

10 May 2022

MFC Development Limited Partnership  
C/- Urban Perspectives Ltd  
PO Box 9042  
Wellington

Service Request No: 510418  
File Reference:

Via Email: alistair@urbanp.co.nz

Dear Alistair,

***Request for Further Information Pursuant to Section 92(1) of the Resource Management Act 1991***

Service Request Type:	Resource Consent
Site Address:	110 Jervois Quay (MFC carpark)
Legal Description:	Lot 1 DP494594
Consent Type:	Land Use
Consent Description:	Construction of a Central Area building within a listed Heritage Area with associated earthworks

I am writing in relation to your application for the construction of a Central Area building within a listed Heritage Area with associated earthworks (our ref: SR510418). This letter is a request for further information under section 92 of the Resource Management Act 1991 (the Act).

**Requested information:**

The further information required is detailed below. This will help the Council to better understand your proposed activity, its effect on the environment, and the ways any adverse effects on the environment might be mitigated.

***Planning***

1. Please provide an assessment of that effects of the proposed development on surrounding buildings/activities. Consideration should be given the impact that the proposed building works will have on surrounding properties in terms of amenity including daylight, shading, outlook and privacy. This assessment should be accompanied by shading diagrams (and analysis) that illustrates the shading effects of the proposed building on surrounding properties. Consideration should also given to the occupation of the any potentially affected surrounding properties.

***Wellington Water***

**Flooding**

2. The applicant has advised that they have undertaken a post development flood model. Can the applicant please advise the name / credentials of the flood modeller.

3. The applicant has advised that a 200 mm freeboard to the top of the foundation slab has been agreed with the Wellington Water Land Development Team. The RSWS (4.2.8) requires a freeboard of 300 mm for commercial and industrial to the underside of the floor slab. Can the applicant please provide correspondence with WWL agreeing the reduced freeboard to the top of the slab or alternatively raise the building.
4. The applicant advises a peak sea level of 2.1 m aMSL. The RSWS Table 4.5 requires a Design Sea Level (aMSL) for Wellington Harbour of 2.17 m aMSL. Please advise if WWL have accepted the reduced design sea level of 2.1 or revise the design.

#### Stormwater

5. The applicant has undertaken a CCTV investigation of the stormwater culvert beneath the site. Can the applicant please provide the CCTV tape to support the investigation.
6. The applicant has been advised that the culvert is:
  - i. approximately 100 years old,
  - ii. is the primary watercourse for the Aro Valley and adjacent CBD,
  - iii. There is insufficient headroom in the culvert for easy man entry.
  - iv. and that if a section of the culvert fails options for rehabilitation may be severely limited without compromising hydraulic performance.
  - v. completely full and pressurised to above ground level and therefore any reduction in capacity such as might be experienced by any in-situ rehabilitation method employed in the long term if it were built over would increase the upstream flood hazard.

The applicant has proposed to build over the existing culvert. Whilst they have provided a structural statement confirming that no load will be put on the culvert and provided CCTV of the culverts current condition (which requires review by WWL), a structural assessment of the culvert has not been completed and no information has been provided to demonstrate how the culvert were to be rehabilitated in the future if it failed without compromising the capacity. The current proposal is *not compliant* with the requirements of the Regional Standard for Water Services and is *not acceptable* to WWL. WWL have advised that the culvert can be built over but must be replaced first or alternatively must be diverted.

The applicant either needs to provide further information to support a build over of the public stormwater culvert (noting that this may not be acceptable to WWL) or demonstrate that the culvert can be relaid or diverted or alternatively the building footprint altered.

7. No new tree planting will be accepted over the public stormwater culvert and where possible tree's which may impact on the culvert performance should be removed and / or root barriers installed. It is unclear from the landscape plan if the tree's in this area are new or existing – Can the applicant please advise.

#### Wastewater

8. There is a large wastewater storage tank beneath the site entrance. The applicant has been advised that:
  - i. The tank cannot be built over

- ii. 24/7 access to the tank is required for heavy vehicles at all times.
- iii. WWL need to be able to safely undertake long term repairs / refurbishment and renewal of the tank.

The proposal involves:

- Increasing ground level over the public wastewater tank
- building over wastewater storage tank.

The applicant has provided a structural assessment confirming that no new load will be placed on the tank and a visual condition and hammer test to detect areas of poor concrete quality has been undertaken, however the applicant's proposed build over of the public wastewater storage tank is *not compliant* with the requirements of the Regional Standard for Water Services and *has not been accepted* by the Wellington Water Land Development Team.

It is not considered that the applicant has provided sufficient information in order for a build over of the public wastewater storage tank to be accepted.

The applicant either needs to provide further information to support a build over of wastewater storage tank (noting that this may not be acceptable to WWL), including:

- why the existing tank must be built over ?
- why the tank cannot be relocated clear of the building ?
- (ie why WWL should accept a build over of this asset ?)
- name / position and credentials of the person(s) who undertook the structural assessment of the tank.
- photographic evidence of the tank inspection.
- confirmation of how the building vehicle / pedestrian entrance arrangement take the tank access / maintenance into account.
- Confirmation of how the tank will be accessed – where will maintenance vehicles park ?
- How the tank will be repaired / refurbished and renewed.
- A safety in design assessment.

There is no guarantee that WWL would accept build over of this structure even with additional information.

Note: Wellington Water have advised that point 8 may be able to be managed through the detailed design stage. However, the applicant must provide sufficient information as part of their RFI response to demonstrate that this can be managed through detailed design and will not have wider implications with other aspects of the proposal.

Water

9. The WWL modelling team have confirmed a FW2 fire demand (equivalent of approximately 25 L/s). The applicant is proposing to meet fire fighting requirements with sprinklers but has quoted a peak fire flow of 52.6 L/s. It is not clear if the applicant is wanting to extract this peak flow from the public network. The applicant is advised that it is unlikely that a peak flow of 52.6 L/s can be extracted from the public network. Calculations supporting the design will be required and either network upgrade or an onsite solution (tanks) provided.

Responding to this request:

Pursuant to section 92A(1) of the Act, ***within 15 working days*** of the date of this letter you must either:

- provide the requested information; or
- provide written confirmation that you can not provide the requested information within the time frame, but do intend to provide it; or
- provide written confirmation that you do not agree to provide the requested information.

The processing of your application has been put on hold from 10 May 2022 and any time taken by you to provide all required information is excluded from any time limits for processing your application.

If you cannot provide the requested information within this time frame, but do intend to provide it, then please provide:

- written confirmation that you can provide it
- the likely date that you will be able to provide it by, and
- any constraints that you may have on not being able to provide it within the set time frame.

The Council will then set a revised time frame for the information to be provided and provide this to you in writing.

If you have provided all the requested information, then we will consider its adequacy and make a decision on the scope of this. A decision will then be made on whether any parties are considered adversely affected from whom you will need to obtain written approval in order for the proposal to be considered on a non-notified basis, or whether your application requires notification or limited notification.

If you have not provided the requested information because you did not respond to the request, or agreed to respond but did not deliver within the agreed timeframe, or refused to provide the information, the Council must notify the application under section 95C of the Act prior to being able to proceed further. Please note that the Council has the ability under section 36AAB(2) of the Act to leave the application on suspend until the notification fee has been paid to it in full.

If you require any further clarification or would like to discuss this matter, please contact me on the number below.

Yours sincerely,



Angela Jones  
Consultant Planner  
Wellington City Council  
Telephone