# Notification Report
# Landuse Consent
**Sections 95 to 95G of the**
**Resource Management Act 1991**

| | | | |
|---|---|---|---|
| **Date:** | 18 September 2026 | **App Number:** | LU/0148/25 |
| **Reporting Planner:** | Hayley Thomas | **Site Visit on:** | 1 August 2025 & 22 July 2026 |

| | |
|---|---|
| **Applicant:** | Grovic Property Ltd |
| **Agent:** | Gareth Moran – Nicklin CE |
| **Property Address:** | 32-42 Victoria Street, Cambridge |
| **Legal Description:** | Lot 1 and Lot 4 DPS 13401 (SA19D/1133), Lot 1 DPS 77837 (SA61D/622), Lot 5-7 DPS 13401 (SA19D/1135), Lot 9 DP 4011 (SA15D/159), Lot 8 DP 4011 and Lot 3 DP 364495 (262012), Lot 2 DP 364495 (262011), Lot 7 DP 4011 (SA62B/985), Lot 3 DPS 13401 (SA19D/1136) |
| **Site Area:** | 1,969m$^2$ |
| **Activity Status:** | Non-Complying |
| **Zoning:** | Commercial, Victoria Street – Strategic Road |
| **Policy Area(s):** | Commercial Zone Height Overlay, Pedestrian Frontage, Character Precinct Cambridge A |
| **Designation(s):** | Nil |
| **Proposal:** | Construction of a new four-storey mixed-use development comprising ground-floor retail, first-floor offices, residential apartments across the upper levels, and a basement car park under the Waipa District Plan; and<br>Disturbing Soils on an identified HAIL site as a Discretionary Activity under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health |

## 1 INTRODUCTION

Nicklin CE has applied for resource consent, on behalf of their client Grovic Property Ltd, for the redevelopment of six properties within the Cambridge Central Business District fronting Victoria Street. The proposal involves the demolition of existing buildings and the construction of a new four-storey mixed-use development comprising six ground-floor retail tenancies, two first-floor office tenancies, 11 residential apartments across the upper levels, and a basement car park.

The application requires resource consent under both the District Plan and the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.

## 1.1 Description of the Site

The subject site is located within the centre of the Cambridge township, on the northern side of Victoria Street. The northern boundary of the subject site is bounded by an unnamed service lane, and the southern boundary abuts an adjacent commercial building. Surrounding the site is a wide variety of commercial activities including cafes and restaurants, fruit and vegetable stores, beauticians, clothing outlets, health care facilities (i.e. dentists, optometrists, medical centre), and offices. Some of these buildings also contain residential activities on the first floor.

The property located at 32-42 Victoria Street is spread across eight titles and a total area of 1,969m$^2$. The site contains a variety of existing buildings along the Victoria Street frontage, some of which extend to the service lane. Part of the rear of the site, adjoining the service lane, is used for parking.

The property is sited within the Commercial Zone and within the Character Precinct Cambridge A, Pedestrian Frontage and Commercial Zone Height Policy Overlay Areas of the Waipā District Plan ('District Plan').

Council's Special Features Maps identify the northern and southern portions of the site being subject to a HAIL notation.

Refer to Figures 1 to 12.




**Figure 1:** Aerial photograph of site (site shown in red)




**Figure 2:** District Plan Zone Map (Site highlighted in red, orange showing Commercial Zone)

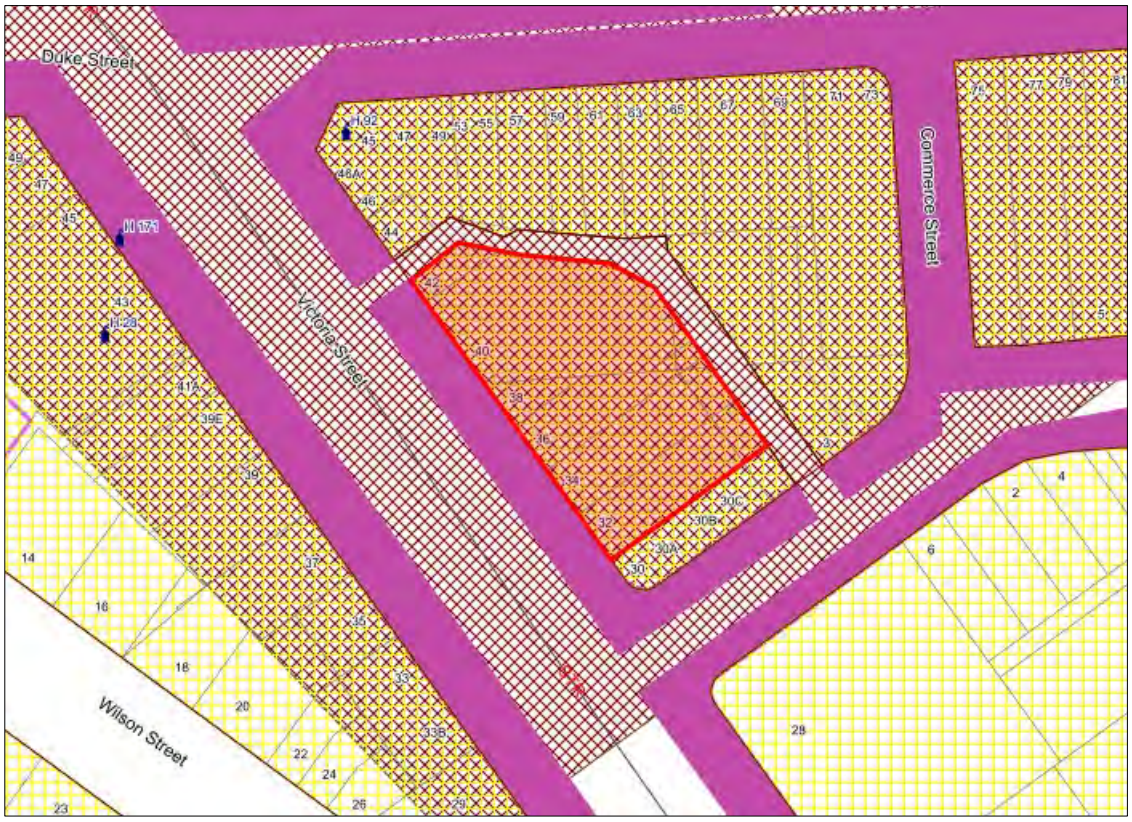



**Figure 3:** District Plan Policy Overlays (Site highlighted in red, solid purple showing pedestrian frontage area, yellow showing Height Overlay, Brown mesh showing Character A overlay)




**Figure 4:** Council's Special Features Map (Site highlighted in red, HAIL areas shown in brown)




**Figure 5:** Site visit photo looking across Victoria Street at existing buildings




**Figure 6:** Site visit photo looking across Victoria Street at existing buildings




**Figure 7:** Site visit photo looking across Victoria Street from intersection with Commerce Street




**Figure 8:** Google Streetview photo looking across Victoria Street from intersection with Service Lane



**Figure 9:** Site visit photo of Service Lane taken from entrance with Victoria Street



**Figure 10:** Site visit photo of Service Lane



**Figure 11:** Site visit photo looking south along Service Lane to Commerce Street



**Figure 12:** Site visit photo of entrance to Service Lane from Commerce Street

## 1.2 Legal interests in the property

Table 1 below summarises the relevant interests on the existing titles.

| Title Reference | Legal Description | Size | Date Issued | Relevant Interests |
|---|---|---|---|---|
| SA62B/985 | Lot 7 DP 4011 | 304m$^2$ | 02 September 1997 | ▪ Nil |
| 262011 | Lot 2 DP 364495 | 54m$^2$ | 28 March 2006 | ▪ 6804559.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 28.3.2006 at 9:00 am<br>▪ Subject to a right to drain sewage over part marked B on DP 364495 in favour of Waipa District Council created by Easement Instrument 6804559.5 - 28.3.2006 at 9:00 am<br>▪ The easements created by Easement Instrument 6804559.5 are subject to Section 243 (a) Resource Management Act 1991 |
| 262012 | Lot 8 DP 4011 and Lot 3 DP 364495 | 354m$^2$ | 28 March 2006 | ▪ Subject to Section 241(2) Resource Management Act 1991 (affects DP 364495)<br>▪ Subject to a right (in gross) to drain sewage over part marked A on DP 364495 in favour of Waipa District Council created by |

| Title Reference | Legal Description | Size | Date Issued | Relevant Interests |
|---|---|---|---|---|
| | | | | Easement Instrument 6804559.5 - 28.3.2006 at 9:00 am<br>▪ The easements created by Easement Instrument 6804559.5 are subject to Section 243 (a) Resource Management Act 1991 |
| SA15D/159 | Lot 9 DP 4011 | 232m$^2$ | 19 June 1973 | ▪ Nil |
| SA19D/1135 | Lot 5-7 DPS 13401 | 25m$^2$ | 16 February 1976 | ▪ Appurtenant hereto are party wall rights created by Transfer 218425<br>▪ Appurtenant hereto are party wall rights created by Transfer S11932<br>▪ Appurtenant hereto are party wall rights created by Transfer S109915 |
| SA61D/622 | Lot 1 DPS 77837 | 81m$^2$ | 02 September 1997 | ▪ Nil |
| SA19D/1133 | Lot 1 and Lot 4 DPS 13401 | 844m$^2$ | 16 February 1976 | ▪ Appurtenant hereto are party wall rights created by Transfer 218425<br>▪ Appurtenant hereto are party wall rights created by Transfer S11932<br>▪ Appurtenant hereto are party wall rights created by Transfer S109915 |
| SA19D/1134 | Lot 2 DPS 13401 | 75m$^2$ | 16 February 1976 | ▪ Appurtenant hereto are party wall rights created by Transfer 218425<br>▪ Appurtenant hereto are party wall rights created by Transfer S11932<br>▪ Appurtenant hereto are party wall rights created by Transfer S109915 |

**Table 1:** Existing titles and interests

The above listed interests do not restrict the proposal from proceeding.

## 1.3 History

The property has been subject to various resource consents as listed in Table 2 below.

| Site | Consent No. | Description | Date Approved | Key Details |
|---|---|---|---|---|
| 40 & 42 Victoria Street | LU/0152/09 | Building extension in Cambridge Character Precinct Area | 12 August 2009 | ▪ To enclose a previously covered storage area and rebrand the exterior of the building |

| Site | Consent No. | Description | Date Approved | Key Details |
|---|---|---|---|---|
| 38 Victoria Street | LU/0065/24 | Illuminated signs and repainting of an existing building within the Cambridge Character Precinct Area | 10 May 2024 | ▪ For Barber Activity, new signage at the front façade and illuminated hanging signage under canopy, and repainting of building |
| | SP/2738 | Boundary relocation | 27 June 1997 | ▪ To hold Lot 1 DPS 155 & Lot 10 DPS 4011 in the same title |
| 36 Victoria Street | RC/3885 | To alter shop front in Central Cambridge Character Area | 25 March 2003 | ▪ To add a veranda to the shop frontage on Victoria Street<br>▪ Conditions included requirement to have colours in accordance with Cambridge Heritage Colours. |

**Table 2:** Existing resource consents

## 1.4 Proposal

Pursuant to Section 88 of the Resource Management Act 1991 ('the Act'), Grovic Property Ltd have applied for a landuse consent for the construction of a new four-storey mixed-use development comprising ground-floor retail, first-floor offices, residential apartments across the upper levels, and a basement car park.

I note the application outlines the consent is also for demolition of the existing buildings however this is a permitted activity and does not require landuse consent. No corresponding subdivision application is being sought at this stage.

The site plan and artist impressions for the new building are shown in Figures 13 to 19, and the following paragraphs provide further detail of each floor of the building.




**Figure 13:** Proposed Site Plan

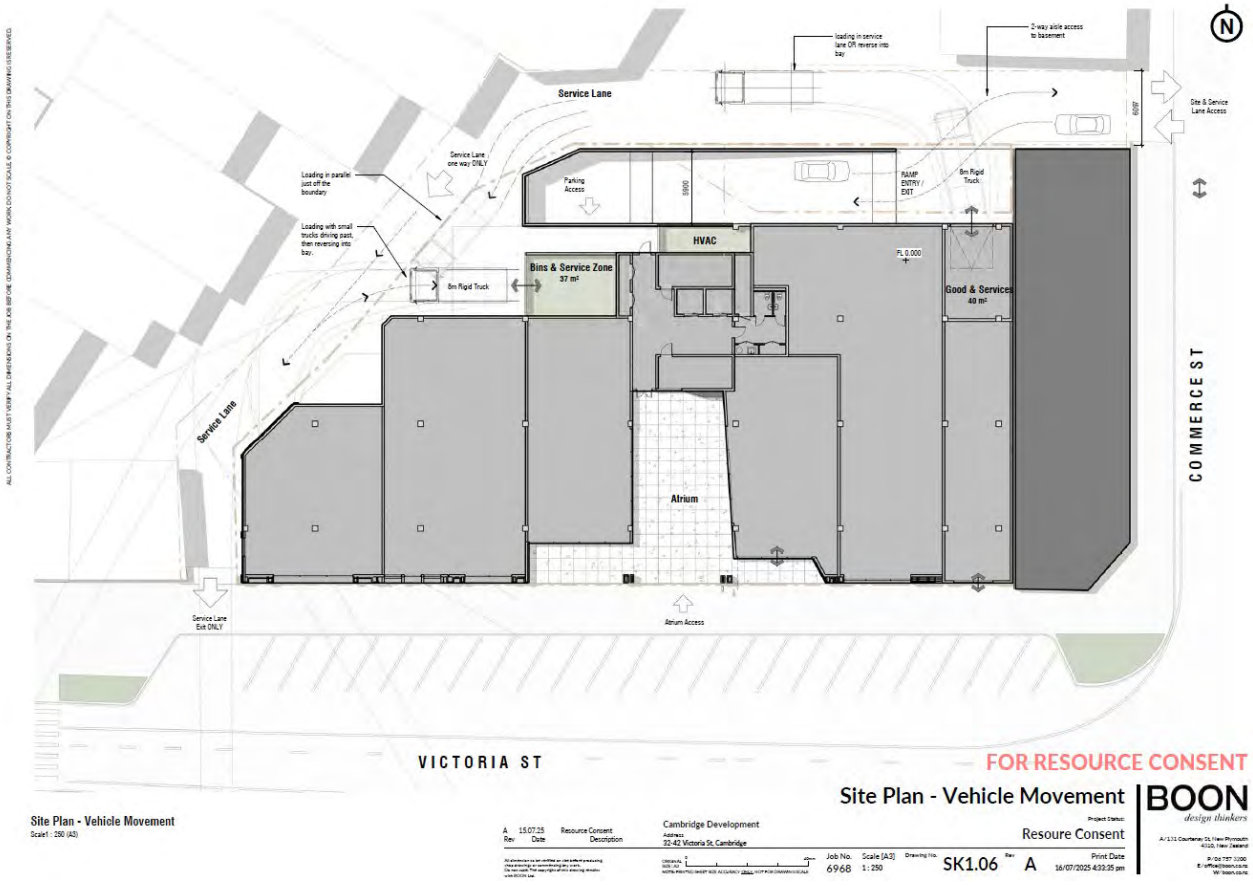



**Figure 14:** Proposed Site Plan – Vehicle Movement




**Figure 15:** Proposed 3D View




**Figure 16:** Proposed 3D View




**Figure 17:** Proposed 3D View




**Figure 18:** Proposed 3D View




**Figure 19:** Proposed 3D View

### 1.4.1 Basement

The proposed building is to have a basement carpark which will be accessed via the service lane. There will be 12 car parks in the southern area exclusively available for the residential apartments. These parks are separated from the main parking area by a gate and provide a separate access to the upper floors for residents.

This basement will also include a residential storage area, three bike parking areas for up to 14 bikes, 25 ‘other’ parks include two accessible parking spaces and one shown as ‘motorbike park’, a plant room, a water storage and pump room, a storage room, a central plant room, lobby area (staircase and lifts, bin chute area). Refer Figure 20.

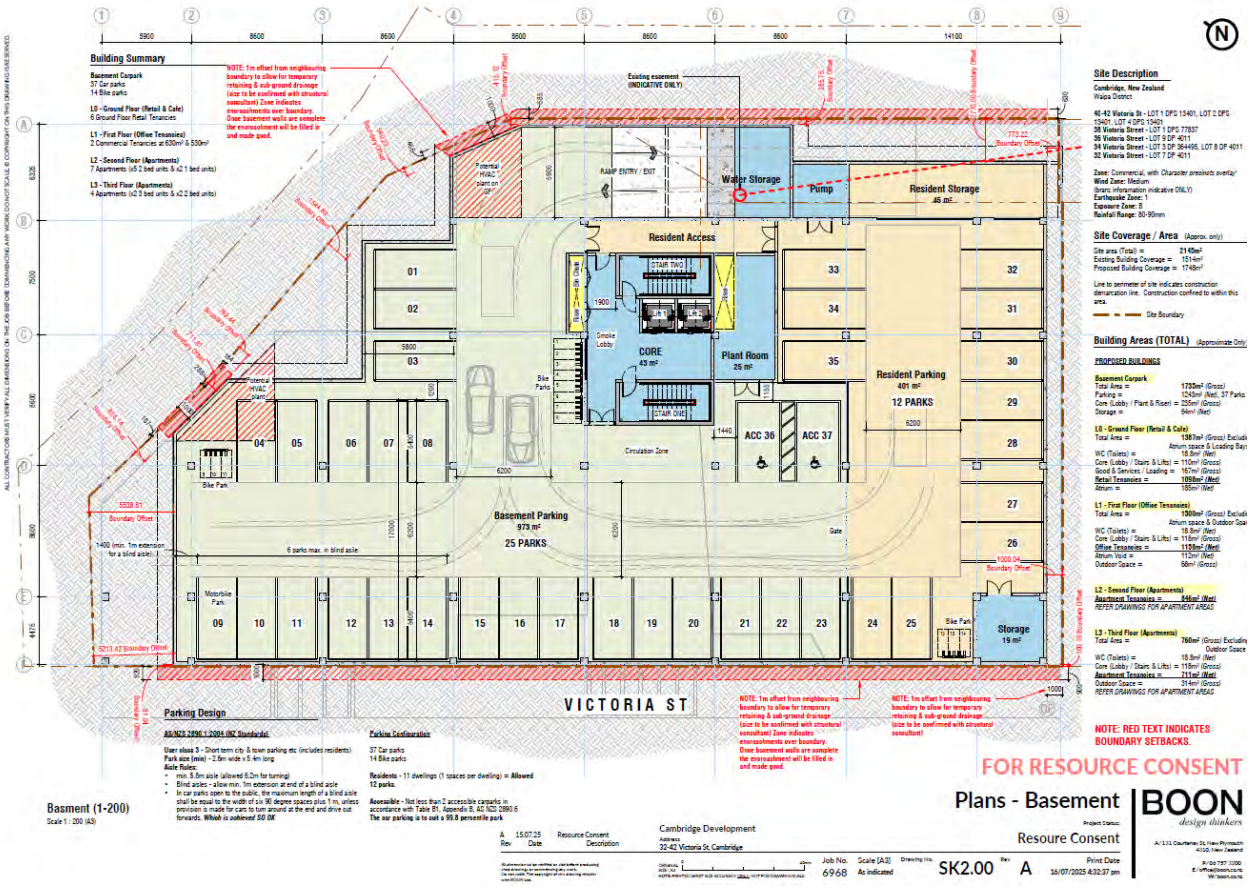



**Figure 20:** Proposed Floor Plans – Ground Floor (Basement)

### 1.4.2 Ground floor – Retail

The ground floor will have a central atrium at the Victoria Street façade with three tenancies either side. Two of the tenancies (Tenancies 3 and 4) will open into atrium space and Victoria Street with the other four having direct access to Victoria Street only. The tenancies range in sizes as outlined below in Table 3 with the total gross floor area being 1,387m² (excluding atrium space and loading bays) and as shown in Figure 21.

At rear of building there are two loading bay / parking areas, a Bins & Service Zone, lobby and staircase to other floors, bathroom, good & services area and HVAC area. None of the tenancies have direct access to the service lane.

A fire egress provides a pedestrian connection from the lobby to the service lane.

| Tenancy | Floor Area ($m^2$ net) | Outdoor Area |
|---|---|---|
| 1 | 145 | - |
| 2 | 242 | - |
| 3 | 154 | To Atrium 185 (shared) |
| 4 | 145 | To Atrium 185 (shared) |
| 5 | 299 | - |

| Tenancy | Floor Area ($m^2$ net) | Outdoor Area |
|---|---|---|
| 6 | 113 | - |

**Table 3:** Ground Floor – Tenancy Summary

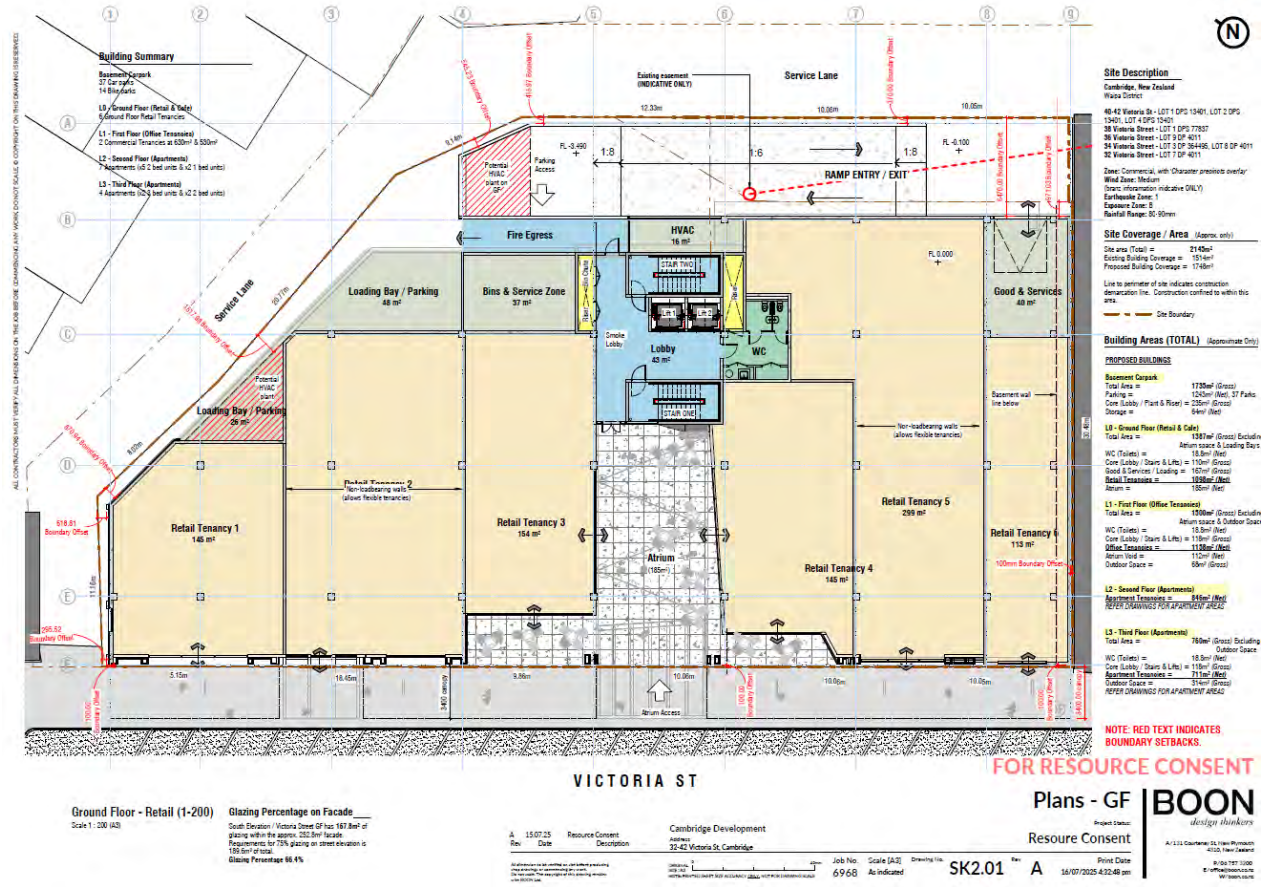



**Figure 21:** Proposed Floor Plans – Ground Floor (Retail Floor)

### 1.4.3 First Floor – Offices

The first floor is proposed to be occupied by two office spaces, located either side of the central atrium which continues as a void to this floor. Access to the two office tenancies is via the central lobby which includes stairs, lifts, and a bin chute area.

Each office tenancy has its own bathroom at the service lane side of the building and a kitchenette. No internal walls proposed and each tenancy is shown as being open plan as shown below in Figure 22. The floor areas of each tenancy is shown below in Table 4. Tenancy 2, on the southern side of the building has an outdoor area along the southern building façade, at width of 1.9m.

| Tenancy | Floor Area ($m^2$ net) | Outdoor Area |
|---|---|---|
| 1 | 631 | - |
| 2 | 530 | 68 |

**Table 4:** First Floor – Tenancy Summary

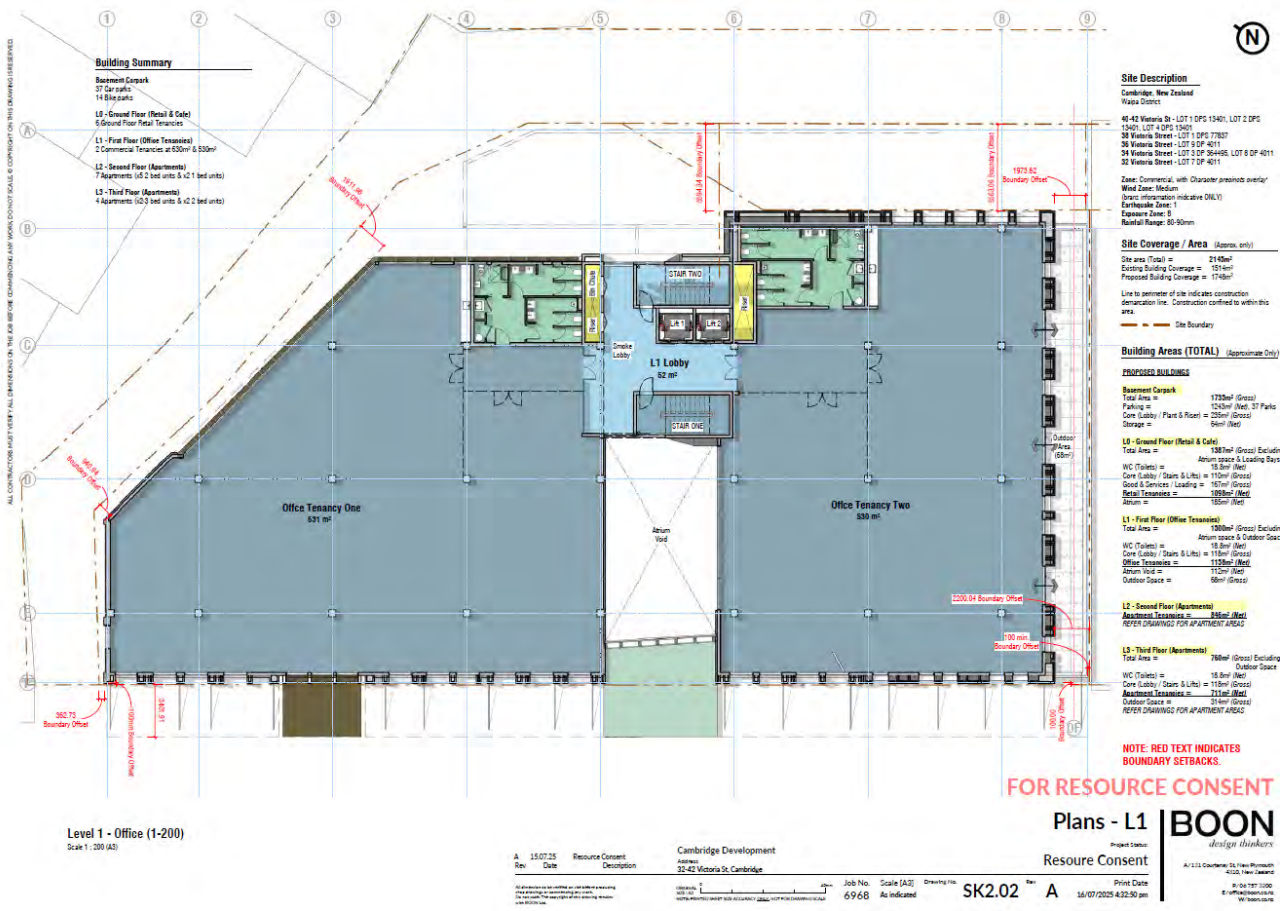



**Figure 22:** Proposed Floor Plans – Level 1 (Office Floor)

### 1.4.4 Second Floor – Residential

The second floor of the building will house seven residential apartments around the central atrium void with all units being accessed from the central lobby. Each apartment includes open-plan living and dining area, a kitchen, bedrooms, bathrooms, and laundry facilities, and its own outdoor area as outlined below in Table 5 and shown in Figure 23.

| Apartment | Floor Area | Outdoor Area | Bedrooms |
|---|---|---|---|
| 1 | 130 | 13.8 | 2 |
| 2 | 94 | 16.8 | 1 |
| 3 | 138 | 43.5 | 2 |
| 4 | 120 | 35.5 | 2 |
| 5 | 128 | 50 | 2 |
| 6 | 146 | 50 | 2 |
| 7 | 90 | 60 | 1 |

**Table 5:** Second Floor – Apartment Summary

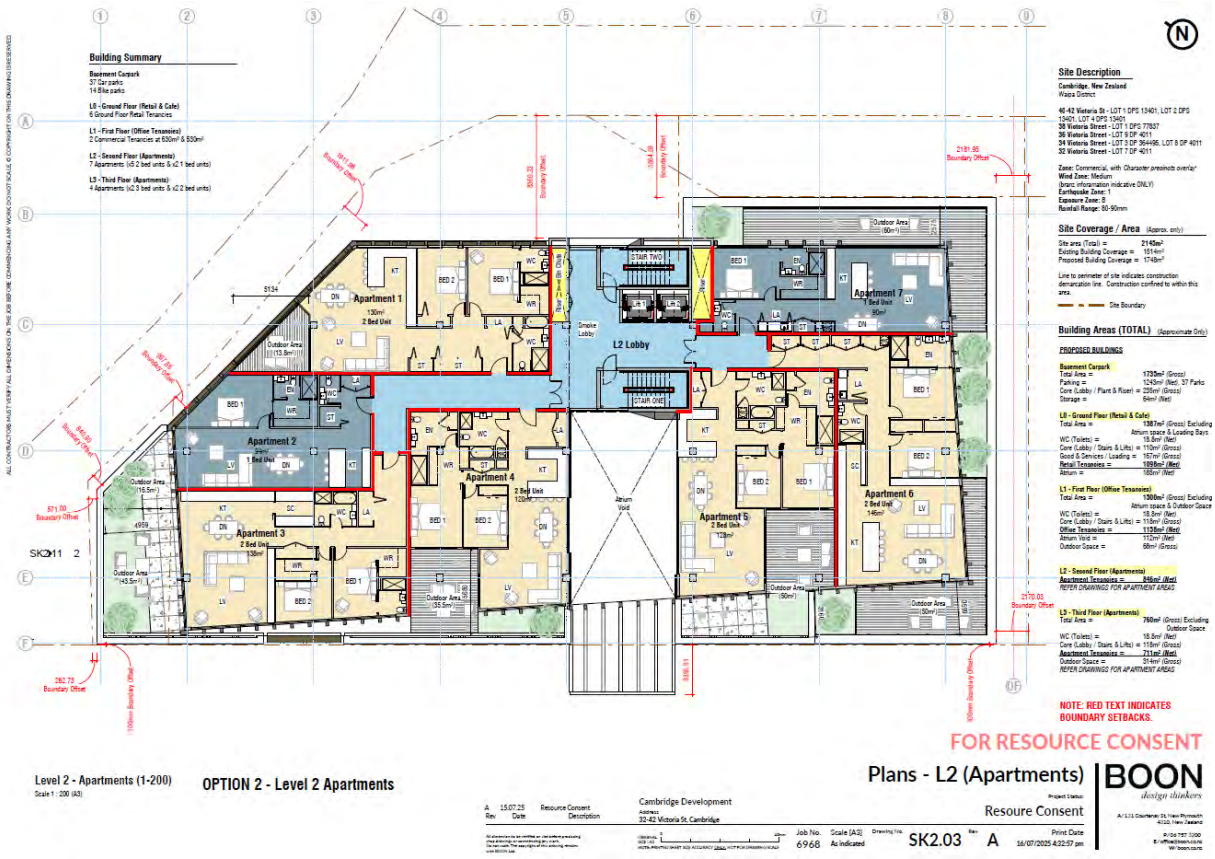



**Figure 23:** Proposed Floor Plans – Level 2 (Apartments)

### 1.4.5 Third Floor - Residential

The final and third floor will accommodate four residential apartments around the central atrium void and accessed from the central lobby. The apartments on this floor are the larger sized apartments, each with a larger outdoor area, open-plan living and dining area, kitchen, bedrooms, bathrooms, and laundry facilities. The floor areas are outlined in Table 6 and the floor plan shown in Figure 24.

| Apartment | Floor Area | Outdoor Area | Bedrooms |
|---|---|---|---|
| 8 | 234 | 157 | 3 |
| 9 | 150 | 37 | 2 |
| 10 | 147 | 37 | 2 |
| 11 | 180 | 83 | 3 |

**Table 6:** Third Floor – Apartment Summary

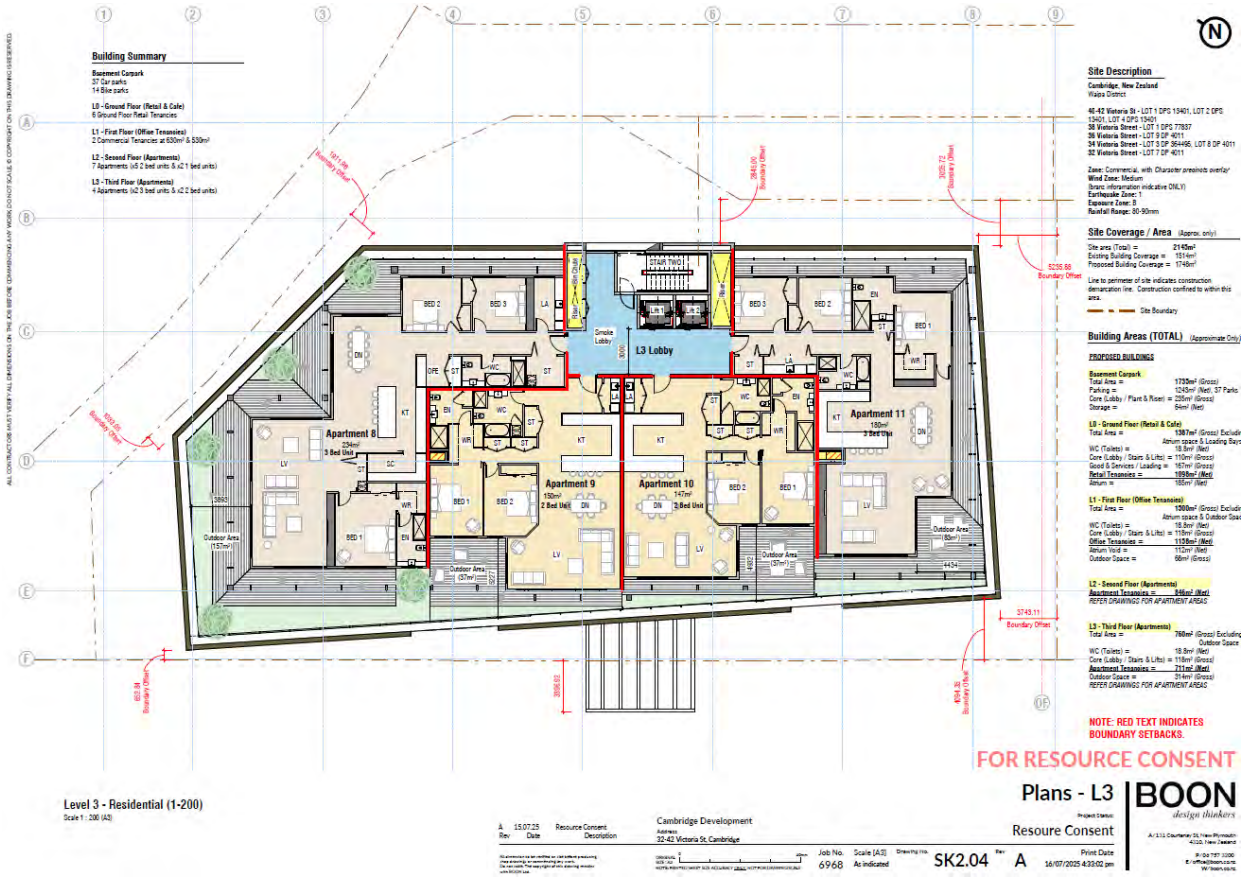



**Figure 24:** Proposed Floor Plans – Level 3 (Apartments)

### 1.4.6 Servicing of the Site

The following paragraphs outline how the building is proposed to be serviced for wastewater, water supply, stormwater, power, telecommunication and gas.

- Wastewater: The exact location of the existing wastewater infrastructure across the site is not provided in the application, however it is anticipated that each of the current buildings dispose to the existing manhole located within the site. This manhole has an existing easement in gross as noted in the table of titles above.

  To enable the development to occur the existing manhole will be required to be removed (as this is in the location of the new vehicle access to the site) and relocated. The likely location will be within the service lane however the detail is proposed to be provided at the time of detailed design.

- Water Supply: Existing Council infrastructure is located along the Victoria Street frontage of the subject site. A 50mm diameter rider main, with four water meters, service the existing buildings on the site. Along the service lane is a 100mm diameter water main including a fire hydrant at the northern boundary of the subject site. The application advises the proposal is to install new connections to the existing and surrounding water supply network.

- Stormwater: There is an existing assortment of downpipes that dispose of roof water to the ground or the piped network in Victoria Street and the service lane. The piped network within

the roading network disposes to the Waikato River via a series of pipelines along Victoria Street and down Bath Street.

To service the new building, it is proposed to utilise on-site detention tanks and reuse. The treated stormwater will be discharged to the existing public network in Victoria Street. Runoff from hardstand areas will be treated via proprietary treatment devices before discharge to the Council network. A sump pump is proposed within the basement to manage any surface water ingress, with final sizing and design to be confirmed during detailed design.

- Power, telecommunications, and gas: These utilities are located within Victoria Street and new connections will be required to service the new building.

### 1.4.7 Demolition of existing buildings and site clearance

While noting that the demolition component of the activity is a permitted activity, the application notes the following key details for the demolition process:

- Duration will be approximately 6 weeks
- Removal of canopies
- Before demolition of the main building structure begins, walk-through container gantries will be installed along Victoria Street, along with any required traffic management measures.
- Full deconstruction and demolition of the building including removal of canopies, slab and foundations. Separation of connections to 30 and 30A Victoria Street, and clearance of debris from site.
- The demolition will be undertaken using a combination of mechanical and manual methods. High-reach excavators fitted with hydraulic shears and grabs will progressively dismantle the structure from top to bottom. Manual demolition will be used for confined or delicate areas.
- Dust suppression will be maintained through water misters, and all waste materials will be segregated and disposed of in accordance with environmental requirements.
- A trucking plan will be developed to manage the removal of demolition waste and materials from the site. Trucks will enter and exit the site through designated access points to minimise congestion. Vehicle movements will be scheduled outside of peak traffic periods where possible, and all loads will be covered prior to departure to prevent debris or material spread.

### 1.4.8 Construction of the new building

The application sets out the details for the construction of the new building with the key details summarised below:

- Construction will take 79 weeks, with an anticipated commencement in November 2028 and practical completion in late 2030
- The works involve the basement excavation and foundation works, structural construction,

services installation, internal fit-out, and external hard landscaping.

- Proposed working hours are 7.30am to 6pm Monday to Friday, 7.30am to 3pm Saturday, with no work on Sundays or public holidays.
- Temporary fencing is proposed along the boundary with the service lane and along the current shop fronts to define the construction zone.
- Excavation will reach depths of approximately 3.6 to 4.0 metres across most of the site. This will result in approximately 6,072.5$m^3$ of earthworks across the whole site.
- The Construction Management Plan proposes to utilise Continuous Flight Auger (CFA) piles to form the basement retaining system (Note: The final methodology may be refined or updated during the detailed design phase as geotechnical information is confirmed and structural requirements are finalised).
- A temporary access ramp will be formed to access the basement level.
- Temporary retaining measures may be required during construction. This may include temporary shoring, propping, or local ground-support solutions to mitigate potential surcharge loads from adjacent structures and ensure the stability of the excavation during basement formation.
- Excavation will proceed in vertical increments of approximately 1,200mm below the finished floor level (FFL). This staged approach allows each cut face to remain stable long enough for shotcrete application and ground reinforcement to be installed before the next excavation stage begins.
- The final stage of the basement excavation will involve the removal of the temporary access ramp. This will occur once the majority of the first-floor slab preparation, ground beams, and associated foundations have been completed. Prior to ramp removal, the intent is to have both the tower crane erected within the excavation and a 4.5-tonne excavator positioned on the basement level to complete foundation works located beneath the ramp footprint.
- Once bulk excavation is complete, the project will transition into detailed excavation, including trimming foundation locations, preparing pile caps, constructing ground beams, and forming all remaining sub-structure elements.
- The superstructure will be constructed using a staged and coordinated sequence, starting from the basement level and progressing upwards to the roof structure. The system generally consists of structural steel columns (from baseplate to purlin level), universal beams (UBs), Comfloor decking, reinforcing steel, and concrete floor slabs.
- All concrete pouring will be carried out during standard working hours.
- Steel installation will begin from the basement level, where columns will be erected from their baseplates and progressively installed up to the purlin level.
- A mobile crane will be positioned in the basement before the temporary access ramp is removed. This crane will be used to erect the majority of the structural steel. Once the ramp

is removed and the upper structure becomes accessible, the crane will be lifted out of the basement using a larger crane, and remaining steel elements will be installed from the ground-floor level.

- As each steel stage is completed and made safe, Comfloor metal decking will be lifted into place using the crane and fixed to the supporting steel beams. Then reinforcing steel will be fixed, including mesh, top bars, shear studs (where applicable), and additional reinforcing around penetrations and column heads.
- Following reinforcement placement and pre-pour inspections, concrete floor slabs will be poured level by level. Each slab will be allowed to cure before subsequent loads are applied, following structural engineering requirements for load sequencing and curing times.
- Construction of the building envelope will proceed once the structural frame is sufficiently advanced and weather-tightness staging can be safely managed. Given the height of the development, a full perimeter scaffold system will be installed, complete with edge protection, access platforms, and protective screening. This scaffold will provide safe access for façade trades and allow for efficient sequencing of envelope installation.
- Envelope works includes reinforced concrete beams, columns and shear walls, brick cladding, plaster and façade plasterboard systems, windows, doors and façade penetrations, final façade treatments (painting, trims, sealants, architectural detailing)
- Internal fitout will be the final stage of construction and involves partitions and framing, services, linings, fire systems, flooring, ceiling, interior finishes, joinery and fixtures, electrical, mechanical, and plumbing.
- Access and egress for all construction-related activities will be managed exclusively via the service lane, with entry off Victoria Street and exit via Commerce Street. This one-way system is intended to maintain safe, controlled vehicle movements and minimise disruption to surrounding businesses and public spaces. At no time will construction vehicles be permitted to block or obstruct the service lane. Staging areas, loading zones, and delivery times will be managed to ensure continuous access for other lane users and emergency vehicles.
- All construction traffic will be required to turn left when entering and exiting the site, reducing conflicts with through-traffic, improving visibility for drivers, and supporting safe circulation within the constrained laneway environment. Traffic management personnel and appropriate signage will be provided as required to maintain compliance and ensure safe operation throughout the construction period.
- Where possible all deliveries will avoid the peak traffic and school periods between 7:30 – 8:30 am and 3:00pm – 5.00 pm.
- A Traffic Management Plan is proposed that will include detailed provisions for any required footpath closures, temporary lane closures, or full road closures, ensuring that these measures are carefully coordinated to minimise disruption to the public and surrounding businesses.

- All noise will be managed in accordance with the Construction Noise & Vibration Assessment and Management Plan, prepared by Earcon Acoustics.
- Sediment, silt and wastewater control is proposed including silt fencing, stabilised accessways, sediment traps, pump filtration systems, and controlled discharge locations.
- A Complaints Action process is proposed for the construction period which will require the Site Project Manager to record all complaints received in a Complaints Register, including all details and engagement with affected parties including corrective actions or mitigation measures, and implement actions.

## 1.5 Process Matters

### 1.5.1 Section 37 – Extension to Timeframe

On 5 August 2025, and in agreement with the applicants agents, the timeframe for processing the application was extended by 20 working days due to the size and scale of the development. This extended the timeframe by which Council must make a decision from 13 August 2025 to 15 September 2025.

### 1.5.2 Section 92 Request

On 15 August 2025, Council requested the following further information to assist with the processing of the application:

1) A Draft Construction Management Plan
2) An Integrated Transport Assessment
3) A Draft Waste Management Plan
4) A copy of the 'Fire Engineer's Report' referred to in the Infrastructure Capacity Assessment
5) A Water Conservation and Demand Management Plan
6) An amendment to the Infrastructure Capacity Assessment for water supply information
7) An amendment to the Infrastructure Capacity Assessment for wastewater information
8) A Stormwater Management Plan
9) Plans and details demonstrating how the existing stormwater infrastructure will be managed through development
10) Further details are required to assess the impact on neighbours and residential units
11) an assessment needs to be provided of the potential transmission of vibration through underground waste pipes
12) An update to the Construction Noise and Vibration Management Plan
13) An assessment of inter-tenancy noise, noise insulation and building plant location prepared by a suitably qualified acoustic consultant

14) A Dust Management Plan

15) A Draft Lighting Plan

16) Confirmation of refuse collection

17) Revision of Preliminary Site Investigation

18) A Draft Contaminated Site Management Plan

19) Planning assessment of standards within Section 15 and 20 of the District Plan

20) An Archaeological Assessment

21) Consultation with tangata whenua and if requested by tangata whenua a Cultural Impact Assessment.

The responses to the further information request have been provided over the following dates:

- 15 September 2025 – Response from Agent including attachments from Abovewater (Items 5-9), an Updated Construction and Vibration Assessment (Item 12-13), and a response from Earcon Acoustics (Items 10-12), and additional planning commentary;
- 24 September 2025 – Response from Agent including a Revised Preliminary Site Investigation (Item 17);
- 20 November 2025 – Response from Agent including an Updated Construction and Vibration Assessment (Item 12-13), and an Integrated Transport Assessment (Item 2);
- 18 February 2026 – Response from Agent including a Planning Assessment (Item 19);
- 19 February 2026 – Email from Agent including an Archaeological Assessment and Authority from Heritage New Zealand (Item 20), and a second response with the Three-Waters Information (Items 4, 7 and 9);
- 18 March 2026 – Response from Agent including Dust Management Plan (Item 14), Lighting Plan (Item 15), a Draft Construction Management Plan (Item 1), a Transport Memo (Item 2), and confirmation of refuse collection (Item 16).
- 2 April 2026 – Response from Agent including a revised Draft Construction Management Plan (Item 1) and revised Dust Management Plan (Item 14).
- 16 April 2026 – Response from Agent with a revised Draft Construction Management Plan (Item 1).
- 7 May 2026 – Response from Agent with a Waste Approach Letter (Item 16).
- 12 August 2026 – Response from Agent with a Cultural Impact Assessment from Ngāti Korokī Kahukura (Item 21).

The Section 92 was deemed to be completed on 12 August 2026.

### 1.5.3 Section 95 Request

On 15 August 2025, and within the same request as the s92 request, it was noted that non-notification of the application was sought. Council advised that to consider the application in a non-notified manner the following written approvals would be required to be provided:

- 30 & 30A Victoria Street
- 29 & 29A Victoria Street
- 33 & 33B Victoria Street
- 35 & 37 Victoria Street
- 39 & 39E Victoria Steet
- 41A Victoria Street
- 43 & 45 Victoria Street
- 44 Victoria Street
- 46 & 46A Victoria Street & 45, 47 & 49 Duke Street
- 53 & 55 Duke Street
- 57 Duke Street
- 59 Duke Street
- 61 Duke Street
- 63 Duke Street
- 65 & 67 Duke Street
- 69 Duke Street
- 71 & 73 Duke Street
- 3 Commerce Street

In the response on 15 September 2025, the Agent advised: *"Council's request for written approvals relates to 32 potentially affected persons; however, in practice this number is likely to be significantly higher, as approvals would be needed from both owners and tenants. Based on previous experience, obtaining this volume of approvals is highly unlikely. Even a single objection from an owner or occupier may trigger a hearing process and potential appeals. Accordingly, the outcome of the consent cannot be assumed at this stage. The updated Construction Noise and Vibration Assessment may, however, address many of Council's concerns about the extent of potentially affected persons."*

Council response on 23 October 2025 stated "*The AEE requested non-notification of the application. For Council to consider processing an application of this scale and significance without any notification, written approvals of surrounding properties are required as a minimum. Potential adverse effects for neighbouring properties are considered to be wider in scope than simply construction noise and vibration. Should written approvals not be provided then Council will proceed to consider all adjoining properties in terms of adverse effects on them potentially resulting in limited or public notification."*

At time of writing, no written approvals have been provided, and the Agent has requested Council to proceed with the notification assessment.

# 2 REASON FOR THE APPLICATION

A land use consent as described under Section 87(a) of the Act is required for the reasons set out below.

## 2.1 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ('NES-CS')

These regulations came into force on 1 January 2012 and apply when a person wants to do an activity described in Regulation 5(2) to 5(6) on a piece of land described in Regulation 5(7) or 5(8).

The application includes a Preliminary Site Investigation, prepared by HD Geo, dated 5 May 2025 (Appendix 7 of application), that identified via a desktop study that the following HAIL activities were likely to have occurred on the subject site:

- A historic engineering workshop (D.5)
- A historic motor vehicle workshop (F.4)
- The presence of uncontrolled fill (G.3)
- The potential use and degradation of asbestos building material and lead based paint (I)

In accordance with Regulation 5(7), the site is considered a 'piece of land' and consent is required under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. As a Preliminary Site Investigation was included with the application (and not a Detailed Site Investigation), consent is required for a **Discretionary Activity** in accordance with Regulation 11 of the NES-CS.

## 2.2 Waipā District Plan Rule Assessment

An assessment of the proposal's compliance with the relevant rules of the District Plan has been completed. In summary, Table 7 below outlines the relevant rules relating to the proposed subdivision.

| Rule # | Rule Name | Status of Activity | Comment |
|---|---|---|---|
| 6.4.1.1(a) | Permitted Activity Status Table – Dwellings situated above ground level | Permitted | This provision outlines the within the Pedestrian Frontage Area, dwellings are permitted activities where located above ground level. In this instance the proposal includes two floors of apartments, located on the second and third floors of the building and in compliance with this provision. |
| 6.4.1.1(f) | Permitted Activity Status Table – | Permitted | This provision provides for 'offices' which is defined in the District Plan as: *"the use of a BUILDING for the* |

| Rule # | Rule Name | Status of Activity | Comment |
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| | Offices | | *purposes of administration, consultation, or management of business transactions and shall include:*<br>▪ *Administrative OFFICES for the purposes of managing the affairs of an organisation, whether or not trading is conducted; and*<br>▪ *COMMERCIAL OFFICES such as banks, insurance agents, or real estate agents where trade (other than for the immediate exchange of money for goods) is transacted; and*<br>▪ *PROFESSIONAL OFFICES such as the OFFICES of accountants, solicitors, architects, engineers, surveyors, stockbrokers, and consultants where a p*rofessional service is available and carried out."<br>In this instance the first floor of the proposed building is to be occupied by two offices, both of which are provided with under this provision. |
| 6.4.1.1(l) | Permitted Activity Status Table – Licensed premises, cafes, restaurants, takeaway food outlets | Permitted | This provision provides for 'Licensed premises, cafes, restaurants, takeaway food outlets' within the pedestrian frontage area as a permitted activity. In this instance the proposal includes 'retail activities' on the ground floor of the building. While not stating any of the tenancies will be used for these activities, the Transport Assessment has considered traffic from a café and given the existing tenancies on the subject site, it is anticipated these activities may be located on site and are noted as being permitted in this location. |
| 6.4.1.1(o) | Permitted Activity Status Table – Any retail activity subject to Rule 6.4.2.13 and 6.4.2.14 | Noted | This provision sets out that 'retail activities' being "buildings used for the display and/or sale of goods", that are in accordance with Rules 6.4.2.13 and 6.4.2.14 in the pedestrian frontage area are permitted activities. In this instance retail activities are proposed on the ground floor of the proposed building. Further assessment of Rules 6.4.2.13 and 6.4.2.14 are below outlining the proposal fails to comply with Rule 6.4.2.13 and is assessed as a Discretionary Activity under that provision. |
| 6.4.1.1(r) | Permitted Activity Status Table – Demolition and removal of buildings | Permitted | This provision sets out that demolition is a permitted activity across the Commercial Zone. In this instance the proposal includes the demolition and removal of the existing buildings across the site. This activity is |

| Rule # | Rule Name | Status of Activity | Comment |
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| | and structures | | provided for under this provision. |
| 6.4.1.1(w) | Permitted Activity Status Table – Signs | Permitted | This provision provides for signs with the Commercial Zone as a permitted activity. I note the application does not provide details regarding the anticipated signage. It is therefore considered that future signage will comply with the relevant provisions of the District Plan or seek additional resource consent later. |
| 6.4.1.3(b)(i) | Restricted Discretionary Activity Status Table - The erection of new buildings… located within the Character Precinct Areas as identified on the Planning Maps in…Cambridge A | **Restricted Discretionary** | This provision provides for the erection of new buildings within the Cambridge A Character Precinct Area as a Restricted Discretionary Activity. The subject site is located within this precinct area and therefore seeks consent under this provision. Assessment will be restricted to the following matters:<br>▪ Existing built character (Refer to the character descriptions in Appendices DG2 to DG6); and<br>▪ Building exterior design, scale, materials, colour and siting (Refer to character descriptions in Appendices DG2 to DG6); and<br>▪ Effects on public spaces; and<br>▪ Visual amenity and effects on streetscape; and<br>▪ Location, colour, size and content of signs. |
| 6.4.2.1 | Pedestrian frontages building setback from road boundaries | **Discretionary** | This provision requires all new buildings within the pedestrian frontage area to be built on the road boundary of the site. In this instance the Victoria Street frontage is within the pedestrian frontage area, and the building will have a 0.1m offset from the boundary. While this is noted as enabling the basement work to occur, this fails to comply with this provision and requires assessment under this provision as a Discretionary Activity. |
| 6.4.2.2 | Minimum building setback from internal site boundaries | **Discretionary** | This provision sets out that there is no minimum building setback for buildings within the commercial zone, adjoining other sites in the commercial zone, provided that no building or eave shall encroach into any access, driveway or vehicle entrance.<br>In this instance the proposed building has an internal boundary with the adjacent property south of the site (30 Commerce St). At the basement level this building is proposed to have a 1.0m offset from the boundary, at the ground and first floor a 0.1m offset, a 2.17m offset at the second floor, and a 3.74m |

| Rule # | Rule Name | Status of Activity | Comment |
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| | | | offset at the third floor. These offsets comply with this provision.<br>It is noted that the first floor has a slight overhang over the basement access (ramp width from boundary is 6.47m and the office width from boundary is 5.56m). This fails to comply with this provision and requires consideration as a Discretionary Activity. |
| 6.4.2.3A | Maximum height | Complies | This provision sets out that buildings within the Height Overlay shall have a maximum height of 18.0m in Cambridge, with no limit on the number of storeys within the building. In this instance the elevation plans show the building height as 17.55m. |
| 6.4.2.5 | Storage and service areas | **Discretionary** | This provision sets out where a storage or service area is not enclosed within a building it shall be fully screened by landscaping, solid walls or fences. In this instance the floor plans demonstrate there are storage and service areas within the basement, all of which are fully contained within the building and compliant with this provision.<br>On the ground floor there is a 'Good & Services' Area adjacent to the southern boundary which is shown as having a garage door so is also contained within the building.<br>The 'Bins & Service Zone' central to the rear of the site and facing the service lane, has a wall along the eastern façade, however it is not clear from the floor plan if the northern façade is proposed to be closed in or remain open. The agent has advised this will be a wall; however, the 'Site Plan – Vehicle Movement' plan demonstrates an 8m ridge truck will have access to this space. It is therefore assumed this space is open and requires consideration as a Discretionary Activity. |
| 6.4.2.6 | Site Layout | Complies | This provision requires the main public entrance for buildings within the Commercial Zone to be orientated so that it is parallel to the road boundary of the site. In this instance, the ground floor will be occupied by six retail tenancies, each of which have an entrance directly to Victoria Street and therefore compliant with this provision. |
| 6.4.2.9 | Walls and fencing | Complies | This provision requires walls and fences along any road to not exceed 1.6m in height. In this instance, |

| Rule # | Rule Name | Status of Activity | Comment |
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| | | | the proposal includes a fence around the top of the ramp access to the basement. For Building Act purposes this is required to be at least 1.0m in height. At this height this fence complies with the provision. |
| 6.4.2.11 & 6.4.2.12 | Landscaping and Screening | **Discretionary** | Rule 6.4.2.11 requires sites adjoining a road, and outside the pedestrian frontage area, to be landscaped to a minimum depth of 2m. Rule 6.4.2.12 sets out the type of landscaping required. In this instance, the service lane is a 'road' and therefore required to have landscaping under this provision. This requires consideration as a discretionary activity. |
| 6.4.2.13 | Pedestrian frontages: maximum floor space | **Discretionary** | This provision sets out that within the pedestrian frontage area, any new building located at the ground floor level must not exceed 1,000m$^2$ gross floor area.<br>The application plans detail the Ground Floor (Retail & Café) as having a total area = 1,387m$^2$ (Gross) excluding the Atrium and Loading Bays.<br>The application therefore fails to comply with this provision and requires assessment as a Discretionary Activity. |
| 6.4.2.18 | Residential activities | Complies | This provision requires all residential activities must be located above ground floor level. In this instance the residential activities are located on the second and third floors of the building, therefore the proposal complies with this provision. |
| 6.4.2.19 | Minimum floor areas and outdoor living areas for dwellings | Complies | This provision sets out the minimum floor area and outdoor living area for dwellings within the Commercial Zone. For a single bedroom dwelling a minimum floor area of 50m$^2$ is required with an outdoor area of 10m$^2$, for a 2-bedroom unit a floor area of 70m$^2$ is required and a 12m outdoor living area, and for a 3-bedroom dwelling, a minimum floor area of 95m$^2$ with an outdoor living area of 14m$^2$.<br>The proposed plans include a Configuration Schedule which sets out the floor areas and outdoor living areas for each apartment. This schedule demonstrates all the apartments met this provision. |
| 6.4.2.20 | Minimum floor areas and outdoor living areas for | **Restricted Discretionary** | This provision sets out requirements for the outdoor living areas for dwellings within the Commercial Zone. The requirements include exclusive use, north, |

| Rule # | Rule Name | Status of Activity | Comment |
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| | dwellings | | east or west orientation, accessibility from the main living area, free of manoeuvring areas and outdoor storage, and visual screening from other apartments.<br>Apartments 5, 6, 10 and 11 are all 'south of east or west measured from the southernmost part of the dwelling' therefore fail to meet subclause (b) of this provision. The application requires assessment as a Restricted Discretionary Activity with discretion restricted to:<br>▪ Adequacy of the outdoor living area; and<br>▪ Adequacy of gross floor area; and<br>▪ Outlook and privacy; and<br>▪ Access to sunlight and daylight; and<br>▪ Crime Prevention through Environmental Design. |
| 6.4.2.21 | Identified pedestrian frontages – glazing and verandas | **Discretionary** | This provision requires new buildings within the pedestrian frontage area to include at least 75% of the ground floor area being transparent display windows, no vehicle crossings over the front boundary, veranda along the property frontage with a minimum depth of 3m, does not penetrate a height plane 4m parallel to the ground, and a minimum stud height of 3m.<br>In this instance, the front façade of the building along Victoria Street has approx. 66.4% of the ground floor façade including clear glazing. The proposal therefore requires assessment as a Discretionary Activity.<br>The veranda canopy is 3.5m wide, 0.69m from the edge of kerb and has an underside height of 4m therefore complies with this provision. |
| 6.4.2.24 | Noise | Will comply | This provision sets out the anticipated noise levels for activities within the Commercial Zone. The proposed activities, being retail, office and residential area anticipated to be able to comply with this provision. |
| 6.4.2.25 | Noise insultation: noise sensitive activities | Will comply | This provision requires insulation where a noise sensitive activity is proposed to be located (i.e. bedrooms). The application notes that the apartments will need to be acoustically treated to ensure compliance with this provision. |
| 6.4.2.26 | Vibration | Complies | This provision sets out that vibration from blasting |

| Rule # | Rule Name | Status of Activity | Comment |
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| | | | must mee the New Zealand Standard NZS 4403:1996 Code of Practice for Storage, Handling, and Use of Explosives. In this proposal there is no indication that any explosives will be used for the proposed works. |
| 6.4.2.27 | Construction noise | **Restricted Discretionary** | This provision sets out the requirement for construction noise to be in accordance with the New Zealand Standard NZS 6803:1999 Acoustics – Construction noise.<br>The application includes a 'Construction Noise and Vibration Assessment' which outlines the anticipated noise levels at various stages of construction will breach the required standards. The works therefore require assessment as a Restricted Discretionary Activity with matters of discretion being:<br>▪ Time and duration of effect; and<br>▪ Effects on surrounding buildings and properties. |
| 6.4.2.28 & 6.4.2.29 | Signs | Will Comply | This provision sets out the signage anticipated in the Commercial Zone. The application notes that at this stage, future tenants are unknown however signage is proposed to comply with this provision. Any future non-compliant signage may require a separate resource consent. |
| 6.4.2.30 | Earthworks | Permitted | This provision sets out that a total volume of 25m$^3$ or a total area of 250m$^2$ of area of earthworks is permitted in a year, with an exemption for earthworks incidental to a building or resource consent.<br>In this instance the proposal includes the formation of a basement which will entail removal of approximately 6,072.5m$^3$ of material. Should consent be granted this work will be incidental to the resource consent and therefore permitted. |
| 6.4.2.31 & 6.4.2.32 | Temporary construction buildings | Noted | These provisions enable temporary construction buildings on a site as part of a construction project. In this instance the application does not specify the use of any construction buildings however if they were required it is anticipated they would comply with these provisions. |
| 15.4.2.13 | Site suitability: General | Complies | This provision requires all development to have a building platform in a complying location that is capable of being serviced to the requirements of the zone. In this instance the application includes a |

| Rule # | Rule Name | Status of Activity | Comment |
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| | | | Preliminary Geotechnical Report (refer Appendix 6 of the application) confirming the site suitability for development. |
| 15.4.2.16 | Infrastructure servicing in all zones | Complies | This provision requires all sites to be provided with connectivity to the public road network, electricity, telecommunications and fibre optic cable. In this instance the site is within the Commercial Zone and able to be serviced by the surrounding existing networks and therefore complies with this provision. |
| 15.4.2.18 | Additional infrastructure servicing for the Residential, Commercial and Industrial Zones within the urban limits (Wastewater & Water supply) | Complies | This provision requires all commercial zoned properties to be connected to Council's wastewater and water supply infrastructure. In this instance the application includes an Infrastructure Capacity Assessment (refer Appendix 5 of the application) confirming the site is able to be serviced by the surrounding reticulated networks. The site therefore complies with this provision. |
| 15.4.2.20 & 15.4.2.25 | Additional infrastructure servicing for the Residential, Commercial and Industrial Zones within the urban limits (Stormwater) | **Non-Complying** | These provisions require sites to enable on-site detention and disposal of stormwater. In this instance the application includes information from AboveWater confirming the approach for the site is a mix of on-site retention and re-use systems before disposing to the surrounding reticulated network. As the site does not dispose of the stormwater onsite, it technically fails to meet these provisions requiring assessment as a non-complying activity. |
| 16.4.1.1(b) | Activity Status Table - Activities that comply with the loading space requirements of Appendix T1 | Complies | Appendix T1 outlines the following loading bay spaces would be required for the proposal:<br>▪ 1 HGV park for a café;<br>▪ Office - 1 space for a 90% car; and<br>▪ Retail - 1 space per site for a 99 percentile two axle truck.<br>The 'Site Plan – Vehicle Movement' included with the application demonstrates an 8m rigid truck can be accommodated at the rear of the building by the 'Bins & Service Zone' and the 'Good & Services' Area. It is noted that when a truck is located by the 'Good & Services' Area no access to the basement would be available. To avoid queuing in the service lane due to a truck being in this location, the ITA included with the application recommends activities for loading and refuse should be undertaken outside of peak |

| Rule # | Rule Name | Status of Activity | Comment |
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| | | | network and site operational hours.<br>In terms of the overall loading spaces and the proposal, the two loading spaces at the rear of the site cover the requirements for the café and retail activities. As there is 25 parks in the basement for cars, there is sufficient space in the basement for the required '1 space for a 90% car' for the loading requirements for the two offices. Overall, the proposal complies with this provision. |
| 16.4.1.1(i) | Activity Status Table - Provision of 25 or more car parks | **Restricted Discretionary** | This provision sets out that where a car park with more than 25 spaces is provided in the Commercial Zone, the activity is to be assessed as a Restricted Discretionary Activity with the following matters taken into account:<br>▪ Landscaping; and<br>▪ Consideration of Crime Prevention through Environmental Design; and<br>▪ Vehicle queuing on-site; and<br>▪ Lighting of parking areas.<br>In this instance the basement provides a total of 36 car park spaces (and one motorbike space). The application therefore requires assessment under this provision as a Restricted Discretionary Activity. |
| 16.4.2.3 | Road hierarchy | Complies | This provision requires sites with access to two roads to have access and egress to the lesser road type. In this instance the site has frontage to both Victoria Street and a service lane. Access is proposed via the service lane which is the lesser road type. The proposal therefore complies with this provision. |
| 16.4.2.4 | Vehicular access to sites in all zones | Complies | This provision requires every site to have access to a formed road that is constructed to a permanent standard. In this instance the access to the site is to the service lane which is constructed to a permanent standard. It is noted this may require upgrading to ensure it can accommodate the demands of the proposed development and should consent be granted any upgrade requirements would be anticipated to be captured through consent conditions. |
| 16.4.2.5 | Vehicle entrance separation from intersections and other vehicle | Complies | This provision sets out the separation distances between vehicle entrances. The service lane provides access to the rear of 65 & 67 Duke Street and 3 Commerce Street. The proposed entrance to |

| Rule # | Rule Name | Status of Activity | Comment |
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| | entrances | | the basement is located at the southern end of the property, almost directly west of the existing northern edge of the building at 3 Commerce Street. This location complies with this provision as the access to 3 Commerce Street is less than 4m from the basement entrance/exit location. |
| 16.4.2.9 & 16.4.2.11 | Vehicle access to sites in the Commercial Zone | Complies | These provisions restrict vehicle accesses in the pedestrian frontage overlay area and encourages all vehicle access to utilise service lanes where there is one. In this instance the proposal utilises the existing service lane for access and doesn't include an access over the pedestrian frontage area along Victoria Street. The proposal therefore complies with these provisions. |
| 16.4.2.13 & 16.4.2.14 | Parking, loading and manoeuvring area | Complies | These provisions set out the requirements for loading spaces to comply with Appendix T1, and where parking is provided how these should be designed.<br>In this instance, and as noted above, the loading spaces provided for the development meet the requirements in Appendix T1.<br>In terms of the parking spaces and how they are designed they are consistent with the requirements outlined in subclause (a) to (e) of Rule 16.4.2.14. The proposal therefore complies with these provisions. |
| 16.4.2.20 | Car park landscaping and lighting | **Restricted Discretionary** | This provision requires all car parks to have one tree planted for every 5 car parking spaces, and to ensure lighting is appropriate. It also notes that all car parks within the Commercial Zone, with more than 25 car parking spaces shall be a restricted discretionary activity.<br>In this instance as the carpark is in the basement no trees are proposed; therefore, the proposal fails to comply with this provision and requires assessment for a restricted discretionary activity with discretion restricted to:<br>▪ Landscaping and lighting design elements; and<br>▪ Consideration of Crime Prevention through Environmental Design; and<br>▪ Vehicle queuing on-site. |
| 16.4.2.21 | Provision of bicycle parking facilities | Noted | This provision requires bicycle parking facilities for sites other than those located in the pedestrian frontage area. As the site is within the pedestrian |

| Rule # | Rule Name | Status of Activity | Comment |
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| | | | frontage area, this provision is not required to be complied with however it is noted that bicycle parking spaces have been provided. |
| 16.4.2.22 | Provision of an integrated transportation assessment | Noted | This provision sets out the expectations for the provision of an Integrated Transport Assessment for activities. In this instance, while an assessment was not provided with the application, this was sought through the further information request and confirmed, on completion, the building and anticipated activities will generate 1,282vpd, which is a high volume of traffic for a minor arterial road. It is noted the table does not include requirements for Discretionary and Non-Complying Activities however does suggest that for this volume of traffic an application should be accompanied with a Broad ITA. |
| 20.4.2.1 | Odour, smoke, fumes or dust | Will Comply | This provision requires activities to ensure nuisance effects from odour, smoke, fumes or dust do not go beyond the boundaries of a site. In this instance the methods for management of the construction of the building will minimise these types of effects to a level anticipated to comply with this provision. |
| 20.4.2.2 | Lighting and glare | Will Comply | This provision seeks to ensure lighting is appropriate and mindful of the surrounding activities. In this instance a Lighting Plan has been provided with the further information request and demonstrates compliance with this provision. |
| 20.4.2.4 to 20.4.2.11 | Maintenance of buildings, sites and infrastructure | Will Comply | These provisions seek to ensure sites are not left in an unfinished state or result in impacting the amenity of the area. In this instance the proposed construction management plan and conditions of consent, should consent be granted, will ensure compliance with these provisions. |

**Table 7:** District Plan rule assessment

As outlined in the table above, the application is deemed to be a **Non-Complying Activity** being the highest status indicated by the above rules.

# 3 STAFF COMMENTS

## 3.1 Urban Design

Mr Sam Foster, Urban Design Consultant at Beca, has reviewed the application. In his assessment he considered the proposed building, noting context and character within the Cambridge CBD and

character area, the design and layout, the relationship of the building with the street and its appearance, the amenity of the building including for future residents and the wider community, site circulation for both vehicles and pedestrians, and noted the lack of public facing landscaping as being acceptable. In conclusion Mr Foster stated that:

- *"The mixed-use development will bring a range of commercial, residential and office activity to the centre of Cambridge and will positively contribute to the vibrancy and vitality of the centre.*
- *Overall, it is considered the proposed mixed-use development achieves the outcomes of the Character Guidelines of the District Plan. It provides a contemporary response to the site and successfully maintains the activated street edge of the site whilst introducing variation and articulation of the façade in a manner that will maintain the rhythm of the "main street" feel. The scale of the building responds to the context of Victoria Steet with the first two floors at the street boundary and the upper levels stepped back from the boundary.*
- *It is considered that the proposal will positively contribute to the streetscape in a manner that is consistent with the outcomes sought for Victoria Street through glazing of the ground floor and provision of a verandah.*
- *The design and layout of the building is arranged to activate Victoria Street through retail and office activity on the first and second floors. Residential activity on the upper levels will increase activity in the area and provides separation from the street for residents.*
- *Use of the rear accessway provides separate vehicle access to the rear of the site and maintains the street elevation for pedestrian activity.*
- *The scale of the building means that it is larger than the existing built form in the context. This is aligned with the outcomes sought in the District Plan and enabled by the Commercial Height Overlay. It is considered that the large-scale building successfully incorporates a range of design features that help to integrate the building into the existing streetscape, including the stepping back of the upper floors and articulation of the front façade to break up the visual mass of the building into smaller components.*
- *The development is considered to present a positive urban design outcome for Victoria Steet and is supported from an urban design perspective."*

## 3.2 Contaminated Soils

Mr Brodie Rowse, Senior Environmental Scientist at Beca, has reviewed the application. In this assessment he considered if the site is a 'piece of land' under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011, if the activity complied with the permitted activity conditions, and the adequacy of the Preliminary Site Investigation provided with the application.

Mr Rowse agreed the site was covered by the NES-CS regulations due to four pieces of the site which have been identified as having a historic engineering workshop, a historic motor vehicle workshop,

uncontrolled fill, and the potential use and degradation of an asbestos building material and lead based paint.

Mr Rowse raised some concerns with the adequacy of the Preliminary Site Investigation which were captured in the Section 92 Request to the applicant as outlined in Section 1.5.2 above. A Revised Preliminary Site Investigation, prepared by HD Geo, was provided on 24 September 2025, and reviewed and confirmed by Mr Rowse on 3 November 2026.

Mr Rowse advised that "*We have reviewed the additional information supplied by the applicant and can confirm that this covers the items that were raised. The applicant has proposed draft Resource Consent conditions; we recommend the below alternative conditions:*

1. *Prior to soil disturbance being undertaken completed on the site, a detailed site investigation (DSI) must be completed for the site. The DSI must be prepared by a suitably qualified and experienced practitioner (SQEP) and prepared in accordance with the Ministry for the Environment (MfE) Contaminated Land Management Guidelines (CLMG) No. 1 – Reporting on contaminated sites in New Zealand (revised 2021) and No. 5 – Site investigation and analysis of soils (revised 2021). The DSI must include:*
    a. *additional site investigation and soil sampling, as per the Draft DSI Sampling and Analysis Plan, outlined in HDGeo Preliminary Site Investigation (Revision 1), Reference: HD3644, dated 23 September 2025, or subsequent iterations.*
        i. *If the location of an Underground Storage Tank (UST) or UST pit is identified, this location is to be investigated as per the MfE Guidelines for Assessing and Managing Petroleum Hydrocarbon Contaminated Sites in New Zealand (revised 2011)*
    b. *further assessment of the extent and characterisation of the uncontrolled fill on the site*
    c. *any other further assessment required as identified*
    d. *any matters arising from review of the DSI must be resolved in consultation with WDC prior to the DSI being certified.*
2. *Prior to the commencement of soil disturbance for the development, the consent holder shall supply a Remedial Action Plan (RAP) and / or Contaminated Soil Management Plan (CSMP) prepared by a SQEP in accordance with MfE CLMG No. 1 (Revised 2021) depending on outcome of the DSI. The RAP and / or CSMP shall include, but not be limited to:*
    a. *Detail the management or remedial approach to be undertaken to address identified soil contamination onsite (if required).*
    b. *Controls to be in place in the event of an accidental soil contamination discovery.*
    c. *Proposed soil validation sampling to be completed following remedial earthworks (if required);*
3. *The DSI, CSMP, and RAP (if required) shall be submitted to WDC, or nominee, for certification no later than 10 working days prior to works commencing.*

4. *The certified RAP and CSMP shall be kept on site at all times during the construction phase until such time as all soil disturbance works are complete.*

5. *Any soil from the removed from during development must be disposed of to a facility authorised to receive it.*

6. *Prior to placing further material (e.g. fill, foundations) on the area subject to the RAP and CSMP, the consent holder must provide a Site Validation Report (SVR) prepared by a SQEP in accordance with MfE CLMG No. 1 (Revised 2021) to Council, or nominee, for certification. The SVR should include as a minimum:*

    a. *Summary of works completed (supported by photographs);*

    b. *Confirmation that contaminant concentrations in the area has been remediated to the remedial objectives set;*

    c. *If the area has not be remediated to a commercial / industrial land use scenario, the proposed long-term management controls if soil contamination in excess of the commercial / industrial land use scenario is to be left in-situ;*

    d. *Records of any additional soil sampling undertaken;*

    e. *The volume and disposal location of soil removed during development;*

    f. *Confirmation that any imported fill material is of suitable quality for the proposed end land use; and*

    g. *Any complaints, incidents, or accidental soil contamination discoveries."*

Should consent be granted, I concur with Mr Rowse's recommendations.

## 3.3 Noise, Vibration & Dust

Council's Environmental Health Officer, Mr Glynn Jones, reviewed the application to provide comments on the likely adverse effects of the proposal from an Environmental Health perspective. Mr Jones review set out his concerns relating to construction noise, vibration, dust, building acoustics, lighting, and refuse collection. These concerns were captured in the Section 92 Request to the applicant as outlined in Section 1.5.2 above. A response was provided from the authors of the Acoustic Assessment, Earcon Acoustics, along with an Updated Construction and Vibration Assessment, Dust Management Plan, Lighting Plan, Draft Construction Management Plan, and confirmation of refuse collection were provided to address these concerns.

Following his review of the further information provided Mr Jones has provided the following comments:

- **Construction noise and vibration:** The Earcon response has assessed the noise and vibration effects at all the sites identified by the Council as potentially sensitive sites in the Section 92 request. While it is agreed that's the sensitivity for retail businesses will not be as great as those listed by Earcon which considered specific sensitivities such as the medical centre, Mr

Jones believes that a sensitive site can also be regarded as one where there is a potential for a complaint to be received that the noise or vibration is causing an adverse effect on the business operation. In his commentary he has noted the following properties in particular:

- 30-30A Victoria Street: For the Mint Store, Glass Printery Café and Glass Printery Shop and Manufacturing Unit and the Black Collar Tattoo occupiers, the Earcon response predicts that there would be no particular issues in terms of construction noise and vibration within these tenancies. The predictions are based on the fact that the noise and vibration will be mitigated within the premises due to the solid concrete block construction of the walls and that door openings are screened on the opposite side to the construction site. The reviewer believes that this is a reasonable assessment but does not take into account the fact that there is effectively a single party wall to the construction site. This means that any direct impact on this wall or the footings during demolition of the adjacent connected building and from any piling close to the footings could potentially result in much greater effects. It is appreciated that these effects are likely to be limited to days, but in a similar case experienced by the reviewer, the tenant could not reasonably be in occupation when this occurred. This needs to be recognised at least so that a plan can be made to consult the parties affected nearer the time of development, as circumstances could change in the next few years.
- 3 Commerce Street – Cambridge Glass: The predicted external noise is 53-55dBA. This business has a large door that is commonly left open. This means that the internal level with the door open could be around 10 dBA lower i.e. 43 – 45 dBA. This is not unreasonable.
- 35 Victoria Street – Cambridge Vege Fresh: The predicted highest external level is 67 – 69 dBA. The front door is commonly left open so the internal level could be around 10 dBA higher i.e. 57 – 59 dBA. This is not unreasonable.
- 39 Victoria Street – Robert Harris: The predicted highest external level is 67 – 69 dBA. The main issue here is the outdoor pavement café seating. Ambient noise levels were measured weekday mid-afternoon with reasonably busy traffic on the footpath near to this seating area (with some contribution from external speaker music from Alpino) was 63 dB LAeq. This compares well with the Earcon prediction of 60-65 dB LAeq daytime. It is agreed that a worst-case exceedance of up to 6 dBA during sheet piling, although audibly above traffic, would not preclude the use of this outdoor area.
- 43 Victoria Street – Alpino Cambridge: The predicted highest external level is 67 – 69 dBA. The main issue here again is the outdoor pavement restaurant seating. Ambient noise levels were measured weekday mid-afternoon with reasonably busy traffic on the footpath near to this seating area (with some contribution from external speaker music from Alpino) was 63 dB LAeq. This compares well with the Earcon prediction of 60-65 dB LAeq daytime. It is agreed that a worst-case exceedance of up to 6 dBA during sheet piling, although audibly higher than the traffic, would not preclude the use of this outdoor area.

- 1/44 Victoria Street – Gelatamore: Predicted highest internal noise levels are 65 dBA over 2 days which is not unreasonable. However, with the door open this could rise to 75 dBA. The main issue would be for outdoor pavement use for which the predicted level is 80 dBA. Ambient noise levels were measured weekday mid-afternoon with reasonably busy traffic on the footpath near to this seating area was 65 dB LAeq. This is at the upper end of the Earcon prediction of 60-65 dB LAeq daytime. A predicted worst-case exceedance of up to 15 dBA during sheet piling, will be significantly higher than the traffic. This may preclude the use of the outdoor are at this location. It is appreciated that these effects are likely to be limited to days, but this needs to be recognised at least so that a plan can be made to consult the parties affected nearer the time of development, as circumstances could change in the next few years.
- 44A Victoria Street – Chopchop restaurant: This site is also identified as a potential receiver being adjacent to Gelatamore in the same building. It is considered that the noise effects at this location may also preclude the use of the outdoor area during the noisiest piling time and should be recognised in the same way as their neighbouring business above.
- 46 Victoria Street – Paddock: Predicted highest level circa 69 – 70 dBA for 2 days of sheet piling. Ambient noise levels were measured weekday mid-afternoon with reasonably busy traffic on the footpath near to this seating area was 65 dB LAeq. This is at the upper Earcon prediction of 60-65 dB LAeq daytime. It is agreed that a worst-case exceedance of up to 5 dBA during sheet piling, although audible above traffic, would not preclude the use of this outdoor area.
- Residential units – 22, 24 and 26 Wilson Street: The residential units referred to in the reviewers s92 request are accessed via Wilson Street and are located above and behind the commercial properties at 33 and 33B Victoria Street (effectively opposite to the 30 and 32 Victoria Street). It is considered that the predicted noise by the Earcon response of 66- 68 dBA at 43 Victoria Street would not be significantly different at the Victoria Street facade. Re-assessing these units, it appears that they have balconies facing Wilson Street. There are some windows facing Victoria Street and on the gable façade, but it is not known if these are opening windows. The construction noise using the above prediction would be less than 70 dB LAeq at this location and therefore within the acceptable guideline levels.

Should consent be granted, Mr Jones recommends that a final Construction Noise and Vibration Management Plan (CNVMP) condition is included to ensure the construction noise and vibration effects are adequately addressed. The CNVMP should include detailed consultation with immediately affected neighbours, confirmed piling schedules, mitigation measures (including vibration transmission via underground utilities), monitoring requirements, complaint response procedures, contingency measures, pre-start meeting requirements, and provisions for any work proposed outside standard construction hours. A condition regarding noise and vibration monitoring by a suitably qualified acoustic expert is

also recommended.

Mr Jones also notes that it has been suggested that the contractor may consider working outside standard construction hours, if this proved to be a practicable way of resolving adverse effects on the neighbours, and could include work stopping at critical times during the day. However, Mr Jones considers that negotiations with the immediate neighbours affected as identified above, could potentially involve other acceptable options for these businesses.

In regard to concrete pouring, it is Mr Jones' experience that this activity is almost always carried out before 7.30am without resource consent. The commercial surrounds should not be impacted at this time, although there would need to be some consideration regarding the potential effects on the residential units opposite the site. Any potential extension of hours in this way should be considered as part of the consent.

- **Dust:** A draft Dust Management Plan was provided as part of the Section 92 Information. The Dust Management Plan advises that the primary mechanism for dust control is by suppressing dust using a water cart or covering exposed soil. Other control measures include limiting exposed areas, covering or removing spoil, low vehicle speeds on site, stabilised site entry, sweeping adjoining roads if material is deposited, and plastic or similar screening along the site boundaries.
- **Building acoustics:** Mr Jones has considered the inter-tenancy noise effects, particularly between the commercial and residential activities, and the effects of noise from design and location of building plant. In the Section 92 information it has been recommended that, should consent be granted, conditions can ensure that the insulation between tenancies and the design details surrounding the mechanical plant can be used to minimise these effects. Mr Jones also recommends a condition is including to ensure compliance with the District Plan building noise insulation requirements for the tenant's habitable spaces.
- **Lighting:** A Lighting Plan provided as part of the Section 92 Information and Mr Jones notes that this shows that any external lighting is limited to façade decorative and recessed soffit lighting for residents. On the basis that there are no security lights shown, there should be no glare or nuisance effects.
- **Refuse collection:** Through the Section 92 information process, Mr Jones notes the applicant has accepted the recommended restrictions on refuse collection times and that collection is facilitated within the building. Should consent be granted it is recommended to include a condition limiting refuse collection to between the hours of 7.00am and 10.00pm to minimise the noise effects of refuse collection for residents.

In summary, Mr Jones remains concerned that the construction effects will impact the surrounding businesses and residential units. To minimise these effects, a suite of conditions is recommended as noted in the preceding paragraphs, should consent be granted. Following the completion of the construction, and subject to suitable building design, the adverse effects considered by the Environmental Health Team will be very minimal (i.e. operational noise of future activities within the building).

## 3.4 Development Engineering

Council's Development Engineering Team Leader, Ms Vandana Venkateshappa, has reviewed the application and notes the following points:

- **Earthworks:** The proposal involves significant earthworks associated with demolition of the existing buildings, excavation for the basement level, and construction of the new four-storey mixed-use development. Excavation depths of up to approximately 4m and an estimated earthworks volume of 6,072.5m³ are proposed across the site.

  The primary risks associated with the earthworks relate to sediment discharge, erosion, stability of excavations, management of temporary works, impacts on neighbouring properties, and increased heavy vehicle movements due to the removal of surplus excavated material from the site. Based on the geotechnical assessment and draft Construction Management Plan provided, these risks can be appropriately managed through detailed design and construction controls.

  Subject to conditions requiring the preparation and implementation of a final Construction Management Plan, Sediment and Erosion Control measures, Site Management Plan, and management of truck movements during the construction phase, the earthworks are considered acceptable from an infrastructure perspective. The likely adverse effects are temporary in nature and can be managed through the recommended conditions of consent.

- **Foundations:** A Preliminary Geotechnical Report prepared by HD Geo has been provided in support of the application. The assessment confirms that liquefaction is not expected and the site is classified as Performance Level 0, indicating insignificant liquefaction effects.

  The Geotechnical Report indicates that ground conditions are generally suitable for the proposed development. Preliminary bearing capacity assessments indicate that adequate foundation bearing capacity is available across the site, subject to the removal and replacement of any uncontrolled fill encountered during construction. Settlement modelling indicates low settlement risks for the proposed development, with any potential settlement effects able to be addressed through detailed foundation design once building loads and foundation dimensions are confirmed.

  The primary geotechnical considerations relate to the construction of the proposed basement adjacent to neighbouring buildings, the rear service lane, and Victoria Street. The Geotechnical Report identifies that retaining structures will be required to support neighbouring land, buildings, and public infrastructure during excavation works. Detailed retaining wall design and construction methodology will be required to manage potential cross-boundary effects and ensure adjacent properties and infrastructure are appropriately protected during construction.

  Subject to conditions requiring detailed geotechnical design, foundation design, retaining structure design, protection of neighbouring properties and infrastructure, construction monitoring, the geotechnical and foundation-related effects of the development are

considered acceptable. The identified risks primarily relate to excavation and retaining works associated with the basement construction and can be appropriately managed through detailed engineering design and the recommended consent conditions.

- **Roading:** The proposed development will be accessed via the service lane from Commerce Street. The proposal includes a basement car park containing 37 car parking spaces, bicycle parking, and a motorcycle space. An Integrated Transport Assessment (ITA) has been provided to assess the transportation effects of the development and identify measures required to support safe and efficient vehicle movements.

  The assessment indicates that the proposed development is expected to generate significantly fewer vehicle movements than the existing activity, resulting in a reduction in overall traffic demand on the surrounding road network. The key transportation considerations relate to vehicle and pedestrian safety at the site access points, visibility constraints associated with the basement car park exit, operation of the rear service lane, loading and refuse collection activities, and the management of construction traffic within a constrained town centre environment.

  The ITA has identified mitigation measures to address these matters, including signage, traffic control measures, visibility improvements, basement access design requirements, service lane upgrades, operational controls for loading and waste collection activities, and measures to support safe pedestrian and vehicle movements. The proposal includes basement parking for residents and staff, customer parking within the surrounding public parking network, servicing via the rear service lane, and private refuse collection arrangements.

  In response to the Section 92 request for further information, the applicant provided additional information regarding construction traffic effects, including construction worker parking, heavy vehicle parking and queuing, pedestrian management, maintenance of service lane access, impacts on public parking and footpaths, utility service protection requirements, construction staging, and crane operations.

  Given the scale of the excavation and construction works, detailed Construction Traffic Management Plan, Construction Management Plan, and Temporary Traffic Management Plan conditions are recommended to ensure pedestrian connectivity, cycle access, public parking provision, service lane access, traffic safety, business access, and utility services are maintained throughout the construction period. Particular emphasis will be required to maintain safe pedestrian connectivity along Victoria Street, retain operation of the existing southbound cycle lane where practicable, maintain reasonable public parking availability, and ensure construction worker parking is appropriately managed to minimise impacts on adjoining businesses and town centre users.

  Particular attention will also be required to protect existing Council assets and infrastructure, including the service lane, footpaths, vehicle crossings, roadway, street signage, street lighting, and utility services. Pre- and post-construction condition surveys are recommended to identify any damage resulting from the works and ensure affected assets are reinstated to Council standards upon completion of construction. Any temporary removal or relocation of

street lighting required to facilitate the works will need to ensure equivalent lighting standards are maintained during construction and that lighting infrastructure is reinstated or replaced upon completion of the development.

The operation of waste collection and servicing vehicles has also been considered as part of the transport assessment. Appropriate controls are recommended to ensure delivery and refuse collection vehicles utilise the approved route via Commerce Street and Victoria Street and operate outside peak traffic periods where practicable. A Waste Management Plan will also be required to ensure waste collection activities can be undertaken safely and efficiently while maintaining the functionality of the surrounding transport network and service lane.

Subject to conditions requiring implementation of the ITA recommendations, detailed design and construction of the basement access and parking arrangements, service lane upgrades, vehicle manoeuvring requirements, signage, hold lines, convex mirrors, loading and servicing controls, preparation of the CTMP, CMP, TTMP and Waste Management Plan, together with pre- and post-construction condition surveys and post-construction operational safety audits, the transportation effects of the development are considered acceptable. The identified operational and construction-related effects, including impacts on pedestrians, cyclists, public parking, business access, servicing activities, and Council infrastructure, can be appropriately managed through the recommended consent conditions.

- **Water Supply:** The proposed development proposes to utilise the existing 100mmø Council watermain located within the rear service lane. The development comprises a four-storey mixed-use building, including residential, retail, and office activities, resulting in a higher water demand than the existing site and requiring sufficient pressure and storage to service all levels of the building.

  The key water supply risk relates to the height of the proposed building rather than the capacity of the Council network. Council only guarantees a minimum supply pressure of 200kPa at the property boundary, which is insufficient to service upper levels of developments that are approximately 9m in height. The applicant's assessment confirms that adequate network capacity is available to service the proposed demand; however, the available pressure at the upper levels of the building will be inadequate, requiring a private booster pump and/or header tank system to ensure an appropriate level of service throughout the development.

  The Infrastructure Capacity Assessment has assessed the expected water demand and confirms that the development can be serviced from the existing network, subject to appropriate on-site infrastructure. As the proposed demand exceeds 15m³/day, a Water Conservation and Demand Management Plan will also be required to ensure efficient water use. In addition, operational water storage will need to be provided in accordance with Council's infrastructure standards.

  From a firefighting perspective, an existing Council fire hydrant is located within the required distance of the development. The applicant has confirmed that the development can be

serviced by the existing hydrant network, with detailed firefighting design requirements to be addressed as part of the Building Consent process.

Subject to conditions requiring the detailed design of the water supply connections, provision of a booster pump and/or header tank system, operational water storage, a Water Conservation and Demand Management Plan, and quality assurance and as-built certification, the water supply effects of the development are considered acceptable. The identified risks are primarily related to pressure and internal servicing requirements, and it can be appropriately managed through detailed design and the recommended consent conditions.

- **Wastewater:** The proposed development proposes to connect to the existing wastewater network located to the rear of the site. An existing 150mmø wastewater pipe currently terminates within the development site and is located beneath the proposed building footprint. As a result, the existing wastewater infrastructure will require realignment into the rear service lane to ensure it remains accessible for maintenance and does not conflict with the proposed building.

  The key wastewater infrastructure issue relates to the location of an existing Council wastewater pipe which currently terminates within the development site and is located beneath the proposed building footprint. This infrastructure cannot remain beneath the proposed building and will therefore need to be realigned into the rear service lane. Apart from the relocation of the existing wastewater asset, the applicant has demonstrated that sufficient capacity is available within the downstream wastewater network to accommodate the additional flows generated by the development.

  The Infrastructure Capacity Assessment has been provided and includes calculations for the anticipated wastewater flows from the residential, retail, and office activities, and an assessment of the capacity of the downstream network to the nearest trunk main. The assessment confirms that adequate capacity exists within the receiving network to accommodate the development. The primary infrastructure requirement is therefore the relocation of the existing wastewater main and the provision of appropriately designed connections for each tenancy and residential unit, including any laterals from surrounding properties that connect to the existing manhole.

  Subject to conditions requiring the detailed design and construction of the wastewater connections, relocation of the existing wastewater infrastructure into the service lane, the wastewater effects of the development are considered acceptable. The Infrastructure Capacity Assessment confirms that adequate downstream network capacity exists to service the proposal, and the identified risks primarily relate to the protection and relocation of existing Council infrastructure rather than network capacity constraints. These matters can be appropriately managed through detailed design and the recommended consent conditions.

- **Stormwater:** The proposed redevelopment results in only a minor increase in impermeable area compared with the existing site. The proposal includes additional roof coverage and a

basement car park, which introduces stormwater management considerations that must be addressed through detailed design.

The key stormwater risks relate to increased runoff from the site, provision of adequate stormwater attenuation to account for climate change effects, and management of surface water ingress into the basement car park. The applicant's assessment proposes the installation of an onsite detention system to mitigate the effects of the additional impervious area and reduce peak discharge rates to the receiving network. Due to site constraints and the high level of site coverage, above-ground detention infrastructure is proposed as the most practical solution.

In addition, the basement car park will require a suitably designed drainage and pump system to manage stormwater ingress and ensure the basement remains protected during rainfall events. Detailed design calculations and supporting engineering information which will be required to demonstrate that the proposed system can effectively manage stormwater generated by the development.

Subject to conditions requiring the relocation of the existing stormwater pipe into the service lane, preparation of a Stormwater Management Plan, detailed design of the onsite detention system and basement drainage arrangements, and the stormwater effects of the development are considered acceptable. The identified risks primarily relate to management of runoff and existing infrastructure and can be appropriately managed through detailed design and the recommended consent conditions.

In summary, should consent be granted, Ms Venkateshappa recommends a suite of conditions will be required to ensure the construction process is managed to minimise the impact on the surrounding properties including Council's infrastructure networks, and to ensure the resulting infrastructure is designed and built to the required standards to service the building and its future anticipated uses.

# 4 ASSESSMENT FOR THE PURPOSE OF PUBLIC NOTIFICATION

## 4.1 Adequacy of information

It is my opinion that the information contained within the application is substantially suitable and reliable for the purpose of making a recommendation of and decision on notification. The information within the application is sufficient to understand the characteristics of the proposed activity as it relates to provisions of the District Plan, for identifying the scope and extent of any adverse effects on the environment, and to identify persons who may be affected by the activity's adverse effects.

## 4.2 Mandatory Public Notification - Section 95A(2) & (3) – Step 1

Council must publicly notify the resource consent where:

a) it has been requested by the Applicant; or

b) a further information request has not been complied with, or the Applicant refuses to provide the information pursuant to Section 95C; or

c) the application has been made jointly with an application to exchange recreation reserve land under Section 15AA of the Reserves Act 1977.

In this instance, none of the above situations apply, therefore public notification is not required under Section 95A(2) and 95A(3).

## 4.3 Public notification precluded – Section 95A(5) – Step 2

The consent is for a resource consent for one or more activities and there are no rules in a National Environmental Standard or the District Plan relevant to this proposal that preclude public notification.

The application is not for a resource consent for one or more of the following:

a) Controlled activity;

b) A restricted discretionary activity or discretionary activity, but only if the activity is a subdivision of land or a residential activity;

c) A restricted discretionary, discretionary, on non-complying activity, but only if the activity is a boundary activity;

d) A prescribed activity (see Section 360H(1)(a)(i)).

The application is for the construction and operation of a mixed-use building in the Commercial Zone. This activity has been considered under the Waipā District Plan and deemed a Non-Complying Activity as outlined above in Section 2.2 and public notification is therefore not precluded pursuant to Section 95A(5)(b).

## 4.4 Public notification required in certain circumstances – Section 95A(8) – Step 3

Council must publicly notify the resource consent where:

a) The application is for a resource consent for one or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification; or

b) The consent authority decides, pursuant to Section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.

In this instance, public notification is not required by a rule or a national environmental standard. Refer to Section 4.5 and 4.6 of this report for Council's assessment of the effects.

## 4.5 Effects that may or must be disregarded – Section 95D(a), (b), (d) and (e)

Pursuant to Section 95D, if a rule or national environmental standard permits an activity with that effect the adverse effect of that activity may be disregarded.

### 4.5.1 Permitted Baseline

Pursuant to Section 95D, a Council may disregard an adverse effect of the activity on the environment if the plan or a national environmental standard permits an activity with that effect (i.e. the Council may consider the 'permitted baseline'). The permitted baseline is a concept designed to disregard effects on the environment that are permitted by a plan or have been consented to with regard to who is affected and the scale of the effects.

Within the Commercial Zone, the District Plan provides for the following activities which are applicable to this application:

- dwellings situated above ground level (Rule 6.4.1.1(a))
- offices (Rule 6.4.1.1(f))
- licensed premises, cafes, restaurants, takeaway food outlets (Rule 6.4.1.1(l))
- retail activities (Rule 6.4.1.1(o))
- demolition and removal of buildings and structures (Rule 6.4.1.1(r))
- earthworks (Rule 6.4.1.1(t))

The District Plan, doesn't however provide for the erection of new buildings within the Character Precinct Areas as a permitted activity, and the new building is subject to a restricted discretionary activity status under Rule 6.4.1.3(b). As noted above in Section 2.2, the matters of discretion are restricted to built character; building exterior design, scale, materials, colour and siting; effects on public spaces; visual amenity; and signage location, colour, size and content.

In terms of the future use of the building, the proposed use for offices, licensed premises, cafes, restaurants, takeaway food outlets and retail activities, can be considered as part of the permitted baseline and any likely adverse effects of these activities have been disregarded in the following effects assessment.

Regarding the proposed dwellings situated above ground level, it is noted that these fail to comply with Rule 6.4.2.20 about the location of the outdoor living area for four apartments. As this activity does not meet the provisions of the District Plan this component cannot be considered as part of the permitted baseline.

The effects of the demolition of the existing buildings can be considered as part of the permitted baseline in regard to the District Plan, however it is noted that the Preliminary Soil Investigation identified the *'potential use and degradation of asbestos building material and lead based paint*' as one of the HAIL activities on the site. The demolition works are therefore captured as part of the

consideration and assessment of the site as a discretionary activity under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011 ('NES-CS'). As the demolition works are not permitted by the NES-CS it is not considered appropriate to disregard the likely adverse effects associated with the '*asbestos building material and lead based paint*'.

Considering the earthworks for the site, and that provided for within Rule 6.4.2.30 being works that will be *'incidental to the resource consent*', the earthworks could be considered as part of the permitted baseline under the District Plan. However, and like the demolition of the existing buildings as outlined above, the earthworks are subject to the assessment of the site as a discretionary activity under the NES-CS. As the earthworks are not permitted by the NES-CS it is not considered appropriate to disregard the likely adverse effects from the earthworks.

### 4.5.2 Receiving Environment

The receiving environment is the environment upon which a proposed activity might have effects. This includes the future state of the environment as it might be modified by the utilisation of rights to carry out permitted activities and as it might be modified by implementing resource consents that have been granted. In terms of granted resource consents, at the time a particular application is considered, these are to be considered where it appears likely that those resource consents will be implemented. In this instance I note that none of the adjacent properties, as listed below in Table 8, have lodged resource consent applications.

The receiving environment in this instance can be described as a range of mostly single storey commercial buildings that are used for a mix of retail activities, including cafes and restaurants, fruit and vegetable stores, beauticians, clothing outlets, health care facilities (i.e. dentists, optometrists, medical centre), and offices. Some of these buildings also contain residential activities on the first floor. None of the surrounding properties have resource consents that are yet to be implemented.

### 4.5.3 Land excluded from the assessment

For the purpose of assessing an application to establish whether public notification is required, effects on owners and occupiers of the subject site and adjacent sites, and persons who have given written approval **must** be disregarded. The adjacent properties to be excluded from the public notification assessment are listed in Table 8 and shown in Figure 25 below.

Written support was provided from Cambridge Chamber of Commerce.

| ID# | Street Address | Legal Description | Owner |
|---|---|---|---|
| 1 | 44 Victoria Street | Part Lot 1 DP 27926 | Appletree Cambridge Limited |
| 2 | 46 - 49 Victoria Street | Part Lot 1 DP 27598 | Whitehall Fruitpackers Holdings Limited |
| 3 | 53 & 55 Duke Street | Part Lot 2 DP 27598 | Kylie R Makgill, Amanda J M Tosland, Braedon J Makgill, Wayne G Tosland |

| ID# | Street Address | Legal Description | Owner |
|---|---|---|---|
| 4 | 57 Duke Street | Part Allot 587 TN OF Cambridge East | Kevin C Deane, Andrea J Deane, Tompkins Wake Trustees 2012 Ltd |
| 5 | 59 Duke Street | Part Allot 587 TN OF Cambridge East | Robyn M Barclay |
| 6 | 61 Duke Street | Part Allot 587 TN OF Cambridge East | Andrea Joy Deane, Kevin Charles Deane, Tompkins Wake Trustees 2012 Limited |
| 7 | 63 Duke Street | Part Allot 587 TN OF Cambridge East | |
| 8 | 65 & 67 Duke Street | Part Lot 2 DP 17846 | Van Dyk Properties Limited |
| 9 | 3 Commerce Street | Part Lot 14 DPS 2624 | Grant Donald Heaslip, Pamela Mary Sutton, Peter Michael Joseph Sutton |
| 10 | Commerce Street | Lot 1 DP 364495 | Terence D Brown & Gavin W E Nagle |
| 11 | 30-30C Victoria Street | Lot 1 DPS 2624 | QH21 Limited |
| 12 | 33 & 33B Victoria Street | Lot 4 DPS 80126 | Kuranui Holdings Limited |
| 13 | 35 & 37 Victoria Street | Lot 1 DPS 33768 | Avtar Singh, Manpreet Kaur, Nirbhai Singh |
| 14 | 39 & 39E Victoria Street | Allot 606 TN OF Cambridge East | KDC Properties Limited |
| 15 | 41A Victoria Street | Part Section 2 SO 58226 | Franciscus Johannes Maria Gies, Grant Fullerton Clayton, Judith Anne Clayton, Lewislegal Trustees 2022 Limited |
| 16 | 43 & 45 Victoria Street | Part Section 2 SO 58226 | |
| 17 | 47 Victoria Street | Lot 2 DP 4682 | Peter M Sherry, Bernice E Sherry, Pingao Trustee 302 Limited |

**Table 8:** Properties excluded for purposes of public notification assessment




**Figure 25:** Adjacent properties map (Subject site highlighted in red)

## 4.6 Assessment of Adverse Environmental Effects – Section 95D

Part 2 of the Act explains the purpose is to *"promote the sustainable management of natural and physical resources"*. In addition, it is noted the meaning of 'effect' is defined under the Act as:

> *In this Act, unless the context otherwise requires, the term **effect** includes—*
>
> *(a) any positive or adverse effect; and*
>
> *(b) any temporary or permanent effect; and*
>
> *(c) any past, present, or future effect; and*
>
> *(d) any cumulative effect which arises over time or in combination with other effects — regardless of the scale, intensity, duration, or frequency of the effect, and also includes—*
>
> *(e) any potential effect of high probability; and*
>
> *(f) any potential effect of low probability which has a high potential impact.*

With the definition of 'effect' in mind, it is considered appropriate to further examine the effects of the proposed activity relating to construction, cultural, archaeological, character and amenity, roading, and infrastructure effects. An assessment of effects is included in Section 10.0 of the application, and my assessment of the adverse effects is below.

### 4.6.1 Construction & Earthworks Effects

Construction and earthworks are an instrumental component of all development and are required

to modify the existing sites to enable construction and appropriate servicing to occur. Typically, the scale and impact of construction and earthworks reflect the size of the development, with the potential adverse effects often arising from construction noise, dust, vibration, erosion and sediment control, and construction management. The potential adverse effects from construction are of particular concern where construction is adjacent to existing dwellings and sensitive environments.

With regard to the proposed development, the proposed earthworks and construction to be undertaken on the site are significant and likely to cause the most adverse effects. While it is acknowledged that these effects are temporary, for a duration of 22 months, due to the location and scale of the development, these effects have been further explored in the following paragraphs.

#### 4.6.1.1 Earthworks

The proposal includes the dig out of the proposed basement to a depth of at least 4.7m (being 1.2m below the basement finished floor level) across an area of approximately 1,969m$^2$. This equates to approximately 9,250m$^3$ of material. This material will then be transported off-site to an unknown location. Should the material include contaminated soils, this will be transported to an approved disposal facility for contaminated soils.

During the dig-out, the Draft Construction Management Plan outlines that it is proposed that Continuous Flight Auger piles are used to form the basement retaining system along with other temporary retaining measures including *"temporary shoring, propping, or local ground-support solutions to mitigate potential surcharge loads from adjacent structures and ensure the stability of the excavation during basement formation.*"

The adverse effects of the earthworks in terms of public notification considerations are likely to be related to construction vehicles only. While construction noise, vibration and dust effects will be noticeable for pedestrians and motorists on the surrounding roading network, these will be confined to the immediately surrounding area and therefore more appropriate to consider in regard to the adjacent persons outlined below in the limited notification assessment.

In terms of the construction vehicles, the Draft Construction Management Plan outlines a trucking plan will be developed to manage removal of materials from the site. It is suggested that:

- trucks will enter and exit the site through designated access points to minimise congestion;
- movements will be scheduled outside of peak traffic periods; and
- all loads will be covered prior to departure to prevent debris or material spread.

The Transportation Assessment Report recommends that a 'Construction Traffic Management Plan' is included as condition of consent, should consent be granted, setting out specific details regarding construction vehicle access, parking, routes and details. Further information in the Transport Memorandum outlines the existing parking along Victoria Street is anticipated to be closed for Heavy Commercial Vehicle ('HCV') queuing.

Council's Development Engineering Team and Transportation Team have reviewed the information provided in application and further information. In summary, both teams acknowledge the size, scale and location of the development will require careful management to ensure that the effects on the transport network are minimised. Using the methods outlined in the Draft Construction Management Plan, the Transportation Assessment Report and the Transport Memorandum, the combination of proposed management measures will ensure that the adverse traffic effects from construction vehicles during the basement excavation is minimised as much as reasonably possibly. While the closure of the adjacent footpath and parking spaces will be disruptive and a nuisance for members of the public, it is agreed that closures may be a necessary requirement to protect public safety and will be a temporary arrangement. Should closures occur, suitable alternative pedestrian/cyclist routes and alternative parking locations will be required and can be managed through conditions of consent.

In terms of the HCV's using Victoria Street, the road is a strategic route that provides intra-district connection. The standard to which the road is designed and constructed is such that it can accommodate this type of traffic although it is noted that HCV's typically avoid Victoria Street unless delivering goods to the existing commercial businesses in the area. The Transportation Assessment Report notes that HCV's will not be able to use the Victoria Road bridge.

In summary, the anticipated adverse effects for consideration during the earthworks component of the development are likely to be associated to the construction traffic in terms of the public notification considerations. While noticeable, and likely a nuisance to many, the adverse effects will be managed via various methods to ensure they are minimal. The construction effects associated with earthworks are therefore considered to be less than minor.

#### 4.6.1.2 Earthworks – Contaminated Soils

As noted above in Section 2.1 of this report, the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 is relevant to this application due to the activities which have been occurring on the site, and the likely disturbance of contaminated soils which will occur during development.

In this instance, the application includes a Preliminary Site Investigation, prepared by HD Geo. A Revised Preliminary Site Investigation was requested and provided on 24 September 2025 as part of the Section 92 information. The investigation outlines the site information, the desktop study undertaken, the contamination source assessment, site inspection details, soil sampling and laboratory testing considerations, and suggested next steps.

Section 10 of the Investigation provides the following conclusions:

- *"there are 6 potential 'pieces of land' on the site, with their preliminary extents mapped in Appendix A, figure 104. These 'pieces of land' are associated with:*
  - *a former engineering workshop*

- *a former motor vehicle workshop*
- *the presence of uncontrolled fill within the site*
- *a former dry cleaners*
- *an underground storage tank*
- *degraded lead-based paint and asbestos building materials*

- *from the limited data, our initial assessment is that there is no risk to human health from the uncontrolled fill on the site*
- *the risk to human health and the environment from the remaining 5 'pieces of land' has not been fully assessed or determined*
- *if off-site disposal of the uncontrolled fill is needed, it must be taken to a Class 1 or 2 facility*
- *a DSI is needed to investigate, assess, and refine all 6 identified 'pieces of land', specifically:*
  - *the extent of the uncontrolled fill*
  - *potential for a fuel UST associated with the motor vehicle workshop*
  - *potential for soil contamination associated with the drycleaners*
  - *degraded building materials (lead and asbestos) leading to incidental soil contamination"*

HD Geo has provided recommended next steps in Section 11 of the Revised Preliminary Soil Investigation, suggesting consent can be granted subject to detailed consent conditions which would require further detailed investigation of the six 'pieces of land', site management, remedial action plan and a site validation report.

Council's Consultant Senior Environmental Scientist, Mr Brodie Rowse, has reviewed the application, including the abovementioned Preliminary Site Investigation and Revised Preliminary Site Investigation. Mr Rowse agreed the site was covered by the NES-CS regulations and was satisfied that these were sufficiently addressed in the Revised Preliminary Site Investigation, prepared by HD Geo, and provided on 24 September 2025. Should consent be granted Mr Rowse agrees conditions of consent can ensure the appropriate management and remediation of the site occurs.

Overall, based on the technical reports provided with the application and Council's advice, it is my opinion that, should consent be granted, and subject to conditions of consent, any adverse effects as a result of the remediation of the contaminated soils will be less than minor.

#### 4.6.1.3 Building Construction

Regarding the construction of the proposed building, the detailed construction phases are outlined in Section 1.4 above with the key steps being basement construction, superstructure and concrete flooring, building envelope and internal fitout. As noted above, the likely adverse effects often

arising from the building construction are anticipated to be noise, vibration, and traffic, all of which have the potential to impact on the amenity of the wider area. The likely adverse effects from construction are of particular concern where building construction is adjacent to existing dwellings and sensitive environments.

In considering the likely adverse effects of the building construction, it is acknowledged that these effects are temporary, for a duration of 79 weeks, and while noticeable to the wider community, have been assessed pursuant to the public notification considerations of the Act.

#### 4.6.1.4 Building Construction Noise

In considering the likely adverse effects of the building construction noise, it is noted that Rule 6.4.2.27 of the District Plan requires all construction noise to be in accordance with the New Zealand Standard NZS 6803:1999 Acoustics – Construction Noise. The standard provides descriptions of construction noise in regard to time average sound, maximum and background sound levels, prediction of construction noise, measurement and assessment, guidelines for setting construction noise limits, and guidance for managing construction noise.

The application includes a 'Construction Noise and Vibration Assessment' which outlines the anticipated external noise levels at various stages of construction within Section 5.3.1 of the assessment. To address the building construction noise, the assessment proposes the following mitigation measures:

- All noise generating works, other than during concrete pours, shall be limited to Monday to Friday between 7.30am and 8pm, and Saturday between 7.30am and 6pm. No work shall occur on Sundays or Public Holidays.
- Concrete pours planned to start prior to 7:30am must be communicated to neighbours (e.g. letter drop) at least 1 week prior to the pour.
- Equipment restrictions during some parts of construction, or use of alternative equipment (i.e. Use of shear snap off bolts, hydraulic torque wrenches and screw fixing).
- A 2m high temporary acoustic fence along the northern, western and eastern boundaries. The fencing should be either acoustic blankets affixed to chain-link fences, or to existing fences if practical to do so, or plywood hoarding with a minimum surface density of 7kg/m2 (e.g. 12mm plywood) affixed to inground poles or using PVC panels. The acoustic fencing is recommended to be maintained until foundations are established.

Council's Environmental Health Officer, Mr Glynn Jones, have reviewed the application, including the abovementioned noise assessment and responses to the Section 92 further information request. As noted above in Section 3.3, Mr Jones remains concerned that the construction effects will impact the surrounding businesses and residential units. In regard to the wider public, Mr Jones has not raised concerns with the proposed predicated noise exceedances from the building construction.

Taking into account the information provided in the application and further information provided,

and the advice from Mr Jones, I consider that the building construction noise will be noticeable for the wider public due to the size, scale and location of the building works. While noticeable, the New Zealand Standard provides clear guidance that increased noise is anticipated as a result of temporary construction works. Provided that the mitigation measures outlined above and in further detail in the proposed 'Construction Noise and Vibrations Management Plan' are implemented, should consent be granted, I consider the potential adverse building construction noise effects will be minor.

#### 4.6.1.5 Building Construction Vibration

Due to the location of the proposed building, potential adverse vibration effects have been considered in the application in regard to the proposed construction works. In considering the likely adverse effects of the building construction vibration, it is noted that Rule 6.4.2.26 of the District Plan requires compliance with the NZS 4403:1996 Code of Practice for Storage, Handling, and Use of Explosives. In this instance, this standard is not applicable as the use of explosives is not proposed.

The application includes a 'Construction Noise and Vibration Assessment' which outlines the vibration regulations and standards, applies these to the anticipated works, and has undertaken an assessment of likely vibration anticipated during sheet piling, augering, excavator operations, and compacting. Section 9.2 of the Assessment, notes the subjective and statistical nature of vibration response, concluding that "*in accordance with the British Standard BS5228-2:2009 is:*

- *Perception of vibrations typically starts at 0.3mm/s PPV (Peak Particle Velocity) in residential environments during daytime hours.*
- *At vibration levels in the order of 1mm/s but less than 10mm/s, vibrations can be tolerated if prior warning and explanation are given to residents.*
- *Common values of vibrations associated with daily activities in light framed buildings are as follows (as measured and reported by Arne P. Johnson & W. Robert Hannen)*
    - *Occupants walking and closing doors ≈ 0.5mm/s - 1.25mm/s*
    - *Occupants running or jumping ≈ 1.25mm/s – 5mm/s*
    - *Moving furniture ≈ 2.5m/s - 3.5mm/s*
- *Exposure to short impulses of vibrations at 5mm/s would be tolerable in residential environments for a few days provided occupants are given prior warning and explanation beforehand.*

*Based on the highest levels predicted, the time of day this would occur, and as per the guidelines of BS5228-2:2009; provided prior warning and explanation is afforded in a timely manner to affected neighbours as per the requirements of the CNVMP, the predicted vibration levels are noted to be tolerable in commercial and residential environments."*

Earcon have concluded that "*Provided all mitigation procedures (e.g. intensity management) are implemented, and the requirements of the Construction Noise and Vibration Management Plan*

*(CNVMP) are adhered to, vibration levels can be managed within the compliance limits at all receivers."*

Council's Environmental Health Officer, Mr Glynn Jones, has reviewed the application, including the abovementioned vibration assessment and responses to the Section 92 further information request. As noted above in Section 3.3, Mr Jones remains concerned that the construction vibration effects will impact the surrounding businesses and residential units. Mr Jones also noted that vibration propagation through underlain services should be taken into account. Should consent be granted, Mr Jones has recommended that a CNVMP should include detailed consultation with immediately affected neighbours, confirmed piling schedules, mitigation measures (including vibration transmission via underground utilities), monitoring requirements, complaint response procedures, contingency measures, pre-start meeting requirements, and provisions for any work proposed outside standard construction hours.

Having reviewed and considered the information in the application, including the further information provided, and the advice from Mr Jones, I consider that the building construction vibration effects will be noticeable for the wider public, being those persons in public spaces surrounding the site and particularly pedestrians walking past the site. While noticeable, the proposed mitigation measures outlined in the proposed 'Construction Noise and Vibrations Management Plan' will ensure the vibration effects are minimised as much as reasonably possible. Given the vibration effects are anticipated during sheet piling, augering, excavator operations, and compacting, being during the construction phase of the new building, and subject to the implementation of the mitigation measures as outlined in the application, I consider the potential adverse building construction vibration effects will be less than minor.

#### 4.6.1.6 Building Construction Traffic

Following the earthworks phase of construction, the construction of the new building will commence. Traffic associated with this phase of construction will include concrete trucks, delivery vehicles bringing building resources to the site, and contractors' vehicles. Some of these will be short-term in terms of loading/unloading activities, while others will be on-site or within the immediate surrounds during working hours. The number of vehicles will also be reflective of the stage of construction and the variety of works being undertaken at any given time.

As noted above, the Transportation Assessment Report recommends that a 'Construction Traffic Management Plan' is included as a condition of consent, should consent be granted, setting out specific details regarding construction vehicle access, parking, routes and details. Further information in the Transport Memorandum outlines the existing parking along Victoria Street is anticipated to be closed for Heavy Commercial Vehicle ('HCV') queuing.

Council's Development Engineering Team and Transportation Team have reviewed the information provided in application and further information. In summary, both teams acknowledge the size, scale and location of the development will require careful management to ensure that the effects on the transport network are minimised.

I note the building construction traffic will be one of the most noticeable adverse effects for the wider public, due to the location, size and scale of the proposed works. The combination of mitigation methods outlined in the Draft Construction Management Plan, the Transportation Assessment Report and the Transport Memorandum, will ensure that the adverse traffic effects from construction vehicles are minimised as much as reasonably possibly and managed in a way that minimises disruption for the wider public. Should consent be granted, and subject to the implementation of the mitigation measures proposed, I consider the likely adverse building construction traffic will be minor.

#### 4.6.1.7 Summary of Earthworks & Construction Effects Assessment

The proceeding paragraphs have considered the potential adverse earthworks and construction effects that will occur though development of the proposed building at the subject site. These effects are acknowledged as likely to be the most noticeable for the wider public due to the location, scale and length of works, which while temporary, will extend for a duration of 22 months.

While noticeable, the proposal has considered an extensive range of mitigation measures, which if implemented, will greatly assist in the mitigation of the adverse effects associated with earthworks and construction. It is noted that these effects are unavoidable, and therefore minimisation and mitigation is appropriate.

In summary, the likely adverse effects on the wider public from the required earthworks (being the removal of the ground for the basement level) is deemed to be less than minor, as are the effects of the contaminated soils and the anticipated vibration associated with the building construction works. The building construction noise and traffic adverse effects are considered be minor.

### 4.6.2 Cultural Effects

The Māori perception of the environment encompasses the physical and metaphysical elements of the environment and is demonstrated through the status of the environment as taonga for Māori. The wider Waikato Region is well known for its māori history, and the Cambridge central business district is within the area occupied by the Horotiu Pā which was a large Māori settlement. The name Horotiu connects back to Rakatāura, the tohunga (navigating priest) of the Tainui waka, a double-hulled voyaging canoe that travelled to Aotearoa New Zealand from Polynesia around 800 years ago. Rakatāura named the Waikato River ‘Horotiu’, meaning ‘swift currents’. Over generations, Horotiu Pā was a safe haven for many tribes of Tainui. It was a place of refuge during the attacks by Hongi Hika and the Ngāpuhi tribe in the 1820s. Horotiu Pā fell when the British Crown invaded Waikato in 1863-1864 (Source: Te Ara Wai Journeys).

Due to the proposed earthworks and disturbance of soil across the subject site further consultation with tangata whenua was deemed necessary and requested as part of the Section 92 Further Information Request, to understand if there are any cultural effects of the proposed works on the site. On 12 August 2026, a Cultural Impact Assessment from Ngāti Korokī Kahukura was supplied to Council which outlines the cultural values potentially relevant to the site as follows:

- *"**Mana whenua relationships:** The site lies within a broader landscape where Ngāti Koroki Kahukura, Ngati Haua and Waikato-Tainui through engagement.*
- ***Kiingitanga associations:** Cambridge is linked with King Taawhiao's tongikura and the memory of Waikato raupatu, land loss, grief, and resilience.*
- ***Whakapapa and place names:** The use of Horotiu Kemureti, Te Oko Horoi, Waikato Awa, Maungatautari to rooms or areas.*
- ***Archaeology and subsurface risk:** Demolition and basement excavation may expose archaeological material.*
- ***Freshwater stress and demand on the Waikato River:** The development should recognise pressure on the Waikato River and connected freshwater systems. Reducing reliance on treated potable water is consistent with protecting the mauri of wai and supporting a more sustainable urban form*
- ***Stormwater reuse options:** Stormwater from roof areas could potentially be captured, filtered, and reused on site to reduce pressure on the Waikato River."*

The Assessment outlines in particular the potential cultural effects of the basement excavation, stormwater and servicing and four-storey built form, and recommends early engagement to seek guidance from *"Ngāti Korokī Kahukura representatives and confirm whether Waikato-Tainui Engagement should occur before final design, demolition, and earthworks methodology are confirmed".* The Assessment also includes design principles recommendation to incorporate King Taawhiao's Tongikura into the development.

In conclusion the Cultural Impact Assessment states:

> *"The proposed redevelopment of 32–42 Victoria Street has the potential to support town-centre intensification and mixed-use activity within a commercial setting. However, the cultural history of Cambridge, the associations of Kemureti with King Taawhiao and the Kiingitanga, and the statutory settlement context for Ngāti Koroki Kahukura mean that the project should proceed with careful mana whenua engagement and culturally informed design. The most significant risks are likely to relate to ground disturbance, respectful treatment of cultural narratives, stormwater effects, and the scale and expression of the new building within the town-centre environment.*
>
> *Subject to mana whenua engagement and the mitigation measures outlined above, cultural effects may be able to be appropriately avoided, remedied, or mitigated. This conclusion should be revisited after direct feedback has been received from mana whenua and after archaeological, planning, and stormwater assessments have been completed."*

Considering the comments above, it is difficult to determine if the recommendations included in the Assessment have been addressed and whether the resulting development of the site will result in adverse cultural effects that are above the 'more than minor' public notification threshold. Adverse

cultural effects are specific to the tangata whenua and not effects on the wider public, therefore I have considered the cultural effects further below under the Limited Notification Assessment.

### 4.6.3 Archaeological Effects

The history of the Waipā District reflects the areas' good location for early settlement with excellent growing conditions, river access and abundant sources of food. As a result, a number of archaeological sites are recorded across the district. Although not identified on the District Plan Planning Maps, the proposed development sits within the recorded archaeological site S15/320. This is an early military site that covers the whole block comprising the 1863 Start Redoubt, an 1869 redoubt and stockage, and other features. Heritage New Zealand Pouhere Taonga advised that archaeological investigations within the block have uncovered significant subsurface archaeological features associated with the military period, and these have been found under the modern buildings and hard surfaces. The green area in Figure 26 below outlines the extend of the recorded archaeological site S15/320.

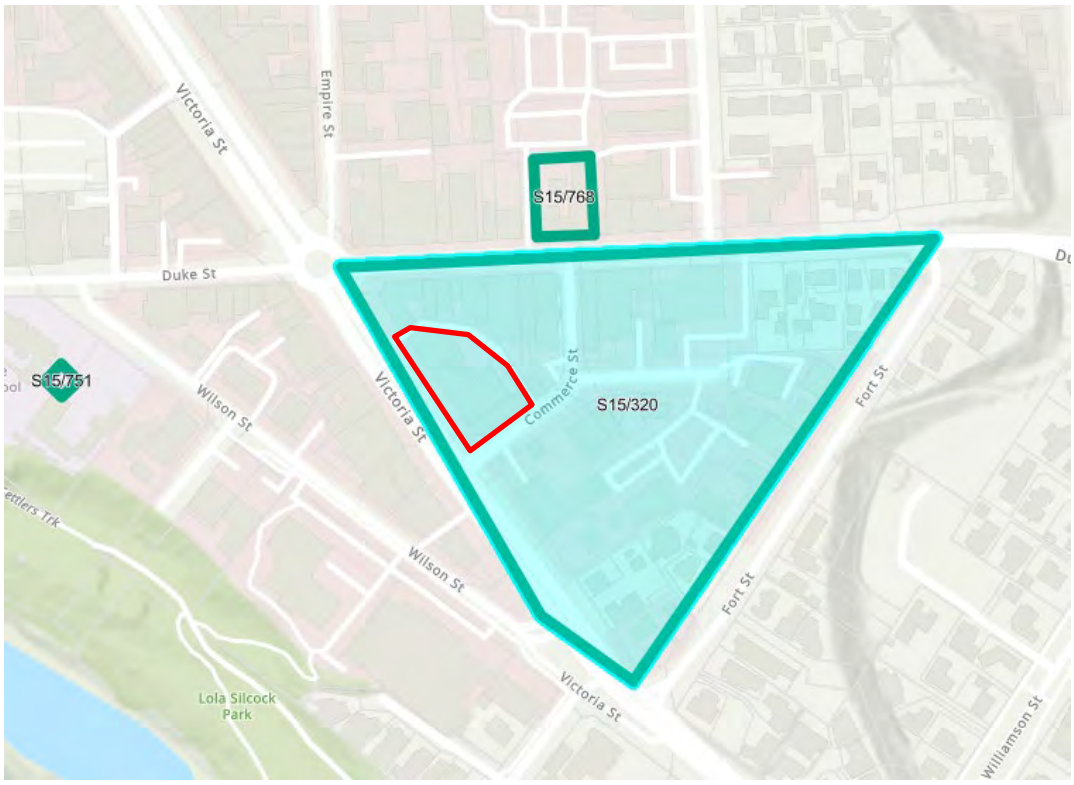



**Figure 26:** Extent of S15/320 shown in green, subject site outlined in red

The site is protected by the archaeological provisions of the Heritage New Zealand Pouhere Taonga Act 2014 from damage or modification. Through the further information request, the applicant provided an 'Archaeological Assessment', prepared by Matthew Gainsford, dated November 2025, concludes:

> *"It is likely that within the area defined as the Military Reserve (shown in historic survey plans) the redoubt, its defences military camp are preserved to varying degrees even if it has been previously built on. This was evident in both the 2010 and 2021 excavations whereby features*

*and materials relating to this use were found under and around demolished structures. It should also be expected that archaeological features relating to Māori settlement and land use may be present; such evidence was identified during the 2010 investigation.*

*The Site and proposed development will affect recorded archaeological site S15/320 and any potential unrecorded archaeology within it. An application must be made to Heritage New Zealand pursuant to the Heritage New Zealand Pouhere Taonga Act 2014 prior to any works beginning. Any development of this area should be contingent on a detailed archaeological investigation of any areas that will be affected by the proposed development."*

In alignment with the conclusion of the Archaeological Assessment, an 'Archaeological Site Management Plan' was also prepared and an authority from Heritage New Zealand Pouhere Taonga was sought and granted.

Based on the information provided in the Archaeological Assessment, Archaeological Site Management Plan, and the authority from Heritage New Zealand Pouhere Taonga, it is my opinion that the adverse archaeological effects will be less than minor.

### 4.6.4 Effects on character and amenity (post construction)

The Act defines amenity values as "*those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes*". The Commercial Zone accommodates the central business district of Cambridge and Te Awamutu providing the primary retail, office and commercial service areas in the district. A variety of activities are promoted within the zone and pedestrian frontage areas identified to reinforce the pedestrian focus and vibrancy of these areas. The subject site is also located within a Character Area under the District Plan; this overlay seeks to maintain the unique Cambridge character. The existing environment, bulk, density, and relationship between the private and public spaces collectively form the character of the area.

Regarding the existing environment and the building design, the immediate surrounds are typified by single storey buildings reflective of the period in which they were built. Through the town centre, buildings range from the Victorian period (1870-1914), through to the Edwardian (1901-1914) and the inter-war periods (1918-1939). The closest heritage buildings identified in the District Plan are the current Alpino building, being the old Cambridge post office, which was built in 1908, and the Veale's Building, which is currently occupied by Rumour and built in 1928. While not a listed heritage building, the 'Wallace Building' is located directly north of the adjacent service lane and is a two-storey art-deco building.

In terms of the proposed building, the application includes a 'Design Intent' prepared by Boon Ltd which explains the building design as follows:

*"The proposal consists of a four-storey mixed use development with a sub-floor car park. The size of the development aligns with the provisions of the District Plan while maintaining*

*economic feasibility and catering for the demand Cambridge requires in retail, café, office space, and carparking.*

*A key design intent therefore is for the design of a significantly larger building to fit within its neighbouring context & maintain visual cohesion. This is done through dividing the built form into the multiple parts – the first being the ground & first floor (plinth), where the scale of the façade aligns with the Wallace building & surrounding predominantly 1 & 2-storey Cambridge Town Centre.*

*The proportion & scale at ground level is focused on the human element, with protective canopies, large-glazed windows (shopfronts & cafes), and a sheltered central foyer/atrium that invites pedestrians' interaction into the complex. The first floor then maintains a consistent language with smaller rectangular glazing (as per district plan regulations), with the windows set around decorative brick features to provide relief & texture.*

*This ground & first floor (plinth) level is then divided into six parts along the street elevations – each part unique in material, texture/relief, and tones. The materials reflect the Victoria Street & Cambridge context of brick, plaster, timber with relief & depth in the façade to emulate the relief in the historic facades. This design breaks the street façade down into smaller components which, given the context, creates a design that is sympathetic to local architecture while providing a modern interpretation.*

*The Second floor (level 3) is a singular mass with dark vertical glazing, set back from the lower to levels to reduce visual impact from the street. The setback is skewed slightly, being closer to the street near the Wallace Building & further away near Commerce Street. This is a design response to the change in scale from the larger Wallace building to the smaller scale shops; and is seen when someone walks down Victoria Street as the height of the development diminishes, and only the first-floor parapet is visible. This was tested through computer modelling on deemed effective.*

*The design intent of level 3 is to clearly define the development as one building and not a handful of smaller buildings assembled as one, yet do so in a manner that is recessive, reducing the large mass & scale. This is assisted through the darker tones of the cladding / glazing receding over the lighter lower street frontage.*

*The top floor (level 4) is set back in plan from level 3 and in contrast with the lower levels, utilizes a more slender, lighter structure that reduces the visual weight and bulk. This light aesthetic is characterized by overhanging eaves/canopies, balustrades, & warmth in timber soffits. This level additionally provides opportunity to planting on exterior terraces to further soften the building frontage*

*The car park level being sub-floor is entirely hidden from the road and provides generous additional parking while being accessed from the rear service lane & Commerce Street, which reduces traffic impact on Victoria Street."*

Council's Urban Design Consultant, Mr Sam Foster, has reviewed the application, and notes there is a "*is a need for developments to strike a balance between establishing concentrated development in the commercial zone and maintaining and enhancing the character of the area.*" In reviewing the building design, he considers that "*Whilst a large building the design of the proposal achieves the appearance of a finer grain, consistent with the character of a main street, through the use of strong horizontal articulation – created by the use of glazing and vertical elements in the building façade; these are creating by brick detailing on the ground and first floor, and vertical fins on the third floor.*"

Mr Foster considers the proposal to provide *"a contemporary response to the site and successfully maintains the activated street edge of the site whilst introducing variation and articulation of the façade in a manner that will maintain the rhythm of the "main street" feel. The scale of the building responds to the context of Victoria Steet with the first two floors at the street boundary and the upper levels stepped back from the boundary."*

Based on the information included in the application and Mr Foster's Urban Design Advice, I consider that whilst a significant change from the existing single-storey built form, the proposed building has been considerately designed taking into account the existing character of the wider surrounds, and the guidance provided in the District Plan regarding the Cambridge Character Area. Overall, the building design will have less than minor adverse effects on the character and amenity of the Victoria Street area.

### 4.6.5 Effects on the Roading Network (post construction)

Traffic and the effects on the roading network are an instrumental part of the District Plan direction to ensure an integrated approach to land use and transport. At a local scale the integration of new activities needs to ensure that the roading network can continue to function in a safe and efficient manner. Victoria Street is the main thoroughfare for Cambridge and a 'Strategic Road' under the District Plan roading classifications.

A Transportation Assessment Report, prepared by CKL, was provided as part of the Section 92 information. The assessment sets out key considerations regarding traffic effects of the development including:

- A basement car park for 37 cars (12 for residential activities) and 14 bicycles accessed from the service lane at the rear of the building via an access ramp;
- Two loading bays at the rear of the building are proposed and sized to accommodate an 8m rigid truck accessible at ground level;
- Access to the basement car park is restricted to a single vehicle at a time (not simultaneously due to the entry arc required to allow the vehicle entering to clear the building) and it is recommended that use of the proposed basement carpark is via the Commerce Street crossing only;
- Unknown future tenants for retail / café and office activities;

- The proposed development has a calculated trip generation of 310 peak vehicles per hour and 1,282 vehicles per day, being a decrease from the existing trip generation calculations;
- The service lane provides access for parking, loading and refuse activities associated with the site and with adjacent businesses; and
- It is proposed to retain the service lane and both existing vehicle crossings to Victoria Street and Commerce Street, with a recommendation to restrict use of the Victoria Street vehicle crossing to be limited to exit movements only.

Council's Development Engineering Team Leader, Ms Vandana Venkateshappa, and Mr Bryan Hudson, Council's Transportation Manager, have reviewed the application, and particularly the Transportation Assessment Report provided with the Section 92 information. In summary it is noted that the completed development is expected to generate fewer vehicle movements than the existing activity, basement parking is provided, and the site is accessed and serviced (i.e. waste management and delivery vehicles) via the service lane at the rear of the site.

Based on the information provided in the application, and considering feedback from Council's Development Engineering and Transportation Teams, I have expanded on vehicle access, parking traffic volume and pedestrians/cyclists in the following paragraphs.

#### 4.6.5.1 Vehicle Access

In considering the proposed access arrangements for the development, the primary vehicle access is from the Service Lane at the rear of the building. The recommendations in the application seek to prioritise the Commerce Street entrance for cars and light vehicles to get access to the new building. For loading and refuse vehicles, the proposal is to utilise the entrance from Commerce Street and exit via the existing Victoria Street access. In terms of the use of these existing entrances, the proposal will potentially lower the use of the Victoria Street access through the recommendation to make it one-way, however, will increase the use of the Commerce Street access.

Regarding the increased use of the Commerce Street entrance, I note that the existing entrance is constrained due to the existing built form on the adjacent properties and the existing width of the Service Lane as shown in Figure 27 below. It is noted that this entrance is an existing entrance in a low-speed environment with no known crash history.




**Figure 27:** Google Street View Image of existing entrance with Commerce Street

In terms of mitigating the effects of an increase in use of this entrance, the Transport Assessment has recommended traffic calming measures and signage at the entrance. These measures will assist with mitigating the increase in use of this entrance.

In terms of the Victoria Street entrance, this entrance is also constrained in regard to the adjacent built form to the north of the Service Lane as this is occupied by the 'Wallace Building' as shown in Figure 28 below. In terms of the use of this entrance, the proposal anticipates the entrance to be used for the exiting of heavy vehicles only from the proposed activities with a recommendation to restrict this entrance to exit only.

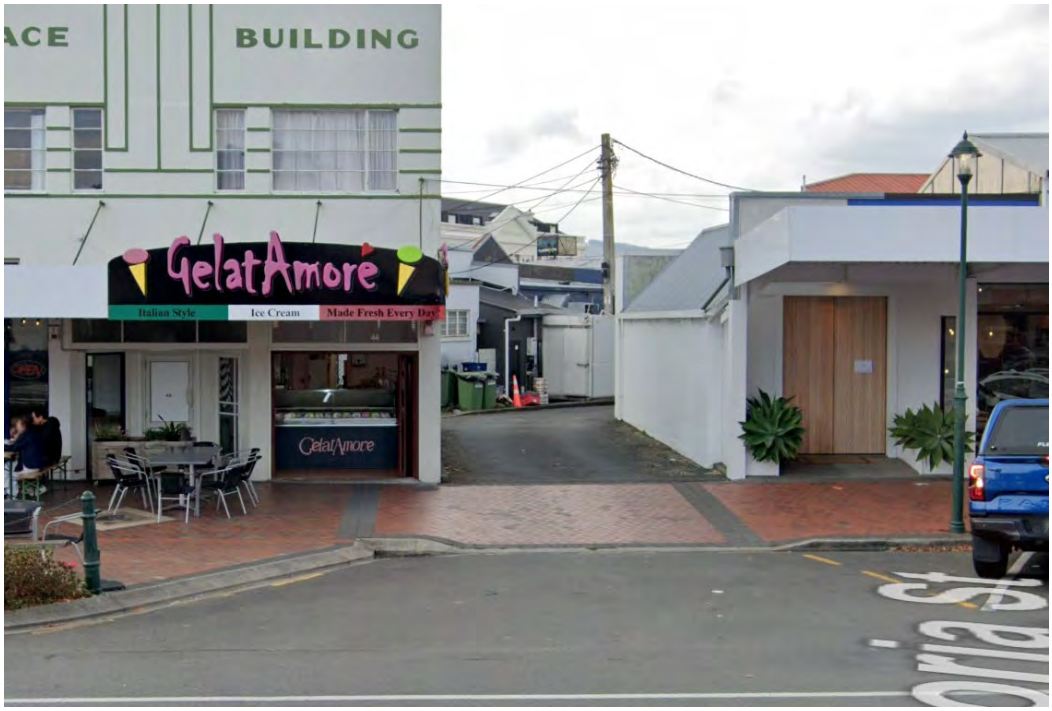



**Figure 28:** Google Street View Image of existing entrance with Victoria Street

In making this recommendation it is noted that the Service Lane is owned by Waipa District Council, and the proposed changes would need to be supported by Council's Transportation Team. Mr Bryan Hudson, Council's Manager Transportation, has considered this recommendation and agrees that it will minimise the potential conflicts for vehicles using the Service Lane. The change to 'exit only' will be a change for the wider public, however is particularly of relevance for those existing properties on the service lane which use this entrance to enter the lane. This will be considered further in the limited notification assessment.

In summary, in considering the two accesses to the Service Lane and how they will be used as a result of the development, the overall effects will be managed through a variety of mitigation measures including signage, traffic calming, and entry/exit control. The result will an arrangement in which the effects for the wider public will be less than minor.

#### 4.6.5.2 Parking

An effect of new development on the roading network are changes to how people use parking spaces. In this instance, post construction, it is noted that the parking along the Victoria Street frontage will remain unchanged and the new basement parking will cater for up to 37 vehicles.

While it is acknowledged that the new building will be occupied by a number of activities and have staff and visitor numbers that will likely exceed the parking spaces provided on site, it is considered that the location of the site will enable other modes of transport to be used thereby decreasing the anticipated demand for parking (i.e. walking, cycling, public transport).

Additionally, visitors to the site are anticipated to visit multiple locations within the commercial area and therefore anticipated to already form part of the existing parking demand. These visitors are also likely to use parking in other locations.

Overall, it is considered that the effects on parking of the development may be noticeable for the wider community, however, will be less than minor.

#### 4.6.5.3 Traffic Volume

The Transportation Assessment Report, prepared by CKL, has assessed the existing traffic volumes and the proposed traffic volumes. Comparing the two, CKL have advised they anticipate *"the proposed activities are anticipated to result in a net decrease of approximately 46vph during peak and 369vpd to the surrounding road network compared to existing levels.*"

Noting the anticipated decrease in traffic volume generated by the changes in use at the site, the likely adverse traffic effects are considered to be less than minor.

#### 4.6.5.4 Pedestrian & Cyclists

Turning to pedestrian and cyclists, it is noted that the Victoria Street frontage is within a pedestrian frontage area and has a dedicated cycle way. Commerce Street is also within the pedestrian frontage

area. In terms of pedestrian and cyclist use, following the completion of the development, the proposed building includes a covered canopy and a central atrium that encourages pedestrian use of the site. No changes are proposed to the cycle way that exists in Victoria Street, and it is noted that the development has included bicycle parking within the basement. Overall, the proposal is considered to be mindful of pedestrians and cyclists, and the potential adverse effects will be less than minor.

### 4.6.6 Summary of Effects on the Roading Network (post construction)

The preceding paragraphs have considered the effects on the roading network, following completion of the building. The vehicle accesses, parking, traffic volume and interaction with pedestrians/cyclists have all been considered. Taking into account the technical information provided with the application, and advice from Council staff, overall, it is concluded that any adverse effects on the roading network, post construction, and as a result of this proposal will be less than minor.

### 4.6.7 Effects on Infrastructure

How and where infrastructure occurs is critical to the suitability of a development and the resulting use of the area. The existing site includes a number of existing buildings, which are all connected to various infrastructure, including water supply, stormwater disposal, wastewater disposal, power and telecommunication connections.

The application has provided an Infrastructure Capacity Assessment [3 Waters], prepared by Above Water (Appendix 5 of the application), which outlines the proposal for wastewater, water supply and stormwater disposal. This report concludes that the development *"can be serviced by existing water, wastewater, and stormwater infrastructure, subject to the inclusion of site-specific mitigation measures such as detention tanks and private pressure-boosting systems. All proposed services will be designed in accordance with Waipa District Council requirements, the RITS and industry best practice. The development is not anticipated to create adverse effects on downstream infrastructure or require off-site upgrades."*

Council's Development Engineering Team Leader, Ms Vandana Venkateshappa, has reviewed the Infrastructure Report and confirmed the following:

- For the supply of water to service the development, there is a risk in regard to water pressure due to the height of building, however sufficient water supply capacity available and subject to on-site infrastructure being suitably designed and constructed, there will be no effects on the Council's water supply infrastructure.
- The existing Council wastewater reticulation has sufficient capacity to service the development, however the existing wastewater infrastructure within the site will need to be relocated. This may involve new lateral connections for surrounding properties. Subject to suitable design and construction there will be no effects on the Council's reticulated wastewater infrastructure.

- The disposal of stormwater from the site is anticipated to be a minor increase from the existing situation due to an increase in impermeable area across the site. Subject to the proposed onsite infrastructure being implemented, including on-site detention, there will be no effects on the Council's stormwater infrastructure.

Overall, Ms Venkateshappa is supportive of the proposed infrastructure reticulation. Based on the technical reports provided with the application and Council's Development Engineering Team advice, it is my opinion that any adverse effects on infrastructure will be less than minor.

### 4.6.8 Summary of Effects Assessment

The proceeding paragraphs have considered the potential adverse effects of the proposed redevelopment of the site on Victoria Street in regard to construction and earthworks, cultural, archaeological, character and amenity (post construction), effects on roading (post construction) and infrastructure effects.

A substantial part of the proposal is the construction and earthworks that will be required and are anticipated for a duration of 22 months. These effects are acknowledged as likely to be the most noticeable however, and subject to the extensive range of mitigation measures proposed to be implemented, the potential adverse effects on the wider public from the required earthworks (being the removal of the ground for the basement level), the effects of the contaminated soils and the anticipated vibration effects associated with the building construction works are deemed to be less than minor. The building construction noise and building construction traffic adverse effects are considered be minor.

In consideration of cultural effects, the māori history with the Cambridge township has been considered and given potential adverse cultural effects are specific to the tangata whenua, these have assessed in the Limited Notification Assessment below.

Regarding archaeological effects, based on the information provided in the Archaeological Assessment, Archaeological Site Management Plan, and the authority from Heritage New Zealand Pouhere Taonga, the adverse archaeological effects will be less than minor.

Following completion of the construction and earthworks, the potential adverse effects regarding the character and amenity, the effects on the roading and infrastructure networks were considered. Taking into account the information within the application, and advice provided by Council's Urban Design Consultant, while the building will be a significant change to the site, the adverse effects on the character and amenity are considered to be less than minor. In terms of the roading and infrastructure networks post construction, subject to detailed design and construction, as recommended in the technical reports and supported by Council's Development Engineering Team, the effects on these networks will also be less than minor.

Overall, it is concluded that any adverse effects of the proposal will be minor or less than minor. On this basis the potential effects are below the more than minor threshold for public notification, it is

my recommendation that the proposal does not require public notification.

## 4.7 Special Circumstances – Section 95A(9) – Step 4

Council must make a determination as to whether special circumstances exist in relation to the application that warrants public notification of the application, and then publicly notify an application if it considers that special circumstances exist. In effect, special circumstances 'trumps' other notification provisions.

Special circumstances have been defined as circumstances that are unusual or exceptional but may be less than extraordinary or unique. Special circumstances provide a mechanism for public notification of an application which may otherwise appear to be routine or uncontentious or minor in its effects.

The purpose of considering special circumstances requires looking at matters that are beyond the plan itself. The fact that a proposal might be contrary to the objectives and policies of a plan is not sufficient to constitute special circumstances. Special circumstances must be more than:

- where a Council has had an indication that people want to make submissions;
- the fact that a large development is proposed; and
- the fact that some persons have concerns about a proposal.

In this instance, the proposal is a significant development in the main street of the Cambridge CBD, which hasn't had a development or redevelopment of the proposed size and scale. The Cambridge community will therefore be very interested in the proposal and the various stages of the development. While large in size and scale, and something which has not occurred with the CBD for some time, the proposed retail, office and residential activity does not have 'unusual or expectational circumstances'. As noted above in the public notification assessment of effects, the construction effects will be noticeable and likely disruptive to the Cambridge community at some stages of the works. However, with the appropriate management in place, the adverse effects do not warrant public notification.

It is my conclusion that the proposal is not considered to have unusual or exceptional circumstances warranting public notification.

## 4.8 Summary of Public Notification Assessment

Pursuant to Section 95A, the application has been assessed to determine if public notification is required. In this instance, and for the reasons outlined in Sections 4.1 to 4.7 above, it is not considered that the proposal warrants public notification. While it is acknowledged the location of the site and the scale of development will be of high public interest, the information provided with the application, proposed mitigation measures and advice of technical experts have confirmed that the potential adverse effects will be below the threshold for public notification. Additionally, the proposal does not meet the requirements for public notification due to special circumstances. For

these reasons, the application is not recommended for public notification and is required to be assessed pursuant to Section 95B for limited notification.

# 5 ASSESSMENT FOR THE PURPOSES OF LIMITED NOTIFICATION

Pursuant to Section 95B(1), where a consent authority decides that public notification is not required under Section 95A of the Act, an assessment is required to determine whether limited notification of an application is required.

## 5.1 Affected Customary Rights or Marine Title Groups – Section 95B(2)- Step 1

The property subject to this application is not within a protected customary rights group area or a customary marine title area as defined by the Marine and Coastal Area (Takutai Moana) Act 2011.

## 5.2 Statutory Acknowledgment Area – Section 95B(3) – Step 1

Pursuant to Section 95B(3)(a), the Council is required to determine whether the proposed activity is on, or adjacent to, or may affect, land that is the subject of a statutory acknowledgment made in accordance with an Act specified in Schedule 11. The property subject to this consent is within the Raukawa Statutory Acknowledgement Area, and the Waikato Tainui (River claim), Ngāti Hauā, Upper Waikato River Iwi, Waikato-Tainui (Raupatu Claim) and Ngāti Raukawa Area of Association areas of interest.

Assessment is now required under Section 95B(3)(b) to determine whether the person to whom the statutory acknowledgment is made is an affected person in accordance with Section 95E of the Act. On receipt of the application, Council circulated it to Ngā Iwi Tōpū O Waipā (NITOW), translated as The Assembled People of Waipā, who are a group that represents all hapū in the Waipā District. Correspondence was received by Council confirming there could be cultural effects that need to be considered and the request was captured within the Section 92 further information request as outlined above in Section 1.5.

Based on the information provided by the agent regarding efforts made to consult with tangata whenua, and the feedback provided and included in the Section 92 request from NITOW, I consider that the proposal may have potential adverse effects that are minor or more than minor for tangata whenua. In terms of the Statutory Acknowledgement Areas, I therefore recommend the proposal warrants limited notification to Raukawa.

## 5.3 Limited Notification Precluded in Certain Circumstances – Section 95B(6) – Step 2

There are no rules in a National Environmental Standard or in the District Plan relevant to this proposal that preclude limited notification (Section 95B(6)(a)). The application is not a controlled activity requiring consent under the District Plan (Section 95B(6)(b)) of the Act (Section 95B(6)(b)(ii)). There are no circumstances relevant to this proposal that preclude limited notification

under Section 96B(6) (Step 2).

## 5.4 Certain other affected persons must be notified – Section 95B(7) – Step 3

Step 3 required Council to determine whether, in accordance with Section 95E whether, in the case of any other boundary activity, the owner of an allotment with an infringed boundary are affected. The proposal is not a boundary activity (Section 95(7)), so there are no owners of with an infringed boundary that are affected.

## 5.5 Assessment of adversely affected persons - Section 95B(8) – Step 3

Assessment is now required under Section 95B(8) to determine whether a person is an affected person in accordance with Section 95E. Under Section 95E, a person is an affected person if the consent authority decides that the activity's adverse effects on a person are minor or more than minor (but not less than minor). The following provides an assessment of the adverse effects on the potentially affected persons.

### 5.5.1 44 Victoria Street (Property 1)

Located north of the subject site and the Service Lane is an 83m$^2$ property that is occupied by the 'Wallace Building'. The two-storey building is occupied by two retail activities on the ground floor, being GelatAmore, and ice-cream shop, and Chop Chop, a Korean Fried Chicken store. The upper floor is understood to be used as a dwelling. In terms of the proposed development and the potential adverse effects for further consideration regarding this property, character and amenity effects, building heritage and traffic effects require further assessment.

***Character and Amenity***

As noted above, the Commercial Zone accommodates the central business district of Cambridge providing for retail, office and commercial activities, with the existing environment, bulk, density, and relationship between the private and public spaces collectively form the character of the area. Regarding the character of the area, the existing 'Wallace Building' on this property adds to the historic heritage of this area. The proposed new building being located south of the Service Lane, and next to the 'Wallace Building' is not considered to impact this character.

In considering the amenity of the property at 44 Victoria Street, it is noted that the existing building has its front façade along Victoria Street, with the main pedestrian access for the retail activities and first floor dwelling all along this façade. Refer Figure 29 below. The southern façade, facing towards the development, is a brick wall with one window on the first floor, and the rear façade has a variety of windows for the first floor and both doors and windows at the ground floor. Regarding the visual effects of the development, the proposed new building will be located south of this property which means there will be limited views of the new building due to the layout and window location of the existing 'Wallace Building'. The visual effects of the proposal regarding this property are therefore considered to be less than minor.



**Figure 29:** Google Street view image of front façade of 'Wallace Building'

In considering the amenity of the property, including the existing activities and how they use the site, it is noted that the retail activities utilise the pedestrian frontage area along Victoria Street as part of their activities with outdoor dining. The proposed construction of the new building is likely to impact this amenity, particularly during construction activities with adverse noise, dust, and vibration effects. While these effects are unavoidable and temporary, it is considered that the potential adverse effects on the amenity of this property will be minor.

For the residential dwelling on the first floor, the Construction Noise and Vibration Assessment, prepared by Earcon Acoustics and provided with the application, has considered this property, and notes that sheet piling and earthworks will both have noise levels in exceedance of that permitted. The anticipated timing for these exceedances is 1 week for earthworks and 2 days for sheet piling. While noting this a temporary exceedance, during construction only, the effect is considered to be minor.

***Building Heritage***

As noted, the site is occupied by the 'Wallace Building' which has an unrecorded construction date. While not a listed heritage building under the District Plan, the two-storey art-deco building is near the edge of the subject site, and construction effects, like vibration, may cause damage to this building. The Construction Noise and Vibration Assessment, prepared by Earcon Acoustics and included with the application, has considered the potential vibration effects on this property and included it in their list of recommended neighbours to be included in direct consultation regarding sheet piling, augering, excavator and compactor use. Based on this information, the potential

adverse construction effects on the 'Wallace Building' are considered to be minor.

***Traffic***

The southern boundary of the 'Wallace Building' adjoins the Service Lane while the building occupies the entirety of this property and there is no vacant land at the rear of the property within the site boundaries. In considering the potential adverse traffic effects it is noted that this site will likely notice the change in use of the Service Lane, in particular the restriction to exit only on to Victoria Street. While this may be noticeable, the change of use of the Service Lane is not likely to have adverse effects that are more than minor as most traffic exiting from the new building will do so to Commerce Street.

***Summary***

In summary, the potential adverse effects of the proposed development on 44 Victoria Street have been considered regarding character and amenity, building heritage and traffic effects. While the visual and traffic effects have been assessed as less than minor, the potential adverse construction effects regarding the amenity and building heritage are deemed to be minor. On this basis limited notification is recommended for this property.

### 5.5.2 46 & 46A Victoria Street and 45, 47 & 49 Duke Street (Property 2)

Located north of the subject site and the Service Lane, and on the corner of Duke Street and Victoria Street is the 'Veale's Building', which is home to Paddock Café, Rumor Streetwear, and Patterson Burn Optometrists. The Veale's Building is a Category C heritage-listed building in the District Plan and is described as a 'Brick and plaster Interwar, commercial building'. It is understood the building was constructed in 1928. In terms of the proposed development and the potential adverse effects for further consideration regarding this property, character and amenity effects, building heritage and traffic effects require further assessment.

***Character and Amenity***

The historic character of the building on this property makes it a feature of Victoria Street. Each of the occupancies have added their own signage and style to the front facades while being respectful to the building. Refer Figure 30. In terms of the proposed development, it will be located south of this property by approximately 13.6m with the 'Wallace Building' located between. The physical separation will ensure that the bulk form of the new building does not create visual effects in regard to the views of the heritage building for those using the surrounding public spaces (i.e. footpaths and roads). For persons within the site at 46 & 46A Victoria Street and 45, 47 & 49 Duke Street, the potential adverse visual effects will also be minimal as the front facades face away from the subject site and views from the site are to the north.

In terms of the amenity of the property, the existing activities all have their front facades (including access and large windows) facing toward Victoria and Duke Streets. The Paddock Café activity,

located on Victoria Street, utilises the pedestrian frontage area for outdoor dining, and it is noted the optometrist activity on Duke Street has sensitive equipment. The proposed construction of the new building is likely to impact this amenity, particularly during construction activities with adverse noise, dust, and vibration effects. While these effects are unavoidable and temporary, it is considered that the potential adverse effects on the amenity of this property will be minor.

Regarding visual effects, it is noted that views from the front façade of the property is limited due the location of the new building. At the rear of the building on this site there is approx. 105m$^2$ of vacant land which is sealed and used for parking, rubbish bins and storage. Any views of the new building from this area will also be limited due to the width of the property at the rear (approx. 5m) and the limited number of windows at the rear of the building.




**Figure 30:** Google Street View of 'Veale's Building'

***Building Heritage***

As noted, the site is occupied by the 'Veale's Building' which is a listed heritage building under the District Plan. As noted with the 'Wallace Building' the construction effects, like vibration, may cause damage to this building. The Construction Noise and Vibration Assessment, prepared by Earcon Acoustics and included with the application, has considered the potential vibration effects of the development and listed three properties for direct consultation in regard to vibration effects. While this property is not one of the listed properties, given the buildings heritage status, the proximity from the edge of the construction site, the location adjacent to 'Wallace Building' and the proposed works (i.e. sheet piling, augering, excavator and compactor use), it is my opinion that the potential

adverse construction effects on heritage building could be minor.

***Traffic***

As outlined above, the southern property boundary provides vehicle access to the adjacent Service Lane and the southern part of the site is used for a parking, loading and refuse area for this property. The application includes a Transportation Assessment Report, prepared by CKL which notes:

> *"Depending on the methodology and staging of construction, where possible, retention of the operation of the rear service lane should be maintained for those adjacent businesses that utilise this access for parking. Use of the service lane for construction access may be required and any such use should be communicated with the other service lane users to ensure that appropriate alternative means of access and parking can be provided for them as part of the CTMP."*
>
> "*The proposal does not include any changes to the layout or function of the adjacent business carparks …nor does it propose any formational changes to the vehicle crossings themselves. It is therefore anticipated that following construction of the development, vehicular access for the adjacent businesses will be able to continue in its existing operation from the Commerce Street vehicle crossing with movements limited to exit only at the Victoria Street vehicle crossing."*

As expressed in the Transportation Assessment, the proposed methodology and staging of construction is not yet finalised, and while there is an intention to ensure the Service Lane remains open and available for other users, this is not certain. For this property which has parking and loading/deliveries to the rear of the existing building, the potential adverse traffic effects are considered to be minor.

Following completion of the new building, users of the Service Lane to access this property will notice the changes to the Service Lane, in particular the restriction to exit only on to Victoria Street. While this may be noticeable, the change of use of the Service Lane is not likely to have adverse effects that are minor as most traffic exiting from the new building will do so to Commerce Street.

***Summary***

In summary, the potential adverse effects of the proposed development on 46 & 46A Victoria Street and 45, 47 & 49 Duke Street have been considered regarding character and amenity, building heritage and traffic effects. While the visual and traffic effects have been assessed as less than minor, the potential adverse construction effects regarding the amenity and building heritage are deemed to be minor. On this basis limited notification is recommended for this property.

### 5.5.3 53, 55, 57, 59, 61, 63, 65, and 67 Duke Street (Properties 3-8)

North of the subject site and the Service Lane is a series of single storey buildings as shown below in Figure 31. These range in size and age from as early as the 1920's (C.F Ruge building was

established in 1920 and currently occupied by Harcourts). These buildings are occupied by a variety of retail and office activities including clothing and grocery stores, a restaurant, a flooring store, and the Ministry of Social Development office. A number of these properties have vehicle access to the rear of the buildings via the Service Lane. In terms of the proposed development and the potential adverse effects for further consideration regarding these properties, construction, traffic and infrastructure effects require further assessment.




**Figure 31:** Council's Intramaps Image of Duke Street properties (highlighted in red)

***Construction***

Section 4.6.1 above has set out the potential adverse earthworks and construction effects that will occur though development of the proposed building at the subject site. These effects are acknowledged as noticeable due to the location, scale and length of works, which while temporary, will extend for a duration of 22 months. While noticeable, the proposal has considered an extensive range of mitigation measures, which if implemented, will greatly assist in the mitigation of the adverse effects associated with earthworks and construction. It is noted that these effects are unavoidable, and therefore minimisation and mitigation is appropriate. In terms of the properties along Duke Street the effects from construction will be noticeable in terms of construction noise, vibration and traffic.

The Construction Noise and Vibration Assessment, prepared by Earcon Acoustics and included with the application, has considered the potential noise and vibration effects of the development and concluded that there will be a noise exceedance when sheet piling noise occurs for a period of two days. The Assessment has not considered these properties impacted with regard to vibration effects. Given the close proximity of these properties to the subject site, the adverse construction

noise effects are considered to be minor.

In terms of Construction Traffic, the application includes a Transportation Assessment Report, prepared by CKL which notes:

> *"Depending on the methodology and staging of construction, where possible, retention of the operation of the rear service lane should be maintained for those adjacent businesses that utilise this access for parking. Use of the service lane for construction access may be required and any such use should be communicated with the other service lane users to ensure that appropriate alternative means of access and parking can be provided for them as part of the CTMP."*

As expressed in the Transportation Assessment, the proposed methodology and staging of construction is not yet finalised, and while there is an intention to ensure the Service Lane remains open and available for other users, this is not certain. For these properties which have parking and loading/deliveries to the rear of the existing buildings, the potential adverse construction traffic effects are considered to be minor.

***Traffic***

As outlined above, the properties along Duke Street use the Service Lane to access the rear of the buildings and parking areas, and for refuse storage and collection. Refer Figure 32 below. Following completion of the new building, users of the Service Lane to access these properties will notice the changes to the Service Lane. While this may be noticeable, the change of use of the Service Lane is not likely to have adverse effects in regard to accessing and using the rear areas of these properties in terms of refuse storage and collection, and access for parking.

It is noted that for 53, 55 & 57 Duke Street, the Vehicle Movement Site Plan indicates that an 8m Rigid Truck for rubbish/recycling collection at the subject site will go over the property boundary when manoeuvring within this part of the site. Refer Figure 33 below. While this is a temporary effect during the vehicle movements, should these properties extend their buildings to the property boundary the manoeuvring will become difficult.

Post-construction, and noting the above, the traffic effects for the properties on the northern side of the Service Lane should be less than minor in that the use and ability to get to each property will not change.



**Figure 32:** Site visit photo (taken 19 Aug 2026) of Service Lane and rear of buildings at 53-67 Duke Street

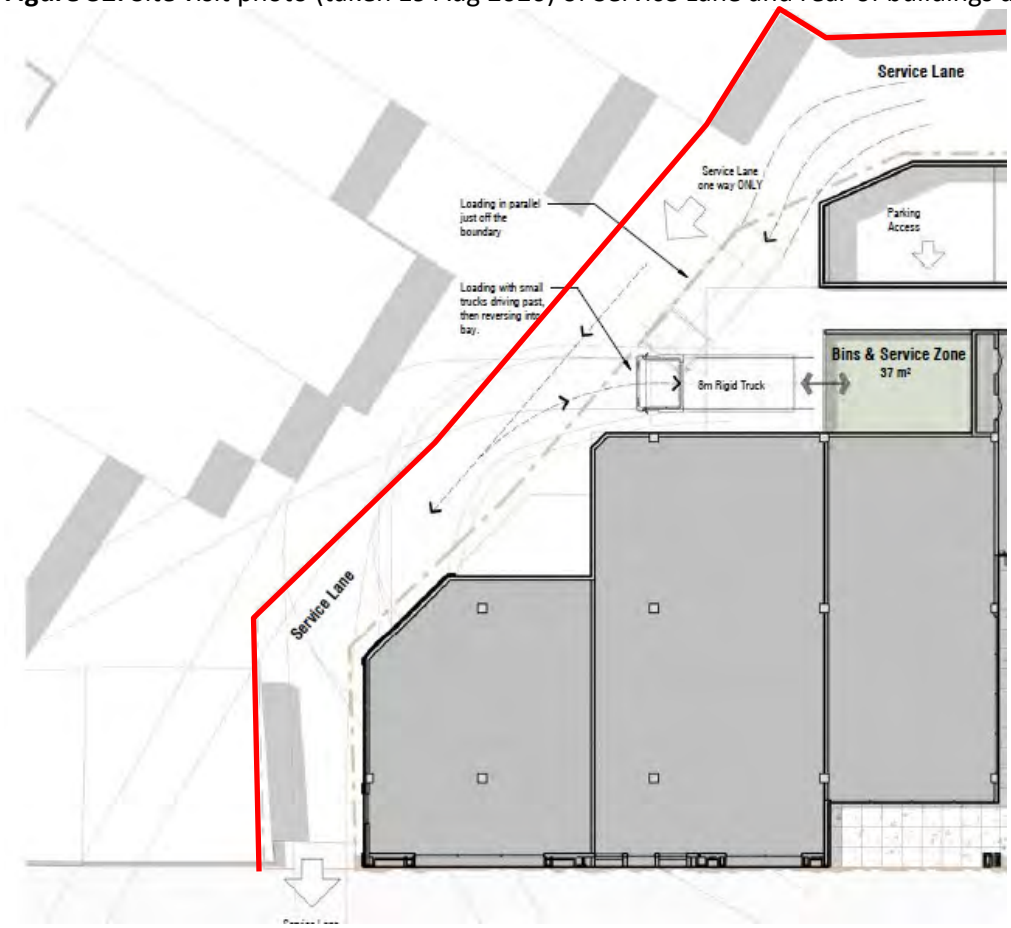



**Figure 33:** Snippet of Site Plan – Vehicle Movement with property boundary shown in red

***Infrastructure***

The proposal seeks to connect to Councils infrastructure networks within Commerce Street and Victoria Street, and the application includes an Infrastructure Capacity Assessment supporting this. Council's Development Engineering Team have confirmed, subject to detailed design and construction, the appropriate infrastructure can be provided.

In terms of the properties along Duke Street, Council's Utilities Map shows these properties have water supply and stormwater connections from both Duke Street and the Service Lane. Regarding wastewater, there is infrastructure within Duke Street however it is not clear exactly where each building connection is located and if these are in Duke Street. Refer to Figure 34 below.

Figure 32 above also demonstrates the Service Lane includes power and telecommunication infrastructure to these properties.




**Figure 34:** Councils Utilities Map (Duke Street properties highlighted in red, wastewater infrastructure shown in brown, stormwater infrastructure shown in green, and water supply infrastructure shown in blue)

In terms of the potential adverse effects on the infrastructure and relevant for the properties along Duke Street, consideration should be given to whether any changes to the existing location of the reticulated networks will impact this property. Provided that appropriate conditions are imposed to ensure any changes to the reticulated networks ensure surrounding properties retain their connections, or are provided with new alternatives, the effects for infrastructure will be less than minor.

***Summary***

In summary, the potential adverse effects of the proposed development on 53, 55, 57, 59, 61, 63, 65, and 67 Duke Street have been considered regarding construction, traffic and infrastructure effects. In terms of Construction Effects, construction noise has been assessed as minor, with construction traffic and infrastructure effects post-construction less than minor.

Given the proposed methodology and staging of construction is not yet finalised, the Construction Traffic Effects on these properties are considered to be minor. For this reason, limited notification is recommended to these properties.

### 5.5.4 3 Commerce Street (Property 9)

To the east of the subject site and east of the service lane, with frontage to Commerce Street, is a 162m$^2$ property that is currently occupied by Cambridge Glass Ltd. The front portion of this property contains the existing store while a portion of the rear of the site is used for parking as shown below in Figure 35. A second access lane is located on the eastern side of the property adjacent to the medical centre carpark. In terms of the proposed development and the potential adverse effects for further consideration regarding this property, amenity, construction, traffic and infrastructure effects require further assessment.

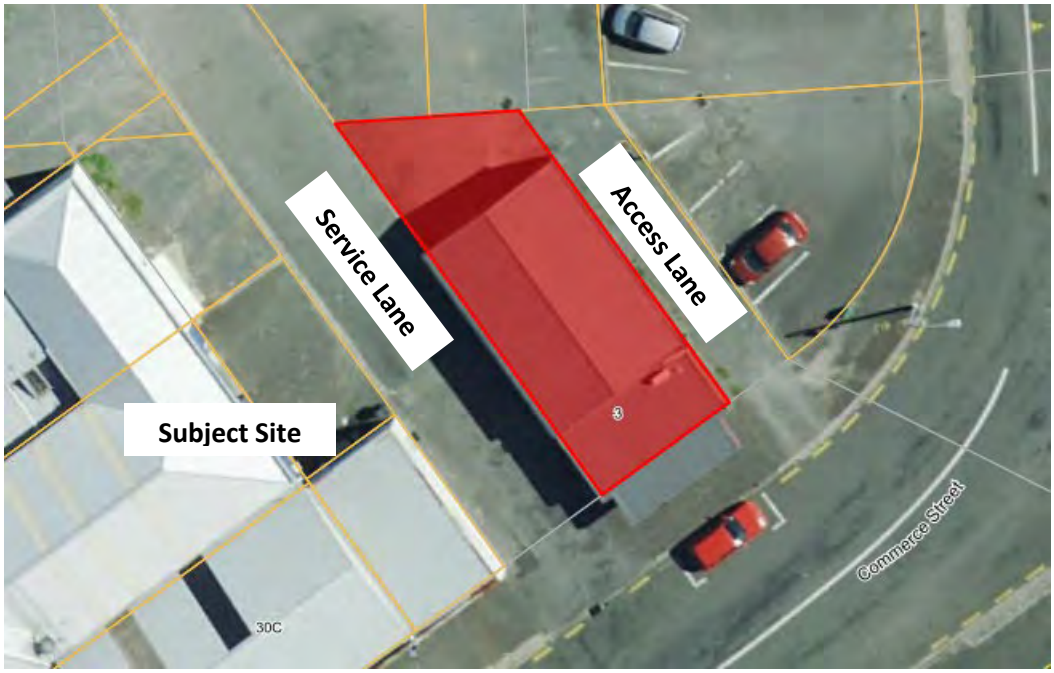



**Figure 35:** Council's Intramap Image of 3 Commerce Street (highlighted in red)

***Amenity***

In terms of the amenity of the property, the existing building has the front façade at the Commerce Street frontage. At the rear of the building is a large garage door that is opened when staff are working in the rear part of the building. Refer to Figures 36 and 37 below. In terms of the commercial zone and the amenity experienced on this site, post-construction, the views from the rear of the

property will change it that the existing view of the rear façade of a variety of buildings and their parking spaces will change to the access ramp and rear of the new building, including verandas from the residential activities. While a change in view, there is not likely to be adverse visual amenity effects for 3 Commerce Street.

The proposed access ramp location ensures the new building is setback approx. 6.47m from the Service Lane boundary which assists with minimising the sense of dominance of the building and its bulk form regarding this property. While this site is likely to experience periods of shading from the new building because of its size, particularly later in the day, this is not considered to impact the use of this property, and it is noted that the new building complies with the height provision, so the bulk and height proposed is anticipated in this location.

Overall, the potential adverse amenity effects of the proposal on the property at 3 Commerce Street are therefore less than minor.




**Figure 36:** Site visit photo (taken 19 Aug 2026) of building at 3 Commerce Street



**Figure 37:** Site visit photo (taken 19 Aug 2026) of Service Lane and rear of building at 3 Commerce Street

***Construction***

Section 4.6.1 above has set out the potential adverse earthworks and construction effects that will occur though development of the proposed building at the subject site. These effects are acknowledged as noticeable due to the location, scale and length of works, which while temporary, will extend for a duration of 22 months. While noticeable, the proposal has considered an extensive range of mitigation measures in the draft Construction Management Plan, which if implemented, will greatly assist in the mitigation of the adverse effects associated with earthworks and construction. It is noted that these effects are unavoidable, and therefore minimisation and mitigation is appropriate.

The Construction Noise and Vibration Assessment, prepared by Earcon Acoustics and included with the application, has considered the potential noise and vibration effects of the development on this property and concluded that there will be a noise exceedance when sheet piling noise occurs for a period of two days and when augering occurs for up to three days. The Assessment has not considered this property impacted with regard to vibration effects. Having reviewed the Construction Noise and Vibration Assessment it is not clear if the author understands the nature of the activity that occurs at this property. Cambridge Glass Ltd are glaziers and this property includes the storage of glass that is used for a number of purposes.

Council's Environmental Health Officer, Mr Glynn Jones, has reviewed the information provided with the application for both noise and vibration and provided the following comments in relation to this property:

- Noise: The predicted external noise is 53-55dBA. This business has a large door that is commonly left open. This means that the internal level with the door open could be around 10 dBA lower i.e. 43 – 45 dBA. This is not unreasonable.
- Vibration: Applying the separation distances to the surrounding sites, the predicted vibration levels are identified as not likely to be acceptable at 3 Commerce Street. It is agreed that adverse effects can be mitigated or managed to acceptable levels. However, it is still considered that there are a limited number of locations likely to result in adverse effects.
- It is still believed that these closest business sites, including 3 Commerce Street, will be impacted adversely by either noise or vibration effects.

Based on the information provided with the application, and the advice from Council staff, it is my assessment that due to the proximity of the site to the development, the potential construction noise and vibration effects are minor for this property.

Regarding construction traffic effects, as noted above for other adjacent properties, the proposed methodology and staging of construction is not yet finalised, and while there is an intention to ensure the Service Lane remains open and available for other users, this is not certain. For this property which is directly adjacent to the entrance to the Service Lane and has parking and loading/deliveries to the rear of the existing building, the potential adverse construction traffic

effects are considered to be minor.

Overall, the potential adverse construction effects of the proposal on the property at 3 Commerce Street are deemed to be minor.

***Traffic***

The property at 3 Commerce Street, has an area of parking at the rear of the building which can be accessed via either Service Lane on the western side of the existing building or a second access lane on the eastern side of the existing building. Refer Figure 33 above.

Following completion of the new building, users of the Service Lane, and in particular persons at 3 Commerce Street, will notice the change in traffic volume using the Service Lane. While the proposal will not restrict the continued use of the Service Lane to access the rear of the property at 3 Commerce Street, the location of the access ramp entry/exit is directly opposite the building on this property which may increase 'near misses' between vehicles and the existing building, and vehicles manoeuvring in and out of the two sites.

Within the Transportation Assessment Report, prepared by CKL, it is noted that one of the recommendations for development and in relation to the Service Lane is the installation of a convex mirror "*to be installed opposite exit lane of carpark ramp positioned to enable visibility toward Victoria Street for exiting driver in constrained visibility conditions".* The exact location of this is not shown on any of the plans included with the application, but it is noted that the basement entrance is directly opposite the building at 3 Commerce Street. Depending on the location of the proposed convex mirror, this may impact the use and access of the rear parking area for this property.

A second recommendation from CKL is the "*Consideration given to the installation of traffic calming measures prior to each vehicle crossing interaction with the pedestrian footpath to ensure exiting vehicles are travelling at an appropriate speed."* Should this occur in the Service Lane, adjacent to 3 Commerce Street, this will be noticeable change, however it is considered to have positive effects in that it will assist with traffic calming and provide improvements for pedestrians on Commerce Street.

It is also noted that for 3 Commerce Street, the 'Ramp Entry & Exit B99' Plan, included in the Transportation Assessment Report, demonstrates that an 8m Rigid Truck for rubbish/recycling collection at the subject site will go over the property boundary when manoeuvring within this part of the site. Refer Figure 38 below. While this is a temporary effect during the vehicle movements, should this property extend the building to the property boundary, or choose to fence the boundary, the manoeuvring for an 8m Rigid Truck will become difficult.

Overall, the potential adverse traffic effects, post-construction, and regarding 3 Commerce Street are assessed as minor.




**Figure 38:** Ramp Entry & Exit B99 Car Plan from Transportation Assessment Report

***Infrastructure***

The proposal seeks to connect to Councils infrastructure networks within Commerce Street and Victoria Street, and the application includes an Infrastructure Capacity Assessment supporting this. Council's Development Engineering Team have confirmed, subject to detailed design and construction, the appropriate infrastructure can be provided.

In terms of the property at 3 Commerce Street, it is noted the water supply is located within the Service Lane, and a stormwater grate is located at the northern property boundary. From Council's Utilities Mapping information, it is not clear where 3 Commerce Street connects to Council's wastewater reticulated network however it is noted there is a pipeline located within the subject site. Refer to Figure 39 below.

In terms of the potential adverse effects on the infrastructure and relevant for 3 Commerce Street, consideration should be given to whether any changes to the existing location of the reticulated networks will impact this property. Provided that appropriate conditions are imposed to ensure any changes to the reticulated networks ensure surrounding properties retain their connections, or are provided with new alternatives, the effects for infrastructure will be less than minor.

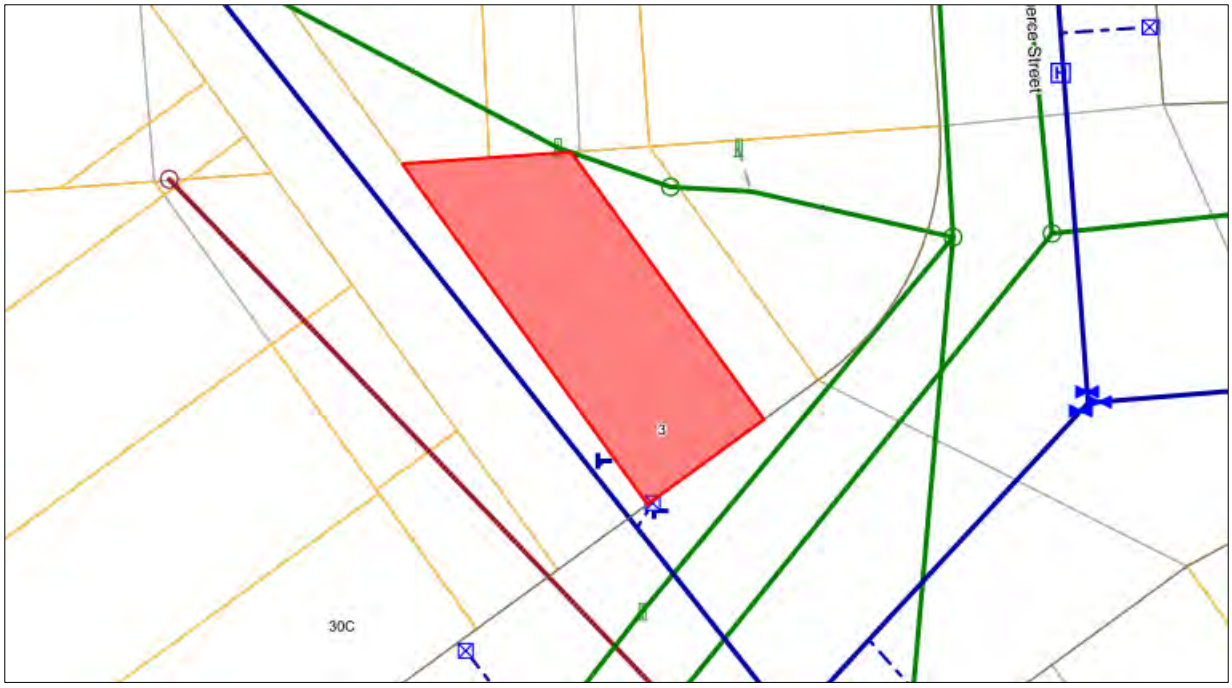



**Figure 39:** Councils Utilities Map (3 Commerce Street highlighted in red, wastewater infrastructure shown in brown, stormwater infrastructure shown in green, and water supply infrastructure shown in blue)

***Summary***

To summarise, the potential adverse effects of the proposed development on 3 Commerce Street regarding amenity, construction, traffic and infrastructure have been considered in the preceding paragraphs. It is anticipated that the adverse amenity and infrastructure effects of the new development, subject to suitable consent conditions should consent be granted, will be less than minor. Regarding the anticipated construction effects and traffic effects these are deemed to be minor and for this reason, limited notification is recommended to 3 Commerce Street.

### 5.5.5 Commerce Street (Property 10)

Located on the corner of Commerce Street and the Service Lane is a 51m$^2$ property and building. The building is a brick building with a garage door facing Commerce Street and windows and a door facing the Service Lane. Refer Figure 40 below. In terms of the proposed development and the potential adverse effects for further consideration regarding this property, construction, traffic and infrastructure effects require further assessment.

***Construction***

Section 4.6.1 above has set out the potential adverse earthworks and construction effects that will occur though development of the proposed building at the subject site. These effects are acknowledged as noticeable due to the location, scale and length of works, which while temporary, will extend for a duration of 22 months. While noticeable, the proposal has considered an extensive range of mitigation measures in the draft Construction Management Plan, which if implemented, will greatly assist in the mitigation of the adverse effects associated with earthworks and construction. It is noted that these effects are unavoidable, and therefore minimisation and

mitigation is appropriate.




**Figure 40:** Site visit photo (taken 19 Aug 2026)

The Construction Noise and Vibration Assessment, prepared by Earcon Acoustics and included with the application, has considered the potential noise and vibration effects of the development on surrounding properties. This property is assumed to have been included in the assessment along with 30-30A Victoria Street which is described as including "*storage facilities at the rear eastern end.*" In terms of the Assessment, it has considered the property will be affected by sheet piling noise for two days, augering noise for three days, listed the property as requiring direct consultation in terms of vibration effects, and a recommendation for pre and post construction monitoring of the building.

Council's Environmental Health Officer, Mr Glynn Jones, has reviewed the information provided with the application for both noise and vibration and considers that due to a single party wall located along the boundary with the subject site, "*any direct impact on this wall or the footings during demolition of the adjacent connected building and from any piling close to the footings could potentially result in much greater effects*" than that outlined in the Construction Noise and Vibration Assessment. Mr Jones notes that while the construction effects are likely to be limited to days, the impact for those using this building may result in the occupier having to be off-site during this time.

Overall, in considering the location of the building and the nature of the proposed development, I consider the construction effects are likely to be more than minor for this property.

***Traffic***

Following completion of the new building, users of the Service Lane, and in particular persons at

Commerce Street, will notice the change in traffic volume using the Service Lane. While the proposal will not restrict the continued use of the Service Lane to access the property, the location of the access ramp entry/exit is directly behind the building on this property which may increase 'near misses' between vehicles and the existing building.

Within the Transportation Assessment Report, prepared by CKL, it is recommended that "*Consideration given to the installation of traffic calming measures prior to each vehicle crossing interaction with the pedestrian footpath to ensure exiting vehicles are travelling at an appropriate speed."* Should this occur in the Service Lane, adjacent to the existing building on Commerce Street, this will be noticeable change, however it is considered to have positive effects in that it will assist with traffic calming and provide improvements for pedestrians on Commerce Street. The exact location of the traffic calming should be mindful of the doorway used to access the building on this site.

Overall, the potential adverse traffic effects, post-construction, and regarding Commerce Street are assessed as less than minor.

***Infrastructure***

In terms of this property, Council's Utilities Mapping information indicate a wastewater line runs under the building. It is not clear if the site has an independent water supply connection or a stormwater connection to the surrounding reticulated networks. Refer to Figure 41 below.

In terms of the potential adverse effects on the infrastructure, consideration should be given to whether any changes are proposed to the existing wastewater line underneath the property and if these changes will impact this property. Provided that appropriate conditions are imposed to ensure any changes to the wastewater pipeline are adequately addressed, the effects for infrastructure will be less than minor.

***Summary***

To summarise, the building located on the property at the intersection of Commerce Street and the Service Lane is a small brick building which is understood to be used for storage. The potential adverse effects of the proposed development have been considered in the preceding paragraphs regarding construction, traffic and infrastructure. While the anticipated traffic and infrastructure effects are likely to be less than minor, the construction effects are likely to be more than minor. This property should therefore be included in limited notification.

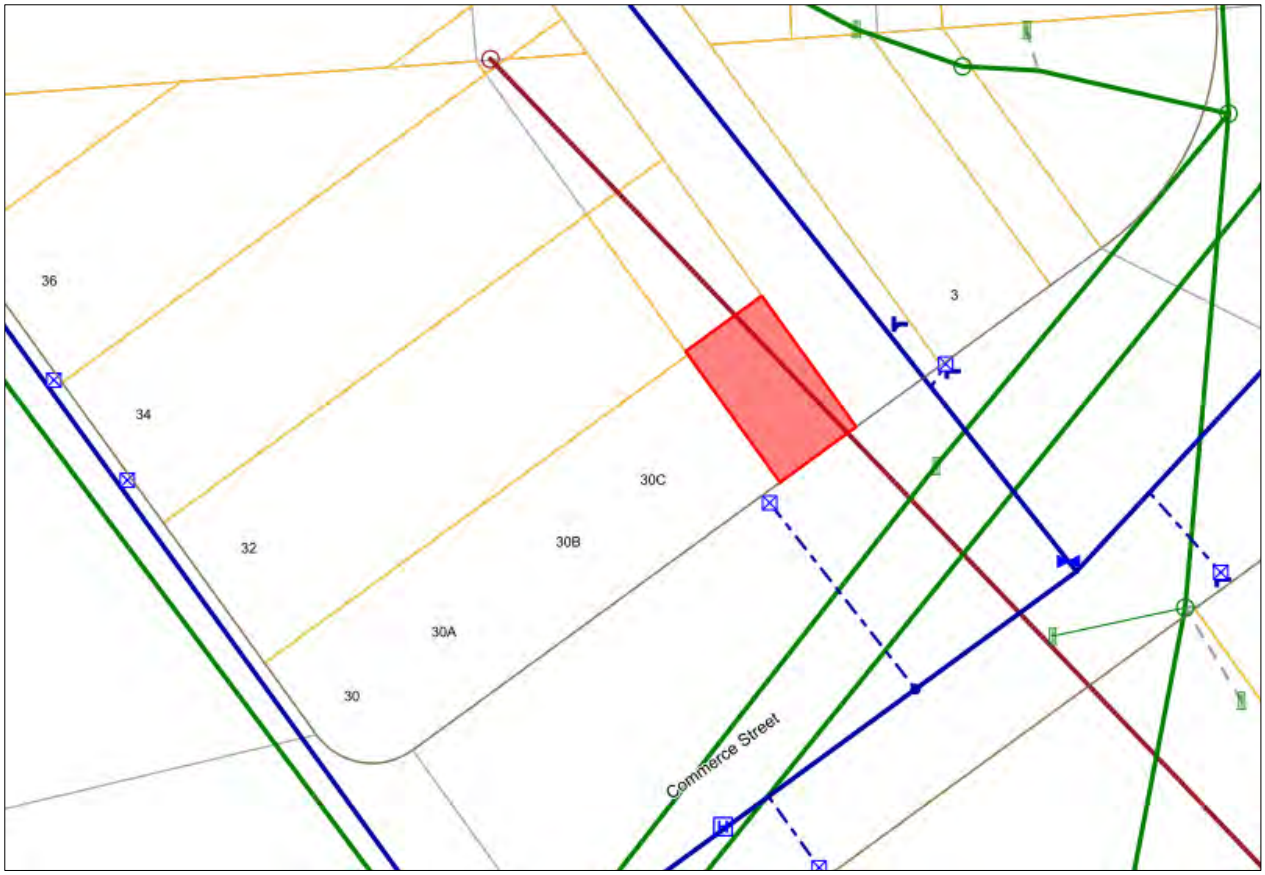



**Figure 41:** Councils Utilities Map (Commerce Street property highlighted in red, wastewater infrastructure shown in brown, stormwater infrastructure shown in green, and water supply infrastructure shown in blue)

### 5.5.6 30, 30A, 30B & 30C Victoria Street (Property 11)

Located on the corner of Victoria Street and Commerce Street is a large commercial building which is home to four tenancies, being mint. consignment store, Comi, The Glass Printery and Black Collar Tattoo. The building occupies the entire property with three of tenancies having their front facades to Commerce Street. Mint, being located on the corner has its main façade facing the intersection. In terms of the proposed development and the potential adverse effects for further consideration regarding this property, character and amenity, construction, traffic and infrastructure effects require further assessment.

***Character and Amenity***

Originally designed and built as garage in the 1970s, the building was owned by the Council and leased by the New Zealand Motor Corporation Ltd, Discombe Motor Cycles Ltd, and the NZ Co-op Dairy Company. In June 1990 resource consent was sought and granted to Austen Motors to use the site for a service garage and motor accessories shop (under the Town & Country Planning Act 1977). In 1991 the property was sold and has since been held in private ownership. The existing layout of the building was undertaken in 2020.

In terms of the proposed development, it will be located north of this property. The physical separation between the two sites is 0.1m at the closest point, with increased separation for each

floor above ground level. The building setback from this boundary complies with the provisions of the District Plan.

Regarding the bulk form of the new building, and visual effects of the views of the building from the surrounding public spaces (i.e. footpaths and roads), the new building will be visible behind the existing building on the site which is shown in Figure 42 below. Due to the design of the upper floors of the new building, in stepping back into the subject site, the visual dominance of the new building has been minimised to some extent. While being visible over the existing building at 30 Victoria Street, the new building does not create adverse visual effects for those using the surrounding public spaces (i.e. footpaths and roads). Additionally, due to the floor layout of the existing building at 30 Victoria Street, the new building does not create adverse visual effects for those persons at this site who have views southwards.




**Figure 42:** Google street view image of existing building at 30 Victoria Street

In terms of the amenity of the property, the existing activities all have their front facades (including access and large windows) facing toward Victoria and Commerce Streets. The proposed construction of the new building is likely to impact this amenity, particularly during construction activities with adverse noise, dust, and vibration effects. The construction effects are considered further below. In terms of the amenity of the property, post-construction, a key consideration, due to the scale of the building, is shading.

Although no shading diagrams were provided with the proposal, the change from a neighbouring single storey building to four storeys will result in shading changes to this adjacent site, given its location to the south of the subject site. This is demonstrated by the 3D View included in the architecture plans and shown below in Figure 43. It is noted that the existing single storey building on this property has it front facades to the street (i.e. facing Victoria Street and Commerce Lane) so the change in shading will not result in loss of sunlight in terms of the existing windows. Additionally, if this building was to be replaced by a multi-storey building, the stepping back of the upper floors of the proposed building will allow for sunlight to reach the first floor (and above) of any new

building on this site. It is noted that there would still be parts of the site that would be shaded throughout the day, however the building does comply with the height provisions for the Commercial Zone which allow for an 18.0m high building. The shading effects are therefore anticipated to occur.




**Figure 43:** Snippet of View 3 of 3D Views Boon Architecture Plans

Regarding the amenity of the site, post construction, the activities currently being undertaken on the site will be able to occur in the same manner as they currently do. While the new building will have upper floors which will view over this site, this is not expected to have any effect on the amenity of the site or existing activities.

Overall, in regard to character and amenity effects, while the new development is larger than the existing buildings on the subject site, the proposed development aligns with a number of the provisions in the District Plan and has been designed in a way that has been considerate of the adjacent building at 30, 30A, 30B & 30C Victoria Street. Due to the layout of the existing building on this site, with its front facades facing away from the subject site, the character and amenity effects of the new development on this site are considered to be less than minor.

***Construction***

As noted above in the Commerce Street (Property 9) assessment and in Section 4.6.1 there will be adverse earthworks and construction effects that will occur though development of the proposed building at the subject site. These effects will extend for a duration of 22 months, and while these effects are unavoidable and intended to be mitigated as outlined in the Construction Management Plan, they are likely to be significant for this directly adjacent property.

The Construction Noise and Vibration Assessment, prepared by Earcon Acoustics and included with the application, has considered the potential noise and vibration effects of the development on this property and concluded that there will be a noise exceedance when sheet piling noise occurs for a

period of two days and when augering occurs for up to three days. The Assessment has considered this property impacted with regard to vibration effects and listed this property as requiring direct consultation as a result.

Council's Environmental Health Officer, Mr Glynn Jones, has reviewed the information provided with the application for both noise and vibration and provided the following comments in relation to this property:

- The southern boundary adjacent to 30-30A Victoria Street requires support with a retaining wall to comprise vibratory sheet piling. Due to the close proximity of this work, it is unlikely to be acceptable for the adjacent businesses to operate at the same time this work is taking place. Mid-sized to large excavators with mounted augers would be required nearby, which would still have potential to transmit vibration and high noise levels to these tenancies. It would appear that there is only a single party wall between the existing adjoining units to these tenancies and demolition and piling work is highly likely to adversely affect these businesses during the whole of the proposed demolition and ground work phases at least.
- For the occupiers, the Earcon response predicts that there would be no particular issues in terms of construction noise and vibration within these tenancies. The predictions are based on the fact that the noise and vibration will be mitigated within the premises due to the solid concrete block construction of the walls and that door openings are screened on the opposite side to the construction site. While this is a reasonable assessment, it does not take into account the fact that there is effectively a single party wall to the construction site. This means that any direct impact on this wall or the footings could potentially result in much greater effects. It is appreciated that these effects are likely to be limited to days, but the occupiers could not reasonably be in occupation when this occurred. This needs to be recognised at least so that a plan can be made to consult the parties affected nearer the time of development.
- It is still believed that these closest business sites will be impacted adversely by either noise or vibration effects.

Based on the information provided with the application, and the advice from Council staff, it is my assessment that due to the proximity of the site to the development, the potential construction noise and vibration effects are potentially more than minor for this property.

Regarding construction traffic effects, as noted above for other adjacent properties, the proposed methodology and staging of construction is not yet finalised. As this property does not have direct access to the Service Lane potential traffic effects are likely to be in regard to the use or restriction of parking areas along the frontage of the site with Victoria Street. Noting that Commerce Street has only a loading bay along the frontage with this property.

The information included with the application seeks to use the closed angled parking along Victoria Street for heavy vehicle parking and queuing as shown below in Figure 44 (as taken from the Transportation Memo, dated 3 March 2026). This will close parking spaces directly outside the frontage of this site. As parking will remain available on the southwestern side of Victoria Street and

in the wider surrounding road network, the effects of temporarily closing the angled parking along Victoria Street is considered to be less than minor.




**Figure 44:** Snippet of image from Transportation Memo showing parking to be closed during construction

Overall, the potential adverse construction effects of the proposal on the property at 30, 30A, 30B & 30C Victoria Street are likely to be significant due to the location of this property directly adjacent to the subject site. While these effects are unavoidable and temporary, it is considered that the potential adverse construction effects will be more than minor.

***Traffic***

Following completion of the new building, and the return of the angled parking spaces along Victoria Street, the potential traffic effects of the development on this site are expected to be minimal. While customers and visitors to the site may notice an increase in use of the parking along Victoria Street, due to new development and the activities within the new building, the new basement parking will provide some off-street parking that will mitigate this effect.

***Infrastructure***

The proposal seeks to connect to Councils infrastructure networks within Commerce Street and Victoria Street, and the application includes an Infrastructure Capacity Assessment supporting this. Council's Development Engineering Team have confirmed, subject to detailed design and construction, the appropriate infrastructure can be provided.

In terms of the property at 30, 30A, 30B & 30C Victoria Street, it is noted a water supply connection

is located at the northeastern corner of the property within Commerce Street. From Council's Utilities Mapping information, it is not clear where the property connects to Council's wastewater reticulated network however it is noted there is a pipeline located to the northeast of the site. Refer to Figure 45 below.

In terms of the potential adverse effects on the infrastructure for this property, consideration should be given to whether any changes to the existing location of the reticulated networks will impact this property. Provided that appropriate conditions are imposed to ensure any changes to the reticulated networks ensure surrounding properties retain their connections, or are provided with new alternatives, the effects for infrastructure will be less than minor.




**Figure 45:** Councils Utilities Map (30, 30A, 30B & 30C Victoria Street highlighted in red, wastewater infrastructure shown in brown, stormwater infrastructure shown in green, and water supply infrastructure shown in blue)

***Summary***

Overall, in considering the location of the building, the existing activities within the building, the nature of the proposed development, and the assessment outlined in the preceding paragraphs, the potential adverse effects of the development on the property at 30, 30A, 30B & 30C Victoria Street are considered to be more than minor and limited notification is recommended.

### 5.5.7 29 Victoria Street, 33 & 33B Victoria Street (Property 12), 35 & 37 Victoria Street (Property 13), 39 & 39E Victoria Street (Property 14), 41A, 43 & 45 Victoria Street (Property 15), and 47 Victoria Street (Property 16), 22-26 Wilson Street

Located on the southwestern side of Victoria Street are a number of properties which contain a variety of retail activities, including a dentist, florist, homeware and giftware stores, a fruit and

vegetable store, a butcher, nail and beauty salons and a restaurant. Behind 33 Victoria Street, are three residential properties whose first floor overlooks onto Victoria Street. These properties are physically separated from the subject site by Victoria Street at a minimum distance of 40.5m. In terms of the proposed development and the potential adverse effects for further consideration regarding these properties, construction, amenity, building heritage, and traffic effects require further assessment.

***Construction***

Section 4.6.1 above has set out the potential adverse earthworks and construction effects that will occur though development of the proposed building at the subject site. These effects are acknowledged as noticeable due to the location, scale and length of works, which while temporary, will extend for a duration of 22 months. While noticeable, the proposal has considered an extensive range of mitigation measures in the draft Construction Management Plan, which if implemented, will greatly assist in the mitigation of the adverse effects associated with earthworks and construction. It is noted that these effects are unavoidable, and therefore minimisation and mitigation is appropriate. For the properties on the southern side of Victoria Street, construction noise, vibration, dust and traffic, and visual effects are considered further.

The Construction Noise and Vibration Assessment, prepared by Earcon Acoustics and included with the application, has considered the potential noise and vibration effects of the development on surrounding properties. Regarding noise effects on the southern side of Victoria Street, it is understood that subject to works being undertaken in accordance with the proposed operational and procedural requirements of the Construction Noise and Vibration Management Plan (CNVMP), the noise levels can be managed to minimise the effects as much as reasonably possible. The CNVMP lists 29-41A Victoria Street,43 Victoria Street and the Wilson Street properties as 'sensitive receivers' who should be included in written communications regarding construction noise. None of the properties on the southern side of Victoria Street have been identified in regard to vibration effects.

Council's Environmental Health Officer, Mr Glynn Jones, has reviewed the information provided with the application for both noise and vibration and provided the following comments in relation to this property:

- Noise: The external construction noise is highly likely to impact on businesses who do not operate with their front or other doors closed or have tables and chairs outside the premises or on the footpath for customers to dine. The ambient street noise in Victoria Street is relatively low in comparison with the proposed construction work and the impact of a received noise of 80 dBA (as a worst case) would be unacceptable to some businesses.

  The s92 further information response has assessed the noise effects and in some applicable cases, the vibration effects at all the sites identified by the Council as potentially sensitive sites. It is agreed that the sensitivity for retail businesses will not be as great as those listed by Earcon which have specific sensitivities. However, a sensitive site can also be regarded as one

where there is a potential for a complaint to be received that the noise or vibration is causing an adverse effect on the business operation. For the businesses on the southern side of Victoria Street:

- 35 Victoria Street – Cambridge Vege Fresh: The predicted highest external level is 67 – 69 dBA. The front door is commonly left open so the internal level could be around 10 dBA lower i.e. 57 – 59 dBA. This is not unreasonable.
- 39 Victoria Street – Robert Harris: The predicted highest external level is 67 – 69 dBA. The main issue here is the outdoor pavement café seating. Ambient noise levels were measured weekday mid-afternoon with reasonably busy traffic on the footpath near to this seating area (with some contribution from external speaker music from Alpino) was 63 dB LAeq. This compares well with the Earcon prediction of 60-65 dB LAeq daytime. It is agreed that a worst-case exceedance of up to 6 dBA during sheet piling, although audibly above traffic, would not preclude the use of this outdoor area.
- 43 Victoria Street – Alpino Cambridge: The predicted highest external level is 67 – 69 dBA. The main issue here again is the outdoor pavement restaurant seating. Ambient noise levels were measured weekday mid-afternoon with reasonably busy traffic on the footpath near to this seating area (with some contribution from external speaker music from Alpino) was 63 dB LAeq. This compares well with the Earcon prediction of 60-65 dB LAeq daytime. It is agreed that a worst-case exceedance of up to 6 dBA during sheet piling, although audibly higher than the traffic, would not preclude the use of this outdoor area.
- For 29 & 29A Victoria Street, this site is located further from the construction works, and the predicted highest external level would therefore be anticipated to be slightly lower than 67 – 69 dBA. Where front doors are left open, the internal level could be around 10 dBA lower i.e. less than 57 – 59 dBA. This is not unreasonable for these locations.
- For the Wilson Street properties, they have some windows facing Victoria Street and on the gable façade, but it is no known if these are opening windows. The construction noise using the Assessment prediction would be less than 70 dB LAeq at this location and therefore at an acceptable noise level.

- Vibration: The Construction Noise and Vibration Assessment, advises that vibratory sheet piling insertion through the strata underlying the site, if well managed and monitored, will generate vibrations of around 4-5mm/s at 10m and around 2mm/s at 20m at sites with similar stratigraphy. The Assessment has not identified any of the properties south of Victoria Road as being subject to vibration levels that would be unacceptable.

  The s92 further information response agreed that consideration should be given to mitigation of effects of vibration on humans associated with the potential for underlain services to propagate vibrations beyond surface vibrations, which may result in vibration effects to these properties depending on the location of these services. The the CNVA and CNVMP both include controls and restrictions on equipment and modes of operation to minimise the

vibration effects.

Based on the information provided with the application, and the advice from Council staff, it is my assessment that the likely adverse construction noise effects on the properties located on the southern side of Victoria Street are minor and the potential construction vibration effects are less than minor.

Regarding construction dust effects, and via the s92 further information response, a Dust Management Plan, prepared by Grovic Property Ltd was provided. This Plan outlines the proposed dust control measures to be implemented during earthworks and construction which will minimise the dust as much as reasonably possible. While dust will still be noticeable, subject to the management measures being in place, and noting the physical separation between the subject site and the properties on the southern side of Victoria Street, the potential adverse construction dust effects will be less than minor.

In terms of construction traffic effects, as noted above for other adjacent properties, the proposed methodology and staging of construction is not yet finalised. For the properties on the southern side of Victoria Street, they will notice the increased use of parking on the southern side of the road due to the closure of parking spaces on the northern side of Victoria Street. While a noticeable increase in parking demand may occur, the wider roading network will continue to be able to function and alternative parking further from the site will remain available for use. Overall, the construction traffic effects for the properties on the southern side of Victoria Street will be less than minor.

The visual effects of construction for the properties on the southern side of Victoria Street will be very noticeable for the persons at these sites, particularly for those that are making use of the outdoor dining areas as they view the site from across the street. While highly visible, due to its location and scale, the visual construction effects will be temporary and for the construction period only. The use of fencing and site safety requirements, as outlined in the draft Construction Management Plan, will minimise views of the site as construction occurs to uphold the safety of both those on site and those passing by. These requirements will also limit views from the southern side of Victoria Street. In summary, while noticeable the visibility of the construction site is considered to have effects that are less than minor.

***Amenity***

As noted previously in this report, the Commercial Zone accommodates the central business district of Cambridge providing for retail, office and commercial activities, with the existing environment, bulk, density, and relationship between the private and public spaces collectively forming the character of the area. How people enjoy these spaces contribute to the amenity of the area. In regard to the proposed development and the existing commercial and retail activities on the southern side of Victoria Street, the amenity effects can be considered in terms of the construction phase, and post-construction. The construction effects are considered in the preceding paragraphs with the post-construction amenity effects considered here.

In terms of post-construction, the new building will provide additional retail, office and residential activities within the town centre. The building has been designed in consideration of the existing Cambridge Character, and the policy overlays in the District Plan, and Council's Urban Design Consultant has not raised any concerns in this regard as outlined in Section 4.6.4 of this report. Regarding the properties on the southern side of Victoria Street, and in relation to amenity effects, the visual outlook will be a change from the existing single level commercial buildings to a large multi-storey building. This change will be noticeable.

Given the District Plan provisions, and comments from Council's Urban Design Consultant, while noticeable I consider that the visual effects will be minimal, largely due to the physical separation of the sites which will ensure effects such as shading are reduced from that which could occur if the sites were closer together.

***Building Heritage***

Located on one of the northern properties along Victoria Street is the historic 'post office' building, in which the Alpino Restaurant is currently located. This building is a listed Category B heritage building under the District Plan (reference H28), and a Heritage New Zealand Listed Category 2 Historic Place (List Number 4182). The original building was opened in 1908 with an extension undertaken in 1936. The metal archway grills displaying the dual crests of Edward VII and Edward VIII are a particular rare feature of the building.

As noted with other heritage buildings surrounding the subject site, the construction effects, like vibration, are of concern in regard this building. The Construction Noise and Vibration Assessment, prepared by Earcon Acoustics and included with the application, has considered the potential vibration effects of the development. This property is not one of the listed properties.

Council's Environmental Health Officer, Mr Glynn Jones, has reviewed the information in the application regarding vibration and agrees that the proposed construction works in relation to this site are not likely to be affected by vibration due to the distance from the site.

Given the proximity from the edge of the construction site, and both the information included in the application and Mr Jones advice, it is my opinion that the potential adverse construction effects on the building heritage will be less than minor.

***Traffic***

Following completion of the new building, and the return of the angled parking spaces along the northern side of Victoria Street, the potential traffic effects of the development on the properties south of Victoria Street are expected to be minimal. While customers and visitors to the area may notice an increase in use of the parking along both sides of Victoria Street, due to new development and the activities within the new building, the new basement parking will provide some off-street parking that will minimise this demand.

***Summary***

In summary, on the southern side of Victoria Street, directly south of the proposed development are several properties. The preceding paragraphs have considered the potential adverse effects regarding construction, amenity, building heritage and traffic. The potential construction noise effects area assessed as being minor while all other effects have been assessed as less than minor. Limited notification is therefore recommended to these properties.

### 5.5.8 Properties south of Commerce Street (26 & 28 Victoria Street, 2 & 6 Commerce Street)

Located to the south of Commerce Street, and the entrance to the Service Lane from Commerce Street, are three commercial properties. One of the entrances to 28 Victoria Street is directly across from the Service Lane. In terms of potential adverse effects of the proposal on the properties south of Commerce Street, potential construction, amenity and traffic effects have been further considered.

***Construction***

Section 4.6.1 above has set out the potential adverse earthworks and construction effects that will occur though development of the proposed building at the subject site. These effects are acknowledged as noticeable due to the location, scale and length of works, which while temporary, will extend for a duration of 22 months. While noticeable, the proposal has considered an extensive range of mitigation measures in the draft Construction Management Plan, which if implemented, will greatly assist in the mitigation of the adverse effects associated with earthworks and construction. It is noted that these effects are unavoidable, and therefore minimisation and mitigation is appropriate. For the properties on the southern side of Commerce Street, construction noise, vibration, traffic and visual effects are considered further.

The Construction Noise and Vibration Assessment, prepared by Earcon Acoustics and included with the application, has considered the potential noise and vibration effects of the development on surrounding properties. Regarding noise effects on the southern side of Commerce Street, it is understood that subject to works being undertaken in accordance with the proposed operational and procedural requirements of the Construction Noise and Vibration Management Plan (CNVMP), the noise and vibration levels can be managed to minimise the effects as much as reasonably possible. In Section 2 of the Construction Noise & Vibration Management Plan (CNVMP), it notes that 2-6 Commerce Street are relevant receivers regarding "*adverse noise effects"* and communication and consultation is recommended.

Council's Environmental Health Officer, Mr Glynn Jones, has reviewed the information provided with the application for both noise and vibration and notes that the acoustic assessment has not considered the effects on these business locations. However, they are around 40m from the construction site and potentially benefit from some screening at low level from the building directly adjacent to the construction site and between these sites and the subject site. In this case a reasonable estimate would indicate that these businesses would experience effects that would be

less and at worst, no greater than those assessed on the other side of Victoria Street with a similar separation distance. Based on the Earcon Acoustics and Mr Jones advice the construction noise effects are considered to be minor for the properties on the southern side of Commerce Street.

In regard to construction traffic, it is noted that the proposed methodology and staging of construction is not yet finalised. For the properties on the southern side of Commerce Street, they will notice the increased use of the Service Lane. While a noticeable increase in use of the Service Lane, the wider roading network will continue to be able to function therefore, the construction traffic effects for the properties on the southern side of Commerce Street will be less than minor.

The visual effects of construction for the properties on the southern side of Commerce Street will be very noticeable for the persons at these sites, particularly when construction commences above the existing single storey building located at 30 Victoria Street. While visible, due to its location from these sites and the use of site safety requirements, as outlined in the draft Construction Management Plan, the views of the site as construction occurs will be minimised to uphold the safety of both those on site. These requirements will limit views from the southern side of Commerce Street. In summary, while noticeable the visibility of the construction site is considered to have effects that are less than minor.

***Amenity***

As noted previously in this report, the Commercial Zone accommodates the central business district of Cambridge providing for retail, office and commercial activities, with the existing environment, bulk, density, and relationship between the private and public spaces collectively forming the character of the area. How people enjoy these spaces contribute to the amenity of the area. In regard to the proposed development and the existing commercial and retail activities on the southern side of Commerce Street, the amenity effects can be considered in terms of the construction phase, and post-construction. The construction effects are considered in the preceding paragraphs with the post-construction amenity effects considered here.

In terms of post-construction, the new building will provide additional retail, office and residential activities within the town centre. The building has been designed in consideration of the existing Cambridge Character, and the policy overlays in the District Plan, and Council's Urban Design Consultant has not raised any concerns in this regard as outlined in Section 4.6.4 of this report. Regarding the properties on the southern side of Commerce Street, and in relation to amenity effects, the visual outlook will be a change from the existing single level commercial buildings to a large multi-storey building. This change will be noticeable for persons at the sites south of Commerce Street. While noticeable, the proposed development aligns with a number of the provisions in the District Plan and has been designed in a way that has been considerate of the surrounding area. Given the District Plan provisions, and comments from Council's Urban Design Consultant, while noticeable I consider that the visual effects will be minimal, largely due to the physical separation of the subject site from the sites south of Commerce Street which will ensure effects such as shading are reduced from that which could occur if the sites were closer together.

***Traffic***

The location of the Service Lane entrance and the easternmost entrance to 28 Victoria Street create an almost cross intersection type arrangement. This is noted as an existing arrangement which has not been identified in the Waka Kotahi Crash Analysis System outlined in Section 2.6.1 of the Transportation Assessment from CKL and included with the s92 further information response. This indicates that vehicles entering and exiting both sites are able to do so with clear sight lines and the area operates at slower speeds in which near misses are less likely to occur.

While the proposal will increase the volume of traffic entering and exiting the Service Lane, the existing environment and the proposed mitigation measures as outlined above for the Service Lane (i.e. traffic calming) will assist with ensuring this area is safe for Service Lane users and those using the Bridgestone entrance. The potential adverse traffic effects, following completion of the proposed building, are therefore likely to be less than minor.

***Summary***

In summary, on the southern side of Commerce Street and south of the proposed development, are three commercial properties. The preceding paragraphs have considered the potential adverse effects regarding construction, amenity, and traffic. The potential construction noise effects are assessed as being minor while all other effects have been assessed as less than minor. Limited notification is therefore recommended to these properties.

**5.5.9 69, 71, 73 & 75 Duke Street**

Located northeast of the site are three properties on either side of the northern end of Commerce Street, all fronting Duke Street. Due to the physical separation of the subject site with these properties, only construction effects are requiring further assessment in regard to the proposal.

***Construction***

Section 4.6.1 above has set out the potential adverse earthworks and construction effects that will occur though development of the proposed building at the subject site. These effects are acknowledged as noticeable due to the location, scale and length of works, which while temporary, will extend for a duration of 22 months. While noticeable, the proposal has considered an extensive range of mitigation measures in the draft Construction Management Plan, which if implemented, will greatly assist in the mitigation of the adverse effects associated with earthworks and construction. It is noted that these effects are unavoidable, and therefore minimisation and mitigation is appropriate. For the properties on Duke Street, construction noise and vibration effects are considered further.

In Section 2 of the Construction Noise & Vibration Management Plan (CNVMP), it notes these three properties as relevant receivers regarding "*adverse noise effects"* and communication and

consultation is recommended. For 69, 71 and 73 Duke Street the Assessment also identifies sheet piling works for up to two days. None of these properties have been identified in regard to vibration effects.

Council's Environmental Health Officer, Mr Glynn Jones, has reviewed the information provided with the application for both noise and vibration effects regarding the abovementioned properties. Mr Jones notes the predictions for these properties relate to the rear parts of the properties and represents exceedances of the recommended upper limits of NZS 6803 of between 5 and 8 dBA. The standard would advise that with a 20 dBA equates to an internal level of 55-58dB LAeq. The report advises that this level inside a building would be tolerable for a few weeks provided prior notification, explanation and scheduling are communicated to the neighbours. Mr Jones agrees that the predicted internal levels may be acceptable, if communication is carried out as recommended.

For 73 Duke Street, Mr Jones notes this site is currently occupied by a medical centre, being a sensitive activity to noise and vibration. Noise levels from the highest noise generating activity, being sheet piling, would result in noise levels at the façade of the medical facility in the order of 73dB LAeq. Within the CNVMP it is acknowledged that if issues are raised by the facility, then consultation would be required to schedule the high generating noise works during periods of lower sensitivity.

Based on the information provided by Earcon and Mr Jones comments above, the likely adverse construction noise effect for the properties on Duke Street are considered to be minor. The likely construction vibration effects for 71 Duke Street, being the medical centre, are also considered to be minor.

***Summary***

In summary, at the northern end of Commerce Street, and fronting Duke Street, are three commercial properties. The preceding paragraphs have considered the potential adverse effects regarding construction and concluded that the construction noise effects are likely to be minor, and for one of the properties, 71 Duke Street, the construction vibration effects are also likely to be minor. Limited notification is therefore recommended to these properties.

**5.5.10 Mana Whenua**

As outlined above the Cambridge central business district is within the area occupied by the Horotiu Pā which was a large Māori settlement. The subject site is located within the Area of Interest for Upper Waikato River Iwi, Waikato Tainui (River claim), Ngāti Hauā, Waikato-Tainui (Raupatu Claim), and Ngāti Raukawa Area of Association; and the Joint Management Area for Waikato-Tainui.

Section 4.6.2 above sets out the information provided in the Cultural Impact Assessment from Ngāti Korokī Kahukura which was supplied to Council regarding the development. The Assessment states *"Subject to mana whenua engagement and the mitigation measures outlined above, cultural effects may be able to be appropriately avoided, remedied, or mitigated. This conclusion should be revisited*

*after direct feedback has been received from mana whenua and after archaeological, planning, and stormwater assessments have been completed."*

From the comments made in the Assessment, it isn't clear that the potential cultural effects have been considered and addressed (i.e. there have been no changes made to the application following receipt of the CIA). To ensure mana whenua recommendations are considered and addressed, and to ensure that the potential adverse cultural effects are minimised appropriately, I therefore recommend that limited notification should occur to Waikato Tainui, Ngāti Hauā, Raukawa and Ngāti Korokī Kahukura.

### 5.5.11 All other persons

As noted previously in this report, the Commercial Zone accommodates the central business district of Cambridge providing for retail, office and commercial activities. The District Plan sets out the intent for the zone to provide for a wide variety of activities while being considerate of the distinctive built character and history of the area. In undertaking this notification assessment, properties beyond those outlined above have been considered, however further commentary on other persons, owners and occupiers has not been included here as it has been assessed that due to physical separation and taking into account matters such as the permitted baseline and the receiving environment the likely adverse effects will be less than minor.

### 5.5.12 Summary of Assessment

In summary, the above limited notification assessment has considered the properties within the immediate surrounds of the subject site, including those on the northern and eastern side of the Service Lane, and the properties south of Victoria Street. The assessment has considered each site regarding construction, amenity and traffic effects, and where relevant building heritage. From the assessment it is determined that during construction of the new development several properties will experience effects that are minor or more than minor, and for this reason are recommended to be notified.

## 5.6 Special Circumstances – Section 95B(10) – Step 4

Pursuant to Section 95B(10), the Council must limit notify an application, to any other persons not already determined to be eligible for limited notification, if it considers that special circumstances exist in relation to the application. The reasons set out in Section 4.7 above are also relevant here and are not repeated. It is my opinion that there are no special circumstances applicable that would warrant the application being notified to any persons.

## 5.7 Summary of Limited Notification Assessment

Pursuant to Section 95B, the application has been assessed to determine if limited notification is required. In this instance, and for the reasons outlined in Sections 5.1 to 5.6 above, it is considered that the proposal warrants limited notification to the following properties:

*Construction Effects:*

- 44 Victoria Street (Property 1)
- 46 & 46A Victoria Street and 45, 47 & 49 Duke Street (Property 2)
- 53, 55, 57, 59, 61, 63, 65, and 67 Duke Street (Properties 3-8)
- 3 Commerce Street (Property 9)
- 30, 30A, 30B & 30C Victoria Street (Property 10)
- Commerce Street (Property 11)
- 29 Victoria Street
- 33 & 33B Victoria Street (Property 12)
- 35 & 37 Victoria Street (Property 13)
- 39 & 39E Victoria Street (Property 14)
- 41A, 43 & 45 Victoria Street (Property 15)
- 47 Victoria Street (Property 16)
- 22 Wilson Street
- 24 Wilson Street
- 26 Wilson Street
- 69 Duke Street
- 71 Duke Street
- 73 Duke Street
- 75 Duke Street

*Cultural Effects:*

- Waikato Tainui
- Ngāti Hauā
- Raukawa
- Ngāti Korokī Kahukura

# 6 SECTION 95 NOTIFICATION RECOMMENDATION AND DECISION UNDER DELEGATED AUTHORITY

Pursuant to section 95 A & B application LU/0148/25, lodged by Nicklin CE on behalf of their client Grovic Property Ltd, for the redevelopment of six properties within the Cambridge Central Business District fronting Victoria Street, involving the demolition of existing buildings and the construction of a new four-storey mixed-use development comprising six ground-floor retail tenancies, two first-floor office tenancies, 11 residential apartments across the upper levels, and a basement car park, as a Non-Complying Activity shall proceed on a **Limited Notified** basis for the reasons discussed above in Section 1 to 5.

**Reporting Officer:**



**Hayley Thomas**
**Project Planner**
**Dated:** 18 September 2026

**Approved By:**



Quentin Budd
**Consents Team Leader**
**Dated:** 18 September 2026