

**BEFORE THE FAST-TRACK APPROVALS
EXPERT PANEL**

FTAA-2512-1158

UNDER the Fast-track Approvals Act 2024 ("**FTAA**")

AND

IN THE MATTER of an application for approvals by Precinct Properties
New Zealand Limited ("**Applicant**" or "**Precinct**") in
relation to the proposed Downtown Carpark
Redevelopment ("**Application**")

MEMORANDUM OF COUNSEL

7 APRIL 2026

**Russell
McAugh**

Counsel instructed:
B J Matheson KC
Richmond Chambers
PO Box 1008
Auckland 1140

Solicitors acting:
S H Pilkinton | L C Espin
P +64 9 367 8000
F +64 9 367 8163
PO Box 8
DX CX10085
Auckland

MAY IT PLEASE THE PANEL:

1. The purpose of this memorandum is to provide the Panel with an updated position on the outstanding issues between Precinct and the key stakeholders in advance of the Panel seeking formal comments on the Application under section 53 of the FTAA.
2. **Attached** as Appendices to this memorandum are addendum reports addressing the updated position on the following matters:
 - (a) Planning;
 - (b) Economics;
 - (c) Urban Design;
 - (d) Noise and Vibration;
 - (e) Traffic;
 - (f) Architecture and Landscape;
 - (g) Geotechnical and Groundwater;
 - (h) Flooding and Coastal Inundation;
 - (i) Erosion and Sediment Control Plan; and
 - (j) Hazardous Substances.
3. The addendum reports are provided following significant post-lodgement engagement with key stakeholders Auckland Council, Auckland Transport and the Millenium & Copthorne Hotels New Zealand Limited ("**MCK**").
4. The Applicant has provided the attached addendum reports to enable the parties the Panel may invite to comment, to provide their comments based on the most up-to-date position on key issues.
5. This engagement with key stakeholders has resulted in the narrowing of a large number of outstanding issues, as evidenced by the addendum reports. Although Precinct anticipated being in a position to provide an updated condition set ahead of the formal comments period, there are a number of matters that are still being actively worked through with the key stakeholders and are not sufficiently advanced to enable a meaningful update to the key conditions.

6. During this engagement, on 26 March 2026 Auckland Council provided Precinct with a "Section 67 Request for Information" table setting out its outstanding questions and comments on the Application (attached to the planning report as Attachment 1). While Auckland Council has not formally filed this table with the EPA and the Panel has not directed the EPA to request this information under section 67 of the FTAA, the addendum reports address the matters raised by Auckland Council in the table¹ and are intended to narrow the scope of issues. We therefore respectfully request that the attached addendum reports are included by the EPA in the documents for comment under section 53 FTAA.

7. Precinct will continue to engage with the key stakeholders to further narrow the issues throughout the comments period (and already has further meetings set up with key stakeholders in the next week). The Applicant will then be in a position to provide a full updated set of conditions in its response under s55(2) of the FTAA.

DATED: 7 April 2026



Simon Pilkinton | Louise Espin
Counsel for Precinct Properties Holdings Limited

¹ It is noted that matters raised by Auckland Council relating to wind will be addressed by Precinct in its formal response under s55(2) of the FTAA.

Appendix 1 – Planning Addendum

(separate attachment)

Appendix 2 – Economic Addendum

(separate attachment)

Appendix 3 – Urban Design Addendum

(separate attachment)

Appendix 4 – Noise and Vibration Addendum

(separate attachment)

Appendix 5 – Traffic Addendum

(separate attachment)

Appendix 6 – Architecture and Landscape Addendum

(separate attachment)

Appendix 7 - Geotechnical and Groundwater Addendum

(separate attachment)

Appendix 8 – Flooding Addendum

(separate attachment)

Appendix 9 - Erosion and Sediment Control Plan Addendum

(separate attachment)

Appendix 10 - Hazardous Substances Addendum

(separate attachment)