Rules Assessment

Proposal: University of Auckland Student Centre and Library

Address: The corner of Princes Street and Alfred Street on the University of Auckland City Campus

Unitary Plan: Auckland Unitary Plan (AUP)

Site Zoning	
Zone	**Business – City Centre Zone**
Precinct	Learning Sub-precinct A, Sub-precinct
Overlays/Controls	Historic Heritage and Special Character: Historic Heritage Overlay Extent of Place [rcp/dp] - 1927, Student Union Building Controls: Macroinvertebrate Community Index - Urban
Designations	N/A

Rule	Compliance	Non-Compliance
Chapter D Overlay		
D13 Notable Trees Overlay	Trimming of the notable tree (T3 London Plane) along Alfred Street is proposed which complies with Standard D13.6.1 as pruning is less than 10%, with 4% proposed, and no branches exceeding 50mm in diameter are proposed to be cut. This is a **permitted activity** under D13.4.1(A5).	• Trimming of four notable trees on Alfred Street is proposed that does not comply with Standard D13.6.1 and are a **restricted discretionary activity** under D13.4.1(A6) as follows: o Tree 2 trimming will not exceed 10%, with 3.4% proposed, however one branch exceeding 50mm in diameter is proposed to be cut; o Tree 4 trimming will not exceed 10%, with 9.8% proposed, however one branch exceeding 50mm in diameter is proposed to be cut;

Rule	Compliance	Non-Compliance
		○ Tree 5 trimming will exceed 10%, with 21% proposed. Four cuts are proposed to branches exceeding 50mm in diameter, being between 80mm to 120mm; and ○ Tree 6 trimming will not exceed 10%, with 4% proposed, however two cuts are proposed on branches exceeding 50mm in diameter. • Permanent works within the protected root zone of four notable trees (T5, T6, T7 and T8) along Alfred Street are required and trigger a **restricted discretionary activity** under D13.4.1(A9) as follows: ○ T5, T6, T7, and T8 have excavations exceeding $1m^2$; and ○ T6, T7, and T8 disturbs more than 10% of the protected root zone, with between 10-20% proposed.
D17 Historic Heritage		• Demolition or destruction of a primary feature of a Category B Historic Heritage Place (1927, Student Union Building) is required and is a **discretionary activity** under D17.4.1(A1). • New buildings or structures within the scheduled extent of place of Category B places is a **restricted discretionary activity** under D17.4.1(A10). • Signs not otherwise provided for as a permitted activity is a **restricted discretionary activity** under D17.5.1(A15).
Chapter E Auckland-Wide		
E1 Water Quality	Objectives and policies only.	
E2 Water Quantity, Allocation and Use	Objectives and policies only.	

Rule	Compliance	Non-Compliance
E3 Lakes, Rivers, Streams and Wetlands	N/A – does not apply to project	
E4 Other Discharge of Contaminants	N/A – no other discharges of contaminants proposed	
E5 On-site and Small-Scale Wastewater Treatment and Disposal	N/A – no on-site wastewater treatment or disposal proposed	
E6 Wastewater Network Management	N/A– no wastewater discharges to land or water proposed	
E7 Taking, Damming and Diversion of Water and Drilling		• The diversion of groundwater caused by excavation that does not comply with the permitted activity standards is proposed and is a **restricted discretionary activity** under Rule E7.4.1(A28); and • The take and use of groundwater associated with dewatering that does not comply with the permitted activity standards is proposed and is a **restricted discretionary activity** under Rule E7.4.1(A20).
E8 Stormwater Discharge and Diversion	The existing site is nearly fully impervious and will remain impervious post-development. Therefore, no increase of stormwater run-off due to an increase in impervious area is anticipated. Diversion of stormwater therefore complies with Standard E8.6.2.1 and is a **permitted activity** under Rule E8.4.1(A1).	
E9 Stormwater Quality – High Contaminant Generating Carparks and Roads	N/A – no carparks or roads proposed	
E10 Stormwater Management Areas Flow 1 and 2	N/A – The site is not subject to SMAF 1 or 2 therefore no further hydrology mitigation is required.	
E11 Land Disturbance - Regional	Up to 10,000m^2 where land has a slope less than 10 degrees outside the Sediment Control Protection Area is a **permitted activity** under Rule E11.4.1(A3).	

Rule	Compliance	Non-Compliance
E12 Land Disturbance - District		• Earthworks of 5,565m^2, which exceeds 2,500m^2 within the City Centre Zone, will be required and is a **restricted discretionary activity** under Rule E12.4.1(A6). • Earthworks of 34,282m^3, exceeding 2,500m^3 within the City Centre Zone, will be required and is a **restricted discretionary activity** under Rule E12.4.1(A10). • Earthworks exceeding 50m^2 within a Historic Heritage Overlay (the extent of place for the Student Union Building) and is a **restricted discretionary activity** under Rule E12.4.2(A30). • Earthworks exceeding 250m^3 within a Historic Heritage Overlay (the extent of place for the Student Union Building) and is a **restricted discretionary activity** under Rule E12.4.2(A33).
E13 Cleanfills, Managed Fills and Landfills	N/A – not relevant to proposal	
E14 Air Quality	Complies. Refer to Air Quality Assessment prepared by Tonkin & Taylor, included as **Appendix 35**.	
E15 Vegetation Management and Biodiversity	N/A – not relevant to proposal	
E16 Trees in Open Space Zones	N/A – no works to trees in open space zones proposed	
E17 Trees in Roads	• Trimming of three trees (T2, T3 and T4 along Alfred Street) are a **permitted activity** under E17.4.1(A5); and • Removal of Tree 12 along Princes Street is a **permitted activity** under E17.4.1(A9), as it is less than 4m in height and less than 400mm in girth	• Trimming of two street trees on Alfred Street is proposed that does not comply with Standard E17.6.1 and is a **restricted discretionary activity** under E17.4.1(A6) as follows: o Tree 5 trimming will exceed 20%, with 21% proposed. Four cuts are proposed to branches exceeding 100mm in diameter, being between 80mm to 120mm; and

Rule	Compliance	Non-Compliance
		• Tree 6 trimming will not exceed 20%, with 4% proposed, however one cut is proposed on a branch exceeding 100mm in diameter. Permanent works involving root pruning are proposed on T5, T6, T7 and T8 along Alfred Street which does not comply with Standard E17.6.3 as all trees have roots greater than 80mm at severance and trigger a **restricted discretionary activity** under E17.4.1.(A8); and • Removal of three street trees greater than 4m in height (T9, T10 and T11 along Princes Street) are a **restricted discretionary activity** under Rule E17.4.1(A10).
E18 Natural Character of the Coastal Environment	N/A – site is not within the coastal environment	
E19 Natural Features and Natural Landscapes in the Coastal Environment	N/A – site is not within the coastal environment	
E20 Māori Land	N/A – site is not Māori land	
E21 Treaty Settlement Land	N/A – site is not treaty settlement land	
E22 Artworks	N/A – no artworks proposed	
E23 Signs		Comprehensive development signage is a **restricted discretionary activity** under Rule E23.4.2(A53).
E24 Lighting	The proposal will comply with permitted activity standards under E24 and is a **permitted activity** under Rule E24.4.1(A1).	
E25 Noise and Vibration	Mitigation is proposed within the CNVMP to manage vibration levels on site to enable compliance with the permitted activity standards under E25.6.30 and is a **permitted activity** under Rule E25.4.1(A1).	Activities that do not comply with permitted activity standards are a **restricted discretionary activity** under Rule E25.4.1(A2): • Standard E25.6.28: Construction noise limits are expected up to 92dB L_{Aeq} which exceeds

Rule	Compliance	Non-Compliance
		permitted level of 75 dB LA_{eq} on weekdays, 80 dB LA_{eq} on a Saturday, and 65 dB LA_{eq} on a Sunday.
E26 Infrastructure	N/A – no infrastructure proposed	
E27 Transport		
E27.4.1 Activity Table		• Parking, loading and access which is an accessory activity but does not comply with Standard E27.6.2(6), E27.6.3.2 and E27.6.3.5 is a **restricted discretionary activity** under E27.4.1(A2): o Standard E27.6.2(6) Bicycle Parking: No secure bicycle parking is provided within the site, where 34 secure spaces are required based on a total GFA of 19,568m^2; o Standard E27.6.3.2 Size and Location of Loading Spaces: An on-street loading space (19m by 3m) is proposed on Princes Street, immediately in front of the site. The width falls 0.5m short of the required 3.5m and the space is not located within the site boundary; and o E27.6.3.5. Vertical clearance: The vertical clearance within the basement loading area of the Student Centre and Library will be 3.4m, which falls 0.4m short of the required 3.8m.
E27.6 Standards		
E27.6.1 Trip Generation • a new development or subdivision which exceeds the thresholds in Table E27.6.1.1; or • 100 v/hr (any hour) for activities not specified in Table E27.6.1.1	N/A – the site is located in the Business - City Centre zone.	

Rule	Compliance	Non-Compliance
E27.6.2(1) Number of Parking Spaces Maximum parking rates for the Business – City Centre Zone for (T15) All other activities: 1:200m^2 GFA	Complies – The development will not change the number of parking spaces within the precinct as no additional general parking is proposed within the site boundary	
E27.6.2(6) Bicycle Parking • the activities specified in Table E27.6.2.5 must provide the minimum number of bicycle parking spaces specified; • (T87) Retail food and beverage: o Visitor: Up to 350m^2 GFA, nil required o Secure: 1 per 300m^2 GFA • (T96) Tertiary education facilities: o Visitor: 1 per 800m^2 GFA office o Secure: 1 per 20 EFT students and FTE employees on site at the peak times		Does not comply. No secure bicycle parking is provided within the site, where 34 secure spaces are required based on a total GFA of 19,568m^2. 16 visitor bicycle parking spaces are provided within the site, where 24 are required.
E27.6.2(7) End-of-Trip Facilities	Complies – six showers and changing areas will be provided.	
E27.6.2(8) Loading (T114) All other activities greater than 20,000m^2 up to 90,000m^2; 2	Complies – one loading space is proposed within the basement of the new building and an on-street loading space is provided on Princes Street which meets the minimum requirement of two spaces.	
E27.6.3.1 Size and Location of parking spaces	N/A – no additional general parking spaces are proposed as part of the development.	
E27.6.3.2 Size and Location of Loading Spaces • (T138) All other activities o Length: 8m o Width: 3.5m	Otherwise complies – The loading space located in the lower ground level of the building measures 10.5m by 4.8m where a minimum dimension of 8m by 3.5m wide is required and will be located within the site.	Does not comply – one of the required loading spaces is provided for within the road reserve and is therefore not located on the same site. The on-street loading space is additionally only 3m wide, where a 3.5m width is required.

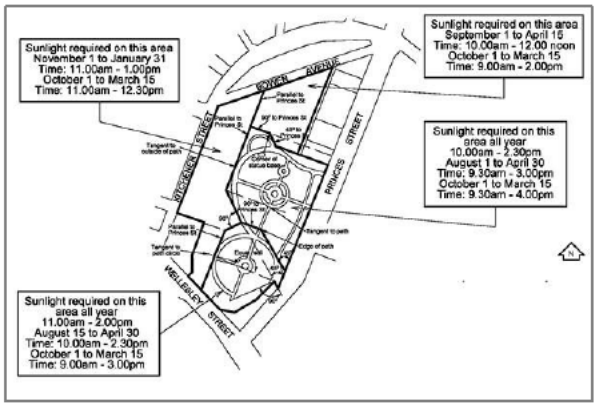
Rule	Compliance	Non-Compliance
E27.6.3.2 Number and Design of Accessible Parking • For all non-residential developments, accessible parking must be provided when car parking is provided on-site as set out in E27.6.3.2(A)(6) • Accessible parking is not required to be provided where no car parking is provided on site, except for specified activities. • For all non-residential developments, or non-residential components of mixed-use developments, standard accessible parking markings must be used.	N/A – The proposal will have no general vehicle parking spaces within the new building and there is no requirement for accessible parking spaces. The University will continue to provide accessible parking spaces within the Owen G Glen parking building and elsewhere within Sector 300.	
E27.6.3.3 Access and Manoeuvring • Must accommodate 85th percentile tracking curves for cars • Loading must comply with the RTS 18 tracking curves and Figure E27.6.3.3.3. for small loading spaces • Only car parks for dwellings may be stacked	Complies – Refer to **Appendix 12** for tracking assessments.	
E27.6.3.4 Reverse Manoeuvring • (3) Heavy vehicle access and manoeuvring areas associated with access required by E27.6.3.4.(2) above must comply with the tracking curves set out in the Land Transport New Zealand Road and traffic guidelines: RTS 18: New Zealand on-road tracking curves for heavy motor vehicles (2007).	Complies – Refer to **Appendix 12** for tracking assessments.	
E27.6.3.5 Vertical Clearance 3.8m where loading is required in Table E27.6.2.7.		Does not comply. The vertical clearance within the basement loading area of the Student Centre and Library will be 3.4m where 3.8m is required.
E27.6.3.6 Formation and Gradient	Complies as follows:	

Rule	Compliance	Non-Compliance
• 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 • Maximum 1:50 (2%) crossfall	• All parking and manoeuvring areas will be formed and drained with an all-weather surface. • The gradient of all parking/loading spaces is relatively flat, with maximum gradient of 1 in 20. • The loading area in the basement is relatively flat and will not exceed the maximum gradient of 1:8 required for manoeuvring.	
E27.6.3.7 Lighting	N/A – required only where 10 or more parking spaces are proposed	
E27.6.4.1 Vehicle Access Restrictions	N/A – the site is not subject to a Vehicle Access Restriction.	
E27.6.4.2 Width and Number of Vehicle Crossings • Table E27.6.4.2.1 (T143) Site that is subject to a Vehicle Access Restriction General Control in the Business – City Centre Zone • No crossings permitted	Complies as follows. • (T143) The Site has frontage to Princes Street and Alfred Street. It is proposed that vehicle access is via the existing vehicle crossing on Princes Street. • (2) N/A – Existing vehicle crossing on Princes Street. • (3) N/A – The existing vehicle crossing will not be altered • (4) N/A • (5) N/A – The existing vehicle crossing will not be altered	
E27.6.4.3 Width of Vehicle Access, Queueing and Speed Management Requirements Every on-site parking and loading space must have vehicle access from a road, with the vehicle access	Complies – The accessway width accommodates two-way vehicle movement (6.1m wide ramp) at the boundary for a length of 25m. This narrows to a single vehicle width (5m wide) when entering the site	

Rule	Compliance	Non-Compliance
complying with Table E27.6.4.3.3 Speed management requirements	and loading area which measures 10m by 4.8m. A passing bay is not required.	
E27.6.4.4 Gradient of Vehicle Access • (T158) Vehicle access used by heavy vehicles: 1 in 8 (12.5 per cent) • (2) To avoid the underside of the car striking the ground, as illustrated in Figure E27.6.4.4.2, access with a change in gradient exceeding 1 in 8 (greater than 12.5 per cent change) at the summit or a 1 in 6.7 (15 per cent change) at a sag must include transition sections to achieve adequate ground clearance, refer to Figure E27.6.4.4.3. Typically, a transition section requires a minimum length of 2m. • (3) All vehicle access must be designed so that where the access adjoins the road there is sufficient space onsite for a platform so that vehicles can stop safely and check for pedestrians and other vehicles prior to exiting. This is illustrated in Figure E27.6.4.4.4. The platform must have a maximum gradient no steeper than 1 in 20 (5 per cent) and a minimum length of 4m for residential activities and 6m for all other activities.	N/A – no changes are proposed to the existing vehicle access from Princes Street which will serve both Hiwa and the proposed Student Centre and Library.	
E27.6.4.5 Sightlines for Road/Rail Level Crossings	N/A – not in proximity to a level crossing.	
E27.6.5 Design and Location of Off-Road Pedestrian and Cycling Facilities	Complies. Please refer to **Appendix 12**.	

Rule	Compliance	Non-Compliance
• (1) The design and location of the proposed facility shall provide connections to existing pedestrian and cycling routes and facilities. • (2) The width of the path is designed to accommodate the anticipated number and type of users. • (3) The surface of the path is designed to safely provide for the anticipated number and type of users.		
E27.6.6 Design and Location of Pedestrian Access in Residential Zone	N/A – site not in residential zone	
E27.6.7 Provision for Electric Vehicle Charging	N/A – no requirement for EV charging	
E27.6.8 Electric Vehicle Charging Stations	N/A – no EV charging required	
E28 Mineral Extraction from Land	N/A – not relevant to proposal	
E29 Emergency Management Area	N/A – site is not within an emergency management area	
E30 Contaminated Land		As a Detailed Site Investigation is unable to be completed due to current site configuration, the discharge of contaminants does not comply with controlled activity standards and is a **discretionary activity** under E30.4.1(A7).
E31 Hazardous Substances	N/A – no storage of hazardous substances proposed	
E32 Biosolids	N/A – not relevant to proposal	
E33 Industrial and Trade Activities	N/A – no industrial or trade activities proposed	
E34 Agrichemicals and Vertebrate Toxic Agents	N/A – not relevant to proposal	
E35 Rural Production Discharges	N/A – not relevant to proposal	

Rule	Compliance	Non-Compliance
E36 Natural Hazards and Flooding	N/A - the OLFP onsite does not qualify as an OLFP under Chapter J definitions given the catchment size is less than 4,000m^2.	
E37 Genetically Modified Organisms	N/A – not relevant to proposal	
E38 Subdivision – Urban	N/A – no subdivision proposed	
E39 Subdivision – Rural	N/A – no subdivision proposed	
E40 Temporary Activities		The Project involves temporary activities for construction that are not otherwise provided for as permitted activities in Rules A12 – A23, as they will have a duration of more than 24 months, and are therefore a **restricted discretionary activity** under E40.4.1(A24).
H8 Business – City Centre Zone		
H8.4.1 Activity table		• The development of the new building is a **restricted discretionary activity** under Rule H8.4.1(A32). • Demolition of buildings is a **controlled activity** under Rule H8.4.1(A32A) • The construction of a building that does not comply with Standard H8.6.3 Admission of Sunlight to Public Places is a **non-complying activity** under Rule H8.4.1(A40), noting that the Project will not comply with the Admission of Sunlight to Albert Park. • The Project involves development that does not comply with the following standards and is a **restricted discretionary activity** under Rule C1.9(2):

Rule	Compliance	Non-Compliance
		○ H8.6.25A Building setback from boundaries: The building encroaches the building setback to the northern elevation.
H8.6 Standards		
H8.6.1. Retail	Retail ancillary to the tertiary education facility use is proposed only, however for completeness it does not exceed 1,000m^2 GFA and is therefore permitted.	
H8.6.2. General building height	N/A – the site is not identified as subject to a general building height on Map H8.11.3.	
H8.6.3. Admission of sunlight to public places (1) The height of a building within a defined sunlight admission cone shown on Map H8.11.4 must not exceed the allowable building heights detailed on the relevant diagrams in Appendix 11 Business – City Centre Zone sunlight admission into public places. 	Otherwise complies.	Does not comply. The proposal infringes the Albert Park Sunlight Admission Control on Map H8.11.4 as follows: • The proposal casts additional shade over the southern segment of Albert Park between: ○ 9:00am and 9:30am in October and January ○ 9:00am and 9:15am in November and December ○ 9:00am and 9:45am from February until 15 March
H8.6.4. Aotea Square height control plane	Complies – the site complies with the Aotea Square height control plane. Refer **Appendix 10**.	
H8.6.5. Harbour edge height control plane	N/A – site is not within proximity of the harbour edge	
H8.6.6. [Deleted]		

Rule	Compliance	Non-Compliance
H8.6.7. Railway station building and gardens view protection plane	N/A – site is not within this protection plane	
H8.6.8. Measuring building height	Building height has been measured in accordance with H8.6.8.	
H8.6.9. Rooftops • (1) Rooftop projections including turrets, chimneys, lift towers, machinery rooms and water towers that exceed the height of all parts of a parapet surrounding the roof on which the projections are located, must be enclosed in a maximum of three structures and integrated within the overall roof design. • (2) [Deleted] • (3) For the purpose of this standard rooftop includes the roof of building podiums in addition to its ordinary meaning. • (4) For the purpose of this standard, rooftop projections do not include: o (a) [deleted] o (b) any rooftop ornamental projections including finials, pediments and cornices integral to the design of the building; and o (c) telecommunications antennas and aerials.	Complies – rooftop plant is screened and integrated with the overall roof design	
H8.6.10. – H8.6.22 [Deleted]		
H8.6.23. Streetscape improvement and landscaping	N/A – the site does not fall within the site frontage standard as shown on Figure H8.6.23.1	
H8.6.24. Maximum tower dimension, setback from the street and tower separation in special height area (shown on Map H8.11.3)	N/A – the site is not shown on Map H8.11.3	
H8.6.24A Maximum east-west tower dimension	N/A – the site is not shown on Map H8.11.10	

Rule	Compliance	Non-Compliance
H8.6.25. Building frontage alignment and height	N/A – the site is not shown on Map H8.11.5 or H8.11.5A	
H8.6.25A Building setback from boundaries On every site identified as subject to this standard on Map H8.11.11 a new building or addition to an existing building must comply with the following: • (a) For boundaries which have a maximum frontage height (refer H8.6.25(2)), the set back is as stated in H8.6.25(2). • (b) For all other boundaries, the part of the building above 32.5m must be set back from the boundary by at least 6m. • (c) The maximum plan dimension, as defined in H8.6.24(2), of that part of the building above 32.5m must not exceed an average 55m. • (d) If there is more than one tower on a site, a tower separation distance of at least 12m must be provided between the parts of the buildings above 32.5m.	• (a) – N/A- no maximum frontage height applies • (c) – complies, refer to Architectural Drawings (**Appendix 10**) • (d) – N/A, only one building proposed on site	(b) Does not comply. The part of the building above 32.5m encroaches the 6m setback on the northern boundary by a maximum depth of 1.5m across a length of 4.7m. Refer to Architectural Drawing A11.001 (**Appendix 10**)
H8.6.26. Verandahs	N/A – the site is not identified as subject to verandah requirements on Map H8.11.6.	
H8.6.27. Minimum floor to floor height • (1) The ground floor of a new building must have a minimum finished floor to floor height of 4.5m for a minimum depth of 10m where it adjoins a street or public open space. • (2) The finished floor to floor height of new buildings above ground floor must be at least 3.6m where those floors will accommodate non-residential activities.	Refer Architectural Drawings, A20.002 (**Appendix 10**) • (1) Complies. The first floor has a minimum finished floor level of 5m where it adjoins Princes Street, where 4.5m is required. • (2) Complies. The finished floor to floor height above ground floor are proposed as 4.6m where 3.6m is required.	

Rule	Compliance	Non-Compliance
H8.6.28. Wind (1) A new building and additions to existing buildings that increase the height of any part of the building must not cause: • (a) the mean wind speed around it to exceed the category for the intended use of the area as set out in Table H8.6.28.1 and Figure H8.6.28.1 Wind environment control; • (b) the average annual maximum peak 3 second gust to exceed the dangerous level of 25m per second; and • (c) an existing wind speed which exceeds the controls of Standard H8.6.28(1)(a) or Standard H8.6.28(1)(b) above to increase.	Will comply as set out within the Wind Assessment (**Appendix 33**). The plaza and surrounding pedestrian areas will be predominantly Category A and B in the post-development scenario when landscaping is provided. A small portion of Category C is present in the laneway between the Kate Edger Information Commons and the proposed Student Centre and Library. As this is a throughfare, rather than an area for recreation, this is considered to comply with the requirements of Table H8.6.28.1.	
H8.6.29. Glare (1) Buildings must be designed and built so that the reflectivity of all external surfaces does not exceed 20 per cent of white light.	Will comply.	
H8.6.30. Special amenity yards	N/A – the site is not located adjacent to a special amenity yard.	
H8.6.31. Street sightlines	N/A – the site is not located within the city centre zone sight lines.	
H8.6.32. Outlook space	N/A – no new buildings containing dwellings, visitor accommodation and boarding houses proposed.	
H8.6.33. Minimum dwelling size	N/A – no new buildings containing dwellings proposed.	
H8.6.34. Strategic Transport Corridor Zone – Railway corridor setback	N/A – the site is not located adjacent to a railway corridor.	
I207 Learning Precinct		

Rule	Compliance	Non-Compliance
I207.4.1 Activity table		• Demolition of buildings is a **controlled activity** under Rule I207.4.1(A25). • The development of new building is a **restricted discretionary activity** under Rule I207.4.1(A26). • The Project involves development that is not anticipated to comply with the following standards and is a **restricted discretionary activity** under Rule C1.9(2): o I207.6.3 Building Height: The Site is subject to a 30m height control. The proposed building will exceed the height control as set out below. o I207.6.4 Frontage Height and Setback: The Site is subject to Frontage Control C. The proposed building will not comply with the frontage control as set out below.
I207.6. Standards		
I207.6.1. Parking • The total number of parking spaces within Sub-precinct A must not exceed 2000.	Please refer to Traffic Assessment (**Appendix 12**) Section 6.1. Complies given no parking is proposed as part of the development.	
I207.6.2. Temporary activities in Sub-precinct B	N/A – site is not within Sub-precinct B	
I207.6.3. Building height (1) Buildings must not exceed the heights specified on Precinct plan 1 • 30m		Does not comply: The building exceeds the maximum 30m height by a maximum vertical height of 6.54m.
I207.6.4. Frontage Height and Setback (3) On every frontage shown as "C" on Precinct plan 4:		Does not comply: The building exceeds Frontage Control C as follows: • The building frontage exceeds a height of 15m within the 15m depth as follows:

Rule	Compliance	Non-Compliance
• (a) the building frontage must not exceed a height of 15m for a minimum depth of 15m from the site frontage; • (b) the building must not project beyond a 45 degree recession plane measured at all points along the site frontage of the site from 15m above street level. This recession plane applies for a horizontal distance of 20m into the site from the street boundary; • (c) the building setback must be an emphatic or a stepped profile of at least two stories and must not be a literal regression of the 45 degree angle; • (d) Where the building is on a corner site, the requirements of clauses I207.6.4(3)(a) and (b) above apply to both frontages.		○ On the northern elevation to Alfred Street by a maximum height of 21.5m reducing to 18.6m across a length of 66.7m; and ○ On the western elevation to Princes Street by a maximum height of 14.3m reducing to 13.8m across a length of 58.0m. • The building frontage infringes the recession plane as follows: ○ On the northern elevation to Alfred Street by a maximum height of 15.6m reducing to 11.3m across a length of 66.7m; ○ On the western elevation to Princes Street by a maximum height of 12.2m reducing to 0.8m across a length of 58m. • While the building provides for a stepped profile they are not of at least two stories.
I207.6.5. Wynyard Street Coverage and Pedestrian Link	N/A – site is not subject to the Wynyard Street coverage and pedestrian link control.	
I207.6.6. Sub-precinct B: Old Government House	N/A – site is not within Sub-precinct B	

Plan Change 120 Hazards Overview	
Proposed Activities	Proposed Activities Sensitive to Natural Hazards: N/A Proposed Activities Potentially Sensitive to Natural Hazards: • retail • education facilities without overnight accommodation • community facilities, except those listed as 'Activities Sensitive to Natural Hazards' • temporary activities Proposed Activities Less Sensitive to Natural Hazards: • informal recreation

	• public amenities • loading areas Ancillary activities: • surface parking • fences • infrastructure
Flood Hazard Area	Site is subject to: • Overland Flow Path • Low Flood Hazard Area
Coastal Hazard Area	N/A – the site is not identified as being subject to any coastal hazards.
Landslide Hazard Area	Low (Acceptable) Landslide Hazard Risk Area Low Landslide Susceptibility Assessment Area

Rule	Compliance	Non-Compliance
Plan Change 120 (Notified Version) – Rules with Immediate Legal Effect		
E12 Land Disturbance – District		
E12.6.2 General Standards		
E12.6.2(11) Earthworks (including filling) within the 1 per cent AEP floodplain and/or flood prone areas.	N/A – the site is not subject to the 1 per cent AEP floodplain and flood prone areas. Please refer to the Stormwater Management Plan prepared by Beca (**Appendix 19**) for further information.	
E12.6.2(13) Temporary land disturbance and stockpiling of soil and other materials in flood hazard areas for up to a maximum of 28 days in any calendar year may occur as part of construction or maintenance activities.		Does not comply. Land disturbance in low flood hazard areas will occur for more than 28 days as part of construction activities and is a **restricted discretionary activity** under C1.9(2).
E12.6.2(18) Earthworks proposed within medium and high landslide susceptibility assessment areas	N/A – earthworks not proposed within medium and high landslide susceptibility assessment areas. Refer	

Rule	Compliance	Non-Compliance
	to the Geotechnical Interpretative Report (**Appendix 20**) for further information.	
E12.9 Special Information Requirements		
(1) Geotechnical reports prepared by a suitably qualified and experienced person in accordance with Auckland Council Code of Practice for Land Development and Subdivision, Section 2 (Earthworks and Geotechnical Requirements) must accompany a resource consent application for earthworks within medium and high landslide susceptibility assessment areas.	N/A – earthworks not proposed within medium and high landslide susceptibility assessment areas. Refer to the Geotechnical Interpretative Report (**Appendix 20**) for further information.	
E36 Natural Hazards		
E36.4 Activity Table		
Table E36.4.1A Activity Table (Coastal and Flood Hazard Areas)	Any buildings or other structures located within an overland flow path with a catchment less than 4,000m^2 is a **permitted activity** under E36.4.1A(A100).	Activities where natural hazard risk is potentially tolerable in accordance with Table E36.3.1B.1 in a low hazard area is a **restricted discretionary activity** under E36.4.1A(A79).
Table E36.4.1B Activity Table (Landslide Hazard Risk Areas)	The site is within a low landslide hazard risk area. The proposed building will be potentially sensitive to natural hazards, and the development of this building is a **permitted activity** under E36.4.1B(A114). The proposal includes other buildings and structures, including retaining walls, that comply with Standard E36.6.A1 and is a **permitted activity** under E36.4.1B(A128).	
Table E36.4.1C Activity Table (Infrastructure in Landslide Hazard Susceptibility Areas)	N/A – no infrastructure is proposed	
Table E36.4.1D Activity Table (Defences Against Coastal Hazards)	N/A – site is not within the coastal area	

Rule	Compliance	Non-Compliance
E36.6 Standards		
E36.6.A1 General Standards		
• All activities (except activities (A108), (A114) and (A115) listed as a permitted activity, controlled activity or restricted discretionary activity in Table E36.4.1B, must comply with the following standards by being undertaken in accordance with: o Geotechnical reports prepared by SQEP in accordance with CoP for Land Development and Subdivision, Section 2, and approved/certified by Council when associated with a BC/RC; o Hazard risk assessment prepared by SQEP in accordance with E36.9 and Appendix 24, and approved/certified by Council when associated with RC or compliant proposal; and o Any BC, RC or consent notice conditions relating to landslide risk and Geotech matters.	Complies. Please refer to: • **Appendix 20** for Geotechnical Interpretative Report prepared by Tonkin + Taylor; and • **Appendix 19** for the Hazard Risk Assessment prepared by Beca, which is provided within the Stormwater Management Plan	
E36.6.1 Permitted Activity Standards		
Flood Hazard Areas		
E36.6.1.5(1) Fences, Earth Bunds, and Walls in Flood Hazard Areas Fences, earth bunds and walls in the 1% AEP floodplain and in flood prone areas must be designed to allow for passage of flood waters	N/A – the site is not subject to the 1% AEP floodplain or flood prone area.	
E36.6.1.5(3) Fences, Earth Bunds, and Walls in Flood Hazard Areas Fences, earth bunds and walls within an overland flow path must not obstruct it	N/A – The overland flow path on site is outside the development area and will not be obstructed by the proposed building.	

Rule	Compliance	Non-Compliance
E36.6.1.5(4) Fences, Earth Bunds, and Walls in Flood Hazard Areas Fences, earth bunds and walls must not exacerbate the depth, velocity or extent of flow of surface water beyond the subject site	N/A – not proposed.	
E36.6.1.6 Storage of Goods and Materials in Flood Hazard Areas Goods and materials stored in the flood hazard area for longer than 28 consecutive days must not impede flood flows; where capable of creating a safety hazard by being shifted by floodwaters, be contained and secured in order to minimise movement in times of flood; and must be kept watertight if hazardous substances	N/A – not proposed.	
E36.6.1.6A External alterations to existing structures and buildings (as existing at 03/11/25) which do not increase the gross floor area of the building in the 1% AEP floodplain and flood prone areas	N/A – site not within the 1% AEP floodplain and flood prone areas	
E36.6.1.6B External additions and alterations to existing structures and buildings (as existing at 03/11/25) that increase the gross floor area by no more than 10m² in the 1% AEP floodplain and flood prone areas	N/A – site not within the 1% AEP floodplain and flood prone areas	
E36.9 Special Information Requirements		
• Hazard risk assessment required when subdivision, use or development requiring consent is proposed on land subject to natural hazard areas • Level of information must be proportionate to the hazard risk and its nature, and appropriate to the scale, nature and location of the development	Please refer to **Appendix 19** for the Hazard Risk Assessment prepared by Beca, provided within the Stormwater Management Plan.	

Rule	Compliance	Non-Compliance
• Must identify which natural hazard(s) that the land is potentially at risk of being exposed to over at least the next 100 years • Must address the matters outlined in Policies E36.3(3), E36.3(4A) and E36.3(4B), including climate scenarios in Auckland Council Guideline Document 15: Climate change scenarios (GD15) November 2024		