PERSPECTIVES LTD

APPENDIX 25

PROPOSED FALE: FRANK KITTS PARK, WELLINGTON WATERFRONT

ASSESSMENT OF DISTRICT PLAN OBJECTIVES AND POLICIES

TABLE 1: PARTIALLY OPERATIVE DISTRICT PLAN (2024) 1

Number	Objective/Policy	Assessment	Consistent? Yes/No
Capital City (CC)			
CC-O2 P1 Sch1	 Wellington City is a well-functioning Capital City where: 1. A wide range of activities that have local, regional and national significance are able to establish and thrive; 	Establishing the Fale on Wellington's waterfront is consistent with the objective of establishing a wide range of activities that have not only local, but regional and national significance.	Yes, consistent with the objective
Have regard	 The social, cultural and economic wellbeing of current and future residents, and the environment is supported; Mana whenua values and aspirations become an integral part of the City's identity; 	The Fale will celebrate Aotearoa New Zealand's place in the Pacific and the contribution of Pasifika people to New Zealand's national identity. It will reinforce Wellington's	

¹ The majority of the objectives and policies were subject to the Intensification Streamlined Planning Process (ISPP) and became operative on 14 March 20924 under s86F of the Act. In the table they are noted as "ISSP Operative" Others were subject to the RMA Part One Schedule 1 process and noted as "Pt1 Sch1 - have regard". All references are to the Partially Operative District Plan (2024) "Appeals: 17/12/24" on-line version.

Waterfront Zone (WFZ)	 Urban intensification is delivered in appropriate locations and in a manner that meets the needs of current and future generations; Innovation and technology advances are promoted to maintain or enhance the quality of the environment and support the social, cultural, and economic wellbeing of existing and future residents; and Values and characteristics that are an important part of the City's identity and sense of place are identified and protected. 	'sense of place' as the Nation's capital and add to City's cultural identity and wellbeing.	
WFZ-O1: Purpose ISPP Operative	Activities and development in the Waterfront Zone contribute to Wellington's identity and sense of place, with public spaces, buildings and other structures that reflect the unique location and character of the waterfront.	The Proposal (Fale building) as part of the wider Frank Kitts Park Project will add to and reinforce the cultural identity and significance of the southern portion of the Park, given the proposed location of the Garden of Beneficence (Chinese Garden) immediately adjacent, along with the nearby Te Raukura Te Wharewaka o Pōneke, Te Papa and Circa Theatre. The Proposal and the activities it will accommodate will add to the overall character of the waterfront and reinforce its sense of place without diminishing the quality of the waterfront's public open space.	Yes, consistent with the objective.
WFZ-O2: Ahi Kā ISPP Operative	Taranaki Whānui and Ngāti Toa Rangatira are acknowledged as the mana whenua of Te Whanganui ā Tara (Wellington) and their cultural associations, landowner and development interests are recognised in planning and developing the Waterfront Zone.	Mana whenua have been consulted in the lead-up to preparing and lodging the resource consent application and a cultural impact assessment report (refer Appendix 11) has been prepared.	Yes, consistent with the objective.
WFZ-O3: Protection of Public Open Spaces ISPP Operative	The Waterfront's public open spaces mapped as specific controls are protected and maintained for temporary activities and recreation activity.	The Proposal will occupy approximately 708m ² or 3.6% of the 1.967ha Frank Kitts Park public open space area. This compares to the existing 3,692m ² carpark building. Building coverage within Frank Kitts Park will be reduced. Although the carpark building roof does provide some outdoor open space opportunities, the new 'replacement' open space, including the proposed malae (subject to the Council application for modifications to Frank Kitts Park), will improve the overall quality of the Frank Kitts Park public open space area.	The space occupied by the Proposal will be accessible to the public for cultural and recreation activities. The associated open space (malae) will be more accessible as it will be at a level closely similar to that of adjacent promenades, and not

			in an elevated position as it is at the moment being on the roof of the carpark building. Also refer to the comment in relation to Policy WFZ-P7.
WFZ-O6: Vibrant and diverse mix of activities P1 Sch1 Have regard	The Waterfront Zone has a diverse and vibrant mix of activities that collectively provide and encourage public interest, use and enjoyment of the Zone during the day and night.	The Proposal and the new activities it will accommodate, including the Pasifika-focused cultural and recreational activities, will add to the vibrant mix of activities and strengthen the public interest, use and enjoyment of the waterfront, without diminishing in any significant way the amenity and quality of the Frank Kitts Park public open space area.	Yes, consistent with the objective.
WFZ-O7: Managing adverse effects ISPP Operative	 Adverse effects of activities and development in the Waterfront Zone are managed effectively both: 1. Within the zone, including on its role, function and connectivity; and 2. At interfaces with: a. Heritage buildings, heritage structures and heritage areas; b. Scheduled sites and areas of significance to Māori; c. Public open space specific controls; d. Residential zoned areas; and e. The coastal marine area. 	The Proposal will not result in significant adverse effects on the Frank Kitts Park public open space area. Refer assessments summarised in AEE Section 5.3 which demonstrate that environmental effects associated with the construction and operation of the Fale, including any perceived loss of public open space opportunities, are not significant.	Yes, consistent with the objective.
WFZ-P1: Enabled activities P1 Sch1 Have regard	 Enable a range and diversity of activities that support the role and function of the Waterfront Zone and enhance the Zone's vitality, vibrancy and amenity during the day and night including: 1. Commercial activities; 2. Community activities; 3. Recreation activities; 4. Emergency service facilities; 5. Marae activities; 6. Public transport activities on Waterloo Quay, Customhouse Quay, Jervois Quay, Cable Street, Oriental Parade and in the Post Office Square Heritage Area; 7. Visitor accommodation; and 	The Proposal will add to the range and diversity of the Waterfront Zone's activities and hence its vitality and vibrancy. The Proposal will introduce a nationally and regionally significant building and activity, adding to the range and diversity of activities that support and reinforce the public amenity of the waterfront.	Yes, consistent with the policy.

	8. Residential activities above ground floor.		
WFZ-P2: Managed activities P1 Sch1 Have regard	 Manage the location and scale of activities which could result in cumulative adverse effects on the vitality, vibrancy and amenity of the Waterfront Zone, including: Industrial activities; Construction of apartments and visitor accommodation; New and expanded buildings; New and modified public space; and Public transport activities seaward of Waterloo Quay, Customhouse Quay, Jervois Quay, Cable Street, Oriental Parade and in the Post Office Square Heritage Area. 	While the Proposal is a new building in the public open space area, as summarised in AEE Section 5.3, which draws on the detailed technical assessments that have been undertaken, any adverse effects on the quality and amenity of Frank Kitts Park will not be significant. Rather, the Fale will add to the vitality, vibrancy and amenity of the Waterfront Zone.	Yes, consistent with the policy.
WFZ-P3: Incompatible activities P1 Sch1 Have regard	 Avoid activities that are incompatible with the role and function of the Waterfront Zone. These incompatible activities include: Heavy industrial activities; Demolition of buildings that results in the creation of unutilised vacant land; Ground floor residential activities; Significant buildings in mapped public open space; and Surface-level carparks, other than car parks for people with mobility issues, for service vehicles, and pick-up/drop-off parking. 	The Proposal is a significant new building in the Frank Kitts Park public open space area, with 'significance' measured in relation to its role and function as opposed to its size. The Proposal is for a replacement smaller building offering a new opportunity for cultural and recreation activities that will enhance the role and function of the Waterfront Zone. In this context, the Proposal is not an incompatible activity in relation to the role and function of the Waterfront Zone. In association with the malae (green open space), the overall outcome is a high quality new public amenity.	Given the specifics of the Proposal, it is not an incompatible activity in Frank Kitts Park and therefore it is not inconsistent with Policy WFZ-P3.
WFZ-P5: Sense of Place ISPP Operative	 Require development of public spaces, buildings and other structures to maintain or enhance the sense of place and distinctive form, quality and amenity of the Waterfront Zone including, where relevant: 1. A balance of buildings and open space with no more than 35% total building coverage over the whole Waterfront Zone to form a sense of openness and transition between the dense city centre environment and the expansiveness of Te Whanganui a Tara; 2. Design relating to the maritime location and activities; 3. Rich Māori and tauiwi/non-Māori history; 4. Sunlight to parks, plazas and other open spaces where people regularly congregate; 5. Visual connections to the City and Te Whanganui a Tara; and 	Compared to the existing situation - a carpark building with some 'rooftop' open space - the Proposal will introduce a distinctive building (form and function) that will add to the attractiveness and amenity of Frank Kitts Park. The design of the building reinforces its Pasifika identity and adds to the cultural identity and diversity of the waterfront and its overall sense of place.	Yes, consistent with the policy.

	6. Accessibility for people of all ages and mobility levels.		
WFZ-P6: Development of buildings ISPP Operative	 Accessibility for people of all ages and mobility levels. Require new and altered buildings to be of a high quality, including: Building forms and facades, especially those that are visually prominent; Bulk, scale and heights that are complementary to and of a scale appropriate to the existing nearby buildings in the Waterfront Zone; Heights that are consistent with the low-rise nature of buildings in this zone; Active building frontages and publicly accessible areas on the ground floors of buildings, except for storage and/or service areas; Storage and/or service areas screened from public view; Sustainable, resilient building design that is adaptable to changes in use over time; Buildings that respond to any significant natural hazard risks and climate change effects, including the strengthening and adaptive reuse of existing buildings; Design that responds positively to identified historic heritage structures, buildings and areas, including those seaward of mean high water springs and identified in the Regional Natural Resources Plan, that are adjacent to the new or altered building; and Fulfilling the intent of the Centres and Mixed Use Design Guide. 	The Proposal has been designed to represent a modern Aotearoa interpretation of Pasifika architecture and is of a scale appropriate to its setting. The ground floor will be publicly accessible and incorporate design features to respond to natural hazard risk(s) associated with sea level rise, storm surges and tsunami events. As confirmed in the urban design assessment (refer Appendix 9 to the AEE), the Proposal responds positively to the <u>Centres and Mixed Used Design Guide</u> objectives and guidelines. The Waterfront Technical Advisory Group (TAG) considers that the Fale: demonstrates conceptual elegance and clarity of design. The building has a scale and form that is appropriate on this part of the waterfront.	Yes, consistent with the policy.
WFZ-P7: Protection of public open space. ISPP Operative	Protect the Waterfront Zone's mapped public open spaces by avoiding new permanent buildings above-ground on public space except where they improve the space for public use and enjoyment and do not dominate or cumulatively diminish the public open space.	Although the 'start point' is the protection of public open space by avoiding new permanent buildings in the Waterfront Zone's mapped public open space areas, which Frank Kitts Park is, the Fale (and the activities it will accommodate) will improve the space it occupies for public use and enjoyment, and, as a consequence, come within the scope of the 'exception' provided for in the policy. The Proposal will not dominate or cumulatively diminish the public open space area. The Waterfront Technical Advisory Group (TAG) in its independent urban design assessment concluded that the Proposal: " is a positive addition to the waterfront that will considerably enrich the experience of Wellington's premier public space"	Yes, consistent with the policy. The demolition of the carpark building and construction of the Proposal, as part of the wider Frank Kitts Park redevelopment project, will significantly improve the space for public use and enjoyment. The Proposal by itself will serve an important community function, and integrated with the open space of the

		" the proposed building scale and form is appropriate to this part of the waterfront" "proposed activities are consistent with public use and activation of Frank Kitts Park. ²	malae, will improve the public's use and enjoyment of the area. The design of the Proposal will enhance public appreciation of the area.
WFZ-P9: Sustainable long term use ISPP Operative	Encourage new development and redevelopment in the Waterfront Zone to be sustainable, resilient and adaptable to change in use over-time, including enabling sufficient flexibility for ground floor space to be used and converted for a range of activities and responding to future coastal hazards.	The design of the Proposal has incorporated measures (including minimum floor level) to mitigate future coastal hazards, including flood inundation associated with any rise in sea level. The Proposal has been designed to represent Pasifika values, and to include multi-purpose spaces to accommodate a range of other activities.	Yes, consistent with the policy.
WFZ-P10: Ahi kā P1 Sch 1 Have regard	 Recognise and provide for the cultural associations and development interests of Ngāti Toa Rangatira and Taranaki Whānui ki te Upoko o te Ika in the Waterfront Zone by: 1. Managing new development adjoining sites and areas of significance to Māori; and 2. Collaborating on the design and incorporation of Māori cultural elements into public open space within the zone. 	Mana whenua have been consulted in the lead-up to preparing and lodging the resource consent application. In addition, a cultural impact assessment (CIA) has been prepared (refer Appendix 11).	Yes, consistent with the policy.
Waterfront Zone Methods WFZ-M1:	For all resource consent applications and private plan change requests in the	In relation to Clause 1 of WFZ-M1, a record of consultation	
Mana whenua involvement in managing the Waterfront Zone	Waterfront Zone from Te Papa to Frank Kitts Park inclusive, and elsewhere in the Waterfront Zone that affect Te Whanganui a Tara, Wellington City Council will:	with mana whenua is included in the AEE at Section 4; and a cultural impact assessment has been prepared. In relation to Clause 2, that is a matter for the consent authority, not the Applicant.	

² WCC Technical Advisory Group, 11 April 2024, "Fale Malae and Revised Frank Kitts Park", page 5.

P1 Sch1 Have regard	 Require the applicant to include a record of engagement with Te Aro Pā Trust and Te Rūnanga o Toa Rangatira with the application for resource consent or request of private plan change; and If a public hearing is required, enable Te Aro Pā Trust and Te Rūnanga o Toa Rangatira to select up to half of the hearing commissioners on the panel to hear submissions and make recommendations or delegated decisions, provided these commissioners are certified by the Ministry for the Environment for this purpose. 		
Natural Hazards			
NH-02: Risk from natural hazards in Low and Medium Hazard Areas of the Natural Hazard Overlays	Subdivision, use and development within the Low and Medium Hazard Area of the Natural Hazard Overlays minimise the risk from natural hazards to people, property and infrastructure.	 Features incorporated into the design of the Proposal to minimise risk from flooding and coastal inundation include: setting the ground floor level at RL 4.280mm; basement design to prevent water entering including sealed penetrations and basement entrance; and key plant located above the 100yr ARI flood level. 	Yes, consistent with the objective.
NH-P2: Levels of risk ISPP Operative	 Subdivision, use and development manages natural hazard risk to people, property and Infrastructure by: 1. Allowing for those buildings and activities that have either low occupancy or low replacement value within the low, medium and high hazard areas of the Natural Hazard Overlays.;2. Requiring buildings and activities to mitigate the risk resulting from the development from natural hazards to people, property and infrastructure as far as reasonably practicable in the low hazard and medium hazard areas within the Natural Hazard Overlays; and 3. Avoiding buildings and activities in the high hazard areas of the Natural Hazard Overlays unless there is an operational need or functional need for the building or activity to be located in this area and the building or activity mitigates the impacts from natural hazards to people, property and infrastructure. 	 Features incorporated into the design of the Proposal to minimise risk from flooding and coastal inundation include: 1. setting the ground floor level at RL 4.280mm; 2. basement design to prevent water entering including sealed penetrations and basement entrance; and 3. key plant located above the 100yr ARI flood level. 	Yes, consistent with the policy.

NH-P6: Potentially hazard sensitive activities and hazard sensitive activities within the identified inundation areas of the Flood Hazard Overlays ISPP Operative	 Manage subdivision, development and use associated with potentially hazard sensitive activities and hazard sensitive activities within inundation areas by: 1.Ensuring subdivision, development and use incorporates mitigation to ensure the risk to people and property from the 1% Annual Exceedance Probability flood event is minimised; and 2.Avoiding the construction of new buildings, or the conversion of existing buildings that contain a hazard sensitive activity within identified inundation areas of the Flood Hazard Overlays where the finished floor level is below the 1% Annual Exceedance Probability flood level. 	 Features that are incorporated into the design of the Proposal to minimise risk from flooding and coastal inundation include: 1. setting the ground floor level at RL 4.280mm; 2. basement design to prevent water entering including sealed penetrations and basement entrance; and 3. key plant located above the 100yr ARI flood level. Setting the ground floor level at RL.4.280mm results in the building being over 4,000m above the 1% 100yr ARI flood level. 	Yes, consistent with the policy.
CE-06: Risk from coastal hazards in Low and Medium Hazard Areas of the Coastal Hazard Overlays ISPP Operative	Subdivision, use and development within the Low and Medium Hazard Areas of the Coastal Hazard Overlays minimise the risk from coastal hazards to people, property and infrastructure.	 Features that are incorporated into the design of the Fale to minimise risk from flooding and coastal inundation include: 1. setting the ground floor level at RL 4.280mm; 2. basement design to prevent water entering including sealed penetrations and basement entrance; and 3. key plant located above the 100yr ARI flood level. 	Yes, consistent with the policy.

³ Hearings on the Coastal Environment provisions (excluding the coastal hazard provisions which were part of the ISPP process) were held 29 April-2 May 2024 with the Independent Hearings Panel's recommendation report is not scheduled to be released before Q1 2025.

CE-P12: Levels of risk ISPP Operative	 Ensure subdivision, use and development manages coastal hazard risk to people, property, and infrastructure by: 1. Enabling subdivision, use and development that either have low occupancy risk, or replacement value within the low, medium and high hazard areas of the Coastal Hazard Overlays; 2. Requiring mitigation for subdivision, use and development that minimises the risk resulting from development from the relevant coastal hazards to people, property, and infrastructure as far as reasonably practicable in the low and medium hazard areas and high hazard areas in the City Centre Zone, of the Coastal Hazard Overlays; ⁴ and 	 Features that are incorporated into the design of the Proposal to minimise risk from flooding and coastal inundation include: 1. setting the ground floor level at RL 4.280mm; 2. basement design to prevent water entering including sealed penetrations and basement entrance; and 3. key plant located above the 100yr ARI flood level. 	Yes, consistent with the policy.
65. 510.	3. Avoiding subdivision, use and development in the high hazard area of the Coastal hazard Overlays (with the exception of the City Centre Zone), unless there is a functional need and operational need for the building or activity to be located in this area and the building or activity incorporates mitigation measures that minimise the risk to people, property, and infrastructure.		Vac angistant site
CE-P18: Hazard sensitive activities in the medium coastal hazard areas ISPP Operative	 Provide for hazard-sensitive activities in the medium coastal hazard area where, or any subdivision where the building platform for a hazard-sensitive activity will be within the medium coastal hazard area, where it can be demonstrated that: 1. The activity, building, or subdivision incorporates measures that minimise the risk to people and property from the coastal hazard; and 2. There is the ability to access safe evacuation routes for occupants of the building from the coastal hazard; 3. If the activity has a post disaster function, mitigation measures are incorporated to allow for the continued operation following a coastal hazard event; and 4. For healthcare facilities, retirement villages, educational facilities and childcare facilities, there is an evacuation plan that allows for the safe removal of all occupants prior to the arrival of the coastal hazard. 	 Features incorporated into the design of the Proposal to minimise risk from flooding and coastal inundation include: setting the ground floor level at RL 4.280mm; basement design to prevent water entering including sealed penetrations and basement entrance; and key plant located above the 100yr ARI flood level. 	Yes, consistent with the policy.
Public Access ⁵			

⁴ Frank Kitts Park is located within the <u>medium</u> coastal inundation hazard area but within the <u>high</u> coastal tsunami hazard area.
⁵ The entire Public Access Chapter has been notified using the Part 1, Schedule 1 process (P1 Sch1). It has not been subject to Council decisions...

PA-01: Public access	Public access to the coast and waterbodies is maintained and enhanced.	The location of the Proposal in the southwest corner of Frank Kitts Park will not restrict public access to the inner harbour coastline, including the Whairepo Lagoon promenade.	Yes, consistent with the objective.
PA-P1: Appropriate activities	Enable activities within coastal and riparian margins that do not limit or prevent public access to, along or adjacent to the coast and waterbodies.	The location of the Proposal in the southwest corner of Frank Kitts Park will not limit or prevent public access to the inner harbour coastline, including the Whairepo Lagoon promenade.	Yes, consistent with the policy.
PA-P2: Maintenance and enhancement of public access	 Maintain and enhance public access to, along or adjacent to the coast and waterbodies by: Ensuring that subdivision design and layout in and along coastal and riparian margins allows for public access to the coastline and waterbodies; Requiring the creation of esplanade reserves and/or esplanade strips along the coastal environment and waterbodies (in accordance with SUB-P8); Requiring appropriate setbacks from existing public access corridors; and Only allowing new activities within public access corridors where there is a functional need for the activity to be located within the public access corridor, there is no reasonably practicable alternative and adverse effects can be avoided, remedied or mitigated. 	Public access to the inner harbour coastline will not be impeded by the location of the Proposal in the south-west corner of Frank Kitts Park. The Proposal is set back approximately 40m from the waterfront promenade. The basement level opens out onto the Whairepo Lagoon promenade, as currently. There is no physical intrusion onto the promenade.	Yes, consistent with the policy.
PA-P3: Restrictions on public access	 Only allow for the restriction of public access to, along or adjacent to the coast and waterbodies where the restriction is necessary to: Protect threatened indigenous species; or Protect dunes, estuaries and other sensitive natural areas or habitats; or Protect sites and activities of cultural value to Māori; or Protect historic heritage; or Protect public health or safety; or Avoid or reduce conflict between public uses of the coastal marine area and its margins; or Provide for temporary activities or special events; or Provide for defence purposes in accordance with the Defence Act 1990; or Ensure a level of security consistent with the purpose of a resource consent; or Address other exceptional circumstances sufficient to justify the restriction; or 	There will be no restriction on of public access to, along or adjacent to the inner harbour coastline, including the Whairepo Lagoon. Access for dragon boats from the building's basement (where they will be stored) to the Whairepo Lagoon will be retained.	Yes, consistent with the policy.
Earthworks			

EW-O1: Management of earthworks ISPP Operative	 Earthworks are undertaken in a manner that: Is consistent with the anticipated scale and form of development in the relevant zone; Minimises adverse effects on visual amenity values, including changes to natural landforms; Minimises erosion and sediment effects beyond the site; Minimises risks associated with slope instability; and Protects the safety of people and property. 	 The necessary site earthworks, which will be associated with installing building foundations, will not affect the site's (and wider FKP's) visual amenity values; nor a. give rise to any 'slope stability' issues; or b. risks to the safety of people or property. A sediment control management plan (SCMP) will be implemented to ensure that there are no sediment effects beyond the site. 	Yes, consistent with the objective.
EW-P2: Provision for minor earthworks ISPP Operative	 Enable the efficient use and development of land by providing for earthworks and associated structures where: 1. The risk associated with instability is minimised; 2. Erosion, dust and sedimentation effects on land and water bodies will be minimal; and 3. Effects on visual amenity would be insignificant. 	The necessary site earthworks, which will be associated with installing building foundations will not affect the site's (and wider FKP's) visual amenity values; nor a. give rise to any 'slope stability' issues; or b. risks to the safety of people or property A sediment control management plan (SCMP) will be implemented to ensure that there is no movement of sediment beyond the site.	Yes, consistent with the policy.
EW-P3: Maintaining stability ISPP Operative	Require earthworks to be designed and carried out in a manner that maintains slope stability and minimises the risk of slope failure associated with natural hazards and adverse effects arising from climate change.	The earthworks associated with the installation of the building foundations will be assessed during the building consent process, which will focus on building stability.	Yes, consistent with the policy.
EW-P4: Erosion, dust and sediment control ISPP Operative	 Require earthworks to adopt effective measures to manage the potential for: Erosion, and the movement of sediment beyond the site, and in particular into surface water, where proposals for earthworks no greater than 3,000m² are concerned; and The movement of dust beyond the site, where all proposals for earthworks are concerned. 	A sediment control management plan (SCMP) will be implemented to ensure that there is no discharge of sediments beyond the site.	Yes, consistent with the policy.
EW-P6: Earthworks and the transport network ISPP Operative	Require any transport of earth and cleanfill material to and from any site to be undertaken in a way that minimises adverse effects on surrounding amenity and the safety of the transport network.	Only a minimal amount of earthworks 'waste' material will be transported off site. The required construction management plan will incorporate a construction traffic management plan which will require that there is no depositing of material on the transport earthwork. Excess water in the earthworks waste will be removed onsite and	Yes, consistent with the policy.

		be covered by the sediment control management plan (SCMP).	
EW-P7: Earthworks on the site of heritage buildings and heritage structures and within heritage areas ISPP Operative	 Manage earthworks within sites occupied by heritage buildings and heritage structures, and within heritage areas, having regard to: The identified heritage values of the heritage building, heritage structure or heritage area; The extent to which the earthworks would detract from those identified values and setting; and Whether the earthworks can be achieved without altering the significance of the heritage building, heritage area. 	The earthworks associated with the installation of the building foundations will not detract from the setting and significance of the scheduled heritage structure #57 - the Tanya Ashken Albatross sculpture; or the two scheduled heritage buildings - Star Boating Club (#284) and Wellington Rowing Club (#285).	Yes, consistent with the policy.
EW-P17: Earthworks within Flood Hazard Overlays P1 Sch 1 Have regard	 Provide for earthworks in Flood Hazard Overlays only where: They would not significantly increase the flooding risk, when compared to the existing situation, to the site or neighbouring properties through the displacement of flood waters; and The ability to convey flood waters along overland flowpaths or stream corridors is not impeded as a result of the earthworks. 	The earthworks associated with the installation of the building foundations will not increase flooding risk to the site or adjacent properties, nor impact on the Jervois Quay overland flowpath.	Yes, consistent with the policy.
Wind			
WIND-O1: Purpose ISPP Operative	 The adverse impact of wind from new developments, additions and alterations is managed to: Ensure that new developments, additions and alterations do not generate unsafe wind conditions in public spaces and, where possible, ameliorate existing unsafe wind conditions; Prevent the gradual degradation of Wellington's pedestrian wind environment over time; and Ensure a comfortable wind environment in Wellington's public spaces listed in Appendix 9 - City Centre Zone and Special Purpose Waterfront Zone - Minimum Sunlight Access and Wind Comfort Control - Public Space Requirements, while acknowledging that not all wind effects can be mitigated. 	Although the Proposal (at a maximum height of 13.13m) is below 20m in height above ground, the 'trigger' point for requiring a wind assessment report for buildings in the Waterfront Zone, given the activity status of Non- Complying, and following discussion with Council's planning advisor during pre-application meetings, it was agreed that a wind assessment would be undertaken. The assessment concluded that the Proposal would not give rise to unacceptable wind conditions.	Yes, consistent with the objective.

WIND-P3: Comfort and safety in listed public spaces ISPP Operative	Require building design and wind mitigation measures to maintain and where possible enhance pedestrian safety and the comfort of the wind environment for users of the public spaces listed in Appendix 9 - City Centre Zone and Special Purpose Waterfront Zone - Minimum Sunlight Access and Wind Comfort Control - Public Space Requirements.	Although the Proposal (at a maximum height of 13.13m is below 20m in height above ground, the 'trigger' point for requiring a wind assessment report for buildings in the Waterfront Zone, given the activity status of Non- Complying, and following discussion with Council's planning advisor during pre-application meetings, it was agreed that a wind assessment would be undertaken. The assessment concluded that the Proposal would not give rise to unacceptable wind conditions.	Yes, consistent with the policy.
Viewshafts			
VIEW-O1: Purpose	Views that contribute to the City's identity and sense of place, and that support an understanding of the City's topography and urban form, are recognised and maintained.	The overlay of Viewshaft VS11 (Willeston Street) crosses Frank Kitts Park at its southern end.	Yes, consistent with the objective.
ISPP Operative		The Proposal does not intrude into the viewshaft, as it is located clear of the south (right-hand margin) of the viewshaft.	
		Nor does the Proposal intrude into the 'elevated' viewshaft (VS15) from the Kelburn Cable Station viewing platform to St Gerard's Monastery.	
VIEW-P2: Maintaining	Maintain viewshafts that reinforce the City's identity and sense of place by restricting development that could affect these viewshafts, having regard to:	The overlay of Viewshaft VS11 (Willeston Street) crosses Frank Kitts Park at its southern end.	Yes, consistent with the policy.
identified viewshafts ISPP Operative	 Whether the development will positively frame the viewshaft horizontally or vertically; The extent to which the relationship between context and focal elements will be maintained; 	The Proposal does not intrude into the viewshaft, as it is located clear of the south (right-hand margin) of the viewshaft.	
	 Whether the development will intrude on the viewshaft vertically or horizontally and the extent of any intrusion on identified focal elements; and The extent to which the development will remove existing intrusions or increase the quality of the viewshaft, particularly in relation to focal elements. 	Nor does the Proposal intrude into the 'elevated' viewshaft (VS15) from the Kelburn Cable Station viewing platform to St Gerard's Monastery.	
Heritage			
HH-02:	Historic heritage is retained and protected from inappropriate use, subdivision and development.	The existing title boundary (prior to the subdivision to create the Fale lot) - i.e. the 'application site' - encompasses the	Yes, consistent with the policy.

Protecting		sites of two scheduled heritage buildings (Star Boating Club	
Historic		and Wellington Rowing Club) and a scheduled heritage	
Heritage		sculpture (Tanya Ashken Albatross Sculpture).	
ISPP Operative		The Proposal will not adversely affect the historic heritage values, including the setting, of these scheduled historic heritage items.	
HH-P8: New buildings and structures, and modifications to existing non- scheduled buildings on the site of a heritage building or structure ISPP Operative	 Provide for new buildings and structures, and modifications to existing non-scheduled buildings and structures, on the same site as heritage buildings and heritage structures where it can be demonstrated that the work does not detract from the identified heritage values, having regard to: The extent to which the work: Is compatible with the scale, form, proportion, design and materials of the heritage building or heritage structure; and Respects the identified relationship of the heritage building or heritage structure with its setting. 	The Proposal, in the location proposed, will not detract from the identified heritage values of the scheduled heritage items - Star Boating Club, Wellington Rowing Club and Tanya Ashken Albatross Sculpture.	Yes, consistent with the policy.
Sites and Areas of Significance to Māori			
SASM-02 Protecting sites and areas of significance to Māori P1 Sch1	Sites and areas of significance to Māori are retained and protected from inappropriate use, subdivision and development.	The existing title (prior to the subdivision of the site for the Proposal - which is covered by the Council's resource consent application lodged concurrently with the Trust's application - encompasses a mapped area of significance to Māori being Category Area A 167 "Te Whanganui-ā-Tara (Wellington Harbour).	Yes, consistent with the objective.
Have regard		No works associated with the construction of the Proposal are within the mapped extent of Area 167.	
		Nor will the construction of the Proposal affect the spiritual or cultural values associated with Te Raukura Wharewaka o Pōneke (Category Area C 130).	

 spiritual and cultural values of the site will be protected and maintained, having regard to: The cultural and spiritual values of the site or area; Consultation undertaken with mana whenua; The extent to which the building or structure respects the tikanga of the site or area of significance; The extent to which the values of mana whenua are incorporated into the proposal; Whether alternative methods, locations or designs are available that would reduce the impact on the identified site or area of significance; Any positive effects of the development for mana whenua or opportunities to enhance the cultural values of the site; The extent to which the building or structure is set back from the boundary with the site or area of significance; Where adjacent to a marae complex, the extent to which the new building or structure has been designed or oriented to prevent windows or balconies from looking directly into or over marae; Whether landscaping or screening are proposed to reduce overlooking or provide screening from the site or area of significance; The extent to which the exterior treatment and materials of the new building or structure relative to the site or area of significance; 	spiritual or cultural values of Area 167. Also, consultation was undertaken with mana whenua and a cultural impact assessment report prepared.	
Subdivision and development contributes to an improvement in the health and wellbeing of water bodies and freshwater ecosystems.	The construction and occupation of the Proposal will not affect the health and wellbeing of the waters of Te Whanganui-ā-Tara (Wellington Harbour) or the Whairepo Lagoon.	Consistent with the objective.
	 The cultural and spiritual values of the site or area; Consultation undertaken with mana whenua; The extent to which the building or structure respects the tikanga of the site or area of significance; The extent to which the values of mana whenua are incorporated into the proposal; Whether alternative methods, locations or designs are available that would reduce the impact on the identified site or area of significance; Any positive effects of the development for mana whenua or opportunities to enhance the cultural values of the site; The extent to which the building or structure is set back from the boundary with the site or area of significance; Where adjacent to a marae complex, the extent to which the new building or structure has been designed or oriented to prevent windows or balconies from looking directly into or over marae; Whether landscaping or screening are proposed to reduce overlooking or provide screening from the site or area of significance; The extent to which the exterior treatment and materials of the new building or structure are compatible with the site or area of significance; 	Also, consultation undertaken with mana whenua and a Cultural and spiritual values of the site or area; 2. Consultation undertaken with mana whenua; 3. The extent to which the building or structure respects the tikanga of the site or area of significance; 4. The extent to which the values of mana whenua are incorporated into the proposal; 5. Whether alternative methods, locations or designs are available that would reduce the impact on the identified site or area of significance; 6. Any positive effects of the development for mana whenua or opportunities to enhance the cultural values of the site; 7. The extent to which the building or structure is set back from the boundary with the site or area of significance; 9. Where adjacent to a marae complex, the extent to which the new building or structure has been designed or oriented to prevent windows or balconies from looking directly into or over marae; 10. Whether landscaping or screening are proposed to reduce overlooking or provide screening from the site or area of significance; 11. The positioning and orientation of the building or structure relative to the site or area of significance; and 2. The extent to which the exterior treatment and materials of the new building or structure are compatible with the site or area of significance. 5. Subdivision and development contributes to an improvement in the health and wellbeing of water bodies and freshwater ecosystems. 5. Whether landscaping or the other to a mare of the site or area of the site or area of the site or area of the maters of Te Whanganui-ã-Tara (Wellington Harbour) or the Whangenui-ñ-Tara (Wellington Harbour) or the Whan

THW-02: Infrastructure- enabled urban development ISPP Operative	 Enable subdivision, use or development in urban areas where: 1. Sufficient existing or planned three waters infrastructure capacity and/or level of service is, or will be, available to service the use or development; or 2. It can be satisfactorily serviced through an alternative means where existing three waters infrastructure capacity and/or level of service is insufficient. 	With some extension and/or upgrade, the existing 3-waters infrastructure has the capacity to service the Proposal.	Yes, consistent with the objective.
THW-03: Hydraulic neutrality ISPP Operative	There is no increase in offsite stormwater peak flows and volumes from current levels as a result of subdivision use and development in urban areas.	Rainwater from the building's roof will be stored in underground tanks. Any water above the storage capacity of the tanks will be discharged to stormwater, subject to it not being used for irrigation purposes in the adjacent open space areas, including the Chinese Garden.	Yes, consistent with the policy.
THW-P2 Building materials ISPP Operative	The effects of copper and zinc entering the stormwater system from the use as roofing, guttering and building materials are mitigated through the use of appropriate treatment.	The roofing material is zinc. The roof water will be captured in underground storage tanks, with the appropriate level of treatment (i.e. removal of any zinc particulates to an acceptable) prior to the water entering the storage tanks - with the outcome to be secured by a consent condition.	Yes, consistent with the policy.
THW-P3 Infrastructure- enabled development ISPP Operative	New subdivision, use or development is enabled in urban areas that have existing or planned three waters infrastructure capacity to meet growth demand in the short to medium term.	With some extension and/or upgrade to be confirmed during the detailed design process, the existing three waters infrastructure will have the required capacity for servicing the Proposal.	Yes, consistent with the policy.
THW-P4: Three waters infrastructure servicing ISPP Operative	 Subdivision or development in urban areas is serviced by three waters infrastructure that: 1. Meets the Wellington Water Regional Standard for Water Services v3.0 December 2021; 2. Has sufficient capacity to accommodate the development; and 3. Is in position prior to the commencement of construction. Provide for subdivision and development in urban areas where existing three waters capacity and/or level of services is insufficient to service further development if: 1. It can be demonstrated there is an alternative solution to avoid or mitigate any adverse effects on the three waters infrastructure network and the health and wellbeing of water bodies and freshwater ecosystems; and 	With some extension and/or upgrade to be confirmed during the detailed design process, the existing three waters infrastructure will have the required capacity for servicing the Proposal.	Yes, consistent with the policy.

	2. The additional demand generated will not necessitate additional unplanned public investment in, or expansion of, the three waters infrastructure network or compromise its ability to service other activities permitted within the zone.		
THW-P5: Hydraulic neutrality ISPP Operative	Require new subdivision and development to be designed, constructed and maintained to sustainably manage the volume and rate of discharge of stormwater to the receiving environment so that hydraulic neutrality is achieved.	Stormwater will be managed by channelling rainwater from the building's roof to on-site storage tanks. This will enable management of the volume, rate and timing of any discharge of stormwater from the site.	Yes, consistent with the policy.
THW-P6: Permeable surface	Require development to provide permeable surfaces to assist with reducing the rate and volume of stormwater run-off and improve water quality.	While the Proposal itself will not incorporate any permeable surfaces, the associated malae (green open space) will be permeable.With the removal of the existing carpark building (and its impermeable roof) the area of permeable surfaces at the southern end of Frank Kitts Park, where the Proposal is located, will be increased.	Yes, consistent with the policy.

TABLE 2 OPERATIVE DISTRICT PLAN (2000)

Number	Objective/Policy	Assessment	Consistent? Yes/No
Access			
Objective 12.2.15.1	To enable efficient, convenient and safe access for people and goods within the Central Area.	The Frank Kitts Park redevelopment proposal (Council Application) involves the establishment of a Jervois Quay short-stay drop-off/pick-up parking zone - refer Traffic Assessment (Appendix 17 to the AEE (at pages 18-19). Given the waterfront location of the Proposal, this provision for access for people and goods is considered to be most appropriate and convenient as opposed to access via the Hunter Street Extension and waterfront promenade.	Yes, consistent with the objective

		As the Traffic Assessment notes, although access via the waterfront promenade may be viable, it would not align with the Waterfront Framework which seeks to minimise vehicular activity on the waterfront promenade.	
Policy 12.2.15.9	Require the provision of servicing or loading facilities for each site in the Central Area.	The Proposal can be effectively serviced from the Jervois Quay short-stay parking zone.	Yes, consistent with the policy.
Policy 12.2.15.10	Ensure that the design and location of servicing or loading facilities is appropriate having regard to the nature of the development and the existing or likely use of the site.		
Policy 12.2.15.11	 Consider waivers from the servicing and loading requirements: where suitable alternative off-street provision can be made; or where site access restrictions apply and there is no suitable alternative means of access; or where it is necessary to protect any listed heritage item; or where the topography, size, shape of the site, the location of any natural or built features on the site, or other requirements such as easements, rights of way, or restrictive covenants impose constraints which make compliance impracticable. 	 Given the specific circumstances of the waterfront, requiring <u>on-site</u> provision for servicing and loading would be undesirable and impracticable, particularly when an appropriate alternative is available. As the Traffic Assessment (at page 20) concludes: Having loading vehicles for the Fale use the promenade for service access is not preferred and would have some effect on the users of the waterfront area. The proposed short-term parking and loading area on Jervois Quay will prevent those effects arising. 	Yes, consistent with the policy.