

To: Westhaven Residential Limited Partnership

From: Magdalena Regnault / Gerard Thompson – Barker & Associates Limited

Date: 4 August 2026

Re: 188 Beaumont Street – Response to Planning Comments Received

1.0 Introduction

This memorandum has been prepared to address comments pertaining to planning matters raised by the parties set out in section 53(2) of the Fast-track Approvals Act 2024 ('FTAA') within their comments on the application by Westhaven Residential Limited Partnership ('WRLP') for the 188 Beaumont Street Development ('the Project'). References to "Attachments" are to those provided with the Applicant's Legal Memorandum dated 4 August 2026.

In particular, this memorandum responds to:

- Comments by Lee-Ann Lucas, Policy Planner (Auckland Council – Annexure 1 Planning Policy Memorandum) in relation to her view that the Application is contrary to policy direction relating to:
 - The absence of marine and port-related activities or marine retail as part of the Project;
 - The proposed height of the Tower, Marina and Beaumont Buildings; and
- Comments by residents of 30 Madden Street¹ regarding the proposed height of the Project, namely in relation to the Tower Building.

The Applicant acknowledges that the Project does not comply with the applicable marine/port related activity and height standards in the Wynyard Precinct. Resource consent has been sought for those infringements. However, the Applicant does not agree that the absence of marine and port activities and the exceedance of the height standards result in the Project being contrary to the relevant objectives and policies when those provisions are read as a whole nor do the proposed height infringements, of themselves, render the Project inappropriate.

2.0 Marine Activities

The Applicant acknowledges that the Project does not provide the marine and port-related activities or marine retail anticipated by Wynyard Precinct Plan 7, and resource consent is sought for this infringement. However, the relevant objectives and policies of the Wynyard Precinct are directed more broadly toward maintaining and enhancing the marine industry's regionally significant economic function / importance, ensuring sufficient and suitably located land and facilities are available for its current and future operation and growth, and providing for its continued efficient operation. The objectives and policies of the Wynyard

¹ (1) John Dennehy, (2) Tino Management Limited, (3) J M Courtney Trustees Limited, (8) Tim and Jenny Ellis, (9) Anthony Quirk, (12) Martin Kunz Living Trust, (13) Sandra Cameron and Hamish Caithness, (14) Richard Greissman, (15) Rob and Robyn Pryor.

Precinct do not expressly require every site to accommodate marine activities irrespective of demonstrated demand or operational need.

A detailed assessment of the relevant objectives and policies is set out in **Table 1** below.

Memorandum

Table 1: Assessment of Relevant Objectives and Policies in Relation to Marine Retail at 188 Beaumont Street.

Objective / Policy	Assessment
I214. Wynyard Precinct	
I214.2 Objectives	
(1) Wynyard precinct is redeveloped while managing potential conflicts between different uses to achieve: (a) a high-quality visitor destination which showcases the City's diverse communities and the importance of the harbour; (b) maintenance and enhancement of the regionally significant economic function of the marine, fishing and other industries and maritime passenger operations to the Hauraki Gulf islands; (c) a vibrant community with a mix of activities and experiences for all people including a community focal point, high quality public open space and community facilities; (d) public open space on the waterfront, and an area for	In respect of I214.2(1)(b), the proposal does not provide for marine retail activities on the site and therefore does not directly contribute to marine industry functions. However, the Economic Impact Assessment prepared by Property Economics (EIA) and included as Appendix 16 of the lodged application confirms that existing marine floorspace elsewhere within Wynyard Quarter exceeds projected demand over the next 15 years, demonstrating that Wynard Quater has sufficient capacity to meet future foreseeable needs. This means that even with the Project (being for predominantly residential-use) the economic marine industry at a Precinct-scale can still be maintained. Further, Property Economics notes there are changing locational preferences within the marine sector from waterfront sites to inland industrial and mixed-use areas, with functions such as manufacturing, retail and support servicing co-locating in more cost effective and accessible locations. The residential use will also support the continued operation and competitiveness of Orams Marine. As set out in the Market Economics Wider Regional and National Economic Benefits Assessment included as Appendix 17 of the lodged application and the Corporate Statement submitted as Appendix 32 of the lodged application, the Project assists in ensuring Orams Marine remains commercially viable and globally competitive, thereby supporting Orams' ability to continue providing marine services. Overall, it is considered that the proposal will not undermine the ability for the economic function of the marine industry to be maintained at the precinct-wide scale.

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events and entertainment activity for the social and economic benefit of the wider Auckland Region; (e) access to and along the coast and enjoyment of the coastal environment with a network of open space while recognising the need to manage access with competing commercial activities; and (f) the maintenance and where practicable enhancement of navigation and berthage within the Wynyard Precinct coastal marine area for a wide range of recreational and commercial vessels, including maritime passenger transport and fishing industry operations, excluding in areas subject to potential risk and public safety effects.	
(9) Conflicts between different uses are managed to ensure the efficient operation of marine industry and fishing industry, other industry and regionally significant transport infrastructure while enabling the marine events centre and public spaces to be used for a range of public events.	The potential for conflict between the Project (being predominantly residential) and the adjoining Orams Marine operations has been considered in the design and assessment of the Project. The Acoustic Assessment (Appendix 22 of the lodged application) confirms that the building façades can be designed to achieve the applicable internal acoustic standards, with mechanical ventilation enabling those standards to be met while windows are closed. This design limits the potential for reverse sensitive effects on Orams Marine when the Project is occupied. The Project will provide appropriate residential amenity without constraining the efficient operation of Orams Marine or other existing marine activities. The Councils operational noise specialist confirms that the acoustic design as recommended by the Acoustic Assessment (Appendix 22 of the lodged application) will comply with the AUP rules and ensure acceptable amenity for occupants.

I214.3 Policies

Social and economic

(11) Enabling a diverse range of activities, high quality visitor experiences, entertainment, events and development to occur, while recognising and maintaining the economic importance of the marine and fishing industry, the bulk liquid industry and Hauraki Gulf Islands maritime passenger operations to the Auckland Region

The Project enables a diverse range of activities (residential and retail) within the Precinct that will benefit Wynyard Quarter by increasing its resident population, supporting local businesses and services, activating the waterfront and surrounding street frontages, and contributing to a more vibrant, safe and pedestrian-oriented public realm.

While marine retail is not proposed as part of the Project, the EIA prepared by Property Economics indicates that there is sufficient capacity for the existing demand of marine retail elsewhere within Wynyard Quarter. There are also changing locational preferences within the marine sector from waterfront sites to inland industrial and mixed-use areas, increasing the available locations for marine retail to locate in Auckland.

Policy I214.3(11) seeks to enable a diverse range of activities and development while “recognising and maintaining” the economic importance of the marine and fishing industry. It does not require marine retail to be provided on every site. Rather, the policy expressly contemplates that a diversity of activities and development will occur within Wynyard Quarter, provided the economic importance of the marine industry is recognised and maintained. For the reasons outlined above, the Project will not constrain the continued operation or foreseeable growth of the marine industry. It will also support the continued viability and competitiveness of Orams Marine.

Consequently, the economic importance of the marine sector can continue to be recognised and maintained without this site accommodating marine retail activities. The proposal is therefore considered to be consistent with the policy.

(12) Recognise the significant local and regional socio-economic benefits associated with providing high-quality waterfront public open space and events activity while also providing for the operational and access requirements of the marine and fishing industries, other industrial activities and maritime passenger operations

The proposal involves social benefits associated with the provision of publicly accessible open space overlooking the western marina (where currently the access to the Waitematā Harbour is not provided). The provision of this space is not considered to detract from the operational or access requirements of the marine and fishing industries because the EIA prepared by Property Economics indicates that the marine and fishing industry operational requirements can continue to be accommodated elsewhere in the Precinct and beyond. The Project is therefore considered to be consistent with the policy.

(13) Ensure that sufficient and suitably located land, wharf, waterspace and appropriate, convenient and adequate navigation and berthing facilities **are provided to accommodate the current and future operation and growth of**

While the Project does not provide for marine retail, the relevant aspect of this policy is whether sufficient and suitably located marine land and facilities remain available for current and future operation.

On the first limb of "sufficient" marine land, the EIA prepared by Property Economics indicates that the available marine floorspace within Wynyard Quarter exceeds projected demand for the next 15 years.

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the marine and fishing industries and maritime passenger operations, including Sub-precinct C , North Wharf, the southern face of the Western Viaduct Wharf and the western face of the Halsey Street Extension Wharf together with the adjacent waterspace for use primarily by the fishing industry.	On the second limb of "suitably located" marine lane, Property Economics has identified that there is an ongoing trend of marine businesses relocating manufacturing, retail and support functions away from premium waterfront sites toward more cost-effective industrial locations, reducing the strategic necessity of retaining all waterfront land within Wynyard Quarter for marine retail activities. While the policy expressly includes Sub-precinct C, it is not limited to that area and identifies a range of other locations in which marine activities and facilities can be accommodated in the Wynyard Precinct. As there is sufficient and suitably located land for the marine and fishing industries over the next 15 years, it would be a more efficient and productive use of this strategically site to develop it for residential and retail purposes. For these reasons the Project is considered to be consistent with the broader outcome of the policy.
<i>Reverse sensitivity and amenity</i>	
(29) Provide for the continued efficient operation of existing and future marine, fishing and other industries , including maritime passenger operations.	The Project will not displace or constrain the operational areas, access, berthage or servicing activities of Orams Marine. Potential reverse-sensitivity effects associated with operational noise and vibration will be appropriately managed through the building design. Councils operational noise expert agrees that the Project's façade sound insulation and mechanical ventilation achieves required internal noise limits for residents. Further, as set out in the Market Economics assessment, the Project is the final component of Orams Marine's longstanding redevelopment plan and will support its continued commercial viability and international competitiveness. Accordingly, the Project will provide for, and positively support, the continued efficient operation of the adjoining marine industry.
H8 Business – City Centre	
H8.2 Objectives	
(9)The distinctive built form, identified special character and functions of particular areas within and adjoining the city centre are maintained and enhanced.	The site is a strategically important location at the interface between the City Centre, Wynyard Quarter and the Waitematā Harbour. The Project contributes to the ongoing transformation of Wynyard Quarter from a former industrial area into a high-amenity mixed-use waterfront environment. The Project reinforces the evolving character of this part of the city as a high-density waterfront neighbourhood while maintaining the broader marine industry functions through retention of substantial marine industry capacity elsewhere within Wynyard Quarter. The Project therefore responds to and enhances the distinctive role of this area as a transition between the city centre and waterfront activities. In particular, the provision of 210 apartments will increase the local resident population, supporting greater use of nearby retail, hospitality and other services and contributing to the vibrancy and activation of Wynyard Quarter throughout the day and evening. While marine retail is not provided, the EIA prepared by Property Economics indicates there is sufficient space for marine activities to locate within the Wynyard Precinct to meet existing and demand for the next 15 years and that there is a trend of marine industry functions will continue to be accommodated elsewhere in Auckland. In this respect, the Project maintains the functions of the wider area for marine industry while enhancing Wynyard Quarter's role as an emerging residential neighbourhood.

H8.3 Policies	
19 Provide for a wide range of activities along the waterfront, while continuing to provide for those activities requiring a harbour location.	The Project is consistent with the first limb of the policy by introducing a significant residential population together with ground-floor retail activity and supporting wider mixed-use waterfront development. The policy does not require every waterfront site to accommodate marine activities; rather it seeks a broad mix of activities while ensuring activities requiring a harbour location can continue to operate. The EIA prepared by Property Economics confirms that redevelopment of the site will not compromise the ongoing operation or future growth of marine industries because sufficient marine industry land and floorspace remain available elsewhere within Wynyard Quarter and in Auckland. Further, Property Economics has identified that there is an ongoing trend of marine businesses relocating manufacturing, retail and support functions away from premium waterfront sites toward more cost-effective industrial locations. Accordingly, the proposal is considered to achieve both limbs of the policy intent by broadening the range of waterfront activities while not prejudicing harbour-dependent activities. The absence of marine retail is therefore not inconsistent with the policy outcome.
(23) Identify and encourage specific outcomes in areas of the city centre that relate to: (a) a distinctive built character; and/or (b) a concentration of particular activities; and/or (c) activities that have specific functional requirements; and/or (d) significant transformational development opportunities	In respect of policies H8.3(23)(b) and (c), the proposal contributes to the concentration of residential and retail within Wynyard Quarter and the City Centre. The provision of 210 apartments responds to the demand for apartment living in this highly connected central-city location and supports the continuing concentration of residential development within the City Centre. The resulting increase in the local population will also support the concentration of retail, hospitality and other services within Wynyard Quarter. As outlined above the available supply of marine floorspace within the Wynyard Quarter coupled with the change in preferences to locate away from waterfront sites demonstrate that there is no need for the site to accommodate marine retail activities. Therefore, the proposal is considered to be consistent with the policy outcome notwithstanding the absence of marine retail activity on the site.

Overall, the while the Project does not directly implement the relevant provisions through the provision of marine floorspace on the Site, it does not undermine the outcomes sought by the wider Precinct provisions. Sufficient and suitably located marine capacity will remain available, marine activities will not be constrained, and potential reverse-sensitivity effects will be appropriately managed. The Project will also positively support the continued efficient operation, economic importance and international competitiveness Orams Marine.

The Project will advance the AUP provisions that seek a diverse, vibrant and high-quality mixed-use waterfront environment. In particular, the Project will provide apartments in a highly accessible central-city location, introduce ground-floor retail activity, increase the resident population supporting local businesses and services, improve activation, and provide new publicly accessible open space overlooking the western marina and Waitematā Harbour. These outcomes will

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contribute to Wynyard Quarter's ongoing transformation into a vibrant waterfront community while recognising and maintaining the economic importance and operational requirements of the marine industry.

The Project is therefore not contrary to the relevant objectives and policies when they are read as a whole and achieves their broader intent.

3.0 Building Height

The Applicant acknowledges that each of the buildings forming part of the Project will infringe Wynyard Precinct Standard I214.6.6 - Building Height in relation to Precinct Plan 5.

These non-compliances are outlined in the Auckland Unitary Plan (AUP) Rules Assessment included as **Appendix 30** to the lodged substantive application.

However, it is important to acknowledge the heights shown on Precinct Plan 5 are maximum permitted height standards rather than absolute limits on development. The Project must therefore be assessed on its merits, having regard to its design, context, actual and potential effects on the environment, and the relevant objectives and policies, rather than solely by reference to the numerical extent of the infringements.

Residents of 30 Madden² and Council's policy planner³ referred to the maximum building heights applying to the Site that were recently set through Plan Change 78 (PC78). Residents of 30 Madden commented that the height of the Tower Building should remain at the current permitted height of 62m (as amended through PC78), while Council's policy planner commented that PC78 provides a strong indication of the building heights considered appropriate for the site. While PC78 resulted in the permitted heights now shown on Precinct Plan 5, and the decision provides relevant planning context, it does not preclude any height infringement from being sought through the resource consent process. Further, there is no presumption under the AUP, Resource Management Act 1991 or FTAA that development must comply with all of the permitted standards or infringe them only to a minor degree.

The Site is specifically identified as a marker-building location in the Wynyard Precinct Urban Design Framework 2014, with this role reflected in the additional height provided for the Site in Wynyard Precinct Plan 5. Policy I214.3(3)(b) also expressly provides for site-specific opportunities for taller buildings that reinforce key public open-space and waterfront connections. The Project responds to that role through the Tower's height and its articulated, angled and progressively reducing form. As identified in the Urban Design and Landscape Assessment (**Appendix 15** of the lodged application), the Tower makes explicit the Wharf Axis where it intersects with the Waterfront Axis and supports the legibility of Te Ara Tukutuku within the wider cityscape. The Marina and Beaumont Buildings respond to the Tower's angled form, with their upper levels stepping back above the podium bases to reduce their apparent massing and establish a unified architectural relationship across the Project. The Urban Design and Landscape Assessment (**Appendix 15** of the lodged application), visual simulations and updated shading analysis (Attachment E of the Urban design, visual and landscape memorandum) conclude that the resulting built-form, visual, shading and public-realm effects are acceptable.

A detailed assessment of the relevant objectives and policies is set out in **Table 2** below.

² John Courtney, Tim and Jenny Ellis, Anthony Quirk, Martin Kunz and Coriamber Hogan, Richard Greissman and Robert and Robyn Pryor.

³ Auckland Council Specialist Memo, Annexure 1: Policy Planning dated 16 July 2026, pages 9 and 10.

Table 2: Assessment of Relevant Objectives and Policies in Relation to Building Height

Objective / Policy	Assessment
I214. Wynyard Precinct	
I214.2 Objectives	
<i>Built Form</i>	
(2) An integrated urban environment is created which: (a) exhibits high-quality and diverse built form and urban design which reflects the marine attributes of the precinct; (b) has appropriate building heights that enhance its prominent waterfront location and which complement the central area and wider city landforms, skyline and views; and (c) avoids, remedies or mitigates adverse effects on existing infrastructure.	The Project will replace an underutilised surface car park with a high-quality, architecturally distinctive development comprising three related but distinct building elements. The design responds to the Site's prominent waterfront location and the maritime and industrial character of Wynyard Quarter, including through its robust materiality, relationship with Orams Marine and treatment of the adjoining marina edge. Although the Project exceeds the permitted height standards, the Site is specifically identified within the Wynyard Precinct framework as suitable for a marker building through Precinct plan 5. The Tower appropriately realises that intent through its prominent but carefully articulated form. Its height and stepped façade and reducing footprint will create a memorable addition to the Precinct, enhance its legibility within the wider cityscape and contribute positively to the City Centre skyline without challenging the primacy of the central city core. The Urban Design and Landscape Assessment (Appendix 15) concludes that the Project will generate beneficial urban-amenity and landscape effects, enhance the character and amenity of this part of the Precinct and waterfront, and contribute positively to its ongoing city-centre regeneration. Visual effects from the public realm are assessed as low or very low adverse at most and positive from closer viewpoints to the east and north, where the Tower's distinctive stepped and angled façade and reducing floorplate will provide an attractive, site-specific landmark response. Having regard the Project's positive urban-design, landscape and public-realm outcomes, the proposed building heights are considered appropriate in the context of the Site and achieve the outcome sought by the objective. The Project will not have any adverse effects on existing infrastructure. As a redevelopment of an existing urban site, it can be accommodated without requiring the extension of infrastructure into an unserved area. The technical assessments confirm that the existing and proposed infrastructure networks can appropriately service the development.
(3) Individual buildings or collections of buildings are designed to achieve an	The three building elements have been designed as an integrated composition that responds to the Site's different street, public-space, and marina interfaces. The Project defines the western termination of the east-west Waterfront Axis and responds directly to the angled Wharf Axis, which has been further reinforced through the design of Te Ara Tukutuku (a planned public open space by Auckland Council). The Tower's angled and stepped façade rotates its massing through three

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appropriate form and scale in relation to: (a) existing and proposed public open spaces; and (a) identified viewshafts.	tiers in response to this alignment, strengthening the legibility of the Precinct's underlying urban structure. The Project will establish an active built edge to Jellicoe and Beaumont Streets, positively engage with Silo Park and North Wharf, and provide a publicly accessible landscaped terrace overlooking Westhaven Marina and the Waitematā Harbour. The Project Site sits outside of the protected maunga viewshafts that overlay the Precinct. The form and scale of the buildings are therefore appropriate in relation to surrounding public spaces and identified viewshafts.
I214.3 Policies	
<i>Built Form</i>	
(1) Encourage the location, bulk, outlook, access to, and servicing of buildings to be planned and designed on a comprehensive and integrated basis rather than on an ad hoc individual building basis.	The Project comprises the final component of the wider Orams Marine redevelopment and has been designed as a comprehensive three-building development. The Tower, Beaumont Building and Marina Building each respond to their particular location and interface while forming a coherent overall composition. Vehicle access and servicing are consolidated at a single entry from Beaumont Street, allowing Jellicoe Street to remain free of vehicle crossings and reinforcing pedestrian priority along the Waterfront Axis. The Project therefore reflects the comprehensive and integrated approach sought by the policy.
(2) Encourage the integration of built form with the existing and proposed public open-space network on a comprehensive land-area basis, rather than a site-by-site basis, to create a sound framework for a well-designed and high-quality environment.	The Project has been designed in response to the wider public-space and movement network, rather than solely by reference to the boundaries of the Site. It anchors the western terminus of the Waterfront Axis, responds to the Wharf Axis and the emerging geometry of Te Ara Tukutuku, and strengthens the relationship with Silo Park, North Wharf and the adjoining waterfront. The proposed publicly accessible open space along the western edge will provide views over Westhaven Marina and the Waitematā Harbour, where public access is not currently available. The Project will therefore integrate the Site with the wider public-realm network and contribute to a coherent and high-quality waterfront environment.
(3) Ensure that maximum building height: (a) is appropriate in scale to the street network and the prominent waterfront location; (b) provides a transition between the core of the precinct and the coastal edge, with site-specific opportunities for	Although the Project exceeds the maximum permitted heights shown on Precinct Plan 5, it achieves the built-form outcomes sought by this policy. The Wynyard Quarter Urban Design Framework identifies the Site as one of a limited number of locations suitable for a marker building that reinforces the Precinct's principal axes and provides variety in building form and scale. This marker-building role is reflected in Precinct Plan 5 through the greater permitted height applying to the central portion of the Site. Consistent with the design rationale identified in the Urban Design Framework, the Tower is located in that position and reinforces both the western terminus of the Waterfront Axis and the angled Wharf Axis identified in the framework. Its reduced footprint and angled, stepped façade manage its scale and massing while creating a distinctive and well-modulated landmark making the height an appropriate scale to the street network and waterfront location in relation to (a).

taller buildings located and designed to reinforce key public open-space and waterfront connections while avoiding intrusion of public views into and through Wynyard Precinct; (c) complements development in the Viaduct Harbour Precinct; and (d) provides a transition in height between the core central business district and the harbour.	In relation to (b) of this policy, the Project provides a site-specific transition from the core of the Precinct toward the coastal edge. The Tower is centrally located, with the lower Marina Building positioned closest to the western water's edge. The Beaumont Building responds to the eastern street and urban interface. This stepped arrangement continues to focus the greatest height away from the harbour edge, while appropriately accommodating the marker building in the location anticipated by the Urban Design Framework and Precinct Plan 5. Appendix 15 of the substantive application, comprising the Urban Design and Landscape Assessment and associated visual simulations also confirms that the Project will not generate unacceptable effects on public views into or through the Wynyard Precinct from Westhaven, Northcote Point or within the city centre as further described in Appendix 15. In relation to (c), the Project complements development in the Viaduct Harbour Precinct through its high-quality, contemporary waterfront architecture, active ground-floor edges and combination of lower-scale perimeter buildings with either side of the taller marker building. This reflects the varied building heights and forms that characterise the wider waterfront, while avoiding replication of the Viaduct Harbour's built form. In relation to (d), the Tower will remain visually subordinate to the taller and more concentrated built form of the central city. Its height, slender form and location between the central city and the harbour contribute to a legible stepping down of the wider city skyline toward the waterfront. The Tower will therefore be perceived as a waterfront marker within the established and anticipated City Centre skyline, rather than as an extension of the core central business district or an isolated intrusion at the coastal edge. The Project accordingly achieves the transitional built-form outcome sought by the policy, notwithstanding the numerical height infringements.
(4) Identify and protect public viewshafts from open space across, within, and to Wynyard Precinct to reinforce connections with the central area, harbour and wider Auckland.	The Site is outside the volcanic viewshaft overlays affecting other parts of Wynyard Quarter, and the Project does not encroach on or compromise any protected maunga viewshaft. The Project's form also reinforces the Waterfront and Wharf axes, strengthening the visual and physical relationship between the Precinct, the public realm and the harbour.
(5) Promote excellence and diversity in architecture and urban design that enhances the relationship of buildings with public open space, and reflects the coastal, topographical and historical qualities of the precinct.	The Project provides three related but architecturally distinct building elements that respond to the Site's varied urban, coastal and marine-industry interfaces. The Tower's angled, stepped form responds directly to the alignment of Te Ara Tukutuku and the Wharf Axis. The architecture and indicative material palette reference Wynyard Quarter's maritime and industrial character, including the use of robust materials and design responses to the adjoining Orams Marine facilities and Silo Park. Ground-floor retail and food-and-beverage activities, together with the western landscaped terrace, will activate and enhance the surrounding public realm. The Urban Design and Landscape Assessment (Appendix 15 of the lodged application) concludes that the Project will deliver a high-quality, contextually responsive and architecturally distinctive development.

H8 Business – City Centre	
H8.2 Objectives	
<i>General objectives for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone</i>	
(2) Development is of a form, scale and design quality so that centres are reinforced as focal points for the community.	The Project will replace an underutilised car-parking site with a high-quality, residential-led mixed-use development in a location identified for a marker building. The Tower's distinctive, site-responsive form will reinforce the intended urban structure of Wynyard Quarter and create a recognisable western anchor to the Waterfront Axis. The development will also establish active edges to Jellicoe and Beaumont Streets, provide public access to the western waterfront edge and introduce greater activity and passive surveillance throughout the day and evening reinforcing this space as a focal point for the community.
(3) Development positively contributes towards planned future form and quality, creating a well-functioning urban environment and a sense of place	The Project will positively contribute to the planned future form and quality of the Wynyard Precinct by completing the wider Orams Marine redevelopment with a coherent, high-quality built form that responds to the Site's prominent waterfront location. The mix of residential, retail and food and beverage activities will support activation at different times of the day, increase passive surveillance and contribute to the vitality of the wider waterfront. Through its integrated design, enhanced public realm and strong relationship with the Site's marine context, the Project will create a distinctive sense of place and contribute to a well-functioning urban environment.
<i>Business – City Centre Zone objectives</i>	
(8) Development in the city centre is managed to accommodate growth and the greatest intensity of development in Auckland and New Zealand while respecting its existing and planned built form and character and waterfront setting	The Project gives effect the objective by accommodating substantial residential and some commercial growth in a strategically important location at the interface between the City Centre, Wynyard Quarter and the Waitematā Harbour. The development makes efficient use of a well-connected urban site and contributes to the intensity of development anticipated within the City Centre.
(9) The distinctive built form, identified special character and functions of particular areas within and adjoining the city centre are maintained and enhanced.	The site is a strategically important location at the interface between the City Centre, Wynyard Quarter and the Waitematā Harbour and is specifically identified within the precinct framework as a marker-building location. The Project responds positively to this distinctive role. The Tower's height, reduced footprint and angled, stepped form establish a clear landmark at the western termination of the Waterfront Axis, reinforce the Wharf Axis and Te Ara Tukutuku alignment, and contribute to the legibility and visual interest of the wider city skyline without challenging the primacy of the central city core. The lower Marina and Beaumont Buildings respond to the Site's different coastal and urban interfaces and provide a deliberate transition around the Tower, including toward the harbour edge. The architecture and indicative material palette also draw on the robust maritime and industrial character of Wynyard Quarter, while the active ground-floor edges and publicly accessible western terrace strengthen the relationship between the development and surrounding public

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	realm. The Project therefore maintains and enhances the distinctive built form and special character of this part of the City Centre notwithstanding its height infringements. The Project's effects on the existing and future functions of Wynyard Quarter, including its marine-industry function, are addressed separately in Table 1 above.
(13) Building heights are enabled to realise as much development capacity as possible, unless qualifying matters apply which modify the relevant building height and/or density of urban form	The Project will realise substantial development capacity on an underutilised and highly accessible City Centre site, including the provision of 210 apartments. The heights specified in Precinct Plan 5 are permitted standards rather than "qualifying matters" that modify the relevant height and / or density of urban form. The Project demonstrates that the development capacity (at the height proposed) can be appropriately accommodated on the Site while maintaining a transition toward the harbour edge, reinforcing key public open-space and waterfront connections, while respecting the primacy of the central city core.
H8.3 Policies	
(2) Enable an increase in the density, diversity and quality of housing in the centres zones and Business – Mixed Use Zone, where it is compatible with any qualifying matters and while managing any reverse sensitivity effects including from the higher levels of ambient noise and reduced privacy that may result from non-residential activities.	The Project will increase the density and supply of high-quality housing within the City Centre through the provision of 210 apartments. The development has been designed in response to the particular built-form, waterfront and functional outcomes reflected in the Wynyard Precinct provisions. Potential reverse-sensitivity effects associated with adjoining Orams Marine operations will be managed through façade insulation, mechanical ventilation and the proposed consent conditions. These measures will provide an appropriate standard of residential amenity while enabling Orams Marine and other established marine activities to continue operating without unreasonable constraint.
(5) Require large-scale development to be of a design quality that is commensurate with the prominence and visual effects of the development.	The Project's design quality is commensurate with its scale, prominent waterfront location and visual effects. Its three-building composition, modulated height and massing, architectural treatment and active public interfaces provide a high-quality and contextually responsive development, as confirmed by the Urban Design and Landscape Assessment in Appendix 15 of the substantive application.
<i>Business – City Centre Zone policies</i>	
(29) Enable the tallest buildings and the greatest density of development to occur in the core of the city centre.	As assessed in the Urban Design and Landscape Assessment (Appendix 15), the Tower will be prominent but is appropriately located on a Site specifically identified for taller, marker-building development. Its height, bulk and massing can be accommodated within the established and anticipated City Centre skyline without challenging the primacy of the central city core.

(30) **Manage adverse effects associated with building height and form by:**

- (a) **transitioning building height and development densities down to neighbourhoods adjoining the city centre and to the harbour edge;**
- (b) **protecting sunlight to identified public open spaces and view shafts;**
- (c) **requiring the height, form and design of new buildings to be complementary to the existing and planned built form and character of the zone and precincts; and**
- (d) **(managing the adverse visual and physical effects of building height at street level and on public open spaces.**

In relation to (a), the Project provides a site-specific transition toward the harbour edge through the placement of the Tower centrally within the Site and the Marina Building, being the lowest of the three elements, closest to the western water's edge. The Beaumont Building responds to the eastern street and urban interface. The Tower's reduced footprint and angled, stepped façade manage its apparent scale and massing, while its design responds to the Site's identified marker-building role.

In relation to (b), the updated shading assessment, (prepared using the UDIA Systematic Shading Assessment Methodology) confirms that the overall shading effects on Silo Park will be negligible at the spring and winter equinoxes and low at the summer solstice. Silo Park will also remain open to the north, east and west, while the marina and waterfront provide an extensive open interface to the west of the Site. The Project is not located in any protected viewshafts.

In relation to (c), the height, form and design of the Project are complementary to the existing and planned built form and character of the City Centre and Wynyard Precinct. In particular, the three-building composition responds to the varied mixed-use, maritime and waterfront character of Wynyard Quarter, while the Tower occupies the marker-building location identified in the Urban Design Framework and reflected in Precinct Plan 5.

At street level, the building bases, active ground-floor uses and publicly accessible western terrace provide a human-scale and active relationship with adjoining streets and public spaces. These features, together with the Tower's reduced footprint and articulated form, manage the adverse visual and physical effects of building height at street level and on public open spaces, as required by (d). The Wind Tunnel Investigation prepared by FidelicFlow Limited (**Appendix 18** of the substantive application) also confirms that, with the recommended architectural and landscape mitigation incorporated, publicly accessible areas will achieve Category C or better and remain suitable for typical pedestrian activities. It identifies improved wind conditions in parts of Silo Park and Jellicoe Street and confirms that the applicable pedestrian wind-safety criteria will be met. The Urban Design and Landscape Assessment (**Appendix 15** to the substantive application) including visual simulations, and the updated shading analysis (Attachment E of the Urban design, visual and landscape memorandum) confirm that the resulting built-form, visual and shading effects are acceptable.

The Project therefore achieves the outcomes sought by the policy.

Overall, although the Project infringes Wynyard Precinct Standard I214.6.6 - Building Height of the AUP, the assessment above demonstrates that the Project achieves the outcomes sought by the relevant objectives and policies. The Tower appropriately realises the Site's identified marker-building role, and contributes a distinctive and well-modulated addition to the Wynyard Quarter and City Centre skylines without challenging the primacy of the central city core. The central placement and stepped façade, reducing form of the Tower, together with the lower Marina Building closest to the water's edge, provide a deliberate site-specific transition toward the coastal edge.

The Project also responds positively to the existing maritime, industrial and waterfront character of Wynyard Quarter, strengthens the relationship between built form and the surrounding public-realm network, and provides active street and waterfront interfaces. As demonstrated by the Urban Design and Landscape

Assessment (**Appendix 15**), visual simulations, updated shading analysis and Wind Tunnel Investigation (**Appendix 18**), the resulting built-form, visual, shading, daylight, wind and public-realm effects will be appropriately managed.

Accordingly, notwithstanding the extent of the height infringements, the Project achieves the outcomes sought by the relevant objectives and policies and is not contrary to them when read as a whole.