

ATTACHMENT 4 – ASSESSMENT OF ASSESSMENT CRITERIA

Assessment Criteria B – Design and Layout

General

B1 Whether the proposed building design and / or site layout is consistent with the intent of any relevant design guide in Appendix 1 Section 1.4. Note: If an activity is a Restricted Discretionary Activity in relation to Design and Layout matters and there is a relevant design guide, then the activity should seek to address the outcomes sought in the design guide as a priority over relevant criteria in this section.

1. As noted in Sections 8.2 and 22.7 of this report, it is considered the proposal is generally consistent with HCC's Riverside Development Design Guide.

B2. Whether the external appearance, scale and design of buildings and structures:
a. Are consistent with the purpose of the zone, and enhance the character and amenity of the surrounding area, streetscape qualities and adjoining land uses
b. For corner sites, where appropriate, provide active frontages along both elevations
c. Incorporate Crime Prevention Through Environmental Design principles.

B3. The extent to which the proposed design provides or continues to provide for informal surveillance of public spaces within and adjacent to the development by:
a. Locating doors, windows and other openings associated with living and working areas, so that they overlook and interact with public spaces
b. Locating primary entrances to buildings to face the transport corridor frontage, with the main entrance located adjacent to the frontage with the most pedestrian traffic.

2. As noted in Section 8.2 of this report, it is considered the proposal is not only consistent with the purpose of the Central City and Destination Open Space Zones but will enhance the character and amenity of the site and surrounding area.
3. While the proposed works of constructing the support structures for the proposed screen and the associated removal of embankment vegetation are not consistent with the District Plan's purpose for the Natural Open Space Zone, the piled nature of the structure means the amount of vegetation to be removed and overall scale of impact is minimised.
4. As previously outlined within the assessment of objectives and policies, the proposal will also provide active frontages, incorporate CPTED principles and provide entrances and openings onto both public spaces and the transport corridor frontage (Victoria Street).
5. While Sapper Moore-Jones Place, given the proposed location of the vehicle access and loading dock area, will not be a fully active frontage; the recommended conditions of consent will enable a review of the detailed design of the Sapper Moore-Jones Place shared

space, including methods for the delineation of pedestrians and safe access to the proposed riverside promenade.

- B4. *The extent to which building design will add visual interest and vitality to the streetscape and avoids large, featureless facades. For example, through articulation of a façade, attention to fenestration and rooflines, the design of verandas and balconies and the careful choice of materials and colour*
- B5. *The extent to which parking, manoeuvring areas, driveways and outdoor service areas have been design and located:
 - a. To protect amenity values of the streetscape and adjoining sites, including through the use of appropriate screening and landscaping.
 - b. To not be visually dominant.
 - c. To be away from the front of the site and buildings
 - d. To integrate with adjacent activities and development in terms of provision of entrances, publicly accessible spaces, verandas, parking, loading areas, access to public transport and pedestrian linkages*
- B6. *The extent to which the activity, including landscaping, has been designed in a manner that supports and enhances pedestrian and cyclists movements, including access to the transport network and along frontages considered important for shopping or entertainment activities.*

- 6. Subject to the implementation of the recommended built heritage conditions of consent, the proposal will also involve the successful restoration and retention of the façade of the former Hamilton Hotel building.
- 7. This restored heritage building, in combination with the future hotel and commercial/hospitality tenancies at street-level, is expected to result in a visually interesting design that will avoid large, featureless facades and add vitality to the streetscape.
- 8. The proposed parking, manoeuvring and service area will be provided off Sapper Moore-Jones Place; ensuring this will not be visually dominant from the main Victoria Street façade.

Landscaping and Screening

- B7 *The extent to which planting and landscaping is used to:
 - a. Establish and maintain a well vegetated environment that is compatible with the zone and existing character
 - b. Visually reduce the bulk of new development and mitigate adverse visual effects particularly from the front boundary and those parts of the site visible from public spaces
 - c. Create an attractive environment that maintains safety and amenity for pedestrians*

- 9. As previously discussed, the proposal will involve the clearance of vegetation and trees within the subject site and adjoining open spaces zones; including the removal of three significant trees.

10. While the removal of vegetation within the riverside embankment is required, the piled nature of the structure means the amount of vegetation to be removed is minimised and the maintenance of a well vegetated environment is expected.
11. The retention of Norfolk Island 16.1 and Bunya Pine 16.3 will assist in reducing the bulk of the proposed new building.
12. Subject to the implementation of the recommended conditions of consent, which will require details on the proposed landscape design, including the identified areas, species and quantities of planting, it is considered the proposal will contribute to creating an attractive environment.

Waste Management

- B8. The extent to which developments provide for goods handling, storage, waste and recycling areas that are:*
- a. Easily accessible for collection agencies and avoid adverse visual, noise or odour effects.*
 - b. Consistent with the amenity values of the site and avoid causing nuisance for neighbouring residential activities*
 - c. Suitable for the demand expected by the activity.*

13. The proposed service area to be provided off Sapper Moore-Jones Place will include waste and recycling storage. These activities will be located within the basement service area and adverse visual, noise or odour effects are not expected.

Sites Adjoining the Waikato Riverbank

- B16. The extent to which development of a site adjoining the riverbank:*
- a. Provides a scale and design of any building or structure that maintains or enhances street and reserve areas, the character and amenity, and the heritage or open space values of the adjoining riverbank area.*
 - b. Makes provision for building design and configuration, site layout and/or landscaping which enhances the visual and physical relationship with the Waikato River.*
 - c. Mitigates the impact of large developments and vehicular oriented activities on the amenity values of the riverbank environment.*

14. The proposed design will provide enhanced visual and physical connections between the central city and the Waikato River.
15. Whilst the fly tower structure will be 29m in height, the proposed location within the centre of the design will reduce the scale of bulk and dominance at the streetscape.

Assessment Criteria C – Character and Amenity

General

- C1 The extent to which the activity:*

a. Makes adequate provision to protect the visual and acoustic privacy of abutting residential and community uses, including through building and site design and hours of operation.

b. Is compatible with the location in terms of maintaining and enhancing the character and amenity of the surrounding streetscape and urban form.

c. Is able to avoid, remedy or mitigate adverse effects on the existing and foreseeable future amenity of the area, particularly in relation to noise, traffic generation, material deposited on roads, dust, odour and lighting.

C2. *The extent to which the development (including residential development) has been designed and located so that the potential for reverse sensitivity effects (including noise) are avoided, remedied or mitigated.*

16. The Acoustic Report for the proposal confirms that the proposal can comply with the relevant noise standards, with the noise to be generated compatible with the location.

17. Adverse effects on the amenity of the surrounding environment associated with construction of the proposal, such as noise, lighting and traffic movements, will be temporary in nature and can be effectively managed through the provision of certified management plans as required within the recommended conditions of consent.

Assessment Criteria D – Natural Character and Open Space

General

D1 *The extent to which buildings, earthworks, developments and site layout and clustering:*

a) Complements and retains the underlying landform and the legibility of the ridgeline features including views to and from ridgelines, having regard to both immediate and cumulative effects.

b) Provides a sufficient area of open space to enable a sense of the underlying landform to be retained.

c) Retains and incorporates natural features and established mature and indigenous vegetation into the design.

D2 *The extent to which the site for a proposed building or structure integrates with the site features of the open space.*

18. The proposal involves significant earthworks, with the proposed building to cover the majority of the subject site. Whilst there will be limited open space within the subject site, the proposal is expected to improve the legibility of Embassy Park and will provide for enhanced visual and physical connections between the Victoria Street ridgeline and the Waikato River.

19. The proposal has also been designed to integrate with the adjoining open space area by providing a section of riverside promenade.

20. The proposal will involve the removal of three significant trees from the subject site, with Norfolk Island 16.1 and Bunya Pine 16.3 proposed to be retained.

Activities Affecting Scheduled Trees or a Significant Natural Area

- D3 The extent to which activities associated with the proposal will:*
- a) Adversely affect any identified value of the tree.*
 - b) Adversely affect the health of the tree.*
 - c) Adversely affect any identified value of the Significant Natural Area.*
 - d) Adversely affect the health of the Significant Natural Area.*
 - e) Cause the loss of habitat that provides a key life-cycle function or the physical disturbance of indigenous species listed as 'threatened' or 'at risk' in the New Zealand Threat Classification Systems Lists.*

Non-emergency Works to, Removal or Transplanting of, a Scheduled Tree

- D11 The extent to which the tree is causing serious damage to structures or the tree constitutes a hazard to human health, property and infrastructure.*
- D12 Whether the tree's chance of survival, in the case of transplanting, is better than in its existing location.*
- D13 Whether alternative developments avoiding the need to remove the tree(s) have been adequately considered.*

21. As outlined in Section 11.5 of this report, the proposal will involve the removal of three significant trees from the subject site.
22. Whist Norfolk Island 16.1 and Bunya Pine 16.3 are proposed to be retained, the proposal is expected to result in physical changes to these trees that will affect their current form and long-term health and vitality.
23. The proposal is considered to result in adverse effects on arboricultural values that may not be able to be effectively remedied or mitigated. The recommended conditions of consent have sought to manage the effects as far as practicable to ensure the long term survival of the retained scheduled significant trees.

Assessment Criteria E – Heritage Values and Special Character

General

- E1 The extent to which the proposal, development, excavation or subdivision of a historic heritage site or place:*
- a) Is consistent with the identified heritage values, including scale, design, form, style, bulk, height, materials and colour and retains, protects or enhances the historic context.*

24. Subject to the implementation of the recommended built heritage conditions of consent, the proposal will involve the restoration and retention of the façade of the former Hamilton Hotel building.
25. While the proposal involves the removal of a large part of the hotel, including the historic context, being the garden and other buildings on the site, the restoration can ensure that the remaining section of the hotel will retain its identified values, style and materials.

b) Provides for design, layout or location of the activity including associated building platforms, vehicle access and services on site in a manner that will minimise the disturbance of the site.

26. The proposal will involve significant disturbances to the site.

c) Provides for the on-going maintenance of the site to ensure that the site is preserved and that damage does not occur.

27. The proposal will enable the former Hamilton Hotel building to have a viable ongoing future, with the implementation of the recommended built heritage conditions of consent ensuring the preservation of site.

d) In Schedule 8A of Appendix 8 maintains the visual linkages between the building or structure and the street.

28. The restoration and retention of the façade of the former Hamilton Hotel building will provide for visual linkages between the building and the street frontages.

e) Is compatible with the reasons for inclusion of the building, structure or site and its significance in Schedules 8A or 8B, of Appendix 8.

29. As noted in his assessment, Mr Pearson considers the proposed hotel and commercial/retail and hospitality uses are appropriate for the former Hamilton Hotel building. Subject to the implementation of the recommended built heritage conditions of consent, the proposal is considered to be compatible.

f) Addresses cumulative effects on heritage values.

g) Considers the irreversibility of an effect (eg the loss of unique features).

h) Considers the opportunities for remediation and the costs and technical feasibility of remediation.

30. Whilst the implementation of the recommended built heritage conditions of consent, which will require amongst other matters the remedial use of the site's unique internal features, can mitigate the adverse effects of the proposal; the removal of a large part of the hotel, including the historic context, will be an irreversible and adverse cumulative effect on heritage values.

i) Considers the resilience of the heritage feature to change (eg, the ability of the feature to assimilate change, or the vulnerability of the feature to change).

31. Mr Pearson considers the proposal will result in the greatest change to the place since the hotel was constructed.

j) Adheres to the conservation principles of the International Council on Monuments and Sites (ICOMOS) New Zealand Charter (2010) for the conservation of places of Cultural Heritage Value, where applicable.

32. Provided the conditions recommended by Mr Pearson are imposed, the Conservation Plan for the proposal will be required to demonstrate how the works on the remaining section of the building are guided by the ICOMOS New Zealand Charter.

k) Includes consultation with Heritage New Zealand Pouhere Taonga.

33. It is understood that Heritage New Zealand Pouhere Taonga has been consulted as the proposal has been developed.

m) Incorporates proposed planting, fencing and identification (eg signage) sufficient to ensure site recognition.

34. To ensure site recognition, the proposal includes a programme of interpretation to be displayed in the new theatre, art gallery and hotel complex as a visual and written record of the place over time.

E2 The extent to which the heritage values of any buildings or places identified in Schedules 8A or 8B of Appendix 8 would be adversely affected by the proposal.

35. As noted above, the removal of a large part of the hotel (included in Schedule 8 of the District Plan), including the historic context, will be an irreversible and adverse cumulative effect on heritage values.

E3 The extent to which the proposal including modification, reuse, renovation or restoration to the building or structure:
a) Contributes positively to the character of the surrounding area and maintains the relationship of the building or structure with its setting.
b) Will maintain and enhance environmental, social, or cultural effects for the wider community.
c) Considers the extent to which the primary façade of a scheduled building is proposed to be altered, and whether the main determinants of style and character, and the heritage significance of the building are maintained or restored.
d) Ensures new buildings respect the design, scale and materials of any original façade.

36. Provided the conditions recommended by Mr Pearson are imposed, the restoration of the former Hamilton Hotel building as part of the proposal is expected to contribute positively to the character of the area by ensuring the design respects character, scale and materials of the original façade.

37. Whilst the removal of a large part of the hotel, including the historic context, will be an irreversible and adverse cumulative effect on heritage values, the restoration of the façade in particular – which is currently in poor condition – will help restore the relationship between the structure and the streetscape.

E4 The extent to which it is practical to provide noise insulation to the required standard without compromising the heritage significance and fabric of the building.

38. The HIA states that compliant noise insulation will be installed as part of the fit out works and that the insulation will have no impact on the heritage values of the existing building. No details have been provided at this stage, and as such it is recommended this is addressed as part of the Conservation Plan for the proposal.

E5 The extent to which the addition of an awning would likely detract from the original character of an identified building in Schedule 8a and 8B of Appendix B.

39. No new verandas are proposed along Victoria Street.

Assessment Criteria F – Hazards and Safety

General

F1 The extent to which the size, location and design of the proposed building, infrastructure, structures, stored goods and materials, fences or walls:
a) Affects the scale, location and orientation of any overland flow path.
b) Provides for sufficient permeability:
i. So as not to obstruct any overland flow, and
ii. To mitigate the likelihood of debris becoming trapped.
c) Has sufficient height clearance to mitigate the risk of being affected by inundation.
d) Has the structural integrity to withstand inundation.

40. No flood hazard or significant overland flow paths are identified within the subject site within the District Plan.

F2 The extent to which an appropriate building platform can be provided free from any identified hazard area.

41. Given the riverside location and topography of the subject site, the proposal (as currently designed) has been unable to avoid the Waikato Riverbank and Gully Hazard Area.

F3 The extent to which the applicant has demonstrated, through the use of an engineering design report:
a) That the risk of ground failure can be reduced to avoid the effects on the safety of occupiers and neighbours.
b) That any structure will perform safely under hazard conditions for the life of the structure.
c) That any work to be carried out maintains the stability of the river bank or gully and does not increase the risk of ground instability on the subject site or adjacent sites.

42. As noted in his assessment, Mr Brzeski considers that the geotechnical assessments undertaken for the proposal are sufficient for the purposes of resource consent, with sufficient slope stability assessments to demonstrate that the theatre development will not unduly be affected by or exacerbate the slope stability hazard that is present on the eastern boundary.

Earthworks

F5

The extent to which the earthworks:

- a) Will obstruct or provide overland flow paths or natural surface ponding areas.*
- b) Are managed, designed and constructed to:
 - i. Provide any sediment control measures necessary to control the discharge of sediments.*
 - ii. Remain safe and stable for the duration of the intended land use.*
 - iii. Provide safe and accessible building sites and infrastructure.*
 - iv. Provide for the adequate control of stormwater, cater for natural groundwater flows, and avoid adverse effects from changes to natural water flows and established drainage paths.*
 - v. Avoid exacerbating the effects of natural hazards and ecological effects arising from additional sediment release.**

43. No overland flow paths are expected to be obstructed by earthworks. The majority of earthworks required for the proposal will occur within the site itself to create the required building platform; thereby minimising adverse effects on existing landforms and natural features.
44. Based on the methodology information provided by the applicant and the conditions of consent proposed, it considered the proposed earthworks activities can be managed to control the discharge of sediments and avoid adverse effects.

Assessment Criteria G – Transportation

General

G1

The extent to which the proposal:

- a) Integrates with, and minimises adverse effects on the safe and efficient functioning of the transport network and infrastructure.*
- b) Minimises conflicts between users both within the site and any adjoining transport corridor.*
- c) Encourages easy and safe access and circulation for those not arriving by vehicle.*
- d) Provides for the accessibility needs of all users of the site.*
- e) Provides convenient and safe circulation for connections and/or the provision of facilities for passenger transport modes of travel relative to the scale of the proposal.*
- f) Provides for integration with neighbouring activities to reduce the need for separate traffic movements on the transport network.*

45. As noted by Mr Black, the subject site is well connected to existing cycle, pedestrian and passenger transport networks. A condition of consent requiring a Travel Demand Management Plan to be made available to patrons and staff is considered to assist in promoting the usage of active modes of transport.
46. Given the potential for adverse effects on the safe and efficient functioning of the adjoining transport networks and conflicts with users of the transport corridor, both during construction and once operational, a suite of conditions has been proposed by the applicant to manage the proposal.

47. Mr Black has identified some areas of concern around the proposed design and how management of the proposal will be undertaken. However, subject to the imposition of the recommended conditions of consent it is expected that the transportation effects of the proposal can be managed to an acceptable level.

G2 The extent to which the proposal and the traffic (including nature and type of the traffic, volume and peak flows, travel routes) generated by the proposal:

- a) Requires improvements, modifications or alterations to the transport network and infrastructure to mitigate its effects.*
- b) Achieves efficient connectivity and accessibility of transport corridors, pedestrian accessways, cycleways, public reserves and green corridors.*
- c) Adversely affects the streetscape amenity, particularly in relation to sensitive land use environments (e.g. residential land use environments identified within Table 15-4a of Appendix 15).*

48. As noted by Mr Black, the capacity of the surrounding road network is expected to be sufficient to accommodate the additional vehicular trips generated by the proposal given that they are unlikely to coincide with transport network peak periods.

49. Notwithstanding this, modifications to the transport network are required in the form of permanent and temporary loss of/changes to parking along Victoria Street and Sapper Moore-Jones Place.

G9 In assessing a lesser number of parking spaces and the adequacy of end-of-journey facilities, regard may be had for the following:

- a) The anticipated parking demand generated by the proposal including typical operating and peak conditions. Where it can be demonstrated that this is less than the number of spaces required by the standard a lesser number of parking spaces may be accepted.*
- b) The hours of operation relative to other activities on the site or on adjoining sites and opportunities for sharing parking spaces.*
- c) The ability and appropriateness of adjacent transport corridors being used to accommodate on-road parking, particularly in regard to the safe and efficient operation of the transport network and the protection of local character.*
- d) The availability of appropriate off-road public parking in the locality.*
- e) Options for providing additional parking if required in the future.*
- f) . The extent to which the provision of end-of-journey facilities, such as bicycle parking, showers, changing rooms and lockers are provided.*
- g) The extent to which provision for active modes of transport or travel planning has been made.*
- h) The availability of passenger transport services in the locality, the proximity of the proposed activity to passenger transport stops and the extent to which those passenger transport services are suited to providing for the transport needs of the proposed activity.*

50. It is noted that the District Plan does not require any car parking to be provided for developments within the city centre.

51. Mr Black notes people are less likely to walk and cycle late at night when the majority of patrons will be using the facility. As such, he considers that the proposed level of cycle parking to be provided is appropriate.

G10 In assessing whether the parking demand for a particular proposal may be provided on other sites, regard shall be given to the following:

- a) Whether off site parking is in close proximity with clear, safe and convenient access*
- b) Whether shared parking provision is acceptable particularly where hours of operation are different*
- c) The desirability of avoiding vehicular access to the site because of the effects on traffic safety or pedestrian amenity.*
- d) The convenience and safety of those using the parking spaces especially the general public.*
- e) Any arrangement for alternative parking provision is adequately secured by a legally binding mechanism.*
- f) The extent to which the safe and efficient functioning of the transport corridor is affected.*

52. Mr Black generally agrees with the applicant's assessment that, even accounting for leased parking spaces that may not be available to the public, the parking available in the city centre area is likely to accommodate demand from the proposal; noting that peak demand will occur outside of main commuter peak periods.

Assessment Criteria L – Central City – Design and Layout

L1 The extent to which the streetscape appearance, scale and design of the building (including material and colour):

- a) Will add visual interest and vitality to the streetscape and avoids large, featureless façades. For example, through articulation of a façade, attention to fenestration and rooflines, the design of verandas and balconies and the careful choice of materials and colour.*
- b) Will, where practicable, enable informal surveillance of public spaces including streets, parks, plazas and through-site links.*
- c) Are compatible with heritage or open space values of the Riverfront Overlay area and adjoining riverbank area, where sites are within those areas.*
- d) Activates the site frontage on sites adjoining a defined Primary or Secondary Active Frontage (Volume 2, Appendix 5, Figure 5-7).*
- e) Enhances the experience of the Waikato riverside and Garden Place, where sites are adjacent.*
- f) Enhance those parts of a site adjoining a defined view and vista on Figure 5-6 (Volume 2, Appendix 5).*
- g) Enhance the visual amenity of sites identified as Key Development Sites on Figure 5-7, or Pedestrian Connections and Gateway locations identified on Figure 5-4 (Volume 2, Appendix 5).*
- h) Will, where practicable, provide for public entrances to be on frontages with the highest pedestrian traffic.*

53. The restored façade of the former Hamilton Hotel building, in combination with the future hotel and commercial/hospitality tenancies at street-level, is expected to result in a visually interesting design that will avoid large, featureless facades.

54. As previously outlined within the assessment of objectives and policies, the proposal will provide active frontages, incorporate CPTED principles and provide entrances and openings onto both public spaces and the transport corridor frontage (Victoria Street).

55. As noted in Section 8.2 of this report, it is considered the proposal is not only consistent with the purpose of the Central City and Destination Open Space Zones but will enhance visual and physical connections to the Waikato River.

L2. *The extent to which any proposed building setback will adversely affect the definition, use or safety of public spaces, or the continuity of defined primary or secondary active frontages (Volume 2, Appendix 5, Figure 5-7)*

56. While the proposal's buildings are not set back 5m from adjoining the Riverfront Overlay or 6m from the Waikato Riverbank and Gully Hazard Area, these infringements are not expected to adversely affect the definition, use or safety of public spaces, or the continuity of defined primary or secondary active frontages.

L3. *The extent to which the addition of an awning would detract from the original character of an identified heritage building in Schedule 8A and 8B of Appendix 8.*

57. No new verandas are proposed along Victoria Street.

L4. *The extent to which the proposed building design and/or site layout is consistent with the intent of any relevant design guide in Appendix 1, Section 1.4.*

58. As noted in Sections 8.2 and 22.7 of this report, it is considered the proposal is generally consistent with HCC's Riverside Development Design Guide.

L5. *The extent to which the external appearance, scale and design of buildings and structures:*
a. Enhance the character and amenity of the surrounding area and streetscape qualities.
b. Incorporate Crime Prevention Through Environmental Design principles.

59. As previously outlined within the assessment of objectives and policies, overall it is considered the proposal will incorporate CPTED principles and enhance the character and amenity of the surrounding area and streetscape.

L6. *The extent to which parking, manoeuvring areas, driveways and outdoor service areas have been designed and located:*
a. To protect amenity values of the streetscape and adjoining sites, including through the use of appropriate screening and landscaping.
b. To not be visually dominant.
c. Where appropriate, to integrate with adjacent activities and development in terms of the provision of entrances, publicly accessible spaces, verandas, parking, loading areas, access to public transport and pedestrian linkages.

60. The proposed parking, manoeuvring and service area will be provided off Sapper Moore-Jones Place; ensuring this will not be visually dominant from the main Victoria Street façade.

L7. Where opportunity is available, and it is practicable, the extent to which any proposal provides or enhances pedestrian and cycle connectivity between streets and other public areas.

61. As noted in Section 8.2 of this report, it is considered the proposal will enhance pedestrian connections.

L8. Where required, the extent to which planting and landscaping is used to:
a. Visually reduce the bulk of new development and mitigate adverse visual effects particularly from the front boundary and those parts of the site visible from public spaces.
b. Create an attractive environment that maintains safety and amenity for pedestrians.

62. As previously discussed, the proposal will involve the clearance of vegetation and trees within the subject site and adjoining open spaces zones; including the removal of three significant trees.

63. While the removal of vegetation within the riverside embankment is required, the piled nature of the structure means the amount of vegetation to be removed is minimised and the maintenance of a well vegetated environment is expected.

64. The retention of Norfolk Island 16.1 and Bunya Pine 16.3 will assist in reducing the bulk of the proposed new building.

L9. The extent to which developments provide for goods handling, storage, waste and recycling areas that are located and design to minimise adverse effects.

65. The proposed service area to be provided off Sapper Moore-Jones Place will include waste and recycling storage. These activities will be located within the basement service area and adverse visual, noise or odour effects are not expected.

L10. The extent to which development encourages pedestrian access to, and facilitates public use and enjoyment of, the promenade and environs of the Waikato River.

66. The improved visual and physical connections between the central city and the river to be provided by the proposal will help facilitate public use and enjoyment of, the promenade and environs of the Waikato River.

L11. On those identified streets (Volume 2, Appendix 5, Figure 5-3) the extent to which a proposed street wall or alternative design elements of any proposed building frontage will:
a. Provide consistency in built form and scale with adjoining built form.
b. Maintain a human scale when perceived from the street level.
c. Maintain sunlight penetration at street level, particularly footpaths.

- L12. *In relation to the setbacks from internal boundaries at upper levels (i.e. fourth level and above), the extent to which the proposal minimises shadowing and loss of natural light on existing adjacent residential buildings.*
- L13. *The extent to which development of a site adjoining the riverbank:*
a. Provides a scale and design of any building or structure that maintains or enhances street and reserve areas, the character and amenity, and the heritage or open space values of the adjoining riverbank area.
b. Makes provision for building design and configuration, site layout and/or landscaping which enhances the visual and physical relationship with the Waikato River.
c. Mitigates the impact of large developments and vehicular oriented activities on the amenity values of the riverbank environment.

67. Locating the tallest element of the theatre towards the centre of the site and providing consistency of scale at the street frontages will maintain a human scale and ensure any shadowing to adjacent properties is minimised.

68. The proposal will enhance visual and physical connection with the Waikato River.