APPENDIX 1 (TO CONSENT CONDITIONS)

CONSTRUCTION TRAFFIC MANAGEMENT PLAN FOR EXCAVATION AND CONSTRUCTION ACTIVITIES (CTMP)

1. The CTMP shall address all traffic management details as listed below to these conditions of consent. In addition, the CTMP is to include specific provision for site management, edge treatment and site amenity as required by Rule 5.6.1 of the Auckland City District Plan (Central Area).

    - ingress/egress to/from site
    - materials storage
    - truck unloading/loading, particularly hours of operation and that truck movements shall be outside of peak hours unless otherwise approved by the Operations Manager Transport.
    - concrete deliveries
    - rubbish removal
    - truck movements to and from the site
    - truck waiting
    - truck cleaning
    - subcontractors' vehicles
    - workers' vehicles
    - cranage
    - cherry pickers
    - pedestrian movements and pedestrian control/safety
    - all weather protection for pedestrians
    - needs of other property owners/occupiers affected by the works and how those needs will be met (including parking, servicing, access requirements).
    - equipment to be used for control of traffic
    - details of all signage
    - on-street parking controls and liaison with Parking Services
    - impact on street lighting
    - liaison with emergency services
    - liaison with public transport and road transport organisations

- how to keep footpaths and roadway clean and uncluttered
- site sheds (on or over the street)
- the proposed method of protection of footpaths and underlying services potentially affected by the movement of vehicles to and from the site and by works being carried out on the site. Generally the laying of timber planks or the provision of a reinforced concrete overlay will not be acceptable due to the high pedestrian volumes. Temporary commercial vehicle crossings constructed in accordance with Standard Engineering Detail 12908/302/1 shall be provided unless otherwise agreed with the Operations Manager Transport. The method selected will depend on how the footpath and footpath users will be impacted by vehicles. All temporary crossing areas shall be reinstated to the satisfaction of the Operations Manager Transport.
- **Note:** The CTMP needs to take account of the full potential effects of the activity on the public space (road, footpath, etc).

The contractor will need to have evaluated:

- the traffic conditions
- existing traffic and parking controls
- physical features
- visibility restrictions
- requirements of other properties re: access etc

APPENDIX 2 (TO CONSENT CONDITIONS)

PORTE COCHERE MANAGEMENT PLAN

Essential components of the porte cochere management will include:

- No unattended vehicles,
- CCTV surveillance to the manned concierge at porte cochere level within apartment building,
- A P5 time limit for waiting vehicles.

Specific Provisions

Bicycle Couriers

- Bicycle racks provided at porte cochere street level in the vicinity of the pedestrian access to the through site link.

Vehicle Couriers

- For courier items that are not required to be personally delivered to the resident, collected by concierge for later delivery to resident.
- For courier items that are required to be personally delivered to the resident, the courier driver will be directed to the loading dock / service area accessed via the lower Albert Street level.

Taxis

- Able to wait within porte cochere for up to 5 minutes for collection of residents.

Furniture Deliveries

- Not permitted from porte cochere. Will be directed to the loading dock / service area accessed via the lower Albert Street level.

Hot Food Deliveries

- Permitted from porte cochere.

APPENDIX 3 (TO CONSENT CONDITIONS)

Council Officer	Document/Plan	When
Manager: Central Area Planning	• Verandah design for approval	• Prior to lodging application for building consent
	• Written confirmation of street verandah lighting	• Prior to occupation
	• Detail of car coming device on basement carpark entrance	• Prior to installation
	• Approval of footpath pedestrian refuge at truck dock and parking garage entry and exit	
	• Any extension of construction hours	
	• Approval of Porte Cochere Management Plan	• Prior to issue of S224(c) certificate for any of the apartments
	• Report to be supplied on operation of Porte Cochere Plan	• Two years after occupation of residential tower
	• To approve details of exterior materials, colours, finishes, glazing and roof features and rooftop projections with the structure of the building	• Prior to lodging application for building consent
	• To approve design of entrances to retail premises on Elliot Street face of podium	• Prior to lodging application for building consent
	• To approve detailed design	• Prior to construction of above ground

	arrangements for the sky gardens • To approve Planting Management and Maintenance Plan for sky gardens • To approve sky garden bond documentation	works or the lodging of the building consent for above ground floor works
	• To approve waste management plan	• Prior to construction commencing
	• To approve bicycle storage arrangements	• Prior to construction commencing
	• To receive surveyor's certificate confirming compliance with special height control	• Prior to construction commencing
Manager: Heritage Division	• Project archaeologist to notify of pre-commencement site meeting to outline archaeological requirements	• At least 10 days prior to the meeting
	• To receive certification whether or not any archaeological features have been discovered on site	• Within one month of completion of earthworks
Group Manager Traffic Safety, Assets and Operations	• Detail of car coming device on basement carpark entrance	• Prior to installation
	• Cost and approval of reinstatement of redundant vehicle crossing	• Prior to reinstatement
	• Approval of vehicle crossings (including temporary crossings)	• Prior to construction of vehicle crossings

	• Reinstatement of damaged footpaths, street furniture, trees, affected services • Approval of footpath pedestrian refuge at truck dock and parking garage entry and exit • Approval of Construction Traffic Management Plan • Approval of any proposals to load or unload vehicles, or to provide storage, outside the site boundaries	• Prior to reinstatement • Prior to works commencing
Operations Manager, Transport	• Approval of proposed method of protection of footpaths and underlying services • Approval of temporary crossing areas • Approval of reinstatement of damaged footpaths, street furniture, trees, affected services • Approval of Construction Traffic Management Plan • Approval of any proposals to load or unload vehicles, or to provide storage, outside the site boundaries	• Prior to any works commencing on site • Prior to any works commencing on site
Manager, City Planning	• Approval of Albert Street plaza design • Detail of plaque, interpretive panel or similar public recognition of the historic associations	

	of the site • To receive details of number and layout of residential units	• Prior to occupation
Manager: Resource Consents, Auckland City Environments	• Approval of Construction Traffic Management Plan • Approval of contamination remediation action plan	• Prior to works commencing • Prior to excavation and construction works
Resource Consents Monitoring Team Leader, Auckland City Environments	• Approval of Health and Safety Plan for workers involved in excavation • Approval of site validation report following contamination remediation works • Approval of internal noise levels	• Prior to excavation and removal of any contaminated material • Prior to occupation of any residential unit on site

MT HOBSON GROUP
Town Planning & Resource Consent Solutions

ATTACHMENT TWO

ARCHITECTURAL PLANS

Level 1, 24 York Street, Parnell, Auckland 1010
Postal Address: PO Box 37964, Parnell, Auckland. 1151
www.mthobsonproperties.co.nz Email: nick@mhg.co.nz
Ph: 09 950 5108 Fax: 09 9205111 Mob: 027 241 3936

MT HOBSON GROUP
Town Planning & Resource Consent Solutions

ATTACHMENT THREE

LEGAL OPINION

Level 1, 24 York Street, Parnell, Auckland 1010
Postal Address: PO Box 37964, Parnell, Auckland. 1151
www.mthobsonproperties.co.nz Email: nick@mhg.co.nz
Ph: 09 950 5108 Fax: 09 9205111 Mob: 027 241 3936

BERRYSIMONS
ENVIRONMENTAL LAW

1 November 2013

Ms Karen Long
Senior Planner - Resource Consents
Auckland Council
Private Bag 92300
AUCKLAND 1142

Dear Ms Long

NDG ASIA PACIFIC LIMITED - ELLIOTT TOWER – APPLICATION TO CHANGE EXISTING CONSENT CONDITIONS

1. INTRODUCTION

1.1 On 19 October 2007, the Auckland City Council granted resource consent to Dae Ju Developments Company Limited ("Dae Ju") to construct a 67 storey building at 106-108 Albert Street, known as "Elliott Tower" (LUC:20060773001). The decision was appealed to the Environment Court by Sky City and that appeal resolved by way of consent in late December 2007.

1.2 The site was subsequently purchased by NDG Asia Pacific (NZ) Limited ("NDG" / "the Applicant"). NDG proposes to proceed with a modified design for the Elliott Tower proposal and seeks authorisation from the Auckland Council to amend the conditions of the existing resource consent to provide for the amended design.

1.3 We understand that NDG and its advisors have meet with you and other Council officers to discuss the revised design and the appropriate mechanism for approving the revised design. You have requested that NDG provide a legal opinion confirming that it is appropriate that the new design for the Elliott Tower be assessed and authorised by way of an application for a change of conditions of consent pursuant to section 127 of the Resource Management Act 1991 (RMA) rather than lodging a fresh application for essentially the same development.

Purpose and scope of letter

1.4 The purpose of this letter is to provide the information and legal analysis to demonstrate that it is appropriate to assess and authorise the proposed design via an application for a change of conditions rather than require that a fresh application for the entire development be lodged.

1.5 Specifically, it is proposed to:

(a) Provide an overview of the procedural background to the Elliott Tower consent, including submitters on the application and issues raised at the hearing (Section 2);

(b) Briefly canvass legal tests and principles relevant to an application under section 127 of the RMA for a change of conditions (Section 3);

(c) Comment on the scope and effects of redesign of the Elliott Tower in contrast to the consented design (Section 4);

(d) Set out the basis for our conclusion that it is appropriate to process the proposed revisions to the Elliott Tower development as a change of conditions (Section 5);

(e) Outline the relevant legal principles to be applied when assessing adverse effects and adversely affected persons for the purposes of notification of an application under section 127 for change of conditions (Section 6); and

(f) Set out conclusions.

1.6 This letter should be read alongside the application for change of conditions prepared by Mount Hobson Group, the planning assessment prepared by Mount Hobson Group and the associated expert reports.

2. PROCEDURAL BACKGROUND

Application

2.1 Dae Ju applied to the Auckland City Council for resource consent to construct the proposed Elliott Tower on 1 November 2011. The application was described as a 67 level building comprising 6 levels of underground basement parking, 3 levels of retail podium and a 57 level residential tower comprised of 259 apartments. The consents sought were restricted discretionary activities under the Auckland City District Plan: Central Area Section ("District Plan").

Process

2.2 The application was publicly notified (at the Applicant's request) on 14 January 2007. Twenty submissions were received by the Council. A public hearing was held on 24, 25 and 27 September 2007 in the Auckland Town Hall. A table which identifies submitters on the Dae Ju application and the matters raised in their submissions is attached to the Mount Hobson Group AEE filed in support of the change application.

2.3 The following submitters appeared at the hearing of the application:

(a) Sky City Entertainment Group Limited ("Sky City").

(b) Kiwi Property Holdings Limited ("KPHL") – owner of the neighbouring building known as the "Phillips Fox Tower".

(c) DLA Phillips Fox ("Phillips Fox") – a law firm that has offices in the Phillips Fox Tower.

(d) Colwall Property Investment Limited ("CPIL") – owner of a neighbouring building.

(e) Auckland Regional Public Health Services ("ARPHS").

(f) Mr C Lane.

2.4 Evidence was also tabled on behalf of the Auckland Regional Transport Authority ("ARTA").

2.5 The main issues in contention at the hearing related to:

(a) The proposed inclusion of a porte-cochere entrance on the Albert Street frontage of the building.

(b) The impact of construction traffic on buildings in Elliott Street, in particular the Phillips Fox Tower.

(c) Urban design and visual impacts associated with the height of the tower.

(d) The height of the proposed building.

(e) The effect Elliott Tower might have on the 'iconic' status of the Sky Tower.

(f) Potential effects on telecommunications and broadcast facilities located in the upper part of the Sky Tower and the impact of radiofrequency emissions from those facilities on the apartments in the upper stories of the Elliott Tower.

2.6 At the hearing, KPHL and CPIL advised that agreement had been reached with the applicant with regard to construction traffic access and that, provided the conditions of consent correctly incorporated the terms of that agreement, they were satisfied that consent could be granted. Phillips Fox continued to express concern as to the potential for construction traffic to exacerbate traffic congestion at the Elliott Street – Victoria Street corner and the difficulties this causes for the firm and its clients.

Decision

2.7 The Hearings Panel granted consent for the Elliott Tower proposal subject to conditions by decision dated 19 October 2007. A copy of the decision is attached to the Mount Hobson Group AEE filed in support of the change application.

2.8 In granting consent the Hearing Panel's main findings of fact were set out at page 13 of the decision as follows:

> *"(a) The site is located in Strategic Management Area 1 (Core) of Auckland City within a pedestrian oriented activity area. The eastern part of the site is in the Queen Street Valley Precinct;*
>
> *(b) The proposal overall is to be considered as a restricted discretionary activity. Consent is required for a number of traffic and access elements including: 481 car parking spaces; multiple access and access within defined road boundary; minor parking space infringements; verandah height infringement, and contaminated site requirements and building over the lower part of Albert Street. In addition the proposal is subject to the provisions of Plan Change 2.*
>
> *(c) The District Plan does not apply a general maximum height limit to this site, and the proposed building does not infringe the height limits to Aotea Square or Albert Park designed to protect sunlight admissions during specific parts of the day;*
>
> *(d) The proposed level of development is consistent with the expected intensity levels for CBD location, complying with bulk limits;*
>
> *(e) The alternative porte cochere design offered by the Applicant for the Albert Street frontage of the building represents a practical arrangement in the circumstances,*

particularly given the difficult topography in the immediate vicinity;

(f) The construction traffic proposal agreed to between the Applicant and some submitters represents a practical outcome in terms of the management of the effects of that traffic;

(g) While there will be impacts on some of the telecommunications and broadcast services provided from the Sky Tower, such services are not designated or otherwise protection, and can also be modified or redesigned to avoid or manage those impacts;

(h) There will be no adverse shadow effects as a result of the proposal."

2.9 The decision was the subject of an appeal by Sky City. That appeal resolved by way of consent in late December 2007.

3. SCOPE AND EFFECT OF PROPOSED CHANGES

Overview of consented development

3.1 The site of the proposed Elliott Tower development is an essentially vacant lot (currently used for carparking and the Vertical Bungee) at 106-108 Albert Street, Auckland Central (Lot 1 DP 339812). The site is bordered by Elliott Street, Victoria Street and Albert Street.

3.2 The key characteristics of the consented development on that site can be summarised as follows:

(a) 67 storey mixed use building comprised of:

(i) 6 levels of underground basement parking.

(ii) 3 levels of retail podium (accommodating retail outlets and food and beverage activities) which occupies the entire site.

(iii) 57 level residential tower located on top of the podium with western frontage and a north south orientation.

(b) Vehicle access via Albert Street and pedestrian access on Elliott Street, Victoria Street and Albert Street.

(c) Primary access to the tower via a porte-cochere on Albert Street.

(d) Articulation of the tower and extensive glazing and active frontage on the podium.

Proposed changes

3.3 NDG proposes to proceed with a modified design for the Elliott Tower proposal and seeks authorisation from the Auckland Council to amend the conditions of the existing resource consent to provide for the amended design.

3.4 The changes to the consented development for which authorisation will be sought can be summarised as follows:

(a) Change the proposed activity mix from primarily retail and residential apartments to a mixture of retail, entertainment (cinemas, café and restaurant), residential apartments and a six star hotel.

(b) Increase the height of the podium from 3 levels to 8 levels, comprised of 6 levels of retail, 1 level of cinemas and 1 level of conference and hotel lobby.

(c) Reduce the number of residential apartments from 259 to 36 and convert areas previously to be used for residential apartments into 269 hotel suites and areas associated with the operation of the hotel.

(d) Reduce the number of basement levels from 6 levels to 5 levels, decreasing on-site parking from 481 spaces to 319 spaces.

(e) Changes to design features of the podium and tower to achieve higher quality design outcomes.

3.5 To ensure that the amended design of the tower will be considered appropriate for its environment the applicant's representatives have presented before the Council's Urban Design Panels ("UDP") twice and have closely liaised with Council Urban Design Specialist, Peter Joyce. The outcome of the two UDP meetings was support for the design presented at the second meeting. Modifications to that design have been confirmed with Peter Joyce which has ensured that a third UDP was not required.

Effects associated with proposed changes

3.6 NGD has engaged a team of experienced independent experts to assess the effects of the new design, in comparison to the consented design. The key conclusions of experts engaged and set out in full in the expert reports filed by NDG in support of its application are set out in summary form below.

3.7 Paul Brown of Paul Brown and Architects has reviewed urban design aspects of the revised Elliott Tower design and concluded that:

> *"The proposed building fulfils the requirements for a quality addition to Auckland that will have a positive impact on the existing urban fabric. From the tower that is designed in juxtaposition Skytower with an essentially linear north south composition in contrast to the circular composition of its taller neighbour. It also faces the sky tower and reflects its presence with a physical distortion of the Western elevation. This will create a more legible skyline in Auckland where the two tallest buildings complement each other rather than fighting. At street level the building is composed of finer grain elements that respect the character of the precinct and add interest and vitality to the immediate and surrounding streets. The Fine grain and complexity of the podium provide an addition that does not dominate the surroundings but does add to them in a positive way. This is a building that confidently takes its place in Auckland and will create a significant renaissance to area around Aotea Square that has been languishing in recent years as development has focused on the waterfront."*

3.8 Traffic Planning Consultants have assessed the traffic effects of the proposed design and concluded that:

> *"The traffic generation of the currently proposed development is similar or lower than the traffic generated by the previously consented development and hence can be accommodated with little or no effect.*

The additional traffic generated by the porte-cochere can be accommodated on the road network with little or no effect and without adversely affecting pedestrian safety.

There will be 319 parking spaces provided on the site for the completed development which is less than the maximum permitted by the District Plan.

The vehicle access from Albert Street has been designed to a high standard and to minimise the potential for traffic congestion to occur associated with vehicles entering / exiting the site."

3.9 BGT Structures has assessed the amendments to the construction methodology and effects and concluded that:

"[C]hanges from the October 2006 drawings to the current drawing have significantly reduced the volume of excavation, and the potential risk and complexity of retaining the excavation during the construction phase of the project.

Accordingly, the effects of the proposed Elliot Tower, on both neighbouring property and the environment have significantly reduced."

3.10 Norman, Disney and Young have reviewed their original service / infrastructure report and concluded that:

"The local wastewater system has sufficient capacity to serve the proposed development.

Peak storm water flows to the council's system would be reduced by the proposed development.

Water supplies appear sufficient to serve the proposed development."

3.11 Uniservices has prepared an updated wind effect assessment and concluded that while amendments to the proposed building will change the wind environment on Elliott Street, Victoria Street West and Albert Street in the vicinity of the proposed tower the building complies with the City of Auckland Council District Plan, Central Area Section, with regard to wind control.

4. CHANGING CONDITIONS OF RESOURCE CONSENT – APPLICABLE LEGAL TESTS AND PRINCIPLES

4.1 NDG is seeking to authorise its new design for the Elliott Tower by way of an application under section 127 of the Act to change the conditions of the existing resource consent.

4.2 The test for whether an application to alter an existing consent should be treated as a variation to that consent or a new application was considered by the High Court in *Body Corporate 97010 v Auckland City Council*[1]. This case concerned an appeal against the grant of a variation of consent pursuant to section 127 to amend the design of a residential tower at The Strand, Parnell. The effect of the variation was to permit the erection of two 30 metre high apartment blocks within the same location and building envelope that had previously been approved for a single apartment block. The redesign reduced the number of apartments considerably, with a consequential reduction in the number of parking spaces.

---

1 (2000) 6 ELRNZ 183.

4.3 In considering the appeal the High Court in *Body Corporate* outlined the following principle:[2]

> *"In deciding whether an application for variation is in substance a new application, the consent authority should compare any differences in the adverse effects likely to follow from the varied proposal with those associated with the activity in its original form. Where the variation would result in a fundamentally different activity or one having materially different adverse effects, a consent authority may decide the better course is to treat the application as a new application. That will particularly be the case where the application for variation seeks to expand or extend an activity with a consequential increase in adverse effects."*

4.4 In that case the Court upheld the decision of the Council to consider amendments to the design of a consented development as an application under section 127 rather than treat it as a fresh application, noting that it was agreed that the redesign would result in reduced adverse effects.[3]

4.5 The Court of Appeal upheld the decision of the High Court on the section 127 application, noting that:[4]

> *"Section 127 permits an alteration to a condition but not an alteration to an activity. The question of what is an activity and what is a condition may not be clear cut and will often, as the Judge recognised, be a matter of fact and degree. In differentiating between them the consent authority need not give a literal reading to the particular wording of the original consent..."*

4.6 Based on the above principle, the assessment of whether a variation application is appropriate involves consideration of the following factors, as identified in *Body Corporate*:

(a) What are the adverse effects of the proposed activity compared to the consent activity?

(b) If the adverse effects of the proposed activity are materially the same as, or less than, the consented activity then a variation application is appropriate. If the adverse effects are materially different then a fresh application is more appropriate.

(c) Is the proposed activity fundamentally different from the consented activity? The use of the phrase "fundamentally different" implies a major alteration from the consented activity and overall minor changes can be accommodated, as long as the adverse effects are similar.

4.7 The assessment of these factors will be a question of fact and degree in the particular circumstances.

5. APPROPRIATENESS OF APPLICATION FOR CHANGE OF CONDITIONS

Potential adverse effects

5.1 The key issues that were canvassed at the hearing of the consented proposal related to:

(a) The height of the tower;

---

2 Ibid, at para 74.
3 Ibid, at para 75.
4 *Body Corporate 97010 v Auckland City Council* (2000) 6 ELRNZ 303 at para 45.

(b) The urban design and visual impacts of the tower;

(c) Construction effects, particularly construction related traffic effects;

(d) The relationship with the operations of the Sky Tower; and

(e) The incorporation of a porte-cochere.

5.2 In relation to all of these contentious issues, the technical reports obtained by Mount Hobson Group indicate that the proposed redesign of the development either retains the essential characteristics of the consented development or amends the design so as to reduce adverse effects that were of concern to submitters. In that regard:

(a) The height of the tower and the design and location of the porte-cochere will remain the same;

(b) The amended design of the tower results in improved urban design response that is complementary to the existing streetscape and the form of the Sky Tower;

(c) Given the height of the tower will remain the same it can be assumed that the relationship with the operations of the Sky Tower will remain the same;

(d) Amendments to the basement design and construction methodologies will reduce construction effects; and

(e) Overall, the level of traffic generation of the proposed development is essentially the same, or less than the consented development.

5.3 With regard to (e) above, the proposed inclusion of a hotel in the mix of uses for the site will increase the volume of traffic using the porte-cochere from that associated with the consented development. In that regard, we note that the Traffic Planning Consultants assessment has concluded that this increase can be accommodated by the surrounding road network and that the traffic effects of the likely levels of traffic using the porte-cochere would be expected to be less than minor.

5.4 Thus in relation to all the key issues raised at the hearing of the original application, it is apparent that the potential adverse effects of the revised design will be similar or of a lesser scale than those associated with the consented development (with the exception of an increase in the volume of traffic using the porte-cochere which has been assessed as having less than minor traffic effects).

5.5 We understand that the increase in the height of the podium from 3 to 8 levels has the potential to cause increased adverse effects in terms of amenity, shading and impact on streetscape. In that regard, the urban design assessment undertaken by Paul Brown has concluded that the amended design will not dominate the immediate and surrounding streets and will add to them in a positive way, creating interest and vitality to an area that has been languishing in recent years.

5.6 In assessing the potential additional adverse effects of increased height of the podium it is necessary to have regard to the fact that there is no height limit for the site within the District Plan. Relevant matters of assessment relevant to construction of a building on the site relate to design and appearance.

5.7 On that basis, we do not consider it appropriate to assume that the increase in the height of the podium represents an adverse effect; rather the potential

effect of the altered design and appearance needs to be assessed in light of the above principles. In that regard, the expert assessment is that the new design provides for a better urban design response.

Not a fundamentally different activity

5.8 The consented proposal involves the construction and operation of a new building comprising a tower and podium with the activities within the building comprising a mixture of retail and apartments.

5.9 The proposed new design involves the construction of a tower (of the exact same dimensions) and a higher podium (8 levels not 3). In a general sense the activity remains the same – the erection of a new building of the same height in the same location. As there are no height limits for the site, the erection of a 3 level podium or a 8 level podium would both be classified as a restricted discretionary activity under the District Plan (Rule 5.5.3). We consider that that represents essentially the same "activity" for present purposes.

5.10 The proposed new design will involve the addition of an additional entertainment component and the alteration of most of the residential apartments to serviced apartments and a hotel. Although the District Plan does not contain a definition of "mixed use activity", both the consented and the proposed modified design are clearly mixed use developments. When the proposal is viewed in this light, the new proposals only result in a minor alteration to the mix of activities within the building. In our view, this minor alteration does not offend the principle in the *Body Corporate* decision.

5.11 Even if the components of the new proposal are assessed separately, the hotel, serviced apartments and residential apartments are all forms of "accommodation" under the District Plan. A distinction is made between permanent and non-permanent accommodation in terms of activity status but in our view the activity is not "fundamentally different" for the purposes of determining the appropriate procedure for assessing the amended proposal.

Advice

5.12 We consider that the proposed development is not fundamentally different to that which has been consented. To the extent that the effects will differ to those expected to be associated with the consented development, the expert assessments offered by NDG suggest that the redesign will generally reduce adverse effects. On that basis, we consider that it is appropriate that the proposed changes be authorised by way of a change of conditions under section 127.

6. NOTIFICATION

6.1 If the Council accepts that the changes to the design of the Elliott Tower can be authorised by way of section 127 application, the Council will need to determine who is adversely affected by the change and therefore who should be notified.

6.2 Section 127(3) states that:

> *Sections 88 to 121 apply, with all necessary modifications, as if-*
>
> *(a) the application were an application for a resource consent for a discretionary activity; and*
>
> *(b) the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the*

change or cancellation respectively. [Emphasis added]

6.3 In this way, an application for a change to conditions must be processed and determined in the same manner as an application for a new activity, with all necessary modifications, but specifically subject to the requirements in clauses (a) and (b). Clause (b) specifically requires that all references to effects in the RMA are to be read as references to the effects of the change applied for, not the effects of the activity itself which has already consented.

6.4 The scope of the assessment required was confirmed by the Court of Appeal in the *Body Corporate 97010 v Auckland City Council*:

> *"It is important to note that it is the effects of the change (not the activity itself) which are relevant. The appropriate comparison is between any adverse effects which there may have been from the activity in its original form and any adverse effects that would arise in from the proposal and its varied form. If the effects after variation would be no greater than before, then there is no requirement for written approvals to be obtained from persons who may be affected by the activity, but not by the change to it."*[5]

6.5 Accordingly, it is of fundamental importance to note that when considering the environmental effects of the proposed change in relation to the decisions on notification[6] and whether to grant or refuse consent[7], the consent authority is only entitled to consider the effects of the change and not the effect of the activity as a whole.

6.6 Section 127(4) of the RMA relates to the notification of an application for change of conditions. It states:

> *(4) For the purposes of determining who is adversely affected by the change or cancellation, the consent authority must consider, in particular, every person who–*
>
> *(a) made a submission on the original application; and*
>
> *(b) may be affected by the change or cancellation.*

6.7 As regards notification, on the basis of the material we have reviewed, we agree with the conclusions in the Mount Hobson Group planning report. In that regard, we consider that it would be appropriate to process the NDG application on a non-notified basis on the basis that:

(a) The amended proposal will not result in materially different adverse effects from the consented proposal (and indeed represents an improvement over the consented design in many respects);

(b) Accordingly, the potential adverse effects are no greater on any original submitter are not materially different and can be considered to be no more than minor; and

(c) There is no evidence to suggest that there are any other third parties who may be affected by the amended proposal.

---

5 (2000) 3 NZLR 529 at para [38].
6 Under sections 95A – E.
7 Under section 104.

7. SUMMARY OF KEY CONCLUSIONS

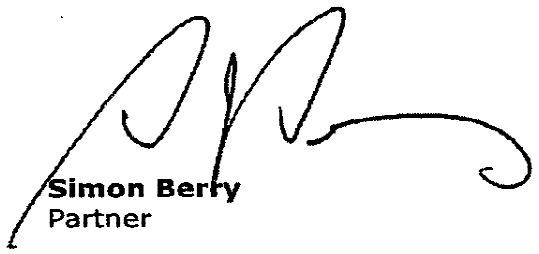
7.1 In conclusion, it is our opinion that:

(a) It is appropriate that the revised design of the Elliott Tower be assessed and (and, if appropriate, authorised) by way of application for change of conditions rather than a fresh application.

(b) It would be appropriate to process the NDG application on a non-notified basis.

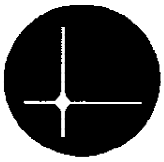
7.2 Please do not hesitate to make contact with the writer if you have any questions or wish to discuss. We would be happy to meet for that purpose.

Yours faithfully
BERRY SIMONS



Simon Berry
Partner

DDI: +64 9 909 7315
Mobile: +64 21 987 095
Email: simon@berrysimons.co.nz



MT HOBSON GROUP
Town Planning & Resource Consent Solutions

ATTACHMENT FOUR

TRAFFIC IMAPCT ASSESSMENT

Level 1, 24 York Street, Parnell, Auckland 1010
Postal Address: PO Box 37964, Parnell, Auckland. 1151
www.mthobsonproperties.co.nz Email: nick@mhg.co.nz
Ph: 09 950 5108 Fax: 09 9205111 Mob: 027 241 3936

TPC TRAFFIC PLANNING CONSULTANTS LTD

ELLIOT TOWER HOTEL

106-108 ALBERT STREET

AUCKLAND CITY

TRAFFIC IMPACT ASSESSMENT

Prepared By:
Bryce Hall and
Winston Gee

November 2013
Reference: 12182
Issue C

TPC 25
Excellence in Transport Engineering since 1988

Auckland Office:
P O Box 60-255, Titirangi, Auckland 0642
Level 1, 400 Titirangi Road, Titirangi Village
Tel: (09) 817 2500
Fax: (09) 817 2504
www.trafficplanning.co.nz

Project Information:

Client	NDG Asia Pacific (NZ) Ltd
Job Number	12182
Title	Elliot Tower Hotel, 106-108 Albert Street, Auckland City
Prepared By	Bryce Hall and Winston Gee
Date	November 2013

Document History and status

Revision	Date Issued	Reviewed By	Approved by	Date approved	Status
A	06/09/2013	Anatole Sergejew	Bryce Hall	06/09/2013	Draft
B	27/09/2013	Anatole Sergejew	Bryce Hall	27/09/2013	Draft
C	01/11/2013	Anatole Sergejew	Bryce Hall	01/11/2013	Final

TABLE OF CONTENTS

Table of Figures

Attachments

1. Porte Cochere Management Plan
2. 2007 Construction Related Conditions of Consent

1.0 INTRODUCTION

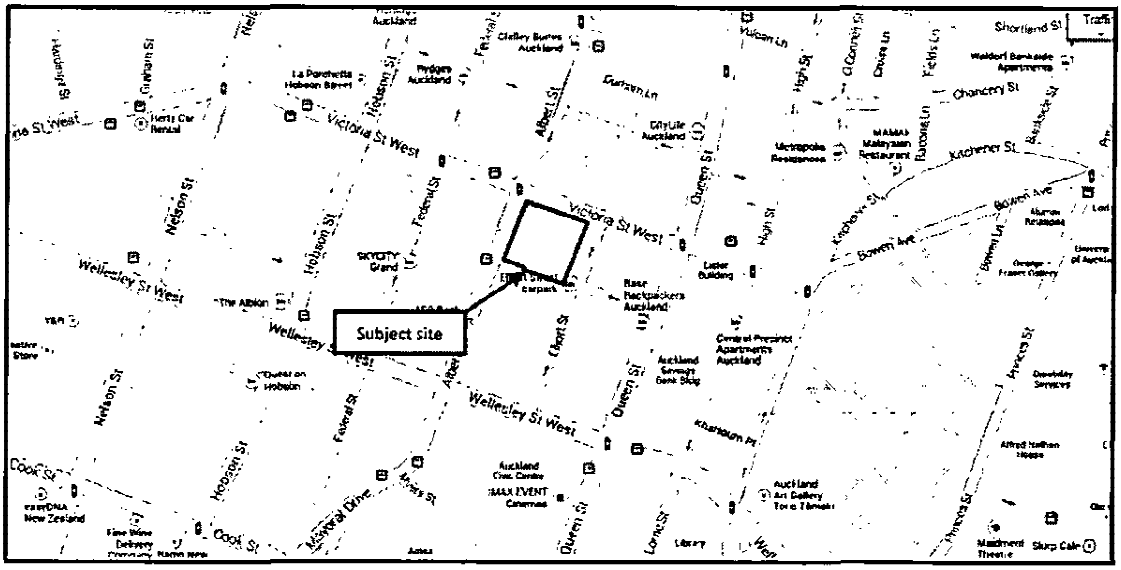
In 2008 Land Use Consent was granted to a proposed residential development at 106-108 Albert Street in Auckland City. The consented development included the provision of 259 residential units, 5,000m^2 of retail space over three ground floor levels together with a total of 481 on-site parking spaces.

The current proposal is to vary the consented development to include 36 residential apartments, 266 hotel suites, 13,444m^2 of retail space, a cinema, restaurants / cafés, together with a total of 300 parking spaces.

This report examines and describes the traffic and parking differences between the consented development and the currently proposed development. The report specifically describes the existing traffic environment, the proposed activity, District Plan provisions, the traffic effects of the proposal and an assessment against the relevant District Plan criteria. It also considers the relevant transport provisions of the Proposed Auckland Unitary Plan (Unitary Plan) although it is understood that the provisions carry no weight.

The site is located on the southern side of Victoria Street West, between Albert Street and Elliot Street as is shown in Figure 1.

Figure 1 – Site Location



Source: maps.google.com

The site is located within Strategic Management Area 1 in the Auckland Council District Plan - Central Area Section (District Plan) and partially falls within the Queen Street Valley precinct. It is located within the area defined as "Pedestrian Oriented" in the District Plan.

The site falls within the Queen Street Valley Precinct in the Unitary Plan and has a vehicle access restriction to both the Elliot Street and Victoria Street West site frontages.

Vehicle access to the 139 (consented) public parking spaces currently available on the site occurs from Elliot Street. As part of the consented development, the existing Elliot Street vehicle access would be removed and a new vehicle access provided to a one-way (southbound) access road below the normal street level of Albert Street. The proposed vehicle access points from Albert Street fall within a Defined Road Boundary as specified in the District Plan. The consented vehicle access arrangements to the site will not change as a result of the proposed variation.

By way of a summary of the detail contained within this report, it can be stated that the traffic engineering effects of the current proposal are essentially the same or lesser than those previously consented for the site. On this basis the traffic engineering effects can be accommodated on the road network without compromise to its function, capacity or safety.

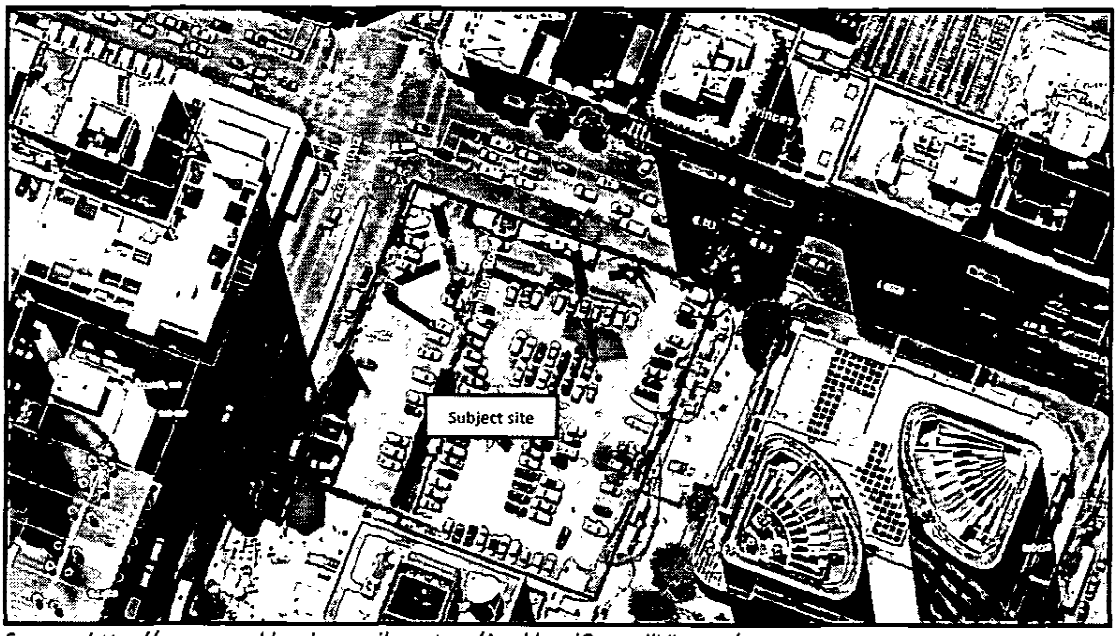
2.0 EXISTING TRANSPORT ENVIRONMENT

2.1 The Road Network

The site is located on the eastern side of Albert Street at its intersection with Victoria Street West. The intersection is controlled by traffic signals. Victoria Street West and Elliot Street run adjacent to the northern and eastern sides of the site, respectively.

The typical traffic management arrangements on Albert Street and Victoria Street West in the vicinity of the site are shown in Figure 2.

Figure 2 – Albert Street and Victoria Street West Traffic Management



Source: http://maps.aucklandcouncil.govt.nz/AucklandCouncilViewer/

Existing traffic conditions in the vicinity of the site are typical of central city environments. These are characterised by heavy traffic flows throughout the day on the arterial and collector road routes with distinct peaks during morning and evening peak periods when commuters make their way to and from the Central Business District.

2.1.1 Victoria Street West

Victoria Street West runs along the northern side of the site and is classified as a District Arterial Road under the District Plan and also has a Type 2 road designation. The function of these roads is to provide for traffic movement between different areas of the city. It has a kerb to kerb width of 17.5 metres which provides for two traffic lanes in each direction together with on-street parking on the southern side and bus stops on the northern side of the road.

The results of turning movement counts at the intersection of Victoria Street West and Albert Street are summarised in Table 1 for traffic flows on Victoria Street West past the subject site.

Table 1 – Victoria Street West Traffic Counts

Direction	Daily Traffic	AM Peak Hour	PM Peak Hour
Eastbound	6,500	614	634
Westbound	7,300	576	877
TOTAL	13,800	1,190	1,511

2.1.2 Elliot Street

Elliot Street is classified as a Local Road under the District Plan and also has a Type 2 road designation. The function of Local Roads is to provide for property access to adjoining properties. Elliot Street has been recently upgraded to a shared space environment with pavers and a pedestrian friendly environment although it still provides for a single northbound traffic lane and has a service function for the adjoining properties.

Figure 3 – Elliot Street Shared Space

View looking south from Victoria Street

View looking north from Darby Street

Traffic counts carried out on Elliot Street, south of Darby Street in September 2012 are summarised in Table 2.

Table 2 – Elliot Street Traffic Counts

Direction	Weekday	Saturday	Sunday	Weekday Peak Hours		
				AM	Midday	PM
Northbound	998	1,107	759	143	93	78

2.1.3 Albert Street

Albert Street is classified as a Collector Road and also has a Type 2 road designation. The function of Collector Roads is to provide a link between the local and arterial road networks. It has a kerb to kerb width of 14 metres which provides for two traffic lanes in each direction as shown in Figure 4.

Figure 4 – Albert Street Traffic Environment

View looking south from Victoria Street

View looking north to Victoria Street

The most recent traffic counts carried out on Albert Street, between Wellesley Street West and Victoria Street West were in March 2006 and are summarised in Table 3.

Table 3 – Albert Street Traffic Counts

Direction	Weekday	Saturday	Sunday	Weekday Peak Hours		
				AM	Midday	PM
Northbound	6,677	5,457	4,572	560	470	447
Southbound	7,984	6,557	5,653	493	541	642
Total	14,661	12,014	10,225	1,053	1,011	1,089

Additionally, the lower level part of Albert Street operates as a service lane and has a carriageway width of 5.1 metres which caters for one southbound traffic lane together with "pay and display" on-street parking on the eastern side as shown in Figure 5.

Figure 5 – Albert Street (Lower Level) Traffic Environment

View looking south from Victoria Street

View looking south

Traffic flows for the lower part of Albert Street are summarised in Table 4.

Table 4 – Lower Level Albert Street Traffic Counts

Direction	Daily Traffic	AM Peak Hour	Midday Peak Hour	PM Peak Hour
Southbound	150	10		20

2.2 Traffic Safety

Information from the New Zealand Transport Agency's "Crash Analysis System" for the five year period, January 2008 to December 2012, indicates that 56 crashes have been reported on Albert Street (between Victoria Street West and Wellesley Street West), in vicinity of the vehicle access. Table 5 shows a breakdown of the crashes reported.

Table 5 – Albert Street Vicinity Crashes

Location	Reported Crashes			Key Factors
	Total	Injury	Non-Injury	
Intersection: Albert Street and Victoria Street West	25	12 minor	13	7 – Rear End Collision (*3 minor*) 6 – Pedestrian (*5 minor*) 5 – Crossing (*3 minor*) 2 – Turning Right (*1 minor*) 2 – Reversing Along Road 2 – Changing Lanes / Overtaking 1 – Turning Together
Intersection: Albert Street, Wellesley Street West and Mayoral Drive	16	2 minor	14	8 – Rear End Collision (*1 minor*) 7 – Crossing (*1 minor*) 1 – Hit Parked Vehicle
Midblock: Albert Street	15	2 minor	13	3 – Rear End Collision 2 – Pedestrian (*2 minor*) 2 – Turning Together 2 – Turning Right 1 – Reversing Along Road 1 – Manoeuvring 1 – Loss of Control 1 – Changing Lanes / Overtaking 1 – Hit Parked Vehicle 1 – Merging
TOTAL	56	16 minor	40	

Of the 56 crashes reported, 16 involved minor injury.

There have been 25 crashes reported at the traffic signal controlled intersection of Victoria Street West and Albert Street including 12 minor injury crashes. Of the crashes reported, 7 involved rear end collisions; 6 involved pedestrians being hit and 5 involved vehicles being hit crossing at right angles. No other crashes patterns are discernible from the reported crash history.

There have been 16 crashes reported at the traffic signal controlled intersection of Wellesley Street West and Albert Street including 2 minor injury crashes. Of the crashes reported, 8 involved right turn crashes; 7 involved vehicles being hit crossing at right angles and 1 involved hitting a parked vehicle. No other crash types were present in the reported crash history.

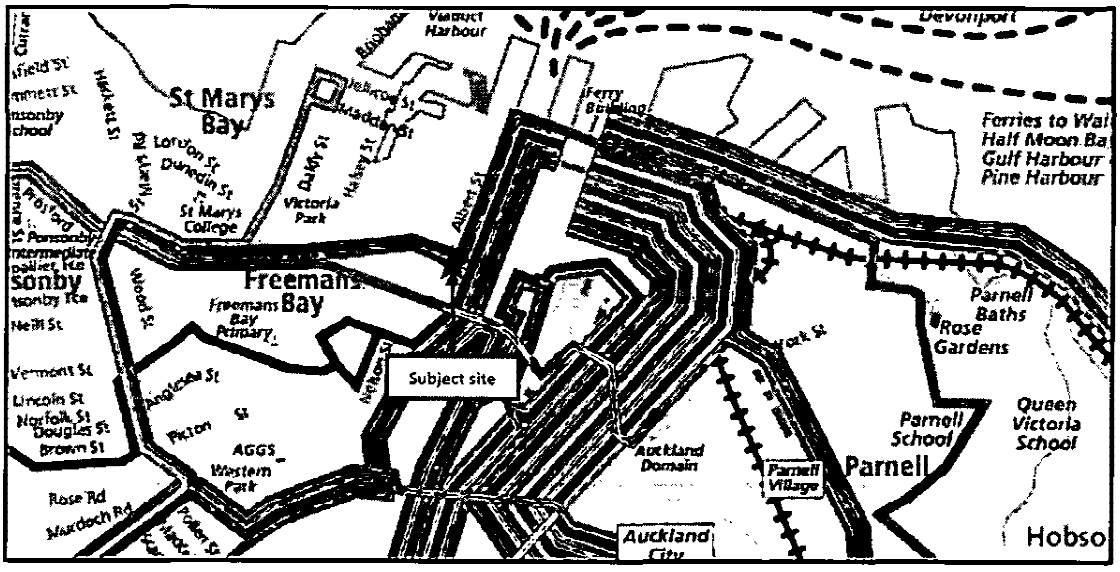
There have been 15 crashes reported at mid-block (non-intersection) locations on Albert Street between Victoria Street West and Wellesley Street West with 2 of the crashes involving injury. Of the crashes reported, the 2 minor injury crashes were related to pedestrians being hit while crossing the road and the highest crash type occurring involved 3 rear end collisions.

Overall, the crash analysis does indicate a number of crashes reported at the intersection of Albert Street and Victoria Street West including 5 pedestrian injury crashes.

2.3 Public Transport Accessibility

Information from the MAXX website for public transport routes in the vicinity of Albert Street is shown in Figure 6.

Figure 6 – Albert Street Area Public Transport Routes



Source: www.maxx.co.nz

There are multiple bus routes and stops which run along this section of Albert Street and Victoria Street West in the vicinity of the site and the site is a short walk from the Britomart Transport Terminal.

The site can therefore be described as being well served by passenger transport.

2.4 Pedestrian Facilities

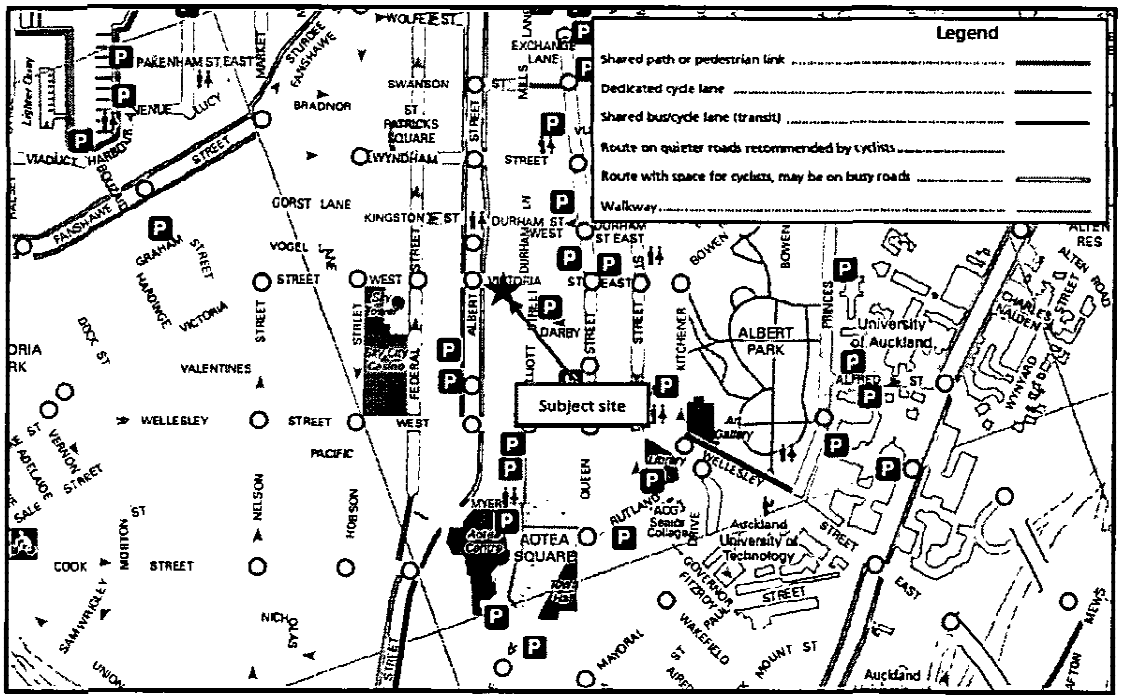
Wide footpaths are provided along both sides of Albert Street and Victoria Street. Signalised pedestrian crossings are provided at the intersection of Albert Street and Victoria Street West in all directions, and across Victoria Street West near the intersection with Elliot Street.

Elliot Street and Darby Street have recently been upgraded into a shared space, where high pedestrian movements are catered for with low vehicle flow. A high level of pedestrian amenity is provided along these roads.

2.5 Cyclist Facilities

Shared bus lanes/cycle lanes are provided along both sides of Albert Street. No specific cycle facilities are provided along Victoria Street West. An extract from Auckland Transport's Central Cycle map showing cyclist provisions in the vicinity of the site is shown in Figure 7.

Figure 7 – Albert Street Area Cyclist Provisions



Source: www.maxx.co.nz

Thus the site can be considered to be accessible by bicycle although some of the roads are heavily trafficked.

3.0 THE PROPOSAL

3.1 Description

As indicated earlier, the current proposal is to vary the consented development to include 36 residential apartments, 266 hotel suites, 23,417m^2 of commercial space including retail activities, a cinema, restaurants / cafés, together with a total of 300 parking spaces.

A comparison between the previously consented and currently proposed development is shown in Table 6.

Table 6 – Consented and Currently Proposed Comparison

Activity	Consented	Proposed	Change
Retail	5,000m^2	13,444m^2	**+8,444m^2**
Cinema	-	963 seats	**+963 seats**
Other Area	-	11,580m^2	**+11,580m^2**
Hotel	-	266 units	**+266 units**
Residential	259	36 units	**- 223 units**
On-site Parking	481	300	**- 181 parking spaces**

The subject site is currently used as a public car park.

3.2 Traffic Generation

In respect of the traffic generating potential of the previously consented and currently proposed development, information on appropriate traffic generation rates has been obtained from:

- New South Wales Road and Traffic Authority publication "Guide to Traffic Generating Developments" (RTA); and
- The New Zealand Trips and Parking Database (NZTPD);
- New Zealand Transport Agency research report 453 "Trips and Parking related to Land Use" released in November 2011 (NZTA 453);
- Traffic generation surveys carried out by Traffic Planning Consultants Ltd.

3.2.1 Current Site Activities

The site is currently used as a commercial short term carpark and has some 139 parking spaces currently available. The results of traffic counts carried out in May 2004 at the carpark are summarised in Table 7.

Table 7 – Existing Carpark Activity Traffic Generation

Direction	Daily Traffic	AM Peak Hour	Midday Peak Hour	PM Peak Hour
In	400	32	61	30
Out	400	0	43	60
TOTAL	800	32	104	90

3.2.2 Previously Consented Development

3.2.2.1 Lower Albert Street Usage

Table 8 indicates the estimated traffic generation of the part of the previously consented development accessed from the lower level part of Albert Street.

Table 8 – Consented Development Traffic Generation

Activity	Size	Daily Traffic	AM Peak Hour	PM Peak Hour
Residential	312 units	312-936	156	156
Commercial Parking	23 spaces	69	12	12
Retail Deliveries		30-90	2	2
TOTAL		411-1,095	170	170

3.2.2.2 Porte Cochere Usage

The consented development also included a porte-cochere that had an entry from the lower level part of Albert Street and an exit to the upper level part of Albert Street. The estimated traffic usage of the consented porte-cochere, based on surveys of other facilities located within the central city is shown in Table 9.

Table 9 – Elliot Tower Estimated Porte-cochere Traffic Use

Time Period	Car	Courier	Taxi	Total
Morning Peak Hour	14	1	1	16
Midday Peak Hour	9	1	2	12
Afternoon Peak Hour	19	1	2	22

On a daily basis the traffic generation would have been in the range of 250 to 300 traffic movements per day.

3.2.3 Currently Proposed Development

3.2.3.1 Lower Albert Street Usage

Traffic generation rates for hotels can be expected to be in the range of 0.3 to 0.5 traffic movements per hour per unit in the afternoon peak hour and 3 to 5 traffic movements per day per unit. However, these traffic generation rates are for hotels in suburban locations. A similar sized hotel in a suburban environment to that proposed would provide approximately 300 parking spaces (1 per unit plus 1 for every 2 staff members). As a proportion, the number of parking spaces for the proposed hotel equates to about 25 percent and thus traffic generation rates could reasonably be expected to be in the range of 0.075 to 0.125 traffic movements per hour per unit in the afternoon peak hour and 0.8 to 1.25 traffic movements per day per unit

Traffic Planning Consultants Ltd has carried out a number of traffic generation surveys of apartments within the Auckland Central Business District. The peak hour traffic generation rates for the residential developments surveyed varied between about 0.2 and 0.35 traffic movements per hour per unit in the AM peak hour and 0.1 and 0.2 traffic movements per hour per unit in the PM peak hour.

For the purpose of this assessment, peak hour apartment traffic generation rates of 0.5 traffic movements per unit per hour have been used with a daily traffic generation rate of 1 to 3 traffic movements per day per unit.

For the 28,500m^2 of retail/ commercial and cinema space, there will be 130 parking spaces provided. An equivalent PM Peak Hour traffic generation rate of 0.8 traffic movements per hour per parking space has been used together with an equivalent daily generation rate of 2.5 to 3.5 traffic movements per day per parking space.

Given the above, Table 10 indicates the estimated traffic generation of the part of the previously consented development accessed from the lower level part of Albert Street.

Table 10 – Proposed Development Traffic Generation

Activity	Size	Daily Traffic	AM Peak Hour	PM Peak Hour
Residential	36 units	40-90	18	18
Hotel	266 units	210-330	20	33
Commercial Parking	130 spaces	325-455	39	104
Retail Deliveries		100-150	10	10
TOTAL		675-1,025	87	165

3.2.3.2 Porte Cochere Usage

To provide a basis for predicting the potential traffic usage of the proposed porte cochere, traffic generation surveys were carried out at the hotel sites summarised in Table 11.

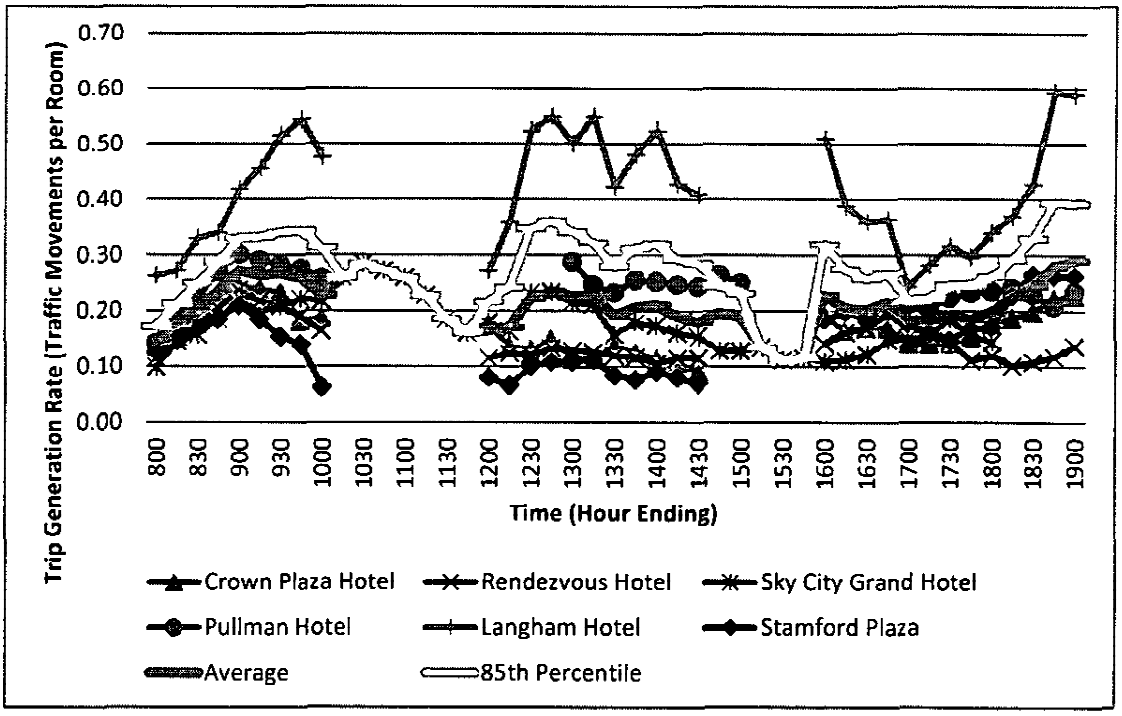
Table 11 – Hotels Surveyed

Hotel	Number of Rooms
Rendevouz Hotel	452 rooms
Crowne Plaza Hotel	352 rooms
Sky City Grand Hotel	312 rooms
Stamford Plaza Hotel	286 rooms
Langham Hotel	411 rooms
Pullman Hotel	340 rooms

The surveys were typically carried out between 7am and 10am, 11am-2.30pm and 3pm to 7pm on weekdays.

The resulting traffic generation rates from the surveys are shown in Figure 8.

Figure 8 – Porte-cochere Traffic Generation Rates

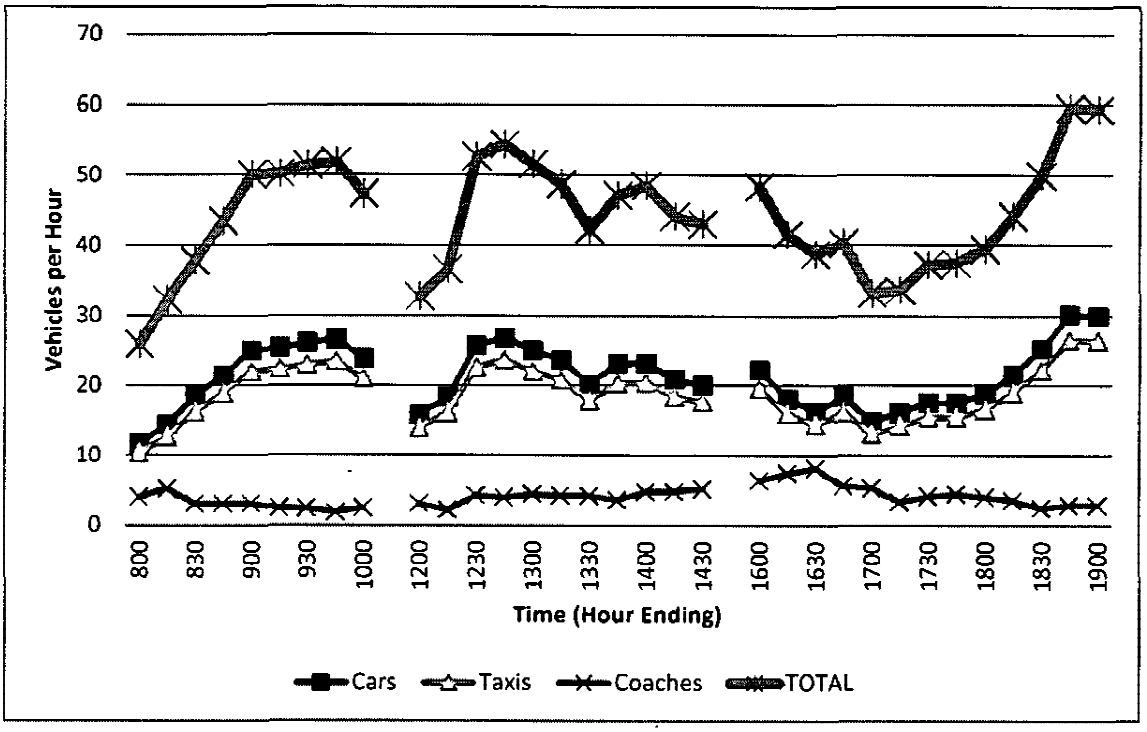


The highest traffic generation rate occurred at the Langham Hotel whilst the lowest typically occurred at the Stamford Plaza Hotel. For the purpose of this assessment, the

85th percentile rate has been used which is a rate higher than that which occurred at 5 of the 6 surveyed hotels.

Relating the porte cochere traffic generation rates to the proposed 266 room hotel and the 36 residential units results in a traffic profile (by vehicle type) as per that indicated in Figure 9. The profile relates to one-way (entry or exit) traffic flows.

Figure 9 – Porte-cochere Hourly Traffic Generation (one-way)



Thus, traffic usage of the porte cochere will typically vary between about 40 and 60 vehicles per hour of which tour coaches would typically vary between 5 and 10 per hour with the balance split relatively evenly between guest cars and taxi's.

Daily traffic generation would typically be in the range of 500 to 800 traffic movements per day.

3.2.4 Traffic Generation Comparison

A comparison of the overall daily and peak hour usage of the lower level of Albert Street to enter and exit the parking and service area for the consented and currently proposed development is shown in Table 12.

Table 12 – Traffic Generation Comparison

Activity	Daily Traffic	AM Peak Hour	PM Peak Hour
Consented Development	411-1,095	170	170
Currently Proposed Development	675-1,025	87	165
Difference	+264 to -70	-83	-5

Peak hour traffic generation will reduce during the AM and PM Peak Hour from that originally consented whilst daily traffic will potentially increase at the lower end by about 260 traffic movements per day but reduce at the upper end by about 70 traffic movements per day.

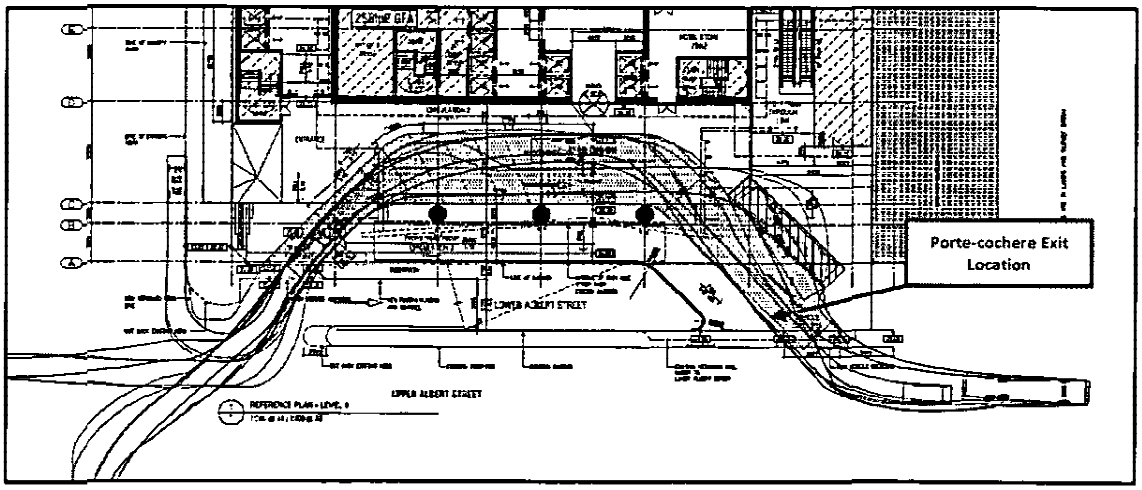
Usage of the Porte-cochere will increase by 250 to 500 traffic movements per day with hourly traffic generation increasing by about 40 traffic movements per hour from that previously consented for the site.

3.3 Vehicle Access

Vehicle access to the proposed development occurs from four vehicle crossings to the site with all four located off Albert Street, three to the lower level of Albert Street and one to the main Albert Street carriageway. This is the same configuration as that previously consented for the development.

The only change in vehicle access arrangements between the previously consented development and the currently proposed development is a slight relocation to the south of the vehicle exit from the porte-cochere as indicated in Figure 10.

Figure 10 –Porte-cochere Vehicle Exit



The three vehicle crossings accessed from the lower level of Albert Street include one entry vehicle crossing gaining access to the porte-cochere at the main Albert Street

level, one two-way vehicle crossing from the on-site truck loading area together with the main vehicle crossing that services the parking provided on the site. The vehicle crossing to the main level of the Albert Street carriageway is an exit from the porte-cochere.

In considering vehicle access to a site, it is important that:

- adequate sight distance is provided, and
- the access is designed to ensure safe traffic and pedestrian movement.

3.3.1 Sight Distance Assessment

The appropriate standard for sight distance is the Land Transport Safety Authority publication "Guidelines for Visibility at Driveways". There are two components to the sight distance measurement. The first being the Sight Distance requirement and the second being the Lines of Clear Sight. The sight distance / lines of clear sight required is dependent upon the traffic generation of the proposal, the 85th percentile speed of vehicles on the frontage road and also the classification of the frontage road.

Figure 11 provides an indication of the sight distances available from the vehicle crossing used to exit the porte-cochere on the upper level of Albert Street whilst Table 13 provides an assessment of the recommended and available sight distances for the proposed vehicle crossing.

Figure 11 –Porte-cochere Exit Vehicle Sight Distances

Sight distance to the north

Sight distance to the south

Table 13 –Albert Street (Upper Level) Vehicle Access Sight Distance Assessment

Sight Distance			
Direction	**Speed**	**Recommended Sight Distance**	**Available Sight Distance**
To the north	50 km/hr	90 metres	>100 metres
To the south	50 km/hr	90 metres	>100 metres
Lines of Clear Sight			
Direction	**Speed**	**Recommended Sight Distance**	**Available Sight Distance**
To the north	50 km/hr	90 metres	>100 metres
To the south	50 km/hr	90 metres	>100 metres

The analysis indicates that both the sight distance and the lines of clear sight exceed that recommended and are therefore acceptable.

3.3.2 Vehicle Access Design

The proposed vehicle crossings are designed to an appropriate standard consistent with their location, the amount of traffic using them and the amount of pedestrian traffic using the footpaths that they cross.

Additionally, the proposed vehicle access points to the parking ensure adequate levels of inter-visibility between vehicles entering and exiting the site and pedestrians using the footpaths in this location.

Overall the proposed vehicle access arrangements are considered to be acceptable.

4.0 DISTRICT PLAN REQUIREMENTS

4.1 Parking

4.1.1 District Plan Provisions

In the Central Business District, the amount of parking able to be provided for any development is limited by the classification of the frontage road except for residential units where the Section 9.7.1 of the District Plan indicates the following:

The maximum permitted parking for accommodation shall be:

(i) one space per self-contained unit with a GFA of 0-79m^2;

(ii) two spaces per self-contained unit where such unit has a GFA of 80m^2 or more.

Table 14 indicates the maximum number of parking spaces permitted on the site under the provisions of the District Plan for the currently proposed development on the site.

Table 14– Proposed Development Maximum On-site Parking Permitted

Activity	Size	Rate	Maximum Permitted
Type 2 road	52,120m^2	1 / 200	261
Residential	28 units <80m^2 8 units >80m^2	1 per unit 2 per unit	28 16
TOTAL			305

Thus, for all activities proposed on site, the development has a total maximum of 305 parking spaces permitted.

NZS 4121:2001 Design for Access and Mobility – Buildings and Associated facilities indicates that the following accessible parking spaces shall be provided:

- Where 20 or less parking spaces provided, one accessible space shall be provided;
- For 21 and 50 spaces, two spaces shall be provided; and
- For every additional 50 parking spaces or part of a car park, not less than 1.

Thus, for a development requiring 305 parking spaces, the requirement for accessible parking is 7 parking spaces.

The maximum on-site parking permitted under the provisions of the Unitary Plan is shown in Table 15.

Table 15– Unitary Plan Maximum On-site Parking Permitted

Activity	Size	Rate	Maximum Permitted
GFA	52,120m^2	1 / 200	261
Residential	28 units <75m^2 8 units >80m^2 Visitor Parking	0.7 per dwelling 1.4 per dwelling 0.2 per dwelling	20 11 7
TOTAL			299

4.1.2 Parking Provided

There will be a total of 300 parking spaces to be provided on the site, to cater for the proposed activities and this is less than the maximum permitted by the District Plan by 5 parking spaces.

The parking on site will be allocated to specific users with 44 parking spaces allocated for the residential units, 130 parking spaces for general visitor parking and 126 provided for the hotel.

There will be 7 accessible parking spaces provided on the site which complies with the provisions of NZS 4121.

4.1.3 Parking Layout

The parking spaces are typically 2.5 metres wide with a manoeuvring area of 8.1 metres. This is consistent with that required for casual users and exceeds the dimensions indicated in the Unitary Plan for parking.

Where a parking space adjoins a wall, it has been widened by 0.3 metres to allow for car door opening.

The location of some of the parking spaces may mean a three point turning manoeuvre is required to enter or exit some of the parking spaces, particularly where they are located close to walls within the basement parking area. While this is not ideal, the drivers will be regular users and hence will identify the best way for them to enter or exit the particular parking space.

Overall, the parking provided for the site is considered to be acceptable.

4.2 Loading and Servicing

Clause 9.7.1.2 of the District Plan indicates that for retail activities of over 10,000m^2 and accommodation of greater than five self-contained units, 4 loading spaces are required. Under the Unitary Plan provisions, 5 loading spaces would be required.

It is proposed to provide two loading spaces on the site to be shared between the commercial activities and the residential activities. The loading area is accessed via the lower level of Albert Street.

The loading spaces are located off the lower level of Albert Street and comply with the dimensional requirements indicated in the District Plan. Trucks accessing the loading area will drive forward into the site at ground level before reversing into the loading space located beside the retail area. Trucks will be able to exit the site in a forward direction.

Overall, the loading and servicing arrangements for the site are considered to be acceptable.

4.3 Vehicle Access

As indicated earlier, vehicle access to the site occurs from four vehicle crossings with all four located off Albert Street, three to the lower level of Albert Street and one to the main Albert Street carriageway. The vehicle access points to the site are all located

within a Defined Road Boundary being on a Collector Road within 90 metres of its intersection with an Arterial Road.

The three vehicle crossings accessed from the lower level of Albert Street include one entry only vehicle crossing gaining access to the porte-cochere at the main Albert Street level, two-way vehicle crossing from the on-site truck loading area together with the main vehicle crossing that services the parking provided on the site. The vehicle crossing to the main Albert Street carriageway is an exit only access from the porte-cochere.

Rule 9.7.3.3 (a) and (b) of the District Plan indicates that no more than one vehicle crossing is permitted to a site located within the pedestrian-orientated area.

In respect of the number of vehicle crossings proposed, the vehicle crossings are separated either horizontally by a minimum of 4 metres and also vertically in respect of the vehicle crossings to the main Albert Street carriageway. The minimum horizontal separation occurs on the lower level of Albert Street and means that pedestrians only need to cross one vehicle crossing at a time.

Rule 9.7.3.3 (c) indicates that the maximum width of vehicle crossing shall be 6 metres at the property boundary. A summary of the vehicle crossing widths and their function is indicated in Table 16.

Table 16 – Proposed Vehicle Crossing Widths

Reference Number	Location	Function	Proposed Width	Compliance
1	Albert Street (lower level)	Entry to porte-cochere	3 metres	Yes
2	Albert Street (lower level)	Entry / Exit for truck loading area	8.8 metres	No
3	Albert Street (lower level)	Entry / Exit for car park	7.3 metres	No
4	Albert Street (main carriageway)	Exit from porte-cochere	5.6 metres	Yes

The entry / exit vehicle crossings to the loading area is 8.8 metres and the vehicle access to the on-site car parking areas has a width of 7.3 metres versus the 6 metre maximum permitted by the District Plan and the Unitary Plan. In respect of the proposed width, the additional width is required for ease of vehicle access to the main vehicle access.

In respect of the potential effect on pedestrian safety as a result of this additional width, the actual number of pedestrians that use the footpath on the lower Albert Street level is very low and the potential for vehicles to be entering and exiting the site at the same time that a pedestrian would be using the footpath is very low. Furthermore, a "car coming" pedestrian warning device will be provided at this vehicle crossing to further enhance pedestrian safety in this location. Overall, the additional width of the proposed vehicle crossing is considered to be acceptable.

The ramps that access the parking areas have a maximum gradient of 1 in 5.5 which complies with the maximum permitted gradient of 1 in 4 indicated in the District Plan for ramps that do not provide access to a truck loading area. A 6 metre long 1 in 20 transition section is provided between the property boundary and the ramp leading to the basement parking area.

Overall, the internal vehicle access arrangements proposed for the site are considered to be acceptable.

5.0 TRAFFIC IMPACTS OF THE PROPOSAL

There will be four main off-site traffic impacts associated with the proposal:

- That associated with the additional traffic generated by the proposal.
- Impacts on Traffic and Pedestrian Safety.
- Construction related traffic effects.
- Positive Traffic and Pedestrian Related Effects.

5.1 Impacts of Traffic Generated by the Development

In general, the operational characteristics of a road network are defined by the operations of key intersections within the network. Intersections are typically considered to be the critical analysis locations, because conflicting traffic movements at intersections impose capacity constraints on the overall road network.

In this respect, virtually all vehicle access to the site will occur from the lower part of Albert Street with vehicles entering the site needing to pass through the intersection of Albert Street and Victoria Street West. Vehicles exiting the site would need to pass through the intersection of Wellesley Street, Albert Street and Mayoral Drive.

5.1.1 Intersection Impacts

The traffic generation of the currently proposed development is likely to be in the range of 675 to 1,025 traffic movements per day (excluding the porte cochere) with peak hour traffic generation of 87 and 165 traffic movements per hour during the AM and PM Peak hours respectively.

The traffic generation of the previously consented development was in the range of 410 to 1,095 traffic movements per day (excluding the porte cochere) with peak hour

traffic generation of about 170 traffic movements per hour during both the AM and PM Peak hours.

Given that the level of peak hour traffic generation of the currently proposed development is essentially the same or less than that of the previously consented development for the site, the traffic related impacts on the two intersections will not change from that consented previously.

The previous analysis carried out for both intersections indicates that the level of traffic generated by the consented development can be accommodated by both intersections without adversely impacting on overall intersection capacity. This will not change as a result of the proposal.

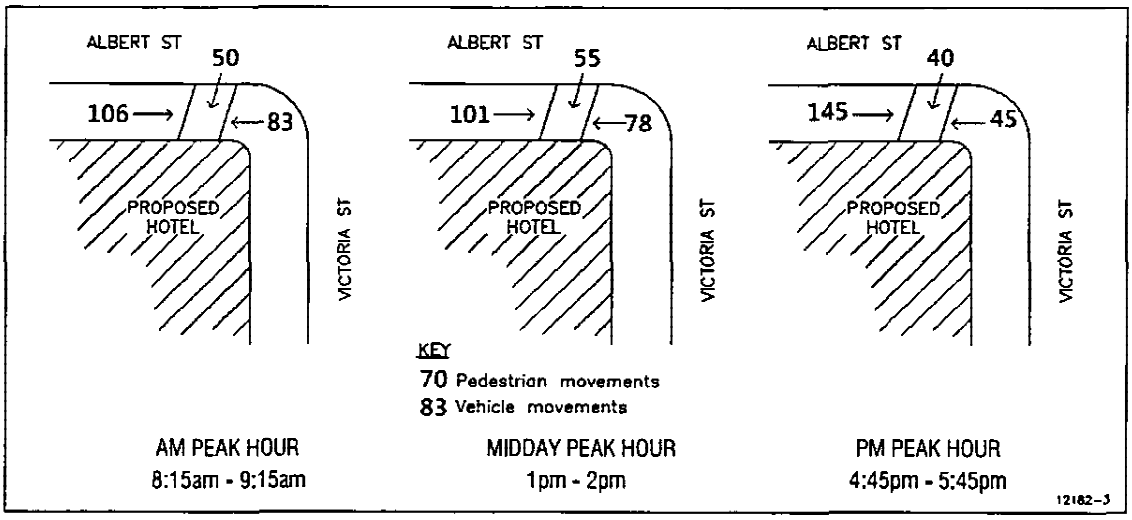
5.1.2 Porte-cochere

A porte-cochere is to be provided with entry via the lower level of Albert Street and a left turn only exit to the upper level of Albert Street. All entry to the porte-cochere will be via the traffic signal controlled intersection of Victoria Street West and Albert Street while all exit movements will be onto the upper level of Albert Street.

The main effect of traffic gaining access to the porte cochere in this location is the potential for traffic to "back-up" through the intersection of Albert Street and Victoria Street West. This potential is a function of the amount of traffic using the porte cochere and the number of pedestrians using the footpath that the porte cochere crosses.

The predicted level of traffic using the porte cochere together with previously surveyed pedestrian usage of people walking along this part of Albert Street (October 2013) is summarised graphically in Figure 12.

Figure 12 – Porte cochere Pedestrian and Vehicle Numbers



The pedestrian surveys suggest that about 180 pedestrians per hour would use the footpath that the porte cochere crosses.

To determine the potential traffic "back-up" impacts associated with the porte cochere, the operation of the porte cochere and the interaction between pedestrians and vehicles has been analysed using the SIDRA INTERSECTION (SIDRA) computer analysis program. SIDRA is an advanced micro-analytical traffic evaluation tool that employs lane-by-lane and vehicle drive-cycle models coupled with an iterative approximation method to provide estimates of capacity and performance statistics (delay, queue length, stop rate, etc).

The analysis for the porte cochere has been developed using Gap Acceptance theory with a Gap of 6.5 seconds used for vehicles crossing the footpath.

For the porte cochere, the effective vehicle crossing width and hence the distance that pedestrians would need to cross is about 4.5 metres. In relation to walk speed, the AUSTROADS "Guide to Traffic Engineering Practice" Part 13 "Pedestrians" indicates the following:

Walking speeds vary over a wide range, generally determined by crowd density and other traffic impediments. The distribution of free-flow walking speeds varies as follows:

Minimum walking speed	*0.74 m/s*
Maximum walking speed	*2.39 m/s*
Average unimpeded free-flow walking speed	*1.35 m/s*

If the average walk speed of 1.35 metres per second is used, then it would take a pedestrian 3.3 seconds to cross the vehicle crossing versus the Gap Acceptance value of 6.5 seconds used in our analysis. Thus, the approach adopted in our analysis is extremely conservative.

Each time period has been analysed and the resulting queue length shown in Table 17. Additionally, an analysis has been carried out for higher levels of traffic using the porte cochere than those based on the above referenced surveys with usage of up to double that surveyed also analysed.

Table 17 – SIDRA Porte Cochere Queue Length Analysis Results

Time Period	Operational Performance			
	Estimated Traffic		Two Times Estimated Traffic	
	Ave. Delay	Queue length	Ave. Delay	Queue length
AM Peak Hour	6.3 secs	0.3 veh	6.4 secs	0.5 veh
Midday Peak Hour	6.2 secs	0.3 veh	6.3 secs	0.6 veh
PM Peak Hour	6.3 secs	0.2 veh	6.4 secs	0.4 veh

The values shown as average delay (Ave. Delay) are seconds per vehicle while the queue length (Q length) is in vehicles and is the 95th percentile back of queue. Of note is that the queue length never exceeds 1 vehicle.

The analysis, even at two times predicted traffic flows, demonstrates that there will only be up to 1 vehicle waiting to cross the footpath to enter the porte cochere at any given time. Thus, the porte cochere will be able to operate with no impact on the operational performance of the intersection of Albert Street and Victoria Street West.

The porte cochere will be the subject of a management plan which formed part of the conditions of consent for the consented development on the site. Elements of the management plan are shown in Attachment 1 and will be in effect for the currently proposed development.

Overall, the traffic effects of the likely levels of traffic using the porte-cochere would be expected to be less than minor.

5.1.3 On-street Traffic Impacts

Overall, given the results of the analysis carried out, the traffic generated by the proposal can be accommodated on the street network in the area without adversely impacting on the overall performance of the network.

5.2 Impacts on Traffic and Pedestrian Safety

Analysis of the crash records does not indicate a traffic safety problem in the general vicinity of the site that would be exacerbated by the proposal. The greatest potential impact on traffic and pedestrian safety associated with the proposal will occur at the vehicle access points to the site on Albert Street when vehicles are entering and exiting the subject site.

In respect of the impact on traffic and pedestrian safety associated with the vehicle access, the following is noted:

- Vehicles exiting the site have good sight distance available which makes it easier to select appropriate gaps in the traffic stream on the lower level and upper level of Albert Street.

- The vehicle access to the site ensures good levels of inter-visibility between vehicles entering and exiting the site and pedestrians using the footpath along the site frontage.

- Separate pedestrian entry is provided into the development which minimises the potential for pedestrian / vehicle conflict to occur.

These aspects combine to ensure that the overall effect of the development on traffic and pedestrian safety in the immediate vicinity of the site will be less than minor.

5.3 Impacts during Construction

Construction of the proposed development will typically occur over a period of approximately 30 months. Given the size of the site, and the nature of the project, it will be necessary for on-street loading facilities given that the site will be excavated and built almost up to the boundary. As is usual with construction activities in the CBD, a construction traffic management plan will need to be prepared for the proposed development.

The previously consented development was the subject of a number of conditions of consent specifically related to construction traffic impacts. These conditions are shown in Attachment 2 and it is anticipated that a similar level of conditioning would be appropriate for the currently proposed development.

There will be approximately 65,000m^3 of material excavated and removed from the site versus the 80,000m^3 of material originally anticipated to be excavated from the site under the previous consent. This will be done over a period of approximately 8 months. The hours of work will be 7:30am to 6:00pm Monday to Friday and 8:00am to 1:00pm on Saturday.

During the excavation works, trucks will enter and exit the site via Elliot Street. A truck wheel wash facility with sedimentation control will need to be provided at the vehicle exit point from the site onto Elliot Street.

All ground retention will be by bored piles to the boundary perimeter on four sides and will be progressively extended from Level 1 down through B1 to B5, with temporary lateral ground restraints in place until the permanent floors and bracing are in place. The use of bored piles will also minimise construction noise for this task.

Basement parking floors will be poured in-situ, and reinforced shear walls within the basement levels will take lateral and seismic loads from the tower, transferring then into foundation and ground retention walls. The Basement will then be completed to Level One, which is level with Elliott Street.

For the construction of the proposed building, a podium will be constructed from the Elliot Street level consisting of three double height levels plus the roof deck over the entire site. The tower will proceed with the construction of the podium and use a "jump form" system for the lift zone to provide an efficient construction system similar to that used on the Sky Tower shaft so that maximum efficiency is achieved to enable column grids and floor systems to proceed in an efficient manner.

Deliveries of materials for the construction will occur between about Month 5 and Month 36 of the construction period. A typical breakdown of the truck deliveries for the site is shown in Table 18.

Table 18 – Staging of Work

Stage	Activity	Hours of Operation	Start Date	Completion Date	Expected # trucks
1	Excavation and basement parking	7.30am to 6pm	Month 1	Month 14	20-35 per day
2	Podium	7.30am to 6pm	Month 14	Month 20	20-35 per day
3	Tower	7.30am to 6pm	Month 14	Month 30	20-35 per day

Trucks are likely to use Elliot Street and the lower level of Albert Street for the unloading of construction materials. It may also be possible for deliveries to be managed from Victoria Street West.

There will also be cars and vans associated with builders and sub-contractors. These will be able to be parked on the site once the basement parking area is completed. The number of vehicles will vary from week to week over the course of the construction. However the traffic movements to and from the site on a daily basis associated with construction will be lower than when the development is completed and also lower than that likely to have occurred with the previously consented development.

On this basis, the impact of construction traffic is expected to be less than minor.

5.4 Positive Traffic and Pedestrian Effects

The project also results in some positive traffic and pedestrian related effects. The first relates to the removal of traffic from Elliot Street associated with the existing public carpark operation. Based on traffic counts carried out of the carpark, the number of traffic movements removed from Elliot Street would be in the order of 800 traffic movements per day and 80 to 100 traffic movements per hour through the course of a normal weekday.

Secondly, the internal pedestrian ramp that runs along the Albert Street frontage of the site provides an alternative route for pedestrians travelling north or south on the eastern side of Albert Street versus the somewhat unfriendly pedestrian environment that currently exists on this part of Albert Street.

6.0 DISTRICT PLAN ASSESSMENT CRITERIA

The District Plan sets out a number of traffic related assessment criteria for resource consent applications. These are:

- *Accessibility of the site.*

  The site is accessed via proposed vehicle crossings on Albert Street. There is good sight distance available for vehicles exiting the site from the vehicle crossing to ensure that the potential for traffic safety problems is minimised.

- *Current traffic problems in the area eg high accident location.*

  Analysis of the crash records kept by the New Zealand Transport Agency does indicate a traffic safety problem on this part of Albert Street and also at the intersection of Victoria Street West and Albert Street associated with pedestrians being hit whilst crossing the road.

  Given the design of the vehicle access provided to the site and the improvements proposed to pedestrian amenity as part of the development it is unlikely that traffic associated with the proposed development will exacerbate the existing situation.

- *Existing and probable future traffic volumes on adjacent roads.*

  Traffic flows on the lower level part of Albert Street are unlikely to increase in the future given its operation as a service lane.

- *The feasibility of improving the roading system to manage increased traffic.*

There is limited scope for improving the existing roading system in the immediate vicinity of the site. The analysis that has been carried out does not indicate that any improvements to the road network are required as a result of the proposed development.

- *Traffic congestion and pedestrian/vehicle conflict likely to be caused by the proposal.*

  With good vehicle access available to and from the site the incidence of traffic congestion as a result of the proposed development will be minimal.

- *Vehicle access to and from the site must:*
  - *ensure adequate sight distances and avoid congestion caused by entrance and exit of vehicles.*
  - *be sufficiently separated from pedestrian access to ensure the safety of pedestrians.*

  The vehicle access points to the site have adequate sight distances available and are sufficiently separated from the pedestrian access.

Overall, the proposed development is considered to be consistent with these assessment criteria.

7.0 CONCLUSIONS

Based on the analyses described in this report, the following conclusions can be made in respect of the proposed Elliot Tower Hotel at 106-108 Albert Street in the central city:

- The traffic generation of the currently proposed development is likely to be in the range of 675 to 1,025 traffic movements per day with peak hour traffic flows of 90 and 165 traffic movements per hour during the AM and PM Peak hours respectively.

- The peak hour traffic generation of the currently proposed development is similar or lower than the traffic generated by the previously consented development and hence can be accommodated with little or no effect.

- The level of traffic using the proposed porte cochere is likely to increase by 250 to 500 traffic movements per day with additional hourly traffic generation of about 40 traffic movements per hour.

- The additional traffic generated by the porte-cochere can be accommodated on the road network with little or no effect and without adversely affecting pedestrian safety.

- There will be 300 parking spaces provided on the site for the completed development which is less than the maximum permitted by the District Plan.

- The vehicle access from Albert Street has been designed to a high standard and to minimise the potential for traffic congestion to occur associated with vehicles entering / exiting the site.

Overall, it is considered that the traffic and parking effects associated with the proposed Elliot Tower Hotel can be provided for in a manner without compromising the function, capacity or safety of the surrounding road network.

Prepared by:

Winston Gee

Bryce Hall

ATTACHMENT 1

Porte Cochere Management Plan

PORTE COCHERE MANAGEMENT PLAN

Essential components of the porte cochere management will include:

- No unattended vehicles,
- CCTV surveillance to the manned concierge at porte cochere level within apartment building,
- A P5 time limit for waiting vehicles.

Specific Provisions

Tour Coaches

- No more than 10 minutes wait time within Porte Cochere area.

Bicycle Couriers

- Bicycle racks provided at porte cochere street level in the vicinity of the pedestrian access to the through site link.

Vehicle Couriers

- For courier items that are not required to be personally delivered to the resident, collected by concierge for later delivery to resident.
- For courier items that are required to be personally delivered to the resident, the courier driver will be directed to the loading dock / service area accessed via the lower Albert Street level.

Taxis

- Able to wait within porte cochere for up to 5 minutes for collection of residents.

Furniture Deliveries

- Not permitted from porte cochere. Will be directed to the loading dock / service area accessed via the lower Albert Street level.

Hot Food Deliveries

- Permitted from porte cochere.

ATTACHMENT 2

2007 Construction Management Conditions of Consent

Construction Traffic, Other Construction and Excavation

25. Prior to any works commencing on site, the consent holder shall submit to the satisfaction of the Council (Manager: Resource Consents ACE, the Council's Transport Operations Manager and the Group Manager Traffic Safety, Assets and Operations), a Construction Traffic Management Plan (CTMP). All work on the site and excavation and construction traffic movements to and from the site shall be carried out in accordance with the approved CTMP required by this condition and also in accordance with the Construction Management Plan drawing Option 4 - No. 04163.52. The CTMP is required to include address all traffic management details listed in appendix 1 to this decision as well as other matters. The CTMP shall include an appropriate means of demonstrating consultation and ongoing liaison with affected adjoining property owners, the Council and the Auckland Regional Transport Authority.
26. The CTMP shall define all road routes of heavy vehicle excavation and construction traffic to and from the site, including those to the motorway system as well as the routes within the vicinity of the site. These routes shall not include the use of Elliott St south of its intersection with Darby St or the use of Darby St unless agreed by the Operations Manager Transport and Group Manager Traffic Safety, Assets and Operations, and;
    - Entry and exit crossing sites to be excavated and relayed as commercial crossings (SED 12908/302/1) are to provide flush footpath transition, rather than overlaid
    - Pram crossings shall be provided in cut back of kerb on the eastern side of Elliott Street
    - Manual pedestrian control is to be provided on the eastern and western approaches to the Elliott and Victoria Streets intersection during truck entry
    - Pedestrian warning signs are to be installed either side of the site exit crossing on Elliott Street. The consent holder is to monitor the effectiveness of these signs. Should this monitoring demonstrate concerns about pedestrian safety, the consent holder will notify the Council (Operations Manager, Transport) *and* manual pedestrian control will be required for this exit to the satisfaction of the Operations Manager, Transport.
27. The consent holder shall appoint a suitably qualified person as a Site Traffic Management Supervisor for the construction period with the responsibility and accountability for controlling traffic matters and also ensuring that the agreed Construction Traffic Management Plan is adhered to at all times.
28. With the exception of a maximum of 5 trucks pre-loaded with excavation material which may have been held on the site overnight, there shall be no movement of heavy vehicles to and from the site during the peak traffic periods of normal working days between the hours of 7.00am to 9.00am, and 4.00pm to 6.00pm unless otherwise approved by the Council (Operations Manager Transport) having regard to any condition in this consent restricting hours of work.
29. The consent holder shall provide an Excavation and Construction Management Plan to the satisfaction of the Council (Manager: Resource Consents Auckland City Environments and the Group Manager Traffic Safety, Assets and Operations) prior to any works commencing. This Plan is to specify:

- name and contact details of the site manager (phone, facsimile, postal address) measures to be adopted to maintain the site in a tidy condition in terms of disposal/storage of rubbish, storage and unloading of building materials and similar construction activities

- procedures for controlling sediment runoff and the removal of soil debris and construction materials from public roads or places
- procedures for controlling and removal of construction materials from public roads or places
- proposed numbers and timing of truck movements throughout the day
- ingress and egress to and from the site for demolition and construction vehicles and wheel washing treatment facilities
- on-site sediment control
- dust control measures
- a tree protection measures (i.e. trees on site as well as street trees)
- parking arrangements for subcontractors and workers vehicles for each stage of the development
- a location of workers' conveniences (e.g. portaloos)
- all pedestrian safety and traffic management measures required for construction activity where a separate CTMP is not required (Refer to Appendix 1).

30. All work on the site and excavation and construction traffic movement to and from the site shall be carried out in accordance with the approved Construction Traffic Management Plan and Excavation and Construction Management Plan required by the above conditions 25 (including Appendix 1) and 29.
31. The consent holder shall provide to the satisfaction of the Council (Team Leader: Compliance Monitoring) a Construction Noise Management Plan (CNMP) prior to any construction commencing on the site. The CNMP shall contain information relating to the demolition and construction methodologies and specify particular machinery to be used, stating clear noise reduction and elimination measures for machinery that has potential to breach the construction noise levels as set out in Rule 7.6.4 of the District Plan. Rock breaking or any other similar percussive techniques shall be specifically mentioned along with the tower crane type and noise specification. Noise monitoring procedures, consultation and notification of affected parties and any possible alternatives to noisy equipment shall be addressed in the CNMP in detail. A detailed programme of works shall be included.
32. All work on the site must be carried out in accordance with the approved Construction Noise Management Plan required by the above condition.
33. All construction works including mechanical digging equipment and/or commercial earth moving equipment and construction activities shall be restricted to the hours between 7.30am to 6.00pm Monday to Friday, and 8.00am to 5.00pm Saturday. No works shall be undertaken on Sundays and public holidays. This is to ensure amenity is maintained for surrounding neighbours. A number of activities (including crane erection and dismantling, concrete curing and finishing) may be undertaken outside of these hours but only with the express prior written approval of the Manager: Central Area Planning. Internal finishing and internal fit outs, complying with Rule 7.6.4 in the Auckland City Operative District Plan Central Area Section 2004, may take place at other times. All worker vehicles during any approved

extended working hours shall be parked off street and no radios, hammering or power tools that are audible off site, shall be permitted during these extended hours.

34. Prior to the commencement of excavation, the consent holder shall erect and maintain in place a screen wall of a minimum height of 1.8m along the boundaries of the site. This wall shall be constructed using either solid materials or heavy gauge wire mesh. It is to remain in place until the cessation of excavation works on the site.
35. The loading and unloading of all vehicles and storage of materials, plant and equipment associated with excavation and the building construction, shall take place within the site boundaries unless otherwise approved by the Council (Manager: Operations Manager Transport and Group Manager Traffic Safety, Assets and Operations) by way of an approved TMP.
36. A wheel wash and stabilised construction entrance shall be installed and used on the site during the full period of excavation and construction to ensure that loose material associated with excavation, removal of soil and debris and delivery of construction materials is not carried by vehicle tyres and deposited on public roads (note shall be taken of Annexure 8 of the City of Auckland Central Area Operative District Plan 2004, and ARC Publication TP90, when designing these). During such times the road carriageway adjacent to the site shall be hosed down at the end of each working day.
37. To prevent contamination of drains with water containing soil sediments there shall be no stock piling of excavated material on the site. Any surplus excavated material (except where this is to be reused on the site and retained to a reasonable standard) shall be removed from the site and deposited in an approved landfill.
38. The consent holder shall implement suitable sediment control measures during all earthworks to ensure that all stormwater runoff from the site is managed and controlled to ensure that no sift, sediment or water containing silt or sediment is discharged into stormwater pipes, channels or soakage systems in accordance with Annexure 8 Earthworks of the District Plan. These measures shall remain in place until the completion of the development. This includes the installation of approved Enviropods in all cesspits downhill, and/or adjacent to, the site.
39. Should any damage occur in the course of development of the site, the consent holder shall bear all costs relating to the reinstatement of the affected footpath, street furniture and trees and/or affected services. All reinstatement work shall be carried out at the direction and to the satisfaction of the Council (Transport Operations Manager and Group Manager Traffic Safety, Assets and Operations).
40. All site works shall be carried out so as not to create a dust nuisance on the site and the surrounding area. In order to prevent the dispersal of dust and other particles from adversely affecting other sites, the consent holder shall dampen the area of earthworks so that the emission of dust and other particles is minimised and implement the use of scrim netting and daily clean-up of work areas on each floor as well as regular wetting of bins positioned under construction debris chutes.
41. All construction activities carried out on the site shall be designed and conducted in a manner such that any noise from the site shall not exceed the noise limits in Rule 7.6.4 of the District Plan.

MT HOBSON GROUP
Town Planning & Resource Consent Solutions

ATTACHMENT FIVE

URBAN DESIGN STATEMENT

Level 1, 24 York Street, Parnell, Auckland 1010
Postal Address: PO Box 37964, Parnell, Auckland. 1151
www.mthobsonproperties.co.nz Email: nick@mhg.co.nz
Ph: 09 950 5108 Fax: 09 9205111 Mob: 027 241 3936

B.1

AUCKLAND *CITY*

SAP Number: 314/296198/01

URBAN DESIGN REPORT

TO: Keith Phyn
KPA Consulting

FROM: Sue Evans
Central Area Planning

DATE: 29 June 2007

ADDRESS OF PROPOSAL: 106-108 Albert Street
Elliot Street Tower
Auckland Central

CONSENT TYPE: Restricted Discretionary

---

1. Introduction

I have assessed the proposed development in terms of accepted urban design principles and the urban design objectives and policies of the Auckland City District Plan (Central Area 2004) and Plan Change No. 2. This report contains an urban design analysis of the proposal, with key issues identified, in Section 2. The comments made by the Urban Design Panel are recorded in Section 3. In Section 4 an urban design assessment draws from the findings in the analysis to consider the proposal at each urban scale to determine the overall impact on the city. Section 5 outlines any conditions or advice notes.

The proposal was reviewed by the Urban Design Panel on 16 February 2006, 30 March 2006, 4 May 2006 and 12 February 2007.

2. Urban Design Analysis: 106-108 Albert Street, Elliot Street Tower, Auckland Central

	Description	Comment
1. Location and site	106-108 Albert Street Elliot Street Tower Auckland Central. The proposed building occupies the entire block bordered by Elliot Street, Victoria Street and Albert Street.	The site is located at the edge of the Queen Street valley and is a short walk from Queen St and High St. It is within walking distance of the University of Auckland, AUT and the Britomart transport exchange.
2. District Plan	SMA 1, Plan Change No. 2 applies In particular **additional assessment criteria 5.6.3.1(d)** apply and where the proposed development departs from these criteria they are outlined in the text below.	
3. Activity	Retail podium with residential tower above.	Sited within a very desirable CBD area of apartments, offices and retail. This building has a key position within the city with excellent outlook and as such is well

		suited to a quality mixed use development.
4. Built form – height, massing	The 66 storey tower sits atop an existing retail podium of three storeys. The tower is presented as a very tall narrow sleek form with its axis orientated in the north south direction. As such it's narrow face presents to the waterfront and allows views towards the Waitemata Harbour past it's bulk. Modulation of the tower is apparent at three different scales. At the macro scale the tower form is broken into three rectangles. These are separated by the 'sky garden' gaps which serve to offer a common exterior space for residents and to perform an air handling function. At the intermediate scale, the modeling of the floor plates and vertical circulation gives a vertical emphasis to the façade. At the more detailed scale the specific glazing system design and negative joint system at floor junctions gives a horizontal striation to the façade.	The massing of the tower has been well considered. Originally the sky gardens were proposed as reasonably light permeable voids. The resource consent scheme shows a large increase in solid sheer walls necessary for structural strength. The sky gardens are a key visual motif separating the three modules and must read as such. The distance between the top of the tree planters and the ceiling is 4.3 metres. Councils landscape architecture consultant has indicated that a larger gap from soil height to ceiling height is advisable for the viability and vigour of the plants. This would give a greater sense of permeability to these voids and consequently a better presentation to the skyline.
5. Architectural design	The design of the building uses an extruded plan to create a contemporary striking building form.	The play between solid forms and the 'gaps' breaks down the massing. The tripartite angled roof form offers a suitable termination of the building against the skyline and is in dialogue with the sky tower 'pod'. In addition various elevation treatments are employed on the façade. These further reduce the bulk and differentiate the components of the building.
6. Building relationship to site	The proposed building occupies the entire site at podium level. The tower occupies the western frontage with a north south orientation.	
7. Street level frontages/ entrances	The retail frontage to both Elliot and Victoria Streets is composed of a series of 'bay' windows that give a rhythm to the street façade and very effectively display retail product. At level two a series of potential balconies give the opportunity for further activation of this street frontage. The Albert Street frontage is dominated by the Lower Albert Street slip lane creating a physical separation and consequent disjunction between Albert Street and the frontage of the building. **Plan Change 2 additional assessment criteria 5.6.3.1(d)** give clear direction on the urban design qualities of the street frontage of buildings sought for the city. In particular: **5.6.3.1(d) 1.(f) Building frontages at street level must contribute to pedestrian vitality, interest and public**	There are no apparent direct openings from the street into the tenancies to Elliot Street. Offering direct entry to ground floor tenancies would be a better urban design solution that would support street activation. (5.6.3.1.(d)1(f)) A very small amount of retail is offered to the street on the Albert Street frontage, this is placed at the southern edge of the plaza space. The remainder of the street frontage is taken up with the apartment lobby and offices. There are two entries to a third floor retail mall, however the diagonal entry from the corner of Victoria and Albert Streets requires pedestrians to mount a flight of stairs, turn a corner and mount another flight of stairs. There exists a natural desire line from the intersection into this space that is undermined by this design. The previous scheme had a

	safety. This includes a variety of architectural detail and maximizing doors, window openings and balconies fronting streets and other public spaces. **5.6.3.1(d) 1.(g) Building entrances should be visible and easily identifiable from the street and directly accessible from street level.** **5.6.3.1(d) 3.(c) Generally, the main building entrance should be located on the corner at street level and designed as an integral part of the corner element.** **5.6.3.1(d) 5.(b) Activities which engage and activate streets, through site links and public open space at ground level are encouraged.** **5.6.3.1(d) 5.(d) Ventilation and fumes from parking structures or other uses should not be exhausted onto the adjacent pedestrian environment.** **5.6.3.1(d) 5.(e) Particular attention should be paid to residential building design near ground level to avoid 'privatising' adjacent streets or public open space** **5.6.3.1(d)7(b) The design of vehicle ingress and egress to sites should be primarily considered from the perspective of pedestrians and cyclists, particularly in terms of visibility and the use of paving materials.** **5.6.3.1(d)7(c) Frontages should be designed as far as possible to avoid multiple service and access interruptions to frontage continuity.** **5.6.3.1(d)7(e) Where alternative vehicle access is available, the creation of new vehicle crossings across frontages within the Pedestrian Orientated Areas is discouraged.**	generous pedestrian plaza at this level with a generous pedestrian connection to a neighbouring plaza and a direct diagonal connection from the Albert/Victoria Street corner. The viability of the proposed design's retail comes into question in light of this somewhat difficult entry configuration. (5.6.3.1.(d)1(g)) The new scheme offers not only less retail but some of it appears unusable. A large carpark exhaust takes up space where retail used to sit, thus reducing activation at this point. This narrows the throat of the pedestrian entry to the plaza and it raises issues of air quality and noise. (5.6.3.1(d) 5.(d)). The landscape strip will be seen as marking the boundary between the public and semi-private domain. This adds up to a significant reduction in the public character of the public podium on level three. (5.6.3.1(d) 5.(e)) Therefore in terms of Plan Change No. 2 (5.6.3.1(d)) it is considered that the porte cochere significantly reduces the urban design qualities of the street environment and this relegates the proposed scheme to unacceptable.
8. Facades	The façade design produces an elegant, expression. A variety of materials and colours are proposed for the façade. This helps to further model the building.	All elevations present visual interest. The tower façade is modulated through the formal interplay of shape and function. The east façade is curved and extended at each end to 'bleed' into the surroundings and the sky. A 67 storey 'fin' wall layers against this curved façade, houses a stair and offers a strong vertical emphasis.
9. Roof profiles	The tripartite roof structure forms a crisp outline on the skyline. The individual elements within this act as solar hot water heaters.	Each of the three panels can be 'read' as a plane therefore the tripartite structure becomes a large formal gesture of appropriate scale. It will be important that the detailed design of the exposed structure is treated in such a way as not to

		undermine the clarity of the three roof forms.
10. Antennae and technical attachments	No antennae or technical instruments are shown on plans.	The provision of any future antennae must compliment the building design and will be subject to further resource consent.
11. Materials	Concrete column and slab construction with glazed curtain wall.	Specific material selection will be reviewed as a condition of Resource Consent.
12. Outlook	Outlook is provided from apartments over Albert Street and Elliot Street.	The outlook amenity to these apartments is of a considerably high standard.
13. Accessibility	The residential tower is accessible from the main entry.	The provision of a through site link with lift access makes this a useful accessible path to the higher level of Albert Street from Elliot Street.
14. Driveways over public footpaths, vehicle access, service, loading bay, cycle parking	There are a total of six vehicle crossings to the proposed development. Four to Albert Street slip lane and two to Albert Street itself. These consist of two carpark entry/ exits, two loading entry/exits and two porte cochere entry/exits. **Plan Change No. 2 additional assessment criteria 5.6.3.1(d)** give clear direction on the urban design qualities sought for the city in relation to the design and provision of vehicle crossings. In particular: **5.6.3.1(d)7(c) Frontages should be designed as far as possible to avoid multiple service and access interruptions to frontage continuity.** **5.6.3.1(d)7(e) Where alternative vehicle access is available, the creation of new vehicle crossings across frontages within the Pedestrian Orientated Areas is discouraged.**	The applicant maintains that the porte cochere is necessary for taxi pick up and drop off for residents. However the urban design effect of the proposed porte cochere is to turn the ground plane from a pedestrian environment to a vehicle focussed private environment. (5.6.3.1(d)7(c)) This, combined with the awkward, confused, and hard to negotiate pedestrian path created by this design and the attendant reduced retail frontage, combine to make the effect on the urban design environment on Albert Street unacceptable. A previous design shown to the Urban Design Panel on 16 February 2006, 30 March 2006 and 4 May 2006 offered no porte cochere and a much better urban design solution to this frontage. As such, in terms of (5.6.3.1(d)7(c) & (e)), the provision of two extra vehicle crossings in the form of the porte cochere is considered to be an unnecessary access interruption and the alternative access provided by the carpark entry is considered to be a much better urban design solution for this residential development.
15. Traffic impacts	Refer traffic report	
16. Signage and advertising	Signage sites are not indicated on the plans.	It is important that signage is well considered and that signage design fits within the architectural design of the building.
17. Safety and security	The development of this vacant site has inherent safety advantages.	The active retail use and residential inhabitation of this lot will enliven this part of the city and make it safer.
18. Demolition	The site is a vacant lot, no demolition is required.	
19. Sustainability	The building contains some useful sustainability features. Thermal mass, rooftop hot water heating, air treatment via sky garden planting, external solar shading and low 'e' glazing.	
20. Compliance	The development has generally fulfilled	The panel generally supported the final

with Urban Design Panel recommendations	Urban Design Panel recommendations.	iteration of the proposal subject to design detail. The panel's support for the porte cochere was caveated by concern regarding traffic impacts. Council traffic studies show that the anticipated traffic congestion created by the porte cochere renders this feature unsupportable.

3. Urban Design Panel Comments: 16 February 2006

The panel thanks the applicant for their clear and well considered presentation on the development for 106-108 Albert Street, Auckland Central. The panel notes that this is a fundamental redesign as recommended at the Urban Design Panel meeting of 7 July 2005 and restated at the meeting of 15 September 2005. The panel considers that the other recommendations at the previous meeting are not automatically applicable to this proposal.

The panel considers that the design approach now adopted offers significant potential for a high quality development of this site.

The panel appreciates the opportunity to view the proposal at an early stage and looks forward to reviewing design development.

A. The panel considers the following to be fundamental in urban design terms:

(i) That further study of the proposal within the macro scale of the CBD and beyond be undertaken, in particular to ensure the fulfilment of Proposed Plan Change: Plan Modification No 2 (5) (A) (8) (1):

"(a) Building design should be of the highest quality, showing creativity, innovation and responsiveness to the local context in a way that contributes to the identity of Auckland at every scale including the appearance of the CBD from outside the Central Area, the CBD skyline, streets, neighbourhoods and Quarters/Precincts."

On the basis of the concept design as presented the panel has concerns about the overall height of the building given its uniform footprint at all residential levels.

(ii) That the design of the façade of the residential tower be developed to achieve excellence in modulation and appearance. The panel considers that the removal of the top sky garden represents a loss to the design.

(iii) That the podium design be developed in order to achieve long term, viable active street edges at all podium levels.

B. The panel considers the following to be significant in urban design terms:

(i) That the design of the capping treatment at roof level be further explored in order to achieve a convincing termination of the residential tower, including its relationship to the SkyTower.

(ii) That the articulation of the podium be further considered in order to achieve an appropriate relationship with the residential tower.

(iii) That the traffic impact of the development is carefully considered especially in relation to the Victoria/Albert Streets corner and pedestrian access.

(iv) That the applicant liaise with Auckland City in respect of streetscape improvements and prepare design proposals for review.

C. The panel makes the following other comments:

(i) The panel supports the idea of a sculptural treatment at the top of the tower and looks forward to further proposals for this.

Urban Design Panel Comments: 30 March 2006

The panel thanks the applicant for their clear and full presentation and considers that at this preliminary design stage the issues raised at the previous panel meeting have been carefully addressed. The panel is encouraged by the direction of design development, and believes that the proposal will make a positive contribution to the city.
The panel makes the following comments to assist with the further development of the proposal.
The panel considers the following to be fundamental in urban design terms:

(i) That the applicant produce several views of the proposed building in relationship to the Sky Tower and the cityscape, including the proposed St James apartment block, in which material, colour, balconies and other façade treatments are accurately rendered. Such drawings will need to be of a larger size than those included in the 30 March presentation.
The panel remains divided in its view on the acceptability of the height of the building and looks forward to the above information to assist in further deliberation of this issue.

(ii) That the façade treatment including materials, details, colour, and the strategy proposed for ventilation and associated plant is more fully developed and described as part of the overall aesthetic of the façades, and to assist the panel in the evaluation of the point above.

The panel considers the following to be significant in urban design terms:

(i) That the applicant confirm traffic management is acceptable at the intersections of Lower Albert Street with Wellesley and Victoria streets.

The panel made the following other comments:

(i) The panel recommends the applicant liaise with Auckland City, with a view of including the proposed development within an accurately calibrated 3 dimensional model of the CBD.

Urban Design Panel Comments: 4 May 2006

The panel thanks the applicant for a comprehensive and highly informative presentation and the excellence of the work done to illustrate the proposal from a variety of viewpoints.
The panel appreciates the level at which it has been able to engage with the applicant in debating the proposal over a number of presentations.
The panel is satisfied that the overall height and design quality of the tower will make a positive contribution to the central area skyline. It is also recognised that the skyline in the central area will change in the future and that this tower is located within a part of the city within which such buildings could be accepted.
The panel considers that the design concept has the potential to achieve an excellent urban design outcome. This will be dependant on the highest level of detailed design and it is imperative that the standard of the design as presented be maintained.
Noting the significance of this proposal, the panel anticipates a design review at resource consent stage and requests the following information be provided:

- Final floor plans at all levels
- Developed design of the tower and podium façades including any ventilation requirements through the façade and other critical details, including confirmation of key façade materials
- Developed design of the tower roof
- Indicative details of the treatment of skygardens and shared facilities on the podium roof
- Outcomes of the wind tunnel tests

- **Confirmation of fire-egress and service engineering requirements.**

Urban Design Panel Comments: 12 February 2007

Note: at this stage the design was modified to include a porte cochere to the Albert Street frontage.

The panel thanks the applicant for their comprehensive and informative presentation and particularly the work done to illustrate the proposals at street level especially the Victoria and Albert Street corner.

Issues
The panel supports the idea of the porte cochere in principle to provide an address and amenity for the building operation. However, the panel is concerned that there is potential conflict between the traffic and pedestrian movements at the complex Victoria and Albert Street corner.

The panel considers that supporting traffic data providing anticipated vehicle movements using the porte cochere is required. This will enable an objective evaluation of possible vehicle queuing at the porte cochere entry adjacent to the Victoria and Albert Street corner and any interference with pedestrian or traffic circulation.

The panel reiterates that the design concept has the potential to achieve an excellent urban design outcome, dependent on the highest level of detailed design and the standard of design being maintained.

- **It is noted that final floor plans at all levels have been submitted.**
- **The design and development of the facades is on-going with final selection of materials to be submitted.**
- **The principles of the developed design of the roof, feature panels incorporating solar heating are proceeding.**
- **Detail wind studies of the sky gardens are to be submitted to allow evaluation of the current conceptual layouts. An overall peer review of the Auckland University wind tunnel testing of the project is being submitted. The panel would like to see further information regarding the sky gardens concept including illustration and evaluation of existing built examples.**
- **An evaluation is required of the pedestrian protection under the main feature canopy at the entry to the retail at the corner of Victoria and Elliott Street.**
- **The panel considers that the outlook provision from the windows in the southern face of the building appears satisfactory, with many of the spaces having outlook in two directions.**

4. Urban Design Assessment

This application has been systematically analysed on various aspects of its architecture, street frontages, circulation and activity. The analysis provides the basis for an overall assessment of the proposal at each level of urban scale - streetscape, neighbourhood and CBD-wide. People will be affected in different ways by the development at each of these urban scales.

Site Context
The site has lain vacant and been used as a parking lot for a number of years. The development of this key central CBD site will be a very positive outcome for the city. The provision of a high quality residential apartment tower and three floors of retail mall at ground level is an excellent use of the site and will add to the vibrancy of this part of the city.

Through Site links
The Elliot Street frontage offers an entry to a link through to Albert Street via lifts and escalators. This link has generous dimensions and is signified by a large glazed canopy element that runs from Elliot Street to Albert Street although has no direct visual connection to Albert Street. This thru link will offer a continuation of Darby Street and be a useful accessible route to the higher level of Albert Street.

Streetscape and Podium

Streetscape is assessed in terms of the quality and safety of the street environment. The building has three street frontages, Elliot Street, Victoria Street and Albert Street. The first responsibility of this building as defined by Plan Change No. 2 is its active interface with the street.

The retail frontage to Elliot is composed of a series of 'bay' windows that give a rhythm to the street façade and display retail product. There are no apparent direct openings from the street into these ground floor tenancies. Offering direct entry to these tenancies would be a better urban design solution that would support street activation. The opportunity for further activation of this street frontage is provided at level two via a series of potential balconies.

The Victoria Street frontage successfully negotiates the steep grade rise and allows for entry at the bottom, mid point and at the top of the street frontage. This is a good solution to the difficult problem of providing active floor plates on a sloping street frontage.

The Albert Street frontage is dominated by the existing Lower Albert Street slip lane creating a physical separation and consequent disjunction between Albert Street and the frontage of the building.

There exists a strong diagonal desire line at the corner of Albert and Victoria Streets. This was recognised in the earlier iteration presented to the panel on the 4th May 2006 with a direct diagonal entry consisting of stairs and a ramp to the level 3 plaza. This configuration had the effect of inviting people in to this space. The design of the street edge to Albert Street was generous, direct and logical in this previous iteration. The proposed iteration includes a pedestrian pavement to this frontage within the site boundary and a Porte Cochere with two vehicle crossings to service the residential lobby. This entry design loses a diagonal focus and becomes awkward, confused, illogical and hard to negotiate for pedestrians as well as no longer accessible for wheeled personal vehicles, wheelchairs and pushchairs. This frontage, although private property, effectively becomes a public footpath and must function as such.

The porte cochere turns the ground plane from a pedestrian environment to a vehicle focussed private environment. The previous iteration had a generous pedestrian plaza at this level with a generous pedestrian connection to a neighbouring plaza. It offered more retail to the street edge and at the plaza level. This was a much better urban design solution offering a high quality active edge and a more public environment. The new scheme offers not only less retail but some of it appear only useable for display space. A large carpark exhaust takes up space where retail used to sit, thus reducing activation at this point. This narrows the throat of the pedestrian entry to the plaza and it raises issues of air quality and noise.

The landscape strip will be seen as marking the boundary between the public and semi-private domain. This adds up to a significant reduction in the public character of the public podium on level three. The erosion of the previous presentation's design qualities at ground level is regrettable. The proposed design to Albert Street does not meet Plan Change No. 2 additional assessment criteria 5.6.3.1(d) and therefore is unacceptable.

The Albert Street slip lane forms a fourth street frontage. It is important that this lane remain a viable pedestrian route to accommodate pedestrian movement. The footpath to the building edge needs to be a minimum width of 1200mm, the vehicle crossings should be designed to be the minimum width necessary. The pavement material should be continuous along the street. Vehicle crossings should not 'dish' or raise the footpath.

Tower

The building offers a singular architectural landmark for this prominent site viewed as it is from a considerable distance. The tower design strategy uses an extruded floor plate that is broken into three masses by two 'sky gardens' in the building façade. The width of the gaps successfully separates the three modules and allows for the building façade to be read as three separate elements. The tower is further refined by the chamfered top to the building created by an array of solar water heaters.

The tower will operate as a striking addition to the city skyline. It is positioned to orientate its axis in the north / south direction. This allows the cross over apartments to have both views and solar access to east and west. Additionally it presents a tall slender frontage to the harbour and allows views past its structure. The modelling of the tower has vertical expression as well as articulating the apartment floors. Various elevational treatments are employed on the façade and these further reduce the bulk and differentiate the components of the building.

I note that its height at sixty seven stories and approximately the same height as the sky tower 'pod' will make the tower visible from many vantage points and will significantly interact with Auckland skyline. I consider that this interaction is generally positive and the tower will appear as an elegant addition to the skyline.

It is recommended that the proposal be given resource consent in terms of the Urban Design Controls subject to the following conditions/advice notes:

5. Suggested Resource Consent Conditions

1. The footpath to the Albert Street slip lane building edge needs to be a minimum width of 1200mm, vehicle crossings should be designed to be the minimum width necessary. The vehicle crossing should comply with the Footpath Crossings Clause 9.7.3.3. this requires a surface level with the footpath on either side of the crossing and a finish in the same materials and patterns as the footpath, all to signal pedestrian priority.
2. The porte cochere should be entirely deleted from the scheme. A revised design for the Albert Street frontage should be presented to the Manager Central Area Planning. This should display the urban design qualities required by Plan Change No. 2 and evoked in part by earlier iterations of this design.
3. Proposed signage to be integrated into the architectural design of the building. Proposed signage sites should be submitted with Resource Consent drawings.
4. Detailed design of the 'sky gardens' should maximise the height available for tree growth and solar access from the top of planter boxes to the underside of the floor plate above and maximise the sense of a 'gap in the façade' from a distance.
5. The applicant should submit samples of materials and colour swatches including glazing for approval by the Manager, Central Area Planning.

Sue Evans
Senior Urban Designer
Central Area Planning