

Rules Assessment



Proposal: Redevelopment of the Downtown Carpark site into an integrated mixed-use precinct

Address:
 2 Lower Hobson Street, Auckland Central
 29 Customs Street West, Auckland Central
 188 Quay Street, Auckland Central
 204 Quay Street, Auckland Central

Unitary Plan: Auckland Unitary Plan (AUP)

Site Zoning	
Zone	Business – City Centre Zone
Precinct	Downtown West sub-precinct B
Overlays/Controls	City Centre Port Noise Overlay – 58db and 60db Coastal Inundation 1 per cent AEP Plus 1m Control – 1m sea level rise Macroinvertebrate Community Index – Urban
Designations	Auckland Transport Designation – 1550, Car Park – Custom Street West
Additional Limitations	Overland Flow Path Flood Plain Flood Prone Areas Coastal Inundation Contaminated Site

Rule	Compliance	Non-Compliance
Chapter D Overlay		

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Rule	Compliance	Non-Compliance
D.17 Historic Heritage		The Proposal involves modifications to the existing Auckland Harbour Board Workshops (former) (Category B) at 204 Quay Street, including demolishing the existing pedestrian bridge over Lower Hobson Street and fixings related to the existing façade. Restricted discretionary activity (A9)
D.25 City Centre Port Noise Overlay	Will comply as addressed in Noise and Vibration report prepared by Marshall Day Acoustics.	
Chapter E Auckland-Wide		
E1 Water Quality	Objectives and policies only.	
E2 Water Quantity, Allocation and Use	Objectives and policies only.	
E3 Lakes, Rivers, Streams and Wetlands	N/A	
E4 Other Discharge of Contaminants	N/A	
E5 On-site and Small-Scale Wastewater Treatment and Disposal	N/A	
E6 Wastewater Network Management	N/A	
E7 Taking, Damming and Diversion of Water and Drilling		The diversion of groundwater caused by any excavation that does not meet the permitted activity standards. In particular, the proposal does not comply with E7.6.1.6, E7.6.1.10(1)(d) and (e), E7.6.1.10(2)(b), E7.6.1.10(4)(a), and (b), E7.6.1.10(5)(a), and E7.6.1.10(6)(c) as outlined in the Geotechnical Assessment prepared by Tonkin + Taylor. Restricted discretionary activity (A20 and A28)
E8 Stormwater Discharge and Diversion	Permitted – (A1) diversion of stormwater runoff from lawfully established impervious areas into an authorised stormwater network. There is no increase in impervious areas as part of this application and will be discharging to existing public stormwater	

Rule	Compliance	Non-Compliance
	networks. Regardless, stormwater management will be addressed in the NDC requirements.	
E9 Stormwater Quality – High Contaminant Generating Carparks and Roads	N/A – car parking is located within the basement.	
E10 Stormwater Management Areas Flow 1 and 2	N/A	
E11 Land Disturbance - Regional		The proposal involves earthworks of approximately 100,000m ³ over an area of 6,442m ² where part of the earthworks area is within the Sediment Control Protection Area. Restricted discretionary activity (A9)
E12 Land Disturbance - District		The proposal involves earthworks of approximately 100,000m ³ over an area of 6,442m ² on a site zoned Business – City Centre where up to 2,500m ³ of earthworks over an area of 2,500m ² is permitted. Restricted discretionary activity (A6 and A10)
E13 Cleanfills, Managed Fills and Landfills	N/A	
E14 Air Quality	Will comply with the permitted standards as addressed in the Air Quality Report.	
E15 Vegetation Management and Biodiversity	N/A	
E16 Trees in Open Space Zones	N/A	
E17 Trees in Roads	The proposed pruning of Tree 3 to enable suitable clearance for the demolition of the vehicle exit bridge structure in accordance with Standard E17.6. – Permitted under E17.4.1(A5). The proposed removal of two (2) Lancewood trees (Group 1a) as part of the	

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	demolition works – Permitted under E17.4.1(A9).	
E18 Natural Character of the Coastal Environment	N/A	
E19 Natural Features and Natural Landscapes in the Coastal Environment	N/A	
E20 Maori Land	N/A	
E21 Treaty Settlement Land	N/A	
E22 Artworks	N/A	
E23 Signs		The proposal involves comprehensive development signage. Restricted Discretionary Activity (A53)
E24 Lighting	N/A	
E25 Noise and Vibration	Otherwise complies	The Proposal involves construction activities that may exceed the maximum 75 dB LAeq and 90 dB LAFmax long-term construction noise limits (Monday to Friday 6.30am – 10.30pm) under E25.6.28.2 as follows: <ul style="list-style-type: none"> • 191 – 200 Quay Street (M Social): <ul style="list-style-type: none"> ○ Up to 80dBA during concrete; ○ Up to 79dBA during D wall / bored piling; • 29 Customs Street West (Aon Building – Tower) <ul style="list-style-type: none"> ○ Up to 85dBA during sheet piling; ○ Up to 76 dBA during D wall / bored piling; • 29 Customs Street West (Aon Building – Podium) <ul style="list-style-type: none"> ○ Up to 90dBA during sheet piling; ○ Up to 79dBA during D wall / bored piling; • 188 Quay Street (HSBC Tower): <ul style="list-style-type: none"> ○ Up to 80dBA during sheet piling;

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		<ul style="list-style-type: none"> • 85 Customs Street West (Sebel Apartments): <ul style="list-style-type: none"> ○ Up to 80dBA during sheet piling <p>Activities that do not comply with the permitted activity standards are a restricted discretionary activity under rule E25.4.1(A2).</p> <p>Standard E25.6.10(3)(f) requires the mechanical systems to be controlled to a level of 35 dB LAeq. This will not be achieved for living areas within the apartments as mechanical services noise is controlled at a level of 40 dB LAeq. Activities that do not comply with the permitted activity standards are a restricted discretionary activity under rule E25.4.1(A2).</p>
E26 Infrastructure	N/A	
E27 Transport	Refer below.	Refer below.
E28 Mineral Extraction from Land	N/A	
E29 Emergency Management Area	N/A	
E30 Contaminated Land		<p>Soil testing from land surrounding the site indicates contamination concentrations in some site soil can exceed the permitted activity soil acceptance criteria in Table E30.6.1.4.1 and the requirements of Standard E30.6.1.4. Additionally, the volume of disturbance and duration of works are expected to exceed the requirements of Standard E30.6.1.2. A DSI is unable to be undertaken at this stage and is proposed to be a condition of consent and therefore not meeting requirements of Standard E30.6.2.1. A preliminary Contamination Site Management Plan has been prepared to support the consent application.</p> <p>Discretionary Activity (A7)</p>
E31 Hazardous Substances		20,300L diesel tanks are required for back up power generations.

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		<p>Diesel is characterised as a Class 3.1D flammable liquid of low volatility. Chapter E31 of the AUP(OP) and the Proposal will include the storage of hazardous substances exceeds the thresholds for controlled and restricted discretionary activities (20,000l) in the activity table or are otherwise not provided for.</p> <p>Discretionary activity under E31.4.1(A7).</p>
E32 Biosolids	N/A	
E33 Industrial and Trade Activities	N/A	
E34 Agrichemicals and Vertebrate Toxic Agents	N/A	
E35 Rural Production Discharges	N/A	
E36 Natural Hazards and Flooding	<p>Habitable rooms in new buildings and additions of habitable rooms (greater than 25m²) to existing buildings in the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area that comply with standard E36.6.1.1 is a permitted activity (A12)</p>	<p>The proposal involves basement parking in part of the site affected by 1% AEP floodplain.</p> <p>Restricted Discretionary Activity (A26)</p> <p>The proposal involves flood mitigation works such as flood barriers in the 1% AEP floodplain.</p> <p>Restricted Discretionary Activity (A33)</p> <p>The proposal involves new buildings within 1% AEP floodplain.</p> <p>Restricted Discretionary Activity (A37)</p> <p>The proposal involves the use of new building to accommodate more vulnerable activities (residential) located within the 1% AEP floodplain.</p> <p>Restricted Discretionary Activity (A38)</p>
E37 Genetically Modified Organisms	N/A	
E38 Subdivision – Urban	N/A Subdivision is not proposed.	
E39 Subdivision – Rural	N/A	

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E40 Temporary Activities		<p>The proposal involves the temporary activities for construction for approximately 5.5 years with up to 24 months permitted as provided or in E40.4.1(A20). These temporary activities include the demolition of the existing Downtown Carpark building, construction of the proposed buildings.</p> <p>Restricted discretionary activity (A24)</p>
E27 Transport		
E27.4.1 Activity Table		<p>Parking, loading, access and Electric Vehicle Supply Equipment, which is an accessory activity, but which does not comply with the standards for parking, loading, access and Electric Vehicle Supply Equipment (as outlined below)</p> <p>Restricted discretionary activity (A2)</p> <p>The use of a vehicle crossing where a Vehicle Access Restriction applies under Standards E27.6.4.1(2) or E27.6.4.1(3)</p> <p>Restricted discretionary activity (A5)</p> <p>Use of an existing vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1) to service the establishment of a new activity, a change of activity type, the expansion or intensification of an existing activity or where a building(s) is constructed, or additions to buildings that are not permitted activities in Table H8.4.1 Activity table; Table H9.4.1 Activity table; or Table H10.4.1 Activity table.</p> <p>Restricted discretionary activity (A6)</p> <p>Up to 121 spaces off-site parking associated with M Social</p> <p>Discretionary activity (A16)</p>
E27.6.1 Traffic Generation Standards <ul style="list-style-type: none"> Assessment required for more than 100 dwellings 	N/A – does not apply to City Centre Zone	
E27.6.2 Number of Parking and Loading Spaces	Complies as set out in section 8.1.1 of the ITA with a total maximum of 769 parking	

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<p>Maximum parking rates for the Business – City Centre Zone</p> <ul style="list-style-type: none"> • Dwellings <75m² GFA – 0.7 per dwelling • Dwellings ≥75m² and < 90m² GFA – 1.4 per dwelling • Dwellings ≥ 90m² GFA – 1.7 per dwelling • Visitor space – 0.2 per dwelling • All other activities – 1 per 200m² GFA 	<p>spaces permitted and 63 spaces provided (not including the 121 spaces for M Social).</p> <p>We note that the architectural plans show 454 spaces and have assessed the provision of the 9 additional parking space, which could be provided in place of water tanks. This is subject to finalising a wastewater solution with Watercare.</p>	
<p>E27.6.2(6) Bicycle Parking</p> <ul style="list-style-type: none"> • Residential (20 or more dwellings) – minimum 1 short stay per 20 dwellings and 1 long stay per dwelling within a dedicated garage. • Minimum 1 long stay per 300m² GFA offices. • Minimum 1 plus 1 space short stay per 1,000m² over 1,000m² for office space greater than 2,000m² up to 10,000m² • Minimum 10 plus 1 space short stay per 2000m² above 10,000m² for office space greater than 10,000m² • Minimum 1 visitor space per 350m² GFA for food and beverage • Minimum 1 long term space per 300m² GFA for food and beverage greater than 350m² GFA • Minimum 1 visitor space per 500m² GFA for all other retail 	<p>Complies as set out in section 8.2 of the ITA with a total of 71 short stay spaces and 464 long-stay spaces required with 94 short stay spaces provided and 594 long stay spaces provided.</p>	

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<ul style="list-style-type: none"> Minimum 1 long term space per 500m² GFA for all other retail greater than 500m² GFA and up to 5000m² GFA Minimum 1 long term space per 750m² GFA for all other retail greater than 5000m² GFA 		
E27.6.2(7) End-of-Trip Facilities	Complies – 24 showers and changing areas required based on 86,204m ² GFA, with 38 showers and changing areas provided. Further, 388 lockers are provided near the showers which can be used for storage of clothing.	
E27.6.2(8) Loading <ul style="list-style-type: none"> (T109) 1 loading space is required for 300m² - 5,000m² GFA for retail activities. (T113) 1 loading space is required for all other activities greater than 5,000m² up to 20,000m² (T114) 2 loading space is required for all other activities greater than 20,000m² up to 90,000m² (T115) 3 loading spaces plus 1 space per every additional 40,000m² for all other activities greater than 90,000m² 	Complies – 4 loading spaces required with 5 loading spaces provided based on the following activities: <ul style="list-style-type: none"> 1,179 m2 GFA of retail 87,000 m2 GFA of office 23,200 m2 GFA of residential 14,100 m2 GFA of hotel 	
E27.6.3.1 Design of Parking and Loading Spaces <ul style="list-style-type: none"> Dimensions set out at E27.6.3.1.1 Spaces must be located on the same site as the activity to which it relates; not be used for any other purpose; kept clear 	Complies with E27.6.3.1(b-g): <ul style="list-style-type: none"> The parking will be located on the same site. The M Social parking spaces will be a continuation of the existing off-site parking arrangement all parking spaces will be kept clear and available 	4 small car parking spaces are proposed which do not meet Standard E27.6.3.1 and Table E27.6.3.1.1. These spaces will have 2.4m width and a length of 4.7m.

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<p>and available when the activity is in operation etc. Refer E27.6.3.1(1)(a)-(g).</p>	<ul style="list-style-type: none"> • all parking spaces are located outside any area designated for road widening; <ul style="list-style-type: none"> ○ Parking does not impede vehicular access and movement on the site; and ○ infringe any open space and landscape requirements for the relevant zone • parking spaces will not be sold or leased separately from the activity 	
<p>E27.6.3.2 Size and Location of Loading Spaces</p> <ul style="list-style-type: none"> • Minimum dimensions set out at E27.6.3.2.1 • Spaces must be located on the same site as the activity to which it relates; be available when the activity is in operation etc. Refer E27.6.3.2(1)(a)-(d). • <u>Must have a maximum crossfall of 1:50 (2%) in all directions.</u> 	<p>Complies – all the proposed loading bays are 3.6 m wide and 8.4 m long.</p> <p>Will comply with the maximum crossfall of 1:50 (2%) – all loading spaces will be flat.</p>	
<p><u>Standard E27.6.3.2(A) Accessible Parking</u></p> <p><u>(1) Accessible parking must be provided for all new activities, changes of activity type, and / or the expansion or intensification of an existing activity in all zones, except for those listed below in E27.6.3.2(A)(2);</u></p> <p><u>(2) Accessible parking is not required in the following zones, unless car parking is provided on site, in which case the required number of accessible parking spaces must be</u></p>	<p>Extent of proposal:</p> <ul style="list-style-type: none"> • 87,000 m2 in offices: proposed) • 1,179 m2 in retail including food and beverage • 200 Visitor accommodation rooms (hotel) • 160 residential units <p>For non-residential:</p>	<p>21 accessible parking spaces are proposed, which does not meet the minimum requirement of 55 spaces. We have assumed this provision is sufficient to cover the residential requirement, but not the office, retail or hotel requirements</p> <p>Restricted discretionary activity (A2)</p>

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<p><u>determined in accordance with Table 1 or Table 2 below, whichever is relevant:</u></p> <p><u>Business Zones:</u></p> <p>(a) <u>Business – City Centre Zone;</u> (b) <u>Business – Metropolitan Centre Zone;</u> (c) <u>Business – Town Centre Zone;</u> (d) <u>Business – Local Centre Zone;</u> (e) <u>Business – Mixed Use Zone;</u> (f) <u>Business – Neighbourhood Centre Zone.</u></p> <p><u>Residential zones:</u></p> <p>(a) <u>Residential - Terrace Housing and Apartment Buildings Zone.</u></p> <p><u>(3) For residential developments in residential zones (excluding the Terrace Housing and Apartment Buildings Zone unless car parking is provided on site), accessible parking spaces must be provided for developments of 10 or more dwellings on a site.</u></p> <p><u>(4) The required number of onsite accessible parking spaces provided must be calculated using the following method:</u></p> <p><u>(i) For non-residential land uses;</u></p>	<ul style="list-style-type: none"> • Table 1 – 8 accessible spaces required based on 303 non-residential spaces provided • Theoretical parking demand as per the ITA : <ul style="list-style-type: none"> ○ Offices: 1,933 spaces for theoretical demand (1 space per 45 m2 GFA, 87,000 m2 proposed) ○ Retail food and beverage: 47 spaces for theoretical demand (1 space per 25 m2 GFA, 1,179 m2 proposed). However, we note that no on-site parking is proposed for the retail activity ○ Visitor accommodation (hotel): 200 spaces for theoretical demand (1 space per unit, 200 units proposed) <p>For residential:</p> <ul style="list-style-type: none"> • Not less than 8 accessible spaces are required. 	

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<p><u>Step 1 - Use the Parking Demand Guidelines in Appendix 23 to determine the theoretical parking demand</u></p> <p><u>Step 2 - Use Table 1 – Number of accessible parking spaces – Non-Residential, below to determine the required number of accessible car park spaces based on either the number of parking spaces that are proposed to be provided or the theoretical parking demand calculated in step 1, whichever is the higher.</u></p> <p><u>Table 1 – Number of accessible parking spaces – Non-Residential land uses</u></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="font-size: small;">Total number of parking spaces provided or theoretical parking spaces, whichever is the higher</th> <th style="font-size: small;">Number of accessible parking spaces</th> </tr> </thead> <tbody> <tr> <td style="font-size: small;">1 – 20</td> <td style="font-size: small;">Not less than 1</td> </tr> <tr> <td style="font-size: small;">21 – 50</td> <td style="font-size: small;">Not less than 2</td> </tr> <tr> <td style="font-size: small;">For every additional 50 parking spaces or part of a parking space</td> <td style="font-size: small;">Not less than 1</td> </tr> </tbody> </table> <p><u>(ii) For retirement villages, supported residential care, visitor accommodation and boarding houses</u></p> <p><u>The same method for calculating the required number of onsite accessible parking spaces for non-residential uses in 4(i) applies.</u></p> <p><u>(iii) For residential land uses</u></p> <p><u>The required number of accessible parking spaces provided must be in accordance with Table 2 below:</u></p>	Total number of parking spaces provided or theoretical parking spaces, whichever is the higher	Number of accessible parking spaces	1 – 20	Not less than 1	21 – 50	Not less than 2	For every additional 50 parking spaces or part of a parking space	Not less than 1		
Total number of parking spaces provided or theoretical parking spaces, whichever is the higher	Number of accessible parking spaces									
1 – 20	Not less than 1									
21 – 50	Not less than 2									
For every additional 50 parking spaces or part of a parking space	Not less than 1									

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<p>Table 2 – Number of accessible parking spaces – Residential land uses</p> <table border="1"> <thead> <tr> <th>Number of dwellings</th> <th>Number of accessible parking spaces</th> </tr> </thead> <tbody> <tr> <td>10 - 19</td> <td>Not less than 1</td> </tr> <tr> <td>20 – 29</td> <td>Not less than 2</td> </tr> <tr> <td>30 – 3950</td> <td>Not less than 3</td> </tr> <tr> <td>For every additional 40-25 dwellings or units</td> <td>Not less than 1</td> </tr> </tbody> </table>	Number of dwellings	Number of accessible parking spaces	10 - 19	Not less than 1	20 – 29	Not less than 2	30 – 3950	Not less than 3	For every additional 40-25 dwellings or units	Not less than 1		
Number of dwellings	Number of accessible parking spaces											
10 - 19	Not less than 1											
20 – 29	Not less than 2											
30 – 3950	Not less than 3											
For every additional 40-25 dwellings or units	Not less than 1											
<p>E27.6.3.3 Access and Manoeuvring</p> <ul style="list-style-type: none"> • Must accommodate 85th percentile tracking curves for cars • Loading must comply with the RTS 18 tracking curves • Only car parks for dwellings may be stacked 	Complies for both parking and loading.	<p>21 tandem spaces are proposed which could potentially be allocated to the office activity, whereas only residential is permitted.</p> <p>Restricted discretionary activity (A2)</p>										
<p>E27.6.3.4 Reverse Manoeuvring</p> <p>Not permitted where:</p> <ul style="list-style-type: none"> • Four or more spaces are served by a single access • There is 30m between the parking space and the road boundary • Access is from an arterial road or Vehicle Access Restriction 	Complies – sufficient space is provided on site so vehicles do not need to reverse off the site or onto or off the road.											
<p>E27.6.3.5 Vertical Clearance</p> <ul style="list-style-type: none"> • Minimum 2.1m for residential • Minimum 2.3m for all other activities • Minimum 2.5m for accessible parking • Minimum 3.8m for loading 	Complies for residential and all other activities.	<p>Infringes as follows:</p> <ul style="list-style-type: none"> • Vertical clearance of the service lane between the entrance to the basement car parking and Quay Street is 3.6 m. We note that this is an existing feature of the service lane, and these vertical clearance restrictions currently apply. 										

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		<ul style="list-style-type: none"> Vertical clearance for access areas of accessible parking areas will not be 2.5m. Accessible parking spaces on Level B03 will not have 2.5m of full vertical clearance. <p>Restricted discretionary activity (A2)</p>
<p>E26.6.3.6 Formation and Gradient</p> <ul style="list-style-type: none"> Parking and access must be formed, drained, provided with an all-weather surface and be marked out or delineated (except in some rural zones) Maximum 1:25 for accessible spaces Maximum 1:20 for other spaces Maximum 1:8 for manoeuvring 	<p>Complies – All parking spaces and manoeuvring areas are contained within the basement and are flat.</p>	
<p>E27.6.3.7 Lighting</p> <ul style="list-style-type: none"> Lighting is required where there are 10 or more spaces which are likely to be used during hours of darkness 	<p>Lighting will be provided within the basement car parks.</p>	
<p>E27.6.4.1 Vehicle Access Restrictions</p> <p>(1) Vehicle Access Restrictions apply and new vehicle crossings must not be constructed to provide vehicle access across that part of a site boundary which is subject to:</p> <ol style="list-style-type: none"> Vehicle Access Restriction – General Control as shown on the planning maps in the Business – City Centre Zone; or Key Retail Frontage Control as shown on the planning maps <p>(2) Standard E27.6.4.1(3) below applies in any of the following circumstances:</p>		<p>The Quay Street service lane vehicle crossing is subject to a Vehicle Access Restriction – General Control. The Quay Street vehicle crossing is existing, and will be upgraded to improve separation between M Social and pedestrian safety</p> <p>Restricted Discretionary Activity (A6)</p> <p>Vehicle Access Restrictions (VAR) applies as:</p> <ul style="list-style-type: none"> A new activity will be established on site. The development has frontages to arterial roads (Quay Street and Customs Street West). The Hotel Drop-off western vehicle crossing on Customs Street West is located within 10 m of any intersection as measured from the property boundary <p>Restricted Discretionary Activity (A5)</p>

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<p>(a) a new vehicle crossing is proposed; (b) a new activity is established on a site; (c) there is a change of type of activity (3) Vehicle Access Restrictions apply and vehicle crossings must not be constructed or used to provide vehicle access across that part of a site boundary which</p> <p>(a) is located within 10m of any intersection as measured from the property boundary, illustrated in Figure E27.6.4.1.1; (b) is subject to the following types of Vehicle Access Restriction as identified on the planning maps in the zones listed in Table E27.6.4.1.1; (c) has frontage to an arterial road as identified on the planning maps; (d) (d) is located closer than 30m from a railway level crossing limit line</p>		
<p>E27.6.4.2 Width and Number of Vehicle Crossings</p> <p>(1) The maximum number of vehicle crossings permitted for any site and separation distance between crossings is specified in Table E27.6.4.2.1:</p> <p>(T143) Sites subject to a Vehicle Access Restriction General Control in the Business – City Centre Zone</p> <ul style="list-style-type: none"> No crossings permitted <p>(T144) Sites subject to E27.6.4.1(2) and (3)</p> <ul style="list-style-type: none"> One crossing per 50m of site frontage 	<p>Complies – All crossings have more than 2 m separation from neighbouring vehicle crossings and are at least 6 m from each other</p>	<p>The Quay Street frontage is subject to a Vehicle Access Restriction General Control. No crossings are permitted. However, we note that the existing crossing will be utilised. Therefore, there will not be any change on Quay Street for the number of crossings.</p> <p>Three crossings on the Customs Street West frontage are proposed, of which one will be an upgrade of an existing crossing for the service lane and the other two a relocation of the existing Downtown Car park.</p> <p>The widths of the Hotel drop-off vehicle crossings exceed the maximum of 3.5 m, with 4.1m proposed for the western vehicle crossing and 4.6m proposed for the eastern vehicle crossing.</p>

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<ul style="list-style-type: none"> • 2m where two crossings on adjacent sites can be combined and where the combined crossings do not exceed a total width of 6m at the property boundary, no minimum separation distance will apply • Minimum of 6m separation between crossing serving the same site <p>(2) The width of a vehicle crossing(s) must meet the minimum width and not exceed the maximum width as specified in Table E27.6.4.3.2.</p> <p>(T153) Centres (serving 10 spaces or more)</p> <ul style="list-style-type: none"> • Minimum width of crossing at site boundary of 5.5m (two-way) • Maximum width of crossing at site boundary of 6.0m (two-way) 		<p>The width of the Quay Street service lane vehicle crossing exceeds 6 m with 7.6m proposed.</p> <p>Restricted discretionary activity (A2)</p>
<p>E27.6.4.3 Width of Vehicle Access and Queuing Requirements</p> <p>(1) Every on-site parking and loading space must have vehicle access from a road, with the vehicle access complying with the following standards for width:</p> <p>(a) passing bays are provided in accordance with (T148) All other zones:</p> <ul style="list-style-type: none"> • Where the length of access exceeds 50m and the width of access is less than 5.5m, passing bays are required at a maximum of 50m spacing 	<p>Complies – The accessways are at least 5.5m which accommodate two-way vehicle movement and pedestrians will be able to access the Site through many locations all pathways exceeding 1.5m</p>	

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Rule	Compliance	Non-Compliance
<ul style="list-style-type: none"> • Passing bays should be at least 5.5m wide over 7m with 45 degree tapers <p>(b) meeting the minimum formed access width (T153) Centres (serving 10 spaces or more):</p> <ul style="list-style-type: none"> • Minimum width of 5.5m (providing for two-way movement), 1.5 m pedestrian access for rear sites 		
E27.6.4.4 Gradient of Vehicle Access	<p>Complies:</p> <ul style="list-style-type: none"> • All parking spaces and manoeuvring areas are contained within the basement and are flat • The ramps for the car parking areas have a gradient of 1 in 6 (16.7%). Transitions are provided at the top and bottom of these ramps, with a length of 2 m and gradient of 1 in 10 (10%). The change in gradients is within the limits where transitions are required • The loading bay ramp has a gradient of 1 in 8 (12.5%), which will accommodate heavy vehicles • The Customs Street West and Quay Street accesses have a 1 in 20 (5%) platform over a length of 6 m from the property boundary. 	
E27.6.4.5 Sightlines for Road/Rail Level Crossings	N/A	
E27.6.5 Design and Location of Off-Road Pedestrian and Cycling	N/A	

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Rule	Compliance	Non-Compliance
<p>E27.6.7 Provision for electric vehicle charging <u>(1) Any new dwellings with car parking (with the exception of new detached dwellings) must provide each undercover car park with the capability to install Electric Vehicle Supply Equipment with designated space for the necessary conduit, circuit and metering between the car park and an electrical distribution board on the same building storey, or ground level if the car parking space is at ground level.</u> <u>Note:</u> <u>(a) his standard does not apply to any car parking permanently allocated to visitors.</u></p> <p><u>Refer to the following standards and guidelines:</u></p> <ul style="list-style-type: none"> - <u>Australian/New Zealand Wiring Rules AS/NZS 3000:2018</u> - <u>SNZ PAS 6011:2021 Electric Vehicle Charges for Residential Use</u> - <u>SNZ PAS 6011:2012 Electric Vehicle Chargers for Commercial Applications</u> <p><u>WorkSafe EV charging safety guidelines 2nd addition plus addendums 1 and 2</u></p>	<p>Will comply</p>	
<p><u>Standard E27.6.8 Electric vehicle charging stations</u></p> <p><u>(1) Any building or structure for EV charging must:</u></p>	<p>Will comply</p>	

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Rule	Compliance	Non-Compliance
<p><u>(a) Not exceed a maximum height above ground level of 3m (excluding charging cables and cable support systems); and</u></p> <p><u>(b) If there are more than two EV charging structures or EV charging buildings, comply with the front yard and landscape buffer standards of the underlying Zone.</u></p>		

Rule	Compliance	Non-Compliance
Business – City Centre Zone		
H8.4.1 Activity table	Offices (A9), Retail (A10), Dwellings (A3) and Public amenities (A16) are permitted activities.	<p>Construction of new buildings Restricted Discretionary Activity (A32)</p> <p>Demolition of buildings Controlled Activity (A32A)</p> <p>Alterations and additions to buildings not otherwise provided for (alterations to existing podia of Aon and HSBC building) Restricted Discretionary Activity (A36)</p> <p>Non-compliance with Standard H8.6.5 Harbour edge height control plane or Standard H8.6.6 Exception to the harbour edge height control Discretionary Activity (A42)</p>
H8.6.1 Retail	The site is located within the core retail area and therefore the limits set out in Table H8.6.1.1 do not apply to the site.	
<p>H8.6.2 General Building Height</p> <ul style="list-style-type: none"> The height of a building must not exceed the limits shown on Map H8.11.3. 	The site is located within Special height area.	

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<p>H8.6.3 Admission of Sunlight to Public Places</p> <ul style="list-style-type: none"> Buildings must not exceed the allowable building heights detailed Where part of an existing building does not comply with this standard, any addition or alteration must not further reduce sunlight access 	<p>Will otherwise comply with Queen Elizabeth Square and Fryberg Place as shown on Part E sheets FTA-81-001 to FTA-81-007 of the Architectural Drawings package.</p>	<p>Infringes with the Admission of Sunlight to St Patrick’s Square as follows:</p> <ul style="list-style-type: none"> The proposal casts additional shade over parts of the northern, Swanson Street edge of St Patricks Square at mid-winter between 12.00noon and 2.00pm as identified by the Unitary Plan. <p>Non Complying Activity (A40)</p>
<p>H8.6.4 Aotea Square Height Control Plane</p> <ul style="list-style-type: none"> Buildings subject to this standard must not exceed the height plane shown in Figure 5 on Appendix 11 – Business City Centre Zone 	<p>N/A</p>	
<p>H8.6.5 Harbour Edge Height Control Plane</p>		<p>Infringes as follows:</p> <ul style="list-style-type: none"> T1: maximum 88.8m along the northern façade reducing to 44m along the southern façade over a depth of 44.1m. T2: maximum 49.2m along the northern façade reducing to nothing along the southern façade over a depth of 49.2m. <p>Restricted Discretionary Activity (A42)</p>
<p>H8.6.6 [Deleted]</p>		<ul style="list-style-type: none">
<p>H8.6.7 Railway Station Building and Gardens View Protection Plane</p>	<p>N/A</p>	
<p>H8.6.8 Measuring Building Height</p>	<p>Height is determined using mean street level.</p>	
<p>H8.6.9 Rooftops</p>	<p>Will comply – rooftop projections are enclosed by one structure per building.</p>	
<p>H8.6.10 [Deleted]</p>		

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H8.6.11 [Deleted]		
H8.6.12 [Deleted]		
H8.6.13 [Deleted]		
H8.6.14 [Deleted]		
H8.6.15 [Deleted]		
H8.6.16 [Deleted]		
H8.6.17 [Deleted]		
H8.6.18 [Deleted]		
H8.6.19 [Deleted]		
H8.6.20 [Deleted]		
H8.6.21 [Deleted]		
H8.6.22 [Deleted]		
H8.6.23. Streetscape improvement and landscaping	N/A	
H8.6.24. Maximum tower dimension, setback from the street and tower separation in special height area (shown on Map H8.11.3)	<p>Complies as follows:</p> <ul style="list-style-type: none"> • T2 maximum tower dimension above 28m: 51.42m • Tower separation distance between T1 and T2: 15.03m 	<p>Infringes as follows:</p> <ul style="list-style-type: none"> • T1 maximum tower dimension above 28m: 57.81m. • T1 6m setback from Customs Street West: no setback provided from 28m to 33m-34.3m with a setback of 5.5m from 33m-34.3m above. • T2 6m setback Lower Hobson Street: no setback provided from 28m to 30.7m-31m with a setback of 4.5m from 30.7m-31m above. • Tower separation distance between T1 and Aon House: 11.2m. <p>Restricted Discretionary Activity (C1.9(2))</p>

<p>H8.6.24A Maximum east-west tower dimension</p> <p>The maximum plan dimension of any part of a building in the east-west direction must not exceed 45m for that part of the building above 28m, for sites identified as special height area on Map H8.11.3.</p>	<p>Complies for the towers:</p> <ul style="list-style-type: none"> • T1: 37.5m • T2: 22.61m • Parts of the P2 podium above 28m: 28.65m 	<p>Infringes as follows:</p> <ul style="list-style-type: none"> • Parts of the P1 podium above 28m: 53.48m <p>Restricted Discretionary Activity (C1.9(2))</p>
<p>H8.6.25. Building frontage alignment and height</p> <ul style="list-style-type: none"> • For frontages identified as ‘19m’, the building must have minimum contiguous height of 19m for a minimum depth of 6m from the frontage. 	<p>Complies – the buildings have a contiguous height of approximately 30.5m and 33m for a minimum depth of 6m from the Lower Hobson Street and Customs Street West frontages respectively.</p>	<p>Infringes as follows:</p> <ul style="list-style-type: none"> • P3 is approximately 15.3m in height. • The maximum frontage height of T1 exceeds 28m, with no setback provided from 28m to 33m-34.3m with a setback of 5.5m from 33m-34.3m above. • The maximum frontage height of T2 exceeds 28m, with no setback provided from 28m to 30.7m-31m with a setback of 4.5m from 30.7m-31m above. <p>Restricted Discretionary Activity (C1.9(2))</p>
<p>H8.6.25A Building setback from boundaries</p>	<p>N/A – the site is not subject to Map H8.11.11.</p>	
<p>H8.6.26. Verandahs</p> <ul style="list-style-type: none"> • A new building, external alteration or substantial internal alteration to an existing building, excluding minor cosmetic alterations or repairs which do not change its design and appearance, on a site identified on Map H8.11.6 must provide a continuous verandah along the full width of its building frontage. 		<p>Infringes as no verandah is provided along the Customs Street West frontage.</p> <p>At the Lower Hobson Street frontage, a 1.8m wide verandah is provided (with a setback of 700-800mm from the edge of the road carriageway) with a 3.5m height clearance from the footpath immediately below.</p> <p>Restricted Discretionary Activity (C1.9(2))</p>
<p>H8.6.27. Minimum floor to floor height</p>	<p>Complies for the above ground floors with 4.1m-4.2m floor to floor height provided</p>	<p>Infringes for the ground floor with a minimum 4.2m floor to floor height provided.</p>

<ul style="list-style-type: none"> • Ground floor: 4.5m for a minimum depth of 10m where it adjoins a street or public open space. • Above ground floor: 3.6m where these floors will accommodate non-residential activities. 	<p>where these floors accommodate non-residential activities.</p>	<p>Restricted Discretionary Activity (C1.9(2))</p>
<p>H8.6.28. Wind</p>	<p>Will comply for other areas as set out in the Wind Report.</p>	<p>Infringes for the following locations as outlined in the Wind Report prepared by Holmes:</p> <ul style="list-style-type: none"> ○ Location 9: Gust speed of 26m/s and therefore exceeding the 25m/s threshold. ○ Location 8, 9 and 42 (Lower Hobson Street): Category D conditions where Category C conditions required. ○ Location 18 (Urban Room): Category D conditions where Category C conditions required. ○ Location 26 (Customs Street West): Category D conditions where Category C conditions required. <p>Restricted Discretionary Activity (C1.9(2))</p>
<p>H8.6.29. Glare</p> <ul style="list-style-type: none"> • The reflectivity of all external surfaces must not exceed 20% of white light. 	<p>Will comply</p>	
<p>H8.6.30. Special amenity yards</p>	<p>N/A – the site is not located adjacent to a special amenity yard.</p>	
<p>H8.6.31. Street sightlines</p>	<p>N/A – the site is not located within the city centre zone sight lines.</p>	
<p>H8.6.32. Outlook space</p>	<p>Will comply with the 6m outlook requirement for both the apartment principal living areas and bedrooms, and hotel rooms.</p>	

<p>H8.6.33. Minimum dwelling size</p> <ul style="list-style-type: none"> • 35m² for studio dwellings • 50m² for one or more bedroom dwellings. This may be reduced by 8m² where a balcony of 8m² or greater is provided. 	<p>Complies as per the apartment schedule (refer to sheet RC11-0001).</p>	<p>Infringes for the following T apartments (30 in total) where a minimum of 50m² of net internal area is required for one-bedroom dwellings and the following is provided:</p> <ul style="list-style-type: none"> • Apartments 20.01-31.01 and 22.09-31.09 – 45m² • Apartments 32.01-39.01 – 48m² <p>Restricted Discretionary Activity (C1.9(2))</p>
<p>H8.6.34 Strategic Transport Corridor Zone – Railway corridor setback</p>	<p>N/A - the site is not located adjacent the railway corridor.</p>	

Rule	Compliance	Non-Compliance
Downtown West Precinct		
<p>I205.4.2 Activity table – Subprecinct B</p>		<p>New buildings, and alterations and additions to buildings Restricted discretionary activity (A4)</p> <p>Open space Restricted discretionary activity (A5)</p> <p>Vehicle, cycle and pedestrian access Restricted discretionary activity (A6)</p> <p>Development that does not comply with Standard I205.6.2 Pedestrian connections Restricted discretionary activity (A7)</p>
<p>I205.6.1 Area A</p>	<p>N/A</p>	
<p>1205.6.2 Pedestrian Connections (1) East-west pedestrian connection between Lower Queen Street and Lower Hobson Street;</p>	<p>(1) The proposed east-west connection complies as follows: (a) The pedestrian route has a width of at least 5m.</p>	<p>(3) The proposed north-south connection is not at-grade and not generally aligned with Federal Street. Restricted discretionary activity (A7)</p>

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<p>(2) At-grade north-south pedestrian laneway connection between Customs Street West and Quay Street (for block between Lower Queen Street and Lower Albert Street); and</p> <p>(3) At-grade north-south pedestrian laneway connection between Customs Street West and Quay Street, being generally aligned with Federal Street (for block between Lower Albert and Lower Hobson Street)</p>	<p>(b) It provides pedestrians protection from weather.</p> <p>(c) It incorporates natural daylight through glazed canopies of glazed roof structures.</p> <p>(d) It is publicly accessible 24 hours a day, 7 days a week.</p> <p>(e) It incorporates active uses at ground floor level framing the pedestrian connection.</p> <p>(f) It provides accessible, direct and unobstructed transitions between levels, including through ramps or lifts as required.</p> <p>(2) N/A</p>	
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Rule	Compliance	Non-Compliance
Plan Change 120		
E12 Land disturbance – District		Subject to Plan Change 120 the proposal involves earthworks within a flood prone area not complying with Standard E12.6.2(11). This is a subject to C1.9.(2) and is classified as a restricted discretionary activity .
E36 Natural Hazards and Flooding		
	A Landslide hazard risk assessment required under the operative AUP (OP) and PC120 has been prepared by T+T and is enclosed as Appendix 46 . The assessment confirms that the overall landslide risk for the site is very low to low (acceptable) and is therefore a	

	permitted activity in accordance with Table E36.4.1B(A108), (A114), (A124) and (A126).	
		<p>Subject to Plan Change 120 the proposal involves the development of mixed-use activities which are identified as ‘Activities sensitive to natural hazards’ (both group A (hotel accommodation) and group B (hazardous facilities)) ‘Activities potentially sensitive to natural hazard’ (being retail, office and commercial uses) and Activities less sensitive to natural hazards (parking and loading areas). The proposal is exposed to flood hazard areas classified as medium and low associated with overland flow and flood prone areas on the Site. Floodplain areas and overland flowpaths have been identified within the road corridor (beyond the Site) and have, for completeness, been assessed as low and moderate (refer to Appendix 23, Flood Hazard and Risk Assessment). Subject to Policy E36.3(1B)(b) the default risk level associated with activities included as components of the proposal are identified as ‘potentially Tolerable’ and ‘acceptable’. The following matters for consent are identified:</p> <ul style="list-style-type: none"> • The Proposal involves ‘activities sensitive to natural hazards’ (both group A (hotel accommodation) and group B (hazardous facilities)) and ‘activities potentially sensitive to natural hazard’ (being retail, office and commercial uses) which with a default risk classification of ‘potentially tolerable’. Where located within the Low Flood Hazard Area they are classified under E36.4.1A (A79) as a restricted discretionary activity. • The Proposal involves surface parking and above ground parking areas (including vehicle entry and exit points) in flood hazard areas, subject to E36.4.1A (A81) where parking areas area and entry and exist points are subject to moderate flood hazards they are classified as a restricted discretionary activity.

		<ul style="list-style-type: none"> • The Proposal involves below ground parking (including vehicle entry and exit points) in flood hazard areas subject to E36.4.1A (A82), within low and moderate flood hazard areas this is classified as a restricted discretionary activity. • The Proposal involves the storage of hazardous substances in flood hazard areas, noting this is only identified as a 'residual risk' with due to proposed mitigation measures, subject to E36.4.1A (A84) this is classified as a restricted discretionary activity. • The Proposal involves the development of accessways located within flood hazard areas, primarily the internal laneway access, subject to E36.4.1A (A88) accessways in flood hazard areas are classified as a restricted discretionary activity. • The Proposal involves the development of flood barriers associated with flood prone and overland flow paths interacting with the site subject to E36.4.1A(A92) the construction of stormwater management devices or flood mitigation works in the 1 per cent annual exceedance probability ("AEP") floodplain and flood prone areas is classified as a restricted discretionary activity. • The proposal involves the development of new buildings and structures, being the development of the Site subject to E36.4.1A(A98) All other structures and buildings (including retaining walls) in the 1 per cent AEP floodplain and flood prone areas are classified as a restricted discretionary activity. • The proposal includes the use of flood protection barriers which would have the potential to divert overland flows from entering areas of the Site, the laneway and basement parking areas. Subject to E36.4.1A (A102) diverting the entry or exit point, piping or reducing the capacity of any part of an
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		<p>overland flow path is classified as a restricted discretionary activity.</p>
		<p>Subject to Plan Change 120 the Proposal involves the development of mixed-use activities which includes ‘Activities sensitive to natural hazards’ (both Group A (hotel accommodation) and Group B (hazardous facilities)) ‘Activities potentially sensitive to natural hazard’ (including retail, office and commercial uses) and ‘Activities less sensitive to natural hazards’ (parking and loading areas) a portion of the Site has been identified as located within the coastal hazard area 3 (coastal inundation) (refer to Appendix 44, Coastal Hazard and Risk Assessment. Resource consent classifications are as follows:</p> <ul style="list-style-type: none"> • The proposal involves ‘activities sensitive to natural hazards’ (both group A (hotel accommodation) and group B (hazardous facilities)) and ‘activities potentially sensitive to natural hazard’ (being retail, office and commercial uses) which subject to E36.4.1A (A58) Coastal Hazard Area 3 (1.0 – 1.5 m RSLR) is classified as ‘potentially tolerable’ is a restricted discretionary activity. • The proposal involves the development of below ground parking where the Site and associated entry and exit points are located within the Coastal Hazard Area 3 (1.0 – 1.5 m RSLR) which subject to E36.4.1A (A61) is classified a restricted discretionary activity. • The proposal involves the development of accessways within the Coastal Hazard Area 3 (1.0 – 1.5 m RSLR) which subject to E36.4.1A (A69) is classified a restricted discretionary activity. • The proposal involves the development of new buildings and structures in the Coastal Hazard Area 3 (1.0 – 1.5 m RSLR) which subject to E36.4.1A (A77) is classified a restricted discretionary activity.

		<p>Subject to Plan Change 120 the Proposal involves the use of coastal hazard flood protection in the form of flood protection doors and barriers which is subject to E36.4.1D (A142) classified as discretionary activity.</p>
		<p>The proposal involves activities which may infringe aspects of the Permitted activity standards E36.6.1. applicable to development within coastal and flood hazard areas. Including in relation to vehicle entry and exit points associated with parking activities and the storage of hazardous substances in relation to the coastal hazard area 3, considering future relative sea level rise scenarios of up to 1.5m. This is subject to C1.9.(2) and is as a restricted discretionary activity.</p>