (d) Any conspicuous change in the colour or visual clarity:
 - (e) Any emission of objectionable odour:
 - (f) The rendering of fresh water unsuitable for consumption by farm animals:
 - (g) Any significant adverse effects on aquatic life.
- (2) A consent authority may grant a discharge permit or a coastal permit to do something that would otherwise contravene section 15 or section 15A that may allow any of the effects described in subsection (1) if it is satisfied—
 - (a) That exceptional circumstances justify the granting of the permit; or
 - (b) That the discharge is of a temporary nature; or
 - (c) That the discharge is associated with necessary maintenance work—

and that it is consistent with the purpose of this Act to do so.
- (3) In addition to any other conditions imposed under this Act, a discharge permit or coastal permit may include conditions requiring the holder of the permit to undertake such works in such stages throughout the term of the permit as will ensure that upon the expiry of the permit the holder can meet the requirements of subsection (1) and of any relevant regional rules.

Section 108 – Conditions of resource consents

- (1) Except as expressly provided in this section and subject to any regulations, a resource consent may be granted on any condition that the consent authority considers appropriate, including any condition of a kind referred to in subsection (2).
- (2) A resource consent may include any one or more of the following conditions:
 - (a) Subject to subsection (10), a condition requiring that a financial contribution be made:
 - (b) a condition requiring provision of a bond (and describing the terms of that bond) in accordance with section 108A:
 - (c) A condition requiring that services or works, including (but without limitation) the protection, planting, or replanting of any tree or other vegetation or the protection, restoration, or enhancement of any natural or physical resource, be provided:
 - (d) In respect of any resource consent (other than a subdivision consent), a condition requiring that a covenant be entered into, in favour of the consent authority, in respect of the performance of any condition of the resource consent (being a condition which relates to the use of land to which the consent relates):
 - (e) Subject to subsection (8), in respect of a discharge permit or a coastal permit to do something that would otherwise contravene section 15 (relating to the discharge of contaminants) or section 15B, a condition requiring the holder to adopt the best practicable option to prevent or minimise any actual or likely adverse effect on the environment of the discharge and other discharges (if any) made by the person from the same site or source:
 - (f) In respect of a subdivision consent, any condition described in section 220 (notwithstanding any limitation on the imposition of conditions provided for by section 77B(2)(c) or (3)(c)):
 - (g) In respect of any resource consent for reclamation granted by the relevant consent authority, a condition requiring an esplanade reserve or esplanade strip of any specified width to be set aside or created under Part 10:
 - (h) In respect of any coastal permit to occupy any part of the coastal marine area (relating to land of the Crown in the coastal marine area or land in the coastal marine area vested in the regional council), a condition—
 - (i) Detailing the extent of the exclusion of other persons:
 - (ii) Specifying any coastal occupation charge.

- (3) A consent authority may include as a condition of a resource consent a requirement that the holder of a resource consent supply to the consent authority information relating to the exercise of the resource consent.
- (4) Without limiting subsection (3), a condition made under that subsection may require the holder of the resource consent to do one or more of the following:
 - (a) To make and record measurements:
 - (b) To take and supply samples:
 - (c) To carry out analyses, surveys, investigations, inspections, or other specified tests:
 - (d) To carry out measurements, samples, analyses, surveys, investigations, inspections, or other specified tests in a specified manner:
 - (e) To provide information to the consent authority at a specified time or times:
 - (f) To provide information to the consent authority in a specified manner:
 - (g) To comply with the condition at the holder of the resource consent's expense.
- (5) Any conditions of a kind referred to in subsection (3) that were made before the commencement of this subsection, and any action taken or decision made as a result of such a condition, are hereby declared to be, and to have always been, as valid as they would have been if subsections (3) and (4) had been included in this Act when the conditions were made, or the action was taken, or the decision was made.
- (6) *Repealed.*
- (7) Any condition under subsection (2)(d) may, among other things, provide that the covenant may be varied or cancelled or renewed at any time by agreement between the consent holder and the consent authority.
- (8) Before deciding to grant a discharge permit or a coastal permit to do something that would otherwise contravene section 15 (relating to the discharge of contaminants) or 15B subject to a condition described in subsection (2)(e), the consent authority shall be satisfied that, in the particular circumstances and having regard to—
 - (a) The nature of the discharge and the receiving environment; and
 - (b) Other alternatives, including any condition requiring the observance of minimum standards of quality of the receiving environment—the inclusion of that condition is the most efficient and effective means of preventing or minimising any actual or likely adverse effect on the environment.
- (9) In this section, “financial contribution” means a contribution of—

- (a) Money; or
 - (b) Land, including an esplanade reserve or esplanade strip (other than in relation to a subdivision consent), but excluding Maori land within the meaning of the Maori Land Act 1993 unless that Act provides otherwise; or
 - (c) A combination of money and land.
- (10) A consent authority must not include a condition in a resource consent requiring a financial contribution unless—
- (a) The condition is imposed in accordance with the purposes specified in the plan or proposed plan (including the purpose of ensuring positive effects on the environment to offset any adverse effect); and
 - (b) The level of contribution is determined in the manner described in the plan or proposed plan.

New Zealand Coastal Policy Statement

Policy 1.1.1

It is a national priority to preserve the natural character of the coastal environment by:

- (a) encouraging appropriate subdivision, use or development in areas where the natural character has already been compromised and avoiding sprawling or sporadic subdivision, use or development in the coastal environment;
- (b) taking into account the potential effects of subdivision, use or development on the values relating to the natural character of the coastal environment, both within and outside the immediate location;
- (c) avoiding cumulative adverse effects of subdivision, use and development in the coastal environment.

Policy 1.1.3

It is a national priority to protect the following features, which in themselves or in combination, are essential or important elements of the natural character or the coastal environment:

- (a) landscapes, seascapes and landforms, including:
 - (i) significant representative examples of each landform which provide the variety in each region;
 - (ii) visually or scientifically significant geological features; and
 - (iii) the collective characteristics which give the coastal environment its natural character including wild and scenic areas;

- (b) characteristics of special spiritual, historical or cultural significance to Maori identified in accordance with tikanga Maori; and
- (c) significant places or areas of historic or cultural significance.

Policy 2.1.2

Protection of the characteristics of the coastal environment of special value to the tangata whenua should be carried out in accordance with tikanga Maori. Provision should be made to determine, in accordance with tikanga Maori, the means whereby the characteristics are to be protected.

Policy 3.1.2

Policy statements and plans should identify (in the coastal environment) those scenic, recreational and historic areas, areas of spiritual or cultural significance, and those scientific and landscape features, which are important to the region or district and which should therefore be given special protection; and that policy statements and plans should give them appropriate protection.

Policy 3.1.3

Policy statements and plans should recognise the contribution that open space make to the amenity values found in the coastal environment, and should seek to maintain and enhance those values by giving appropriate protection to areas of open space.

Policy 3.2.1

Policy statements and plans should define what form of subdivision, use and development would be appropriate in the coastal environment, and where it would be appropriate.

Policy 3.2.2

Adverse effects of subdivision, use or development in the coastal environment should as far as practicable be avoided. Where complete avoidance is not practicable, the adverse effects should be mitigated and provision made for remedying those effects, to the extent practicable.

Policy 3.2.5

Subdivision, use and development in the coastal environment should be conditional on the provision of adequate services (particularly the disposal of wastes), and the adverse effects of providing those services should be taken into account when preparing policy statements and plans and when considering applications for resource consents.

Policy 3.4.2

Policy statements and plans should recognise the possibility of a rise in sea level, and should identify area which would as a consequence be subject to erosion or inundation, Natural systems which are a natural defence to erosion and/or inundation should be identified and their integrity protected.

Policy 3.4.5

New subdivision, use and development should be so located and designed that the need for hazard protection works is avoided.

Policy 3.5.1

In order to recognise the national importance of maintaining public access to and along the coastal marine area, a restriction depriving the public of such access should only be imposed where such a restriction is necessary:

- (a) to protect areas of significant indigenous vegetation and/or significant habitats of indigenous fauna;
- (b) to protect Maori cultural values;
- (c) to protect public health or safety;
- (d) to ensure a level of security consistent with the purpose of a resource consent; or
- (e) to justify the restriction notwithstanding the national importance of maintaining that access.

Policy 3.5.2

In order to recognise the national importance of enhancing public access to and along the coastal marine area, provision should be made to identify, as far as practicable:

- (i) the location and extent of places where the public have the right of access to and along the coastal marine area;
- (ii) those places where it is desirable that physical access to and along the coastal marine area by the public should be enhanced; and
- (iii) those places where it is desirable that access to the coastal marine area useable by people with disabilities be provided.

Policy 4.2.1

All persons exercising functions and powers under the Act in relation to land of the Crown in the coastal marine area shall recognise and facilitate the special relationship between the Crown and the tangata whenua as established by the Treaty of Waitangi (Te Tiriti o Waitangi).

Policy 4.2.2

All persons exercising functions and powers under the Act in relation to land of the Crown in the coastal marine area should follow these general guidelines:

- (a) take into account the principles of the Treaty of Waitangi;
- (b) make provision for consultation with tangata whenua which is early, meaningful and on-going, and which is as far as practicable in accordance with tikanga Maori;
- (c) have regard to any relevant planning document recognised by the appropriate iwi authority;

- (d) where appropriate, involve iwi authorities and tangata whenua in the preparation of plans and policy statements, in recognition of the relationship of māori and their culture and traditions with their ancestral lands; and
- (e) where practicable, and with the consent of the tangata whenua, incorporate in policy statements and plans and in the consideration of applications for resource consents, Maori customary knowledge about the coastal environment, in accordance with tikanga Maori.

Regional Policy Statement for the Wellington Region

Chapter 4 – The Iwi Environmental Management System

Objective 4.3.1

A mutually satisfactory relationship is developed and maintained between the Wellington Regional Council and the iwi of the Region.

Objective 4.3.2

The principles of the Treaty of Waitangi are taken into account in resource management,

Objective 4.3.4

There are increased opportunities for the cultural aspirations and tikanga of tangata whenua with regard to natural and physical resources to be met.

Policy 4.4.2

To support the active participation of tangata whenua in the development and implementation of resource management policy and plans, and in the resource consent granting process.

Policy 4.4.4

To recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

Method 4.5.2

The Wellington Regional Council will provide information to tangata whenua on resource management matters, including the respective responsibilities of different resource management agencies.

Method 4.5.3

The Wellington Regional Council liaise with other environmental and resource management agencies on resource management matters of significance to iwi.

Method 4.5.4

The Wellington Regional Council where it is the consent authority, will:

- (1) Consult tangata whenua on all consent applications it considers will have a significant effect on tangata whenua;
- (2) Encourage applicants to consult with tangata whenua as part of the assessment of effects;

- (3) Appoint Maori as hearings commissioners, when appropriate;
- (4) Recognise, when appropriate, tikanga Maori in pre-hearing meetings and hearings; and
- (5) Consider effects on iwi when assessing whether consent application should be non-notified.

Chapter 7 – The Coastal Environment

Objective 7.3.1

The natural character of the coastal environment is preserved through:

- (1) The protection of nationally and regionally significant areas and values;
- (2) The protection of the integrity, functioning and resilience of physical and ecological processes in the coastal environment;
- (3) The restoration and rehabilitation of degraded areas; and
- (4) The management of subdivision, use and development, and the allocation of resources in the coastal environment so that adverse effects are avoided, remedied or mitigated.

Objective 7.3.2

Existing provisions for public access to and along the coastal marine area remain and appropriate opportunities are taken to enhance public access.

Objective 7.3.3

Coastal water quality is of a high standard.

Objective 7.3.4

There are increased opportunities for the aspirations of the tangata whenua for the coastal environment to be met.

Policy 7.4.1

To give effect to the following matters when planning for and making decisions on subdivision, use and development in the coastal environment:

- (1) Protection, from all actual or potential adverse effects, of areas of nationally or regionally significant indigenous vegetation and significant habitats for indigenous fauna, including those listed in table 8;
- (2) Protection of the values associated with nationally or regionally outstanding landscapes, seascapes, geological features, landforms, sand dunes and beach systems and sites of historical or cultural significance, including those listed in tables 9 and 10;
- (3) Protection of sensitive, rare or unusual natural and physical resources, habitats, amenity values and ecosystems which are unique to the coastal environment (including estuaries,

coastal wetlands, mangroves and dunes, and their margins) by avoiding, remedying or mitigating adverse effects so as to preserve the natural character of the coastal environment.

- (4) Protection of the integrity, functioning and resilience of the coastal environment in terms of the:
 - (a) Dynamic processes and features arising from the natural movement of sediments, water and air;
 - (b) Natural movement of biota;
 - (c) Natural substrate composition;
 - (d) Natural water quality and quantity, and air quality;
 - (e) Natural biodiversity, productivity and biotic patterns; and
 - (f) Intrinsic values of ecosystems.

Policy 7.4.2

To consider, where relevant and to the appropriate extent, the following matters when planning for and making decisions about subdivision, use or development in the coastal environment:

- (1) The degree to which the proposed activity will impose effects additional to those resulting from existing subdivision, use and development, and the extent to which such cumulative adverse effects on natural character may be avoided, remedied or mitigated;
- (2) The extent to which natural character has already been compromised in an area and the need to avoid sprawling or sporadic subdivision, use or development;
- (3) The efficient use of finite resources in the coastal environment and the viability of alternative sites outside the coastal marine area and outside of the coastal environment for the proposed activity;
- (4) The potential impact of projected sea level rise;
- (5) The actual or potential adverse effects of subdivision, use or development on areas of cultural or spiritual significance, heritage resources and on scenic, scientific, recreation, open space or amenity values; and
- (6) The adequacy of provision of infrastructure services (particularly for the disposal of waste).

Policy 7.4.4

To ensure, in planning for or making decisions about new subdivision, use or development, that there is no reduction in the quality of existing legal access to and along the coastal marine area; and that opportunities are taken, other than in exceptional circumstances, to enhance the amount and variety of public access to and along the coastal marine area.

Policy 7.4.5

To maintain or improve the quality of coastal water by:

- (1) Improving, where necessary, the quality of fresh water entering the coastal marine area;

- (2) Avoiding, remedying or mitigating the effects of activities in the coastal environment that can degrade coastal water; and
- (3) Avoiding, remedying or mitigating the effects of point discharges that directly enter the coastal marine area so the effects do not render any water in the coastal marine area unsuitable for any purpose specified in a Regional Coastal Plan for the Wellington Region.

Policy 7.4.6

To adopt a precautionary approach to the evaluation of risk in making decisions that affect the coastal environment, recognising that there will be situations where there is a low probability of an event occurring, but that such an event has the potential to create major adverse effects. Such events include:

- (1) Earthquakes and tsunami;
- (2) Maritime shipping disasters; and
- (3) Accidents involving release of contaminants into the coastal marine area.

Method 7.5.3

To achieve integrated management, other means which could be used to implement Coastal Environment Policies 1-7 include:

- (1) Development and implementation of management plans and other non-statutory plans by territorial authorities for areas and issues that impact on the coastal environment;
- (2) Liaison between the Wellington Regional Council, territorial authorities, iwi and the Department of Conservation to identify projects in the coastal environment of the Wellington Region where voluntary organisations, companies and individuals may assist in caring for the coastal environment; and
- (3) Liaison between the Regional Council, Department of Conservation and Ministry of Agriculture and Fisheries.

Chapter 10 – Landscape and Heritage

Objective 10.3.3

The cultural heritage of the Region which is of regional significance is:

- (1) Recognised as being of importance to the Region;
- (2) Managed in an integrated manner with other resources; and
- (3) Conserved and sustained for present and future generations.

Objective 10.3.4

The attributes of natural and physical resources which provide for regional recreational opportunity, and for the appreciation and enjoyment of those resources by the regional community, are maintained or enhanced.

Policy 10.4.5

To recognise, when planning for and making decisions on new subdivision, use, and development, the heritage values of regionally significant cultural heritage resources and to manage those heritage resources in an integrated manner with other natural and physical resources.

Policy 10.4.6

To avoid, remedy or mitigate the adverse effects of subdivision, use and development on regionally significant cultural heritage resources.

Policy 10.4.7

To manage and protect existing recreational opportunities of regional significance.

Policy 10.4.8

To promote, on behalf of future generations, the protection of the potential for recreation of open space, indigenous and exotic vegetation, water bodies, the coast, and regionally outstanding landscapes, and other regionally or nationally outstanding natural features.

Method 10.5.8

The Wellington Regional Council will provide for the management and conservation of any cultural heritage values relating to any land it owns and for the recognition and protection of these values in any plan it prepares (including a Regional Coastal Plan) and through the consent granting process.

Method 10.5.13

The Wellington Regional Council will require, where relevant, that an assessment of effects, undertaken as part of an application for resource consent affecting a cultural heritage resource of regional significance, has regard to its heritage values.

Method 10.5.17

The Wellington Regional Council will advocate for the preservation of recreational opportunities of a regional nature for future generations, particularly where they are vulnerable to irreversible effects.

Chapter 11 – Natural Hazards

Objective 11.3.1

Any adverse effects of natural hazards on the environment of the Wellington Region are reduced to an acceptable level.

Policy 11.4.1

To ensure that there is sufficient information available on natural hazards to guide decision making.

Policy 11.4.2

To consider all of the following matters when planning for, and making decision on, new subdivision, use, and development in areas which are known to be susceptible to natural hazards:

- (1) The probability of occurrence and magnitude of the natural hazards, and the location of the effects, including any possible changes which might arise from climate change;
- (2) The potential consequences of a natural hazard event occurring, both on-site and off-site. Potential loss of life, injury, social and economic disruption, civil defence implications, costs to the community, and any other adverse effects on the environment should be considered;
- (3) The measures proposed to mitigate the effects of natural hazard events, the degree of mitigation they will provide, and any effects on the environment from adopting such measures;
- (4) Alternative measures that might be incorporated into the subdivision, use and development to mitigate the effects of natural hazard events, the degree of mitigation they will provide, and any effects on the environment from adopting such measures. Both structural and non-structural measures should be considered;
- (5) The benefits and costs of alternative mitigation measures;
- (6) The availability of alternative sites for the activity or use; and
- (7) Any statutory obligations to protect people and communities from natural hazards.

Method 11.5.9

The Wellington Regional Council will, in situations where it is the consent granting authority, require applicants for resource consents to include, in their assessments of effects, the risks posed by natural hazards. The level of assessment should be appropriate to the potential consequences of the hazard and the location of the activity in relation to known natural hazards.

Regional Coastal Plan for the Wellington Region

Chapter 4 - General objectives and policies

Objective 4.1.2

People and communities are able to undertake appropriate uses and developments in the coastal marine area which satisfy the environmental protection policies in the plan, including activities which:

- rely on natural and physical resource of the coastal marine area; or
- require a coastal marine area location; or
- provide essential public services; or
- avoid adverse effects on the environment; or
- have minor adverse effects on the environment, either singly or in combination with other users; or
- remedy or mitigate adverse effects on the environment and provide a net benefit to the environment.

Objective 4.1.3

The adverse effects that new activities may have on legitimate activities in the coastal marine area are avoided, remedied or mitigated as far as is practicable.

Objective 4.1.4

Land, water and air in the coastal marine area retains its life supporting capacity.

Objective 4.1.5

The natural character of the coastal marine area is preserved and protected from inappropriate use and development.

Objective 4.1.8

Public access along and within the coastal marine area is maintained and enhanced.

Objective 4.1.9

Amenity values in the coastal marine area are maintained and enhanced.

Objective 4.1.10

Important views to and from the coastal marine area are retained.

Objective 4.1.11

Any adverse effects from natural hazards are reduced to an acceptable level.

Objective 4.1.12

That the location of structures and/or activities in the coastal marine area does not increase the risk from natural hazards beyond an acceptable level.

Objective 4.1.14

The values of the tangata whenua, as well as their traditional uses, are, where practicable, recognised and provided for.

Objective 4.1.16

Tangata whenua are consulted on resource consent applications which may affect their interests and values.

Objective 4.1.19

In addition to the requirements of objective 4.1.16, opportunities are provided for people and communities to be involved in any decision-making about significant activities in the coastal marine area, and in the management of natural and physical resources in that area.

Objective 4.1.23

Conditions placed on resource consents are used as a means of avoiding, mitigating or remedying adverse effects.

Objective 4.1.24

The comprehensive development of the Lambton Harbour Development Area is provided for.

Objective 4.1.25

Activities which span the line of mean high water springs are managed in accordance with the provisions of both this Plan and any requirements in the relevant district plan.

Objective 4.1.26

In promoting the sustainable management of the coastal marine area, the importance of the Port of Wellington to the social and economic well being of the Region is recognised.

Policy 4.2.2

To recognise and distinguish between those parts of the coastal marine area which retain natural character, and those areas where natural character has already been compromised, and to encourage appropriate new developments only in latter areas.

Policy 4.2.3

When considering the significance of adverse effects of activities on the coastal marine area, to recognise and distinguish between:

- those activities which require occupancy on a ‘permanent’ basis, and those which can effectively relinquish coastal space at a future date;
- those activities which have irreversible adverse effects and those for which adverse effects are reversible; and
- those activities which have short term adverse effects and those which have on-going or long term adverse effects.

Policy 4.2.6

To recognise the importance of the coastal marine area as a place for the safe and convenient navigation of ships and aircraft, and to protect these activities from inappropriate use and development.

Policy 4.2.7

To recognise that port and harbour activities are an appropriate use of the coastal marine area provided that the environmental protection policies of this Plan can be satisfied.

Policy 4.2.8

To recognise existing lawful commercial and recreational users of the coastal marine area, and to protect them from the adverse effects of new activities as far as is practicable.

Policy 4.2.12

To protect significant cultural and historic features in the coastal marine area from the adverse effects of use and development. In particular, the values of the features and buildings identified in Appendix 4 will be protected.

Policy 4.2.15

Subject to Policy 4.2.17, to ensure that the adverse effects of new use and development on existing lawful access along and within the coastal marine area are avoided where practicable; where avoidance is not practicable, to ensure that the adverse effects are mitigated or remedied so that there is no net reduction in the quality of public access in the area.

Policy 4.2.17

To recognise that there are circumstances when public access along the coastal marine area is not appropriate; and other circumstances where it is not practicable because of the nature of the coastline.

Policy 4.2.18

To recognise that the coastal marine area is an extensive area of public open space, and to ensure that the interests of the public, both now and in the future, are given a high priority when making decisions on the allocation of any land of the Crown or any related part of the coastal marine area.

Policy 4.2.19

To recognise the importance of amenity values in the coastal marine area, and to avoid, where practicable, any adverse effects on these values; where avoidance is not practicable, to remedy, or mitigate the adverse effects.

Policy 4.2.20

To recognise the importance of the coastal environment to recreation activities, and to avoid, where practicable, any adverse effects on these values; where avoidance is not practicable, to remedy, or mitigate the adverse effects.

Policy 4.2.21

Use and development of the coastal marine area must take appropriate account of natural hazards, and any adverse effects arising from the storage, use, disposal, or transportation of hazardous substances.

Policy 4.2.33

To identify explicitly the occupancy component on any resource consent which is granted for an activity in the coastal marine area which requires occupation of land of the Crown and any related part of the coastal marine area.

Policy 4.2.34

To ensure that, as far as practicable, all stakeholders are involved in the coastal management process and that the decision making process is transparent.

Policy 4.2.35

To consider placing conditions on resource consents for the purpose of avoiding, remedying or mitigating any adverse effects which are associated with, or are a consequence of, an activity, particularly where adverse effects impact on the following matters:

- fauna, flora or habitat;
- lawful public access;
- natural character;
- amenity values;
- views to and from the coastal marine area;
- characteristics of spiritual, historical or cultural significance to tangata whenua; or
- recreational opportunities.

Policy 4.2.36

To have regard to the following matters when determining the nature and extent of any conditions to be placed on a resource consent:

- the significance of the adverse effects arising as a consequence of, or in association with, the proposed activity;
- the extent to which the proposed activity contributes to the adverse effects;
- the extent to which the adverse effects of the proposed activity can and have been dealt with by other means;
- any proposals by the applicant to avoid, remedy or mitigate, adverse effects, and any agreements reached at pre-hearing meetings;
- the extent to which the community as a whole benefits from the proposed activity and from any proposed conditions on a consent;
- the financial cost of complying with any conditions on a consent; and
- the extent to which a condition placed on a consent will, avoid, remedy or mitigate any adverse effects.

Policy 4.2.37

To avoid, remedy or mitigate adverse effects, conditions on a resource consent may relate to all or any of the following:

- design and project implementation, choice of materials, site improvements;
- habitat restoration, rehabilitation, creation and improvement;
- restocking and replanting of fauna or flora (with respect to replanting, preference will be given to the use of indigenous species, with a further preference for the use of local genetic stock);
- works and services relating to the improvement, provision, reinstatement, protection, restoration or enhancement of the matters listed in 4.2.35.

Policy 4.2.38

To encourage applicants to:

- consult and discuss with parties who may be affected by the proposal prior to applying for a consent; and
- identify in the consent application how adverse effects may be avoided, remedied or mitigated.

Policy 4.2.39

To recognise that there are circumstances where placing conditions on resource consents may not be sufficient to adequately avoid, remedy or mitigate the adverse effects of a proposal, and that in such circumstances consent applications will be declined.

Policy 4.2.42

To have particular regard to the objectives and policies in relevant district plan(s) when assessing an application for an activity which spans the coastal marine area boundary; and where appropriate, to deal with such applications through joint hearings.

Policy 4.2.43

To recognise that port and harbour activities are an appropriate use of the coastal marine area provided that the environmental protection policies of this Plan can be satisfied.

Policy 4.2.45

In the Lambton Harbour Development Area to:

- provide for a wide range of activities appropriate to the harbour/city interface;
- provide for development compatible with the urban form of the city;
- recognise the heritage character, development and associations of the area;
- develop and have particular regard to any design guides for the area which are contained in any proposed or operative Wellington City District Plan;
- provide for a range of public open spaces, access and through-routes, and to ensure that their nature, purpose and function is maintained;
- ensure that the effects of development and activities do not detract from people's enjoyment of the area; and
- ensure that the area is an integral part of the working port of Wellington.

Policy 4.2.46

To vary or change the Plan, if necessary, as soon as practicable after the Wellington City District Plan becomes operative, to align rules in the Lambton Harbour Development Area (for activities and structures on wharves on the seaward side of the coastal marine area boundary) with the rules in Wellington City Council's District Plan for the Lambton Harbour Development Area (for activities and structures on the landward side of the coastal marine area boundary).

Policy 4.2.47

To vary or change the Plan, if necessary, as soon as practicable after the Wellington City and Hutt City District Plans become operative, and to align noise standards in the Commercial Port Areas with noise standards in the adjacent Wellington City and Hutt City District Plan with respect to port and port related activities.

Chapter 6 – Structures

Objective 6.1.1

Appropriate structures which enable people and communities to provide for their economic and social well-being are allowed.

Objective 6.1.2

There is no inappropriate use or development of structures in the coastal marine area.

Objective 6.1.3

The environment is protected from the adverse effects and risks associated with spills from facilities using and/or storing of hazardous substances.

Objective 6.1.4

The community and its assets are protected from unacceptable risks from facilities using and/or storing hazardous substances.

Policy 6.2.1

To consider the following as appropriate in the coastal marine area:

- the use and development of structures in the coastal marine area for;
 - (1) activities which are fundamentally dependant upon a location in the coastal marine area;
or
 - (2) activities which support and service those which must locate in the coastal marine area, and which, because of a lack of a suitable space or operation constraints, cannot be located outside of the coastal marine area.
- the use and development of structures in the Lambton Harbour Development Area;
- the use and development of structures for defence purposes; or
- the development of structures for networks utility operations.

Policy 6.2.2

To not allow the use or development of structures in the coastal marine area where there will be:

adverse effects on:

- any Area of Significant Conservation Value, or Area of Important Conservation Value;

- characteristics of special spiritual, historical or cultural significance to Maori identified in accordance with tikanga Maori;
- significant places or areas of historic or cultural significance; or
- significant ecosystems; or

significant adverse effects on:

- the risk from natural hazards;
- navigation channels;
- coastal processes, including waves, tidal currents and sediment transport;
- amenity values;
- existing lawful public access;
- natural character;
- views to an from the coastal marine area;
- recreational uses; or
- structure of architectural or historic merit;

unless such adverse effects can be satisfactorily mitigated or remedied.

Policy 6.2.4

To ensure that all new structures in the coastal marine area to which the public are admitted provide reasonable and adequate access and facilities for disabled persons in accordance with section 25 of the Disabled Persons Community Welfare Act 1975.

Policy 6.2.5

To ensure that adequate allowance is made for the following factors when designing any structure:

- rising sea levels as a result of climate change, using the best current estimate scenario of the International Panel of Climate Change (IPCC);
- waves and currents;
- storm surge; and
- major earthquake events.

Policy 6.2.6

To ensure that all exterior lighting associated with activities on structures in the coastal marine area is directed away from adjacent activities, streets and navigational channels, so as to avoid the spill of light or glare which might be:

- detrimental to the amenity of residential or other activities;
- a hazard to traffic safety on streets outside the coastal marine area;
- a hazard to navigation in the coastal marine area; and
- detrimental to wildlife, including bird nesting, roosting, and navigation.

Policy 6.2.7

To ensure that all structures in the coastal marine area which are visible and/or accessible are adequately maintained so that:

- the structure remains safe; and
- any adverse effects on the visual amenity of the area are minimised.

Policy 6.2.9

To have particular regard to any relevant provisions in appropriate district plans relating to the protection of important views when assessing an application for an activity involving the development of a structure in the coastal marine area.

Policy 6.2.12

To manage hazardous facilities and activities involving the use and/or storage of hazardous substances so that adverse effects and unacceptable risks to the environment, human health and property are avoided, remedied or mitigated, including:

- contamination of soil, water or air;
- short or long term damage to ecosystems; and
- damage through fire and explosion events.

Chapter 7 – Destruction, damage or disturbance of foreshore or seabed

Objective 7.1.2

The adverse effects from activities which destroy, damage, or disturb foreshore or seabed are avoided, remedied or mitigated.

Policy 7.2.1

To allow activities involving damage or disturbance to any foreshore or seabed, where the adverse effects are short term, reversible, or minor; and to allow other activities where adverse effects can be satisfactorily avoided, remedied or mitigated. As a guide, the following criteria will need to be met for the activity to be deemed to have minor adverse effects:

- the activity will not require exclusive use of the foreshore or seabed, and will not preclude public access to and along the foreshore past the site of the disturbance or damage;
- any adverse effects on plant and animals or their habitat will be short term, and the area will be naturally recolonised by a similar community type;
- the activity will not result in any significant increase in water turbidity or elevated levels of contaminants;
- the activity will not have any off-site adverse effects;
- the activity will not adversely affect shoreline stability;
- the activity will not have any permanent adverse effects on the amenity values of the foreshore or seabed;
- the activity will not have any adverse effect on natural character;
- the activity will not destroy or damage historic sites;
- the activity will not have any adverse effects on the Hutt Valley aquifer; and

- the activity will not have any adverse effects on mahinga mātaītai, waahi tapu or any other sites of significance to iwi.

Objective 7.1.4

The positive effects from activities which disturb foreshore or seabed are recognised where such activities are undertaken for the well-being of the community. Activities with minor adverse effects are allowed.

Chapter 10 – Discharges to land and water

Objective 10.1.2

Where practicable, the quality of water in the coastal marine area which is currently degraded as a result of human activities is enhanced.

Objective 10.1.3

The quality of water in the coastal marine area is, as far as practicable, consistent with the values of the tangata whenua.

Objective 10.1.5

The risk to human health from contaminated water in the coastal marine area is minimised.

Policy 10.2.2

To manage all water in the following areas for contact recreation purposes:

- Those parts of the coastal marine area within Wellington Harbour and the Wellington South Coast landward of a straight line extending between a point 1000 metres off shore of Baring Head (NZMS 260:R28;657.749) and 1000 metres offshore of Tongue Point (NZMS 260:Q27;484.828), except that described in policy 10.2.1 (which relates to managing certain area for shellfish gathering purposes).

[The details of the other nine other areas identified in this Policy have not been reproduced here, as they are not relevant to this application. All areas are mapped in Appendix 8. Planning Map 8D, attached, shows the relevant area within the Wellington Harbour].

Policy 10.2.4

To allow discharges of contaminants or water to land or water in the coastal marine area which do not meet the requirements of Policies 10.2.1, 10.2.2 and 10.2.3 only if, after reasonable mixing:

- the discharge is not likely to cause a decrease in the existing quality of water at that site; or
- the discharge would result in an overall improvement in water quality in the coastal marine area; or
- the discharge was present at the time this plan was notified and the person responsible for the discharge has defined a programme of work for the upgrading of the discharge so that it can meet the requirements of policies 10.2.1, 10.2.2 and 10.2.3; or

- the discharge is of a temporary nature or associated with necessary maintenance works or there are exceptional circumstances and that it is consistent with the purposes of the Act to do so.

Policy 10.2.8

To ensure that where appropriate coastal permits to discharge contaminant to land or water in the coastal marine area contains conditions for monitoring:

- the effects of the discharge; and
- compliance with any conditions or standards imposed on the consent.

Policy 10.2.9

To have regard to the adverse effects of the discharge of water or contaminants to land or water in the coastal marine area on areas:

- containing important ecosystems or species;
- used for fisheries purposes;
- used for fish spawning;
- used for the gathering or cultivating of shellfish for human consumption;
- used for contact recreation purposes;
- used for industrial abstraction;
- which are significant because of their natural values;
- which are significant because of their aesthetic values; and
- with significant cultural value.

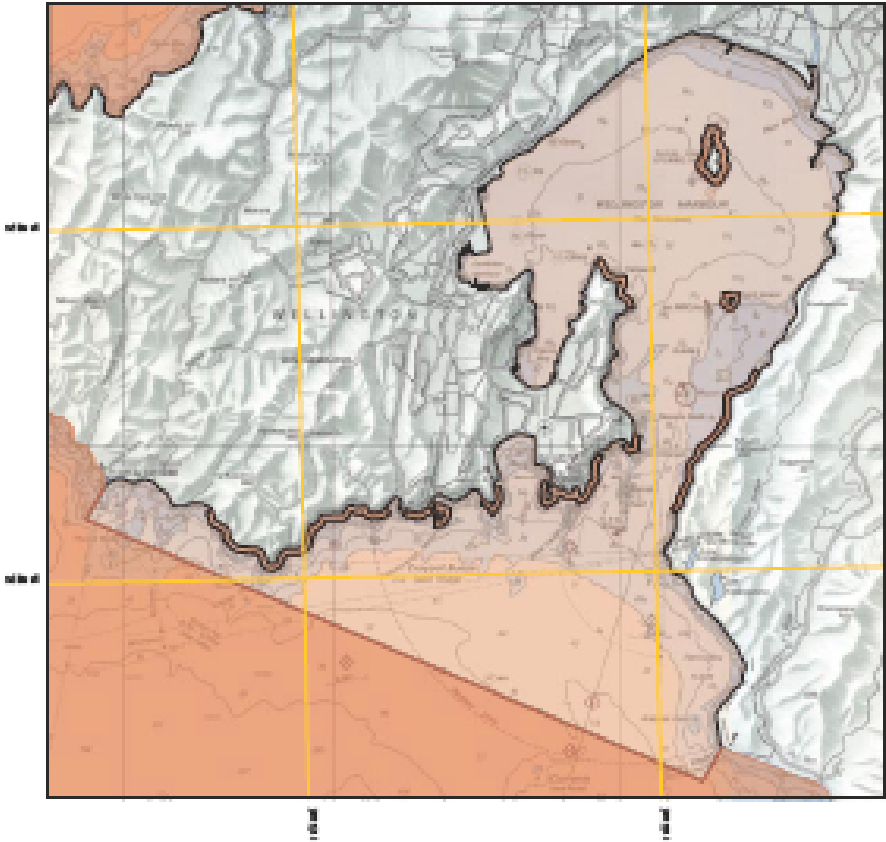
Policy 10.2.11

To have particular regard to the views, values, aspirations and customary knowledge of tangata whenua when assessing applications to discharge contaminants to land or water in the coastal marine area.

Planning Map 8D

Coastal Water Quality Classes
 Water Managed for Contact Recreation and Shellfish Gathering Purposes
 Wellington

This map identifies water areas managed for contact recreation purposes.
 The extent of the areas managed for contact recreation purposes is defined by the appropriate zoning.
 The maps are NOTICIFIABLE only.
 Boundary details are provided in the tables at the beginning of this section.



Planning Map 8D



Legend

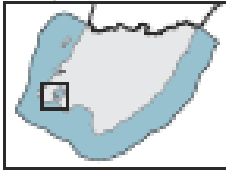
- Water managed for contact recreation
- Water managed for shellfish gathering
- Map grid (NZMG)



Old references derived from
 RSMZ 288 POT & Pt COY Wellington
 RSMZ 288 POB Tureia

CAUTION
 NOT TO BE USED FOR NAVIGATION
 Revised Chart 102 (2011)
 Approvals to Wellington
 reproduced by permission of
 Land Information New Zealand

Locality Map



Appendix 11: Further information

(Appendix 11 (Further information) can be requested from Greater Wellington.)