

188 Beaumont Street Referral Application

188 Beaumont Street, Auckland Central

Referral Application Planning Assessment

27 August 2025

B&A

Urban & Environmental

Prepared for:
Westhaven Residential Limited Partnership

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1.0 Applicant and Property Details

To:	Environmental Protection Authority
Site Address:	188 Beaumont Street, Auckland Central
Applicant Name:	Westhaven Residential Limited Partnership
Legal Description:	Lot 1 DP 541270
Site Area:	5,215m ²
Site Owner:	Auckland Council (Fee Simple Title) and Westhaven Residential Limited Partnership (Leasehold Title)
District Plan:	Auckland Unitary Plan – Operative in Part (AUP)
AUP Zoning:	Business – City Centre
AUP Precinct:	Wynyard Precinct, sub-precinct C and E
AUP Overlays:	None applicable
AUP Controls:	Coastal inundation 1% AEP plus 1m control – 1m sea level rise Macroinvertebrate Community Index - Urban
Designations:	None applicable
Other Limitations:	Flood plain and flood prone area Contaminated land
Brief Description of Proposal:	<p>The Project is a significant urban development project in the city centre involving a marker building containing approximately 215 residential apartments with inbuilt flexibility for use as serviced apartments, ground floor retail activities and associated car parking.</p> <p>The Project will have significant regional benefits as it will enable the continued function of existing regionally and nationally significant infrastructure; will deliver significant economic benefits; will increase the supply of housing; support climate change mitigation including the reduction of greenhouse gas emissions; support climate change adaption and reduce risks arising from natural</p>

hazards and is consistent with local and regional planning documents.

2.0 Executive Summary

This report is submitted on behalf of Westhaven Residential Limited Partnership (the ‘applicant’) for a referral application to the Environmental Protection Authority (EPA) in respect of the 188 Beaumont Street project (the ‘Project’) in Wynyard Quarter to utilise the fast-track consenting process under the Fast-track Approvals Act 2024. This report has been prepared in accordance with the requirements of the FTAA. The FTAA is part of the Government’s response to facilitate the delivery of infrastructure and development projects with significant regional or national benefits.

The Project is an urban development project in Auckland’s city centre involving a residential-led mixed use building comprising approximately 215 residential apartments with inbuilt flexibility for a number of those apartments to be used as serviced apartments (visitor accommodation), ground floor retail and ancillary car parking. The activities will be contained within a building featuring three distinct elements and achieves the design qualities of a marker building in this location specifically planned and envisaged in regional planning documents including the Auckland Unitary Plan (AUP).

The Project will meet purpose of the FTAA in terms of a development project that will have significant regional benefits including:

- Significant economic benefits in terms of the Project generating economic activity in the Auckland region amounting to a Net Present Value (NPV) of approximately \$397.6 million, the creation of 1,240 FTE jobs during the peak development and operation year with a total number of FTE years at around 3,400 over the development period of the Project;
- The strategic location of the Project in the Wynyard Quarter, City Centre, Auckland waterfront and adjacent to the Orams Marine Precinct having the potential to unlock and accelerate the growth of this regionally and nationally significant Marine Precinct, which are unique to the project area and not substitutable to another location within the region;
- The Project providing for the introduction of a critical mass of permanent residential population in this location, which will achieve a quality compact urban form while enabling and supporting the continued functioning of this existing regionally and nationally infrastructure by making it conveniently accessible to a large number of residents and visitors;
- The delivery of approximately 215 apartments which will increase the supply of housing and address housing needs in the city centre and positively contributing to the broader context of Auckland’s city centre vibrancy and Auckland’s housing challenges;
- Contribution to a well-functioning urban environment in accordance with Policy 1 of the NPS-UD by developing this residential-led project in Wynyard Quarter, being one of the most accessible areas of the city centre providing exceptionally good accessibility between the housing to jobs, community services, natural spaces and open spaces including by way of public or active transport modes;

- Support climate change mitigation by the Project enabling more people to work and live within one of the most accessible areas of the City Centre supporting a shift to public and active modes of transport thereby contributing to a reduction in greenhouse gas emissions;
- Support climate change adaptation by integrating natural hazard adaptation measures into the design of the Project which will have the effect of reducing the overall risk to climate change hazards on the site and contribute to reducing overall risks arising from natural hazards for the wider Wynyard Precinct too; and
- The Project is consistent with, and strongly aligned to, regional planning documents and spatial strategies such as the Auckland Regional Policy Statement, AUP, Auckland Future Development Strategy, Auckland Central City Masterplan, Waterfront Plan and Wynyard Quarter Urban Design Framework.

The applicant and its representatives have consulted with the required entities under s11 of the FTAA prior to lodging this referral application, including Auckland Council, relevant iwi authorities as well as the Administering Agencies, which in this case is the Ministry for the Environment. The objective of this consultation was to discuss the Project; understand any issues that may exist with the Site or Project and provide an overview of the information that will accompany this application.

The Project requires resource consent under the Auckland Unitary Plan and the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS).

This application has been prepared in accordance with s13 of the FTAA and provides a description of the proposal and explains how the project is consistent with the purpose of the FTAA. We also provide a high-level assessment of anticipated and known adverse effects of the Project on the environment consistent with the requirements of s13(4)(h) of the FTAA.

3.0 General Requirements

3.1 The referral application (s13(2))

Westhaven Residential Limited Partnership is applying to use the fast-track approvals process for a development project by lodging a referral application with the Environmental Protection Authority ('EPA') (s13(1)).

This report is for a referral application lodged in the form and manner that can be approved by the EPA and, together with the supporting appendices, include all the relevant information specified in s13(4).

3.2 Authorised persons for the project (s13(2)(b))

The application is lodged by Westhaven Residential Limited Partnership who is the authorised persons for the project. Westhaven Residential Limited Partnership is a joint venture between Precinct Properties and Orams Marine, both of whom have significant experience and capabilities in the successful construction and delivery of transformational projects in Auckland's city centre. Further details on each development partner making up the authorised person for this project is provided below.

Precinct Properties ("Precinct")

Precinct is listed on the NZX and a long-term owner, developer and manager of real estate in New Zealand's largest city centres, Auckland and Wellington. Across both of these city centres, Precinct have successfully delivered \$2.3 billion of mixed use development projects including Commercial Bay, Wynyard Quarter and Bowen Campus which have redefined those respective city centres; creating a richer urban fabric and providing more opportunities for connection and collaboration.

More specifically in Wynyard Quarter, Precinct's development projects to date include commercial and mixed use developments at 10 and 12 Madden Street, Beca House and Mason Brothers which collectively culminate to an investment value of approximately \$530 million.

Further information regarding the profile of Precinct and their experience in the delivery of multi-million and billion dollar developments expanding across mixed-use developments that integrate retail, hospitality, visitor accommodation, commercial and civic spaces across the two largest city centres in New Zealand are provided in **Appendix 10**.

Orams Marine ("Orams")

Orams is a leading provider of New Zealand's marine facilities with a dedicated marine precinct located in Wynyard Quarter. The Orams Marine precinct is a world-class and designed to meet the needs of superyachts, the commercial sector and recreational marine industry. Facilities of this marine precinct developed by Orams include an 820T travelift, 60m work sheds, 90m marina berths, workshops and space to carry out a broad range of marine refit and maintenance services.

3.3 Proposed approvals being requested under this Application (s13(2)(d))

Resource Management Act 1991 ("RMA")

This application seeks resource consent approvals under the Auckland Unitary Plan – Operative in Part (AUP) for the reasons outlined in section 3.3.1 and 3.3.2 of this report.

Other Approvals

No other approvals are sought as part of this application.

3.3.1 Auckland Unitary Plan

The AUP is the statutory planning document for Auckland. Under the AUP the site is zoned Business – City Centre and is located within sub-precincts C and E of the Wynyard Precinct. At this stage, we understand that resource consent will or is likely to be required under the rules listed below. This list is not exhaustive and is based upon the information available to date. Further reasons for consent may be identified as the proposal develops and the design is refined.

Land Disturbance – Regional

- E11.4.1(A9) - The proposal will involve greater than 2,500m² of land disturbance within the sediment control protection area to facilitate construction of the proposed building in the City Centre zone. This is a restricted discretionary activity.

Land Disturbance – District

- E12.4.1(A6) - The proposal will involve greater than 2,500m² of land disturbance across the site to facilitate construction of the proposed building in the City Centre zone. This is a restricted discretionary activity.
- E12.4.1(A10) - The proposal will involve greater than 2,500m³ of land disturbance across the site to facilitate construction of the proposed building in the City Centre zone. This is a restricted discretionary activity.

Signage

- E23.4.2(A53) - The proposal will involve comprehensive development signage associated with the retail tenancies on the ground floor of the proposed building. This is a restricted discretionary activity.

Noise and Vibration

- E25.6.28(2) - The duration of construction for the proposal will exceed 15 consecutive calendar days and it is likely that activities during construction of the proposal will exceed the daytime noise limit of 75 DB L_{Aeq}. This is a restricted discretionary activity pursuant to E25.4.1(A2).

Natural Hazards and Flooding

- E36.4.1(A9) - The proposal involves the construction of a new building on land located within the coastal inundation 1% AEP control plus 1m sea level rise as shown on the planning maps. This is a restricted discretionary activity.
- E36.4.1(A37) - The proposal involves the construction of a new building on land located within the 1% AEP flood plain as shown on the planning maps. This is a restricted discretionary activity.
- E36.4.1(A56) – The proposal involves infrastructure (drainage and sewerage system) in the coastal inundation 1% AEP control plus 1m sea level rise and the 1% AEP flood plain as shown on the planning maps. This is a restricted discretionary activity.

Business - City Centre

- H8.6.25 - The Jellicoe and Beaumont Street frontages of the site are identified on Map H8.11.5 as requiring new buildings to provide a minimum contiguous building height of 13m for a minimum depth of 6m from the frontage. The design of this Project may not comply with this standard. This is a restricted discretionary activity pursuant to E27.4.1(A2).
- H8.6.26 - The Jellicoe and Beaumont Street frontages of the site are both subject to the verandah control on Map H8.11.6 of the City Centre zone. The proposal does not include the provision for a continuous verandah along the full width of the building frontage. This is a restricted discretionary activity pursuant to C1.9(2).

Wynyard Precinct

- I214.4.1(A1) - The proposal involves the development of approximately 215 dwellings on land located in sub-precinct C as a non-complying activity, and sub-precinct E as a restricted discretionary activity.
- I214.4.1(A1) – The proposal provides inbuilt flexibility for the provision of serviced apartments (visitor accommodation) at the Beaumont Street part of the building located in sub-precinct E. This is a restricted discretionary activity.
- I214.4.1(A15) - The proposal involves the provision of 551m² of retail space that may be occupied by some form of food and beverage activity exceeding 100m² GFA per site. This is discretionary activity in sub-precinct C and restricted discretionary activity in sub-precinct E.
- I214.4.1(A28) - The proposal involves the provision of retail tenancies with sizes ranging between 195m² - 270m² across the ground level of the building. This is a non-complying activity in sub-precinct C and restricted discretionary activity in sub-precinct E.
- I214.4.1(A47) - The proposal will involve the demolition or removal of all existing buildings on this part of the site to enable construction of the proposed building. This is a controlled activity.
- I214.4.1(A51) - The proposal involves the construction of a new building on land within the Wynyard Precinct. This is a restricted discretionary activity.
- I214.4.1(A58) – The proposal involves the development of a new building that does not comply with standard I214.6.7(1) Maximum site intensity on land. This is a non-complying activity.
- I214.4.1(A61) - The proposal does not comply with standard I214.6.6 Building Height in relation to the floor plate dimensions and Precinct Plan 5 which applies the maximum permitted building heights of 18m, 62m and 31m across the site. Infringing this standard and the maximum permitted building heights is a discretionary activity. The Project includes the following proposed building heights¹:
 - A height of approximately 31m is proposed for the Marina building where a 18m height limit applies.
 - A height of approximately 80m is proposed for the Tower building where a 62m height limit applies.

¹ Approximate heights given include indicative roof plant allowances.

- A height of approximately 37m is proposed for the Beaumont building where a 31m height limit applies.
- The central Tower building in sub-precincts C and E does not comply with the maximum cumulative floor plate area dimensions of 900m² GFA and maximum dimension of 30m by 30m for that part of the building with a maximum permitted height of 52m² above 31m.
- I214.4.1(A55) – The proposal involves development that does not comply with Standard I214.6.1(1) Parking ratios. This is a non-complying activity.
- I216.6.10(1) - The proposal involves provision for the establishment of retail activities at ground level along the Jellicoe and Beaumont Street frontages of the site which will not be limited to marine and port activities and marine retail as per Precinct Plan 7. This is a restricted discretionary activity pursuant to C1.9(2).
- I216.6.11 - The proposal involves the establishment of vehicle entry and exit directly from Beaumont Street (south of Jellicoe Street) to service the proposed development where an alternative access via Jellicoe Street is available. This standard does not allow for the establishment of vehicle access along this particular frontage of Beaumont Street and pursuant to C1.9(2) this is a restricted discretionary activity.

3.3.2 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

- Regulation 10 - Restricted discretionary activity consent is required under the NES for disturbing of soil on a piece of land which has previously had HAIL activities carried out on the site where the level of soil disturbance may exceed the thresholds for the applicable land use and a Detailed Site Investigation has been undertaken.

3.3.3 Other Rules

This application also seeks any other resource consent approvals necessary to implement the project which are not detailed above.

3.3.4 Activity Status

Overall, the land use consents for the proposal requires **non-complying** activity consent under the AUP and **restricted discretionary** activity consent under the NES for Contaminated Land.

4.0 Proposal and Effects

This section provides the information to be included in accordance with section 13(4) of the FTAA.

² That part of the site previously with a maximum permitted height of 52m has now increased to 62m in the Plan Change 78 Intensification decision for the City Centre and is fully operative.

4.1 Description of the project and the activities it involves (s13(4)(a))

4.1.1 Building and Activities

The project involves the development of a new residential led mixed use building at 188 Beaumont Street, Auckland CBD comprised of three distinct building elements which carefully responds to the public realm and urban design framework for Wynyard Quarter.

The proposed building will be located at the corner of Beaumont Street and Jellicoe Street with activated building facades provided to each street frontage. This is achieved through the provision of ground floor retail spaces, building entries and active amenities provided along both street frontages of the building. This ground level activation and street interface, together with the upper residential activities, provides the benefit of fully sleeving and screening a car parking podium from public visibility extending from the ground to level four of the building. The ground floor of the building also provides the necessary internal yard space and maintains important connections to the Orams Marine facility located immediately south of the site.

From level four onwards, the building then separates and rises into three distinct building elements reflecting the stepped height profile of the site under the AUP planning framework and Wynyard Precinct. These three distinct building elements are described below:

- Marina building - this will be an 8 storey and approximately 31m high building closest to the water edge and will contain 18 three-bedroom residential apartments;
- Tower building – this will be a 23 storey and approximately 80m high building in the centre of the site where a distinctive marker building is anticipated to be developed in the AUP and the Wynyard Quarter Urban Design Framework and will contain 125 residential apartments; and
- Beaumont building – this will be a 10 storey and approximately 37m high building at the corner of Jellie and Beaumont Street. It will contain 72 residential apartments that also have the flexibility to be used as serviced apartments (visitor accommodation).

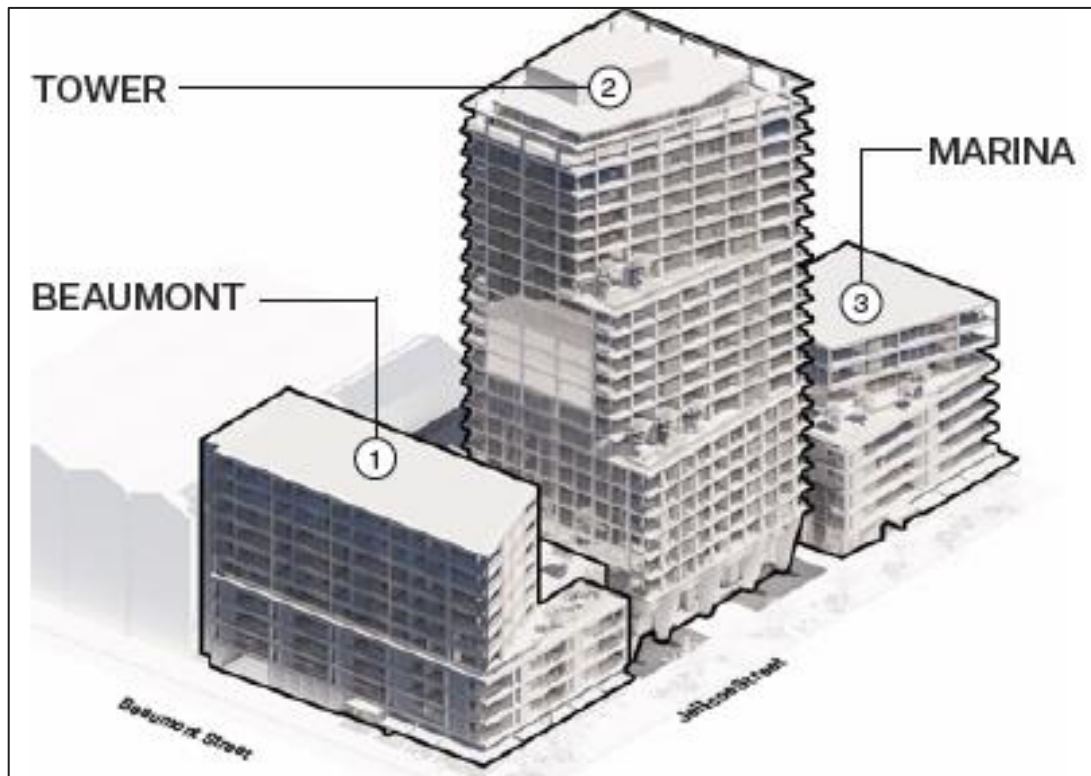


Figure 1: Concept design of project and three primary residential components of the building (Source: Warren and Mahoney Architects).

The development reflects a site-specific landmark building that responds to the urban framework of the Precinct. A key design move featured in the development is the angled and stepped façade of the Central tower building which is a direct response to and reflection of the twisted geometry of Te Ara Tukutuku’s headland reclamation. Another significant design feature of the development is the proposed building will achieve a 7m setback along the water edge and western boundary of the site. This building setback and landscaped designed terrace will provide significant public benefit and amenity in terms of maintaining and enhancing public access to and along the coastal marine area (as a matter of national importance under s6 of the RMA) which is not otherwise required under the operative planning framework of the AUP.

4.1.2 Retail Activities

Two retail spaces are provided on the ground floor of the building and primarily along the Jellicoe Street frontage. The type of retail activity in these spaces are to be determined but are likely to be occupied by food and beverage offerings given the location of Silo Park directly north of the project area and the future environment of a major new headland park planned for Te Ara Tukutuku (formerly known as Wynyard Point). The current concept design of retail spaces within the building totals approximately 551m².

4.1.3 Residential Activities

The remainder of the building provides for intensive urban living in the form of approximately 215 residential apartments. This significant number of apartments within Wynyard Quarter and the city centre provides a significant opportunity in terms of establishing critical mass to unlock other investments in Wynyard Quarter and thereby acting as a catalyst for further economic activity, benefits and growth.

The typologies mix will include a combination of one, two and three bedrooms apartments to attract an inclusive mix of households and future occupants. The present concept design features the following number of units:

Typology	Number
One bedroom	44
Two bedrooms	126
Three bedrooms	45
Total	215

The design of the building provides for high-quality on-site amenity for each apartment and future occupants. Each of the apartments are generously sized with averages ranging between 81m² to 182m² across the three typologies which far exceeds the minimum net internal floor area standards required for dwellings in the City Centre zone under the AUP. Each of the apartments will be provided with private open space in the form of a balcony, as well as access to the common roof terrace on level 4 of the building above the car parking podium.

4.1.4 Serviced Apartments (Visitor Accommodation)

The design and configuration of the development is such that it includes inbuilt flexibility for the 72 units within the Beaumont building to be used as serviced apartments with minimal physical changes required for this conversion or use. By way of example, separate building entrances can be provided from both the Jellicoe and Beaumont Street frontages of the building.

The adaptability of a portion of the building to be used as serviced apartments will enhance the economic benefits of the project in terms of attracting visitors to this part of the city centre and providing an immediate visitor accommodation option for international visitors arriving to Wynyard Quarter via superyacht at the adjacent Orams Marine village. This presents the opportunity to integrate serviced apartments in the Project by providing a fully integrated service to the Orams Marine customers thereby ensuring that high value customers are housed near the marina and within the Wynyard Quarter.

4.1.5 Connection with Orams and Marine Industry

The Orams Marine superyacht facility is located directly to the south of the project area and was recently redeveloped as a world-class marine precinct designed to meet the needs of superyachts, the commercial sector and recreational marine industry.

The Project will compliment and complete the marine development along this western promenade of the Wynyard Precinct as the design of this Project provides for internal connections to the Orams Marine yard to the south.

4.1.6 Site access, parking and transport

Vehicle entry and exit from the building will be provided from Beaumont Street only. No form of vehicle access will be provided from Jellicoe Street. This was a deliberate design decision having regard to the prominent location of the site at the very western termination of the Waterfront Axis

in the Wynyard Quarter Urban Design Framework 2014 and the desire to minimise traffic along this part of Jellicoe Street where it is adjacent to the public open space of Silo Park and future environment of a regionally significant public open space and headland park on Te Ara Tukutuku.

Following vehicle access into the site, the internal accessway provides access either to the Orams Marine yard directly to the south of the site or into the car parking areas on the ground and podium levels of the building. The current concept design provides for a total of 273 car parking spaces primarily for the residential activities within the building.

The development also encourages and supports the use of active transport modes through the provision of approximately 152 secure bicycle parking spaces provided in three separate areas on the ground floor of the building.

4.1.7 Infrastructure

Auckland Council's Geomaps viewer confirms that the site is connected to and accessible to three waters underground infrastructures in terms of water supply, wastewater and stormwater.



Figure 2: Three waters underground services on and within vicinity of the site. Source: Auckland Council Geomaps.

The Infrastructure Assessment in **Appendix 5** provides a more detailed overview of existing stormwater, wastewater, water supply and telecommunications infrastructure within and immediately surrounding the Site. Importantly, this Infrastructure Assessment demonstrates that the necessary bulk underground and three waters infrastructure to service the project already exists and only local connections to this existing infrastructure network will be required to service the project which is the standard approach for urban development projects.

4.2 Description or map of the whole project area s13(4)(d)

The project area (or the “Site”) is located at 188 Beaumont Street, Auckland Central and is legally described as Lot 1 DP 541270. Auckland Council is the owner of the land held in a fee simple estate and Westhaven Residential Limited Partnership (the authorised persons for this project) own the leasehold estate and development rights to the Site for a term of 125 years commencing on 23 October 2019 (refer Certificate of Titles in **Appendix 2**).

The Site is irregular in shape and is 5,215m² in area. The Site is considered to be a corner site with road frontage to Jellicoe Street along the northern boundary and road frontage to Beaumont Street along the eastern boundary. The western boundary of the Site is adjacent to the coastal marine area of Waitemata Harbour and the southern boundary adjoins the Orams Marine Village.

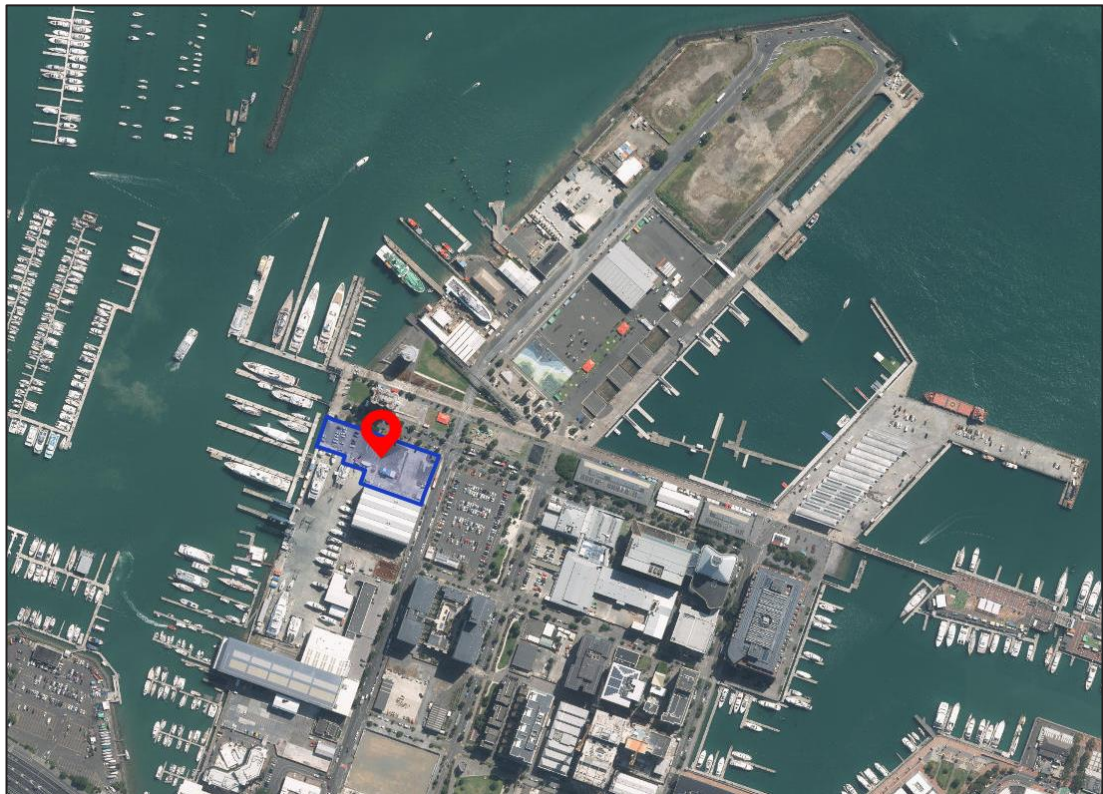


Figure 3: Locality plan of project location (Source: Emaps).

The topography of the Site is flat and there are no vegetation or other discernible features on site. The majority of the Site is currently vacant other than a few small temporary buildings and structures. The remainder of the Site comprises entirely of paved impervious surfaces for its current temporary use as a long-term non-accessory carpark. The current use of the Site as a temporary carpark is authorised by resource consent with a duration until 31 July 2028.

Under the Auckland Unitary Plan (AUP), the Site is zoned Business – City Centre and is located within the ‘Wynyard Precinct’ that applies to the north-western end of the city centre. The AUP describes the purpose of the Wynyard Precinct is to provide for the comprehensive and integrated redevelopment of this large brownfield area while enabling the continued operation of marine and hazardous industries. The Site is located within sub-precincts C and E of the Wynyard Precinct.



Figure 4: AUP zoning plan and sub-precinct boundaries (Source: Auckland Council Geomaps).

The Wynyard Precinct includes the concept of ‘marker buildings’ in the AUP planning framework by providing site-specific opportunities for taller buildings located and designed to reinforce key public open space and waterfront connections, reflective of the urban design framework³ for Wynyard Quarter. Precinct Plan 5 of the Wynyard Precinct applies maximum permitted height controls (noting resource consent can be sought to exceed those heights) of 18m on the western, 62m in the centre and 31m on the eastern portions of the site and therefore includes provision for the development of a taller ‘marker building’ in this location.

Two volcanic viewshafts pass over Wynyard Quarter being E10 and E16 which protects views of Maungawhau on approach to the city from the North Shore on SH1, the Northern Motorway and Harbour Bridge. These volcanic viewshaft overlays are captured in the AUP and are identified as ‘Natural Heritage: Regionally Significant Volcanic Viewshafts and Height Sensitive Areas Overlay’ in the planning maps and relevant provision. Notably, the Site is located outside of this volcanic viewshaft overlay thereby maintaining its potential for the development of a marker building in this project location.

³ Wynyard Precinct: Urban Design Framework 2014.

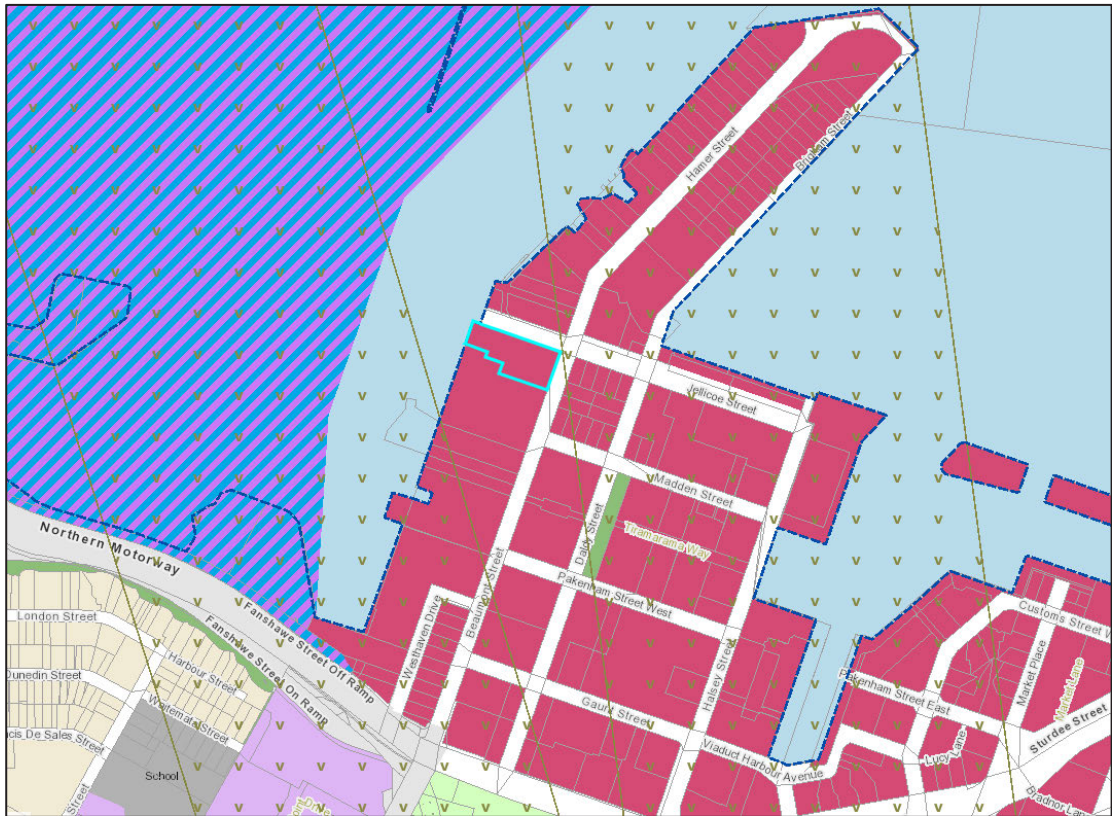


Figure 5: Extent of maunga viewshafts over Wynyard Quarter ('v' pattern) and relationship to the site outlined in blue.

Given the proximity of the Site to the coastal marine area, the Site is susceptible to natural hazards in terms of flooding and coastal inundation. These natural hazards also apply to the balance of the Wynyard Precinct and much of the balance of the City Centre zone bordered by the Waitemata Harbour.

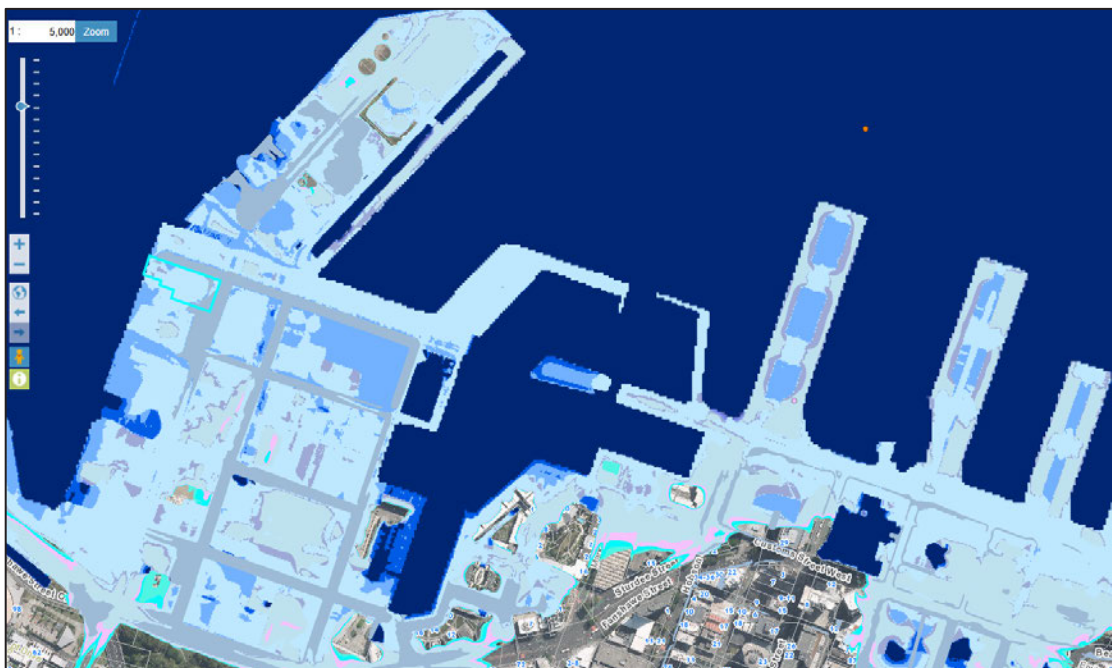


Figure 6: Location and extent of natural hazards on site (outlined in blue) and in broader context of Wynyard Quarter and the Viaduct Harbour.

Fanshawe Street and Britomart. It is also well via pedestrian and cycle linkages with excellent accessibility within the Precinct and to the City Centre.

Within or immediately adjacent to the City Centre zone are a large number of regionally or locally significant facilities including:

- Auckland Hospital and Starship;
- Educational facilities (including the University of Auckland; and Auckland University of Technology);
- Sporting facilities and venues (including Spark Arena, the Domain sports fields, the Victoria Park sports fields, Westhaven Marina);
- Cultural facilities and venues (including Auckland Town Hall, Auckland Art Gallery and Auckland War Memorial Museum); and
- Parks and open spaces (including Albert Park, Victoria Park, the Domain, the beaches and open spaces along Tamaki Drive and the promenades and open spaces within Viaduct Harbour and Wynyard Precincts).

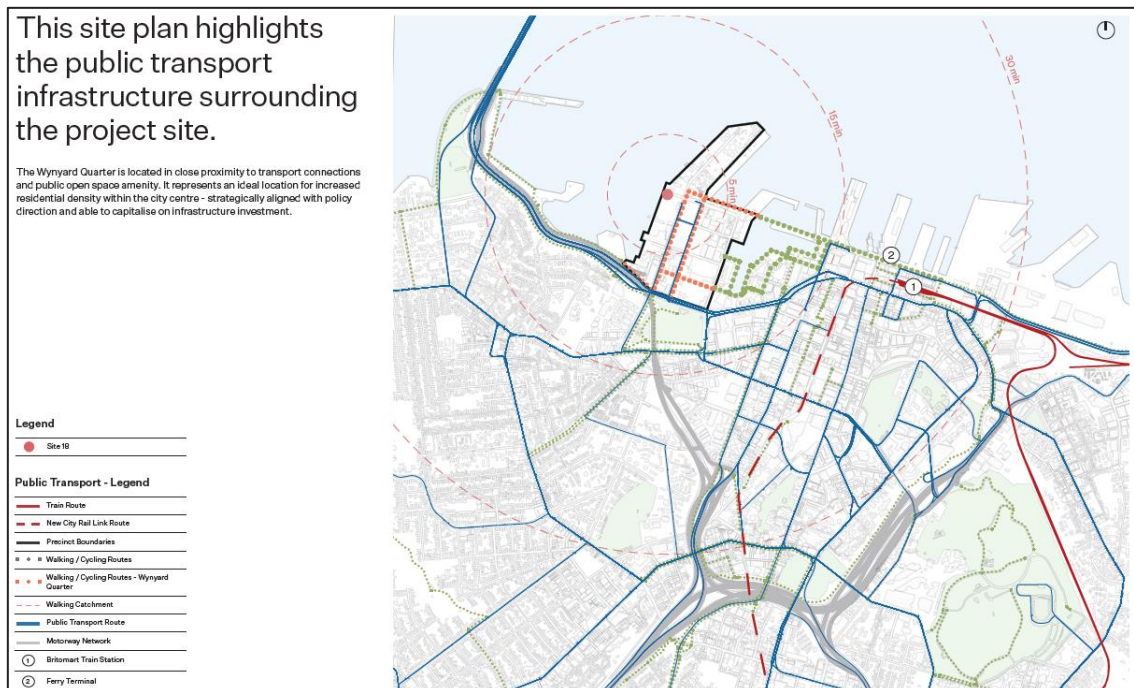


Figure 8: Map of City Centre zone public transport (Source: Warren and Mahoney Architects).

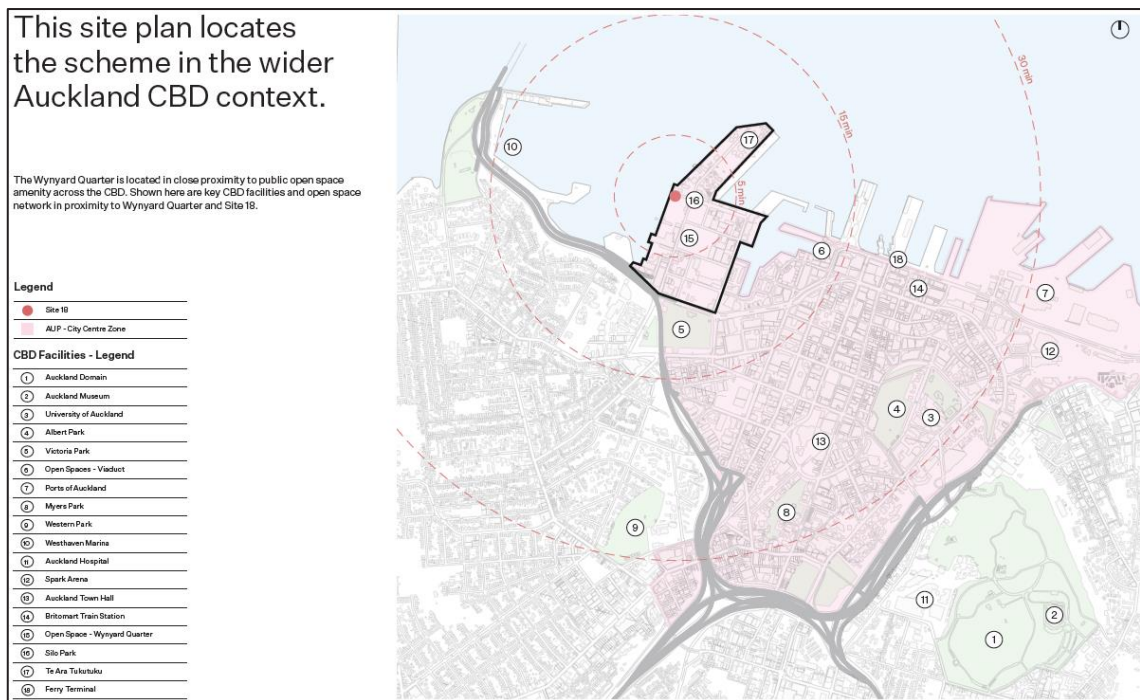


Figure 9: Map of City Centre zone facilities (Source: Warren and Mahoney Architects).

4.3 How the project meets the criteria in section 22 (s13(4)(b))

4.3.1 Development project with significant regional or national benefits (s22(1)(a))

The proposal is a development project that will have significant regional benefits for the following reasons with particular reference to the matters that the Minister may consider under s22(2)(a), including:

- Significant economic benefits in terms of the Project generating economic activity in the Auckland region amounting to a Net Present Value (NPV) of approximately \$397.6 million, the creation of 1,240 FTE jobs during the peak development and operation year with a total number of FTE years at around 3,400 over the development period of the Project;
- The strategic location of the Project in the Wynyard Quarter, City Centre, Auckland waterfront and adjacent to the Orams Marine Precinct having the potential to unlock and accelerate the growth of this regionally and nationally significant Marine Precinct, which are unique to the project area and not substitutable to another location within the region;
- The Project providing for the introduction of a critical mass of permanent residential population in this location, which will achieve a quality compact urban form while enabling and supporting the continued functioning of this existing regionally and nationally infrastructure by making it conveniently accessible to a large number of residents and visitors;
- The delivery of approximately 215 apartments which will increase the supply of housing and address housing needs in the city centre and positively contributing to the broader context of Auckland's city centre vibrancy and Auckland's housing challenges;
- Contribution to a well-functioning urban environment in accordance with Policy 1 of the NPS-UD by developing this residential-led project in Wynyard Quarter, being one of the

most accessible areas of the city centre providing exceptionally good accessibility between the housing to jobs, community services, natural spaces and open spaces including by way of public or active transport modes;

- Support climate change mitigation by the Project enabling more people to work and live within one of the most accessible areas of the City Centre supporting a shift to public and active modes of transport thereby contributing to a reduction in greenhouse gas emissions;
- Support climate change adaptation by integrating natural hazard adaptation measures into the design of the Project which will have the effect of reducing the overall risk to climate change hazards on the site and contribute to reducing overall risks arising from natural hazards for the wider Wynyard Precinct too; and
- The Project is consistent with, and strongly aligned to, regional planning documents and spatial strategies such as the Auckland Regional Policy Statement, AUP, Auckland Future Development Strategy, Auckland Central City Masterplan, Waterfront Plan and Wynyard Quarter Urban Design Framework.

These significant regional benefits of the Project are further explained below.

4.3.2 Significant economic Benefits

The Project will deliver significant economic benefits at the regional level to reinforce Auckland's economic capacity. The Economic Impact Assessment (EIA) prepared by Property Economics in **Appendix 8** has quantified the economic benefits of this project to include:

- Projected generation of economic activity in the Auckland region amounting to a Net Present Value (NPV) of approximately \$397.6 million to the regional economy over the five year development period;
- A total direct capital injection of around \$416.5m into the regional economy; and
- Contribution of around 1,240 FTE jobs during the peak construction year within the Auckland region, with a total number of FTE years at around 3,400 over the development period.

The EIA further highlights range of qualitative economic benefits that are likely to be achieved from the project beyond the direct economic activity such as employment and economic output generated. With reference to the EIA, other economic benefits of the project include:

- The strategic location of the Project in the Wynyard Quarter, City Centre, Auckland waterfront and adjacent to the Orams Marine Precinct creates the potential to unlock and accelerate growth in this regionally and nationally significant Marine Precinct asset which are unique to the project area which aligns with Auckland Council's long-term vision for the waterfront, as an integrated, vibrant, and economically productive precinct.
- The Project will serve a specific housing and mixed-use market that is not well catered for elsewhere in the city centre. The Project provides an opportunity for an increase in the level of competitive residential land that is likely to be coupled with an increase in the relative attractiveness of the area with wider markets both regionally and internationally. Further, the project will help to gradually improve the imbalance between the number of workers and residents located there.

- The Site is located in a highly connected and desirable area of the city centre and therefore ideally placed to maximise the benefits of intensification due to its very high land costs plus its unrivalled ability to harness the wider benefits of agglomeration. City centre intensification will also help accelerate its economic recovery from the Covid-19 pandemic while allowing more workers to live locally. Given the very little vacant land left in the city centre, the taller nature of the building in this project will maximise the economic benefits of intensification there.
- The increased local population base will result in a net increase in the number of full-time equivalent employees able to work within Wynyard Quarter and the surrounding suburbs. In this regard, the Project would directly support employment and economic activity in the City Centre and the broader Auckland region by enabling more people to live closer to their workplaces.
- Growth from residential development often works as the catalyst for further growth in the area. The Project will provide critical mass and an increased local population which will result in a net increase in the number of full-time equivalent employees able to work within the Wynyard Quarter, City Centre and the surrounding suburbs due to the Project generating increased demand for local business and services. This will be a net gain for the local economy and stimulate further growth and amenity improvements for the area. In effect, the Project may also create interest for additional residential / commercial development within the area, thereby further harnessing economic benefits.
- The project enables intensification within Wynyard Quarter and the economic benefit of agglomeration. Agglomeration can boost foot traffic for retailers and service providers, while helping to attract talent, investors, and tourists, thereby enhancing Auckland's local and global competitiveness.

4.3.3 Enable the continued functioning of existing regionally or nationally significant infrastructure

The Project will enable the continued function of regionally and nationally significant infrastructure. Within vicinity of the project area this includes:

- Britomart Train station in downtown Auckland within a 15-minute walk of the Site as the only train station for commuter train services in the city centre which also provides connections to bus services with the wider Auckland region;
- Auckland Ferry Terminal also within a 15-minute walk of the Site providing 13 different ferry service routes connecting to communities from Hobsonville Point to Rakino Island. This was most recently upgraded with the Downtown Ferry Basin redevelopment representing the biggest upgrade to Auckland's ferry infrastructure in more than a century offering improved accessibility and operational flexibility now considered to be a world-class ferry terminal.
- City Rail Link (CRL) being New Zealand's largest ever transport infrastructure project at the redeveloped Waitematā Station (Britomart) expected to be constructed and completed in December 2025 and operational in 2026⁶. Once the CRL is operated, this will completely transform transport in Auckland with significant improvements including⁷:

⁶ <https://www.cityraillink.co.nz/>

⁷ <https://at.govt.nz/bus-train-ferry/more-services/britomart#facilities>

- increasing rail capacity by more than 50% on day one of operations, doubling the capacity of Auckland's rail network in peak travel hours
- shortening journey times
- creating better connections to buses and ferries and across the rail network, often without changing trains
- improving access to the city centre by introducing two new city train stations (Te Waihorotiu Station in midtown and Karanga-a-Hape Station in the Karangahape Road neighbourhood, and a redeveloped station at Maungawhau Station (formerly Mt Eden Station) on the rail network.
- Wynyard Quarter (and the immediately adjoining Viaduct) includes an extensive network of exceptionally high quality public open spaces and supporting infrastructure which can be accessed by the walking and cycling routes.

The project will be situated in a highly connected central city location within a 15-minute walking distance to several regionally and nationally significant infrastructure that have been the subject of significant public investment for service upgrades and improvement. The project provides for the introduction of critical mass and a permanent residential population in this location which will achieve a quality compact urban form while enabling and supporting the continued functioning of this existing regionally and nationally infrastructure by making it conveniently accessible to a large number of residents and visitors. In this respect, the Project also presents the opportunity of supporting that infrastructure investment to date and the more efficient use of those resources.

4.3.4 Increase housing supply

This project as a residential led mixed use building will directly achieve this regional benefit by the construction and delivery of approximately 215 residential apartments in a highly connected central city location and quality designed building.

The 215 apartments will comprise of one, two and three bedroom typologies. These typologies will deliver a range of options and price points to the housing market and is considered to represent a significant housing supply for the Auckland region. The EIA in **Appendix 8** notes that the number of apartments in this Project are significant when considered in the broader context of apartment developments within the City Centre and Stats NZ data which indicates that the average number of consented apartments has been approximately 441 per year. Having regard to this, the delivery of approximately 215 apartments in this Project represents a significant contribution to housing supply in the city centre and in the broader context of Auckland's housing affordability challenges and constraints.

4.3.5 Contribute to a well-functioning urban environment

The project will also contribute to a well-functioning urban environment in accordance with Policy 1 of the NPS UD because:

- The project will have and enable a variety of homes in terms of one, two and three bedroom apartments in Wynyard Quarter with average sizes ranging between 81m² – 182m². It is considered that these residential and/or serviced apartments will meet the needs in terms of type, price and location of different households which, in practice, are feasibly realised through increased building heights (NPS-UD Policy 1(a)).

- The project area in Wynyard Quarter is located in one of the most accessible areas of the city centre providing exceptionally good accessibility between the housing to jobs, community services, natural spaces and open spaces including by way of public or active transport modes (NPS-UD Policy 1(c)). The Site is located within a walkable catchment to the central city as the economic heart of the Auckland offering more than 100,000 jobs; an extensive range of community facilities including regionally significant healthcare facilities such as Auckland Hospital and Starship; tertiary education facilities; and an extensive network of open spaces including Victoria Park, Myers Park and the Auckland Domain as well as public promenades along the Auckland waterfront. The project will also provide excellent accessibility to open spaces in the immediate surrounding area such as Silo Park, the proposed Te Ara Tututuku and the Jellicoe Street upgrades which collectively represent significant public investment in the downtown environment.
- The additional housing supply in the order of approximately 215 apartments will assist to boost competition in the local housing market and therefore increase economic efficiency (NPS-UD Policy 1(d)); and
- This residential led project will enable more people to work and live within one of the most accessible areas of the City Centre supporting a shift to public and active modes of transport and a reduction in greenhouse gas emissions (NPS-UD Policy 1(c) and 1(e)).

4.3.6 Support climate change mitigation including the reduction or removal of greenhouse gas emissions

The project will support climate change mitigation, including the reduction or removal of greenhouse gas emissions for the following reasons:

- The Site is located within a highly accessible location within the City Centre with Britomart, the largest public transport interchange within the region less than a 15minute walk away. Once the City Rail Link is completed in 2026, access to and from the outer fringe of the CBD and beyond will become significantly more enhanced, supported also by new stations at Aotea Square, Karangahape Road and Mt Eden. In this respect, the project will enable more people to work and live within one of the most accessible areas of the City Centre supporting a shift to public and active modes of transport and a reduction in greenhouse gas emissions consistent with Policy 1(c) and 1(e) of the NPS-UD.
- The project will support sustainable transport patterns and infrastructure contributing to the reduction of greenhouse gas emissions by providing employment and significant residential opportunities in a location highly accessible to the current Rapid Transit Network.
- The provision of approximately 215 dwellings in the project will enable people to live within Auckland's CBD with the highest concentration of employment opportunities, thereby reducing private vehicle trips and consequential CO² emissions.
- The Project will be designed and constructed to achieve third party green building certifications and global ESG surveys such as Green Star, Homestar NABERSNZ or GRESB consistent with the applicant's sustainability commitments which will contribute to the reduction of greenhouse gas emissions. Further details on the applicant's sustainability commitments can be found in **Appendix 10**.

4.3.7 Support climate change adaption and reduce risks arising from natural hazards

The climate change and natural hazards assessment by T+T in **Appendix 7** explains how the project can support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards. In the context of this Site and the broader Wynyard Quarter area, the relevant natural hazards include coastal inundation plus sea level rise and flooding.

In particular, this assessment explains that this project for the development of a new building provides the opportunity to integrate recognised adaptation strategy categories of 'protect', 'avoid', 'retreat' and 'accommodate' into the building design to overall support climate change adaption and reduce risks arising from natural hazards by adopting approaches such as:

- Elevating critical equipment to be above the design flood level;
- Flood proofing to prevent water from entering; and
- Raising the floor level of the buildings.

By integrating natural hazard adaptation measures into the design of the project, this will have the effect of reducing the overall risk to climate change hazards on the site and contribute to reducing overall risks arising from natural hazards for the wider Wynyard Precinct too. The primary method for reducing risk in the project and at the Site is to protect the development from coastal inundation by raising the building platform above the inundation level. This method will effectively avoid hazard exposure of coastal inundation over the 100-year period thereby reducing onsite risks, while intensifying development on the Site. This adaptation response will also ensure that essential services situated on the ground floor are above the predicted flood levels and the building materials exposed to flooding are resilient to flooding. By adopting a minimum finished floor level that protects assets from coastal inundation over the next 100 years the project will not increase the overall risk for the precinct, because the project would not be exposed to inundation hazards directly.

In addition, establishment of an effective emergency management protocol, including drills and training for the project will also increase resilience of the development. Collectively, these methods will ensure that the project supports climate change adaptation and reduce risk from natural hazards at the project area.

Implementation of these adaptation scenarios in the project demonstrate that risks from climate change and natural hazards can be reduced with development of the Site by adopting an approach that reduces exposure and the project incorporating resilience measures that reduce vulnerability.

4.3.8 Consistency with local or regional planning documents

The project is consistent and strongly aligned with regional planning documents and spatial strategies as summarised below:

Auckland Regional Policy Statement (RPS)

The Urban Growth and Form objectives and policies are the heart of the RPS and set the policy framework for managing Auckland's growth. The project will give effect to and contribute to a well- functioning urban environment with a quality compact urban form because:

- It enables the development of a taller marker building that will add visual interest and improve amenity within Wynyard Quarter resulting in a higher quality environment (B2.2.1(1(a))).
- It facilitates productivity improvements and economic growth (B2.2.1(1b)).
- It enables a sufficiently large residential population to make full and efficient use of the extensive network of supporting infrastructure in the Wynyard Quarter, thus maximising the benefits generated by that investment (B2.2.1(1(c))).
- It enables efficient use of one of the most accessible areas of the City Centre, thereby supporting a shift to public and active modes of transport (B2.2.2 (1)(d)).
- Wynyard Quarter is a high amenity area with an extensive network of high-quality open spaces, a harbourside location, established entertainment and hospitality venues. The project will enable more people to live and work in this highly popular area enabling greater social and cultural vitality (B2.2.2 (1)(e)).
- The project reinforces the hierarchy of centres through the proposed building heights which is complementary to and not out of keeping with development expectations within the City Centre zone (B2.3.1(1)(b)).
- The project enables intensification, contributing to increased choice within Wynyard Quarter and responding to changing needs (B2.3.1(1)(c) and (e)).

Auckland Unitary Plan (AUP)

The AUP is the key planning document which guides the use of natural and physical resources including the development of land. Under the AUP, the Site is zoned City Centre and located within the Wynyard Precinct.

The objectives for the Wynyard Precinct seek to redevelop Wynyard Quarter to a high-quality visitor destination, a vibrant community, public open space and an area for events and entertainment. A high-quality and diverse built environment of appropriate heights is envisaged, in addition to appropriate form and scale in relation to public open spaces and identified view shafts. The objectives also aim to manage conflicts between different uses and avoid reverse sensitivity and amenity effects, and providing a safe and convenient environment to ensure safety of pedestrians and the transport network. The supporting policies encourage buildings to be designed in a comprehensive and integrated manner. Building heights are encouraged to enhance its prominent waterfront location and to complement the central area and wider city landforms, skyline and views. For the avoidance of doubt, consistency with the relevant objectives and policies with respect to building height does not require strict adherence or compliance with the maximum height standard. Rather, and consistent with the significant number of consented and constructed developments that have been approved to date in the Wynyard Precinct which exceeded height, those exceedances must be assessed against the relevant objectives and policies and if the development gives effect to those provisions. The proposal is considered to be consistent with these provisions for the reasons below:

- This residential-led mixed building achieves a high quality and unique design which appropriately responds to the respective frontage conditions, public realm and existing marine industry to the south of the project area;

- The distribution of building height across the Site is considered to be appropriate and deliver optimal outcomes for the surrounding public spaces, public access to the waterfront, adjacent sites and overall contribution to the quality of the built environment;
- The proposed building will achieve appropriate and desirable termination to the western 'waterfront / city' axis along Jellicoe Street and east beyond along Quay Street. The proposed building has a strong identity befitting the termination of this important urban location with good levels of public amenity including access to the water's edge and views out to the harbour and Westhaven Marina; and
- The proposal does not impact on pedestrian or cycle routes or connectivity. The access arrangements for the proposed building have been specifically designed to ensure movements for pedestrians and cyclist continue effectively and without impacting on their safety.

Auckland Future Development Strategy 2023-2053

The Auckland Future Development Strategy 2023-2053 (FDS) incorporates a spatial response which is underpinned by a continuation of the quality compact approach to accommodate growth. The FDS seeks to intensify the existing urban area and limit further urban expansion. The project is entirely consistent with the FDS as it enables further intensification within the City Centre and represents the efficient use of an underutilised land resource in the CBD. In effect, this will achieve more capacity in one of the most accessible locations within the City Centre, where there is proven demand.

Emissions Reduction Plan (ERP), Auckland Climate Plan and Transport Emissions Reduction Pathway (TERP)

The Emissions Reduction Plan supports the implementation of the Climate Change Response (Zero Carbon) Amendment Act 2019 and includes targets for reductions in transport emissions. To implement this at the local level, Auckland Council released the Auckland Climate Plan 2020 and the Transport Emissions Reduction Pathway.

Those documents seek to reduce transport emissions significantly through a shift to active and public transport modes and maintaining and upholding a quality compact urban form. The project for an intensive residential led development in Wynyard Quarter will support the Council to achieve these goals by locating more people in one of the most accessible locations within the City Centre close to existing services, jobs and amenities that can be accessed without a car.

Auckland Central City Masterplan 2020 ("CCMP")

The CCMP is Auckland Council's key guiding document setting out the strategic direction for the city centre over the next 20 years and includes Wynyard Quarter as a key area of the masterplan. The project is located within the 'West Waterfront' of the CCMP which envisages ongoing redevelopment and regeneration of Wynyard Quarter, with mixed use development and green linkages leading to a new green space in Wynyard Point.

A key feature and aspiration for Wynyard Quarter in the West Waterfront of the CCMP is for this area to continue to be a hotspot for development over the next five to ten years as remaining opportunities are realised on development sites between Fanshawe Street and

Wynyard Point. The project is considered to be consistent with the CCMP because it will enable the development of a high-quality residential led building on a future development site specifically identified in the CCMP as shown in Figure 10 below.



Figure 10: CCMP for West Waterfront with project location identified in red circle.

Waterfront Plan 2012

The Waterfront Plan set outs the vision and goals for the long-term development of the city centre waterfront and a strategy for the delivery of projects and initiatives over the next 30 years to help realise the vision for Auckland to be the world's most liveable city.

Wynyard Quarter is identified as one of the waterfront neighbourhoods in the Plan and identifies this as New Zealand's largest urban revitalisation project. The vision for this area is a mix of *residential, retail* and commercial development to enable the growth of a strong, diverse, resilient and vibrant residential and business community whilst retaining the existing successful marine and fishing industries. To achieve this, the Plan acknowledges that the Operative District Plan (now AUP) provides for mixed-use development (ground floor retail or hospitality, offices and apartments) at the southern end of Wynyard Point. Along with marine activity on the western edge, the purpose of this mix is to make the area vibrant and safe both day and night, with a sufficient critical mass of residents and workers to make it a comfortable, economically viable and lively neighbourhood to live and work.

The project is consistent with this vision of the Waterfront Plan for Wynyard Quarter because it provides for a mixed use residential led development immediately to the south of Wynyard Point and integrates with the Orams Marine superyacht refit facility along the southern boundary. The project will deliver approximately 215 residential apartments, with inbuilt flexibility to be used as serviced apartments, will provide the necessary critical mass of residents and workers to support the economic viability and vitality of this waterfront neighbourhood.

Wynyard Quarter Urban Design Framework (WQUDF)

The WQUDF provides a robust and flexible framework to guide the development of Wynyard Quarter. The WQUDF defines urban design principles against which development proposals will be assessed and provides an indicative design framework for the Wynyard Precinct, as well as the rationale behind the approach taken for the precinct. The WQUDF contains four key urban concepts to integrate the precinct into its unique waterfront and CBD setting. These concepts are illustrated in below and include:

- The Waterfront Axis;
- The Park Axis;
- The Wharf Axis; and
- Waterfront Precincts.

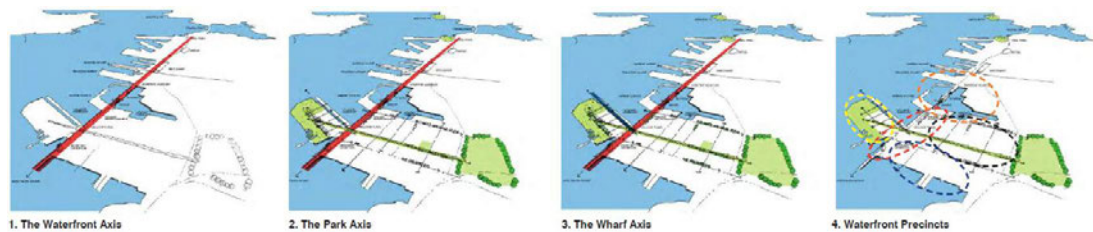


Figure 11: WQUDF urban design concepts

The Site anchors the western terminus of the Waterfront Axis at the interface between land and sea. Height variation is a key principle within the WQUDF with a series of development sites identified as appropriate for supporting additional building height with maximum height limits of 52m. The sites selected for additional height are located to give emphasis to the three identified Axis - Waterfront, Park and Wharf - and “provide variety to building form and scale”⁸. These sites have become known as the ‘marker building’ sites within Wynyard Quarter and have been carried over into the operative planning framework of the AUP and the Wynyard Precinct provisions in particular.

The Site for this project includes one of the original 52m ‘marker building’ locations (now increased to a permitted building height of 62m) positioned to reinforce the Waterfront Axis with the project area anchoring the western end of the axis. The height and form of the building in this project featuring a central tower building form, in the same location as where the WQUDF envisages the development of a marker building, is therefore consistent with the WQUDF and the key urban design concepts for the Waterfront Axis.

4.4 Facilitating the project by enabling a more timely and cost-efficient process (S22(1)(b)(i))

The fast-track approvals process will streamline the project, allowing for more timely and cost-effective processing compared to the standard Resource Management Act (RMA) 1991 process. The fast-track process offers several key advantages particularly in respect of reduced timeframes because public notification is excluded under the Fast-track Approvals Act. In addition, the FTAA provides the opportunity for the Expert Panel to invite written comments on the substantive application from parties specified in section 53 of the FTAA only thereby ensuring that the process

⁸ Wynyard Precinct – Urban Design Framework February 2014 page 28

remains focused and efficient. Reduced appeal rights under the FTAA would also facilitate the project because this significantly reduces the risk of appeals which in turn result in a more timely and cost-efficient process for the applicant.

This is in comparison to the standard RMA process whereby applications of this scale and nature which exceed maximum permitted building heights in the Wynyard Precinct (as indicatively shown on the massing strategy diagrams on the projects drawings in Appendix 3) are often publicly notified for submissions, a hearing is required and the potential for appeals are highly likely. These standard RMA processes are often drawn out for a considerable length of time which delays the commencement of construction and completion dates, and involves significant costs associated with the hearing and appeal processes. The FTAA provides the benefit of avoiding these inefficiencies with time and cost under the normal RMA process. Furthermore, the FTAA provides an approximately five to six-month processing timeframe, substantially reducing delays and mitigating associated costs, including construction disruptions, rising material expenses, and seasonal workforce constraints.

The proposal is anticipated to be approved at least 2 years quicker utilising the process provided for under the FTAA in comparison to standard resource consent processes under the RMA. Using the processes provided under the FTAA will facilitate the project by securing the necessary RMA approvals at an earlier date, providing certainty for the Project and allowing the investment into the economy far earlier.

The fast-track approvals process will also facilitate the Project because the requirements of s104D of the RMA for non-complying activities do not apply under the Act. This means that the Project, which is a non-complying activity overall under the AUP, does not have to pass the additional 'gateway test' and demonstrate its effects are "no more than minor" or that it is not contrary to the objectives and policies in the relevant plans under the FTAA.

Overall, the fast-track consenting framework would facilitate the project by utilising a more streamlined consenting process and avoiding delays associated with a traditional RMA consenting process. By enabling the Project to utilise the fast-track consenting process, this will enable the earlier commencement of construction, employment opportunities, economic stimulation and all other regional benefits of the Project to be delivered and realised within a much faster timeframe.

4.5 Referring the project to the fast-track approvals process is unlikely to materially affect the efficient operation of the fast-track approvals process (s22(1)(b)(ii))

Referring the project to the fast-track approvals process will not materially affect the efficient operation of the fast-track approvals process. Relevant considerations include:

- This is a relatively straightforward project which only requires a relatively small number of RMA equivalent resource consent approvals and does not require any other consents or approvals under any other Act or from any other persons or bodies; and
- The project does not affect any of the Māori related considerations which are required to be considered and addressed.

4.6 Ineligible activities (s13(4)(c))

This section is provided in accordance with section 13(4)(c) of the FTAA to demonstrate that the project does not involve any ineligible activities.

Ineligible Activity Definition (with reference to Section 5 of the FTAA)	Consideration under Referral Application (required by Section 13(4)(c) of the FTAA)
(1)(a) An activity that— (i) would occur on identified Māori land; and (ii) has not been agreed to in writing by the owners of the land or been subject to a determination under section 23:	N/A – project is not occurring on identified Māori land. See records of title in Appendix 2.
(1)(b) an activity that— (i) would occur in a customary marine title area; and (ii) has not been agreed to in writing by the customary marine title group:	N/A – project is not occurring within customary marine title area. The project is proposed on land.
(1)(c) an activity that— (i) would occur in a protected customary rights area; and (ii) would have a more than minor adverse effect on the exercise of the protected customary right; and (iii) has not been agreed to in writing by the protected customary rights group	N/A – project is not occurring in a protected customary rights area. The project is proposed on land.
(1)(d) an activity that would occur on either of the following classes of land: (i) Māori customary land; (ii) land set apart as a Māori reservation as defined in section 4 of Te Ture Whenua Maori Act 1993:	N/A – project is not occurring on Māori customary land or land set apart as a Māori reservation. See records of title in Appendix 2.
(1)(e) an aquaculture activity or an activity that is incompatible with aquaculture activities— (i) that would occur within an aquaculture settlement area declared under section 12 of the Maori Commercial Aquaculture Claims Settlement Act 2004 or an area reserved under another Treaty settlement for the aquaculture activities of a particular group; and (ii) for which the applicant who is proposed to hold an approval described in section 42(4)(a) (resource consent) is not authorised to apply for a coastal permit under the Resource Management Act 1991:	N/A – project is for development on land and not for an aquaculture activity.
(1)(f) an activity— (i) that would require an access arrangement under section 61 or 61B of the Crown Minerals Act 1991; and (ii) that— (A) could not be granted an access arrangement because of section 61(1A) of that Act; or	N/A – project does not require access arrangement under section 61 or 61B of the Crown Minerals Act 1991.

(B) would occur in an area for which a permit cannot be granted under that Act:	
(1)(g) an activity that would be prevented under section 165J, 165M, 165Q, 165ZC, or 165ZDB of the Resource Management Act 1991:	N/A – project is on land and is not related to occupation of common marine and coastal area.
(1)(h) an activity (other than an activity that would require an access arrangement under the Crown Minerals Act 1991) that— (i) would occur on land that is listed in Schedule 4; and (ii) has not been subject to a determination under section 24:	N/A – project is not located on land listed in Schedule 4 of the FTAA. See records of title in Appendix 2.
(1)(i) an activity that— (i) would occur on a national reserve held under the Reserves Act 1977; and (ii) requires approval under that Act; and (iii) has not been subject to a determination under section 24:	N/A – project is not occurring on a national reserve held under the Reserves Act 1977. See records of title in Appendix 2.
(1)(j) an activity that— (i) would occur on a reserve held under the Reserves Act 1977 that is vested in someone other than the Crown or a local authority; and (ii) has not been agreed to in writing by the person or persons in whom the reserve is vested:	N/A – project is not occurring on a reserve held under the Reserves Act 1977. See records of title in Appendix 2.
(1)(k) an activity that— (i) would occur on a reserve held under the Reserves Act 1977 that is managed by someone other than the Department of Conservation or a local authority; and (ii) has not been agreed to in writing by the person or persons responsible for managing it:	N/A – project is not occurring on a reserve held under the Reserves Act 1977. See records of title in Appendix 2.
(1)(l) an activity that is— (i) a prohibited activity under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 or regulations made under that Act; or (ii) an activity that is described in section 15B of the Resource Management Act 1991 and is a	N/A – project is not for a prohibited activity as described under section 37 of the Exclusive Economic Zone and Continental Shelf Act 2012. Project is not for an activity related to ships or offshore installations under s15B of the RMA.

prohibited activity under that Act or regulations made under it; or (iii) an activity that is prohibited by section 15C of the Resource Management Act 1991:	Project is not for activity related to radioactive waste under s15C of the RMA.
(1)(m) a decommissioning-related activity (which is an activity described in section 38(3) of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012):	N/A – project is not for a decommissioning-related activity associated with a marine consent.
(1)(n) an activity undertaken for the purposes of an offshore renewable energy project.	N/A – project is not for an offshore renewable energy project.

4.7 Commencement and completion dates for construction activities (s13(4)(e))

The anticipated commencement date for construction is within 12 months following the issue of the decision. This timeline accounts for preparation of working drawings and an estimated six-month period to obtain building consent.

Construction activities are expected to take approximately 34 months between September 2027 – June 2030 which includes bulk earthworks, installation of local underground infrastructure and physical construction of the building.

4.8 A statement of whether the project is planned to proceed in stages (s13(4)(f))

4.8.1 The nature and timings of stages (s13(4)(f)(i))

Not applicable as this is a single stage project.

4.8.2 Whether a separate substantive application is to be lodged for each of the stages (s13(4)(f)(ii))

Not applicable as this is a single stage project. A single application is intended to be lodged for the project if successfully referred.

4.8.3 How each stage meets the criteria in s22 (s13(4)(f)(iii))

Not applicable as this is a single stage project.

4.9 Whether a part of the project is proposed as an alternative project (s13(4)(g))

No part of the project is an alternative project in itself.

4.10 Anticipated and known adverse effects of the project on the environment (s13(4)(h))

4.10.1 Urban design, landscape and visual effects

Boffa Miskell have undertaken an urban design, landscape and visual assessment of the project with reference to relevant local and regional planning documents and what is envisaged for the Site in **Appendix 9**. In summary, this assessment highlights that the Site has from the time of the

original masterplan and Precinct provisions identified the Site as appropriate for greater height in a landmark tower form of development anchoring the western end of the Waterfront axis in the Wynyard Precinct. The design concept of the tower building, has evolved following iterative design reviews to establish a bespoke, site specific, landmark building that responds to its location within the urban framework of the Precinct. A key design move is the tower building's angled, stepped façade which is a direct response to and reflection of the twisted geometry of Te Ara Tukutuku.

In reference to landscape and visual effects, the assessment concludes that the series of heights proposed can be accommodated on the Site and within the Precinct with beneficial urban form outcomes. The project will not detract from the future urban form or amenity of the Precinct but will rather reinforce and enhance its landscape character and amenity. The quality of the public realm will be maintained and enhanced at the water edge alongside the visual interest and mixed height diversity of the precinct enriched. The building materiality and architectural expression have also been developed in specific response to the site's historical and present-day urban context in order to contribute to the continued quality urban regeneration of the Wynyard Precinct.

In relation to effects on the natural character of the coastal environment, the assessment notes that the Site is highly modified with a former marine industry and manmade urban character. The site is intended for urban regeneration under local and regional planning documents with a stepped building height profile and centralised landmark tower form. The project is therefore considered to be consistent with the established and anticipated character of this part of the city's waterfront and the project will be consistent with the natural character of the Precinct. The provision of public access to the water edge as part of the project will also enhance enjoyment of the coastal environment for people too.

In relation to urban design amenity effects, the proposal represents a prominent urban development project and in a building form that expresses landmark qualities as anticipated in the planning framework. The project will replace an underutilised vacant site with a residential led mixed use building delivering urban vibrancy and life alongside the wider urban regeneration aspirations of the Wynyard Precinct. The taller tower will define the western edge of the city's waterfront and create a legible urban framing to the Precinct. In respect of the urban form and the established and evolving landscape character of the Precinct, it is considered that a development comprising the series of buildings at the heights proposed can be accommodated on the Site and within the Precinct with beneficial urban form outcomes. There will also be positive character effects due to the way in which the tower's angled, stepped form reinforces the alignment of Te Ara Tukutuku and the Wharf axis.

To mitigate potential adverse effects of the taller tower form, the tower steps on an angled alignment that directly responds to the angled alignment of the Wynyard headland – Te Ara Tukutuku reflecting the Waterfront and Wharf axes that underpin the urban structure of the Precinct. The tower's reduced footprint at height and the angled alignment of the upper levels of the Beaumont and Marina buildings collectively assists in mitigating potential adverse effects from the over height elements of the project whilst also contributing to a distinctive, well-modulated landmark building anchoring the western end of the Waterfront axis.

Overall, having regard to the analysis above and expert assessment by Boffa Miskell, it is considered that any potential adverse urban design, landscape and visual effects on the environment will be appropriately avoided and mitigated to be less than minor.

4.10.2 Land disturbance effects

The existing surfaces of the Site are almost wholly paved and contours of the Site are flat. The design for the project does not involve any basement levels or significant excavation depths either. As such, minimal earthworks are required to facilitate construction of the proposed building to the extent that erosion and sedimentation effects arising from the project are expected to be minimal.

Notwithstanding the above, it is anticipated that the project may generate potential adverse sedimentation effects on the environment associated with the enabling earthworks required to facilitate construction of the project. To avoid and minimise these adverse effects on the environment, it is proposed to implement best practice erosion and sediment control measures on site over the duration of construction. A draft erosion and sediment control plan will be provided for assessment with the substantive application and a final erosion and sediment control plan will be provided as a condition of consent. On this basis, and by imposing appropriate consent conditions, it is considered that any adverse effects on the environment from land disturbance will be avoided or mitigated to be less than minor.

4.10.3 Geotechnical effects

With respect to geotechnical considerations, a site-specific geotechnical report prepared by a suitably qualified and experienced geotechnical engineer will be prepared to accompany the substantive application. It is expected that this geotechnical investigation and report will provide a detailed analysis of subsurface conditions beneath the site and a suite of recommendations for the detailed design of earthworks and foundation design options for the proposed building together with recommended methodologies during the construction phase to ensure that land stability is maintained. These recommendations would then become proposed conditions of consent to ensure geotechnical effects will be appropriately avoided and mitigated.

It is also anticipated that this geotechnical report will detail the poor ground conditions of the Site given the history of Wynyard Quarter as the western reclamation and its previous use as a bulk petro-chemical storage. These poor ground conditions of the Site will require significant and complex structural design responses underground to ensure that the Site can be safely developed on and can support development of the Project. Structuring engineering advice to date indicates that due to the poor ground conditions of the Site, piles extending approximately 13m underground will be required to support development of the Site. This necessary design response represents a significant construction cost for the Project and that has, in part, informed the proposed heights of the building to ensure that this will be an economically viable project for the applicant.

4.10.4 Construction noise effects

In terms of construction noise during the earthworks and building construction phases, it is predicted that there may be some exceedances to the relevant construction noise standards of the AUP from the use of noisy equipment. These adverse construction noise effects are likely to be primarily experienced by occupied buildings in the immediate environment only for short periods and specific construction periods or phases only, to the extent that properties further away are predicted to comply with the relevant construction noise standards for all or much of the remainder of the construction period. Properties in the wider environment further away from the project are predicted to comply with the construction noise standards without the need for any mitigation measures because of the greater separation distances and intervening properties.

providing shielding to the construction noise received. Furthermore, the geological profile of the site is such that no rock breaking is proposed and therefore adverse construction noise effects from this usual source of construction will be avoided.

To mitigate and minimise the construction noise effects experienced by the closest receivers, it is proposed to prepare and implement a Construction Noise and Vibration Management Plan (CNVMP) throughout the duration of the construction period for the project. The CNVMP is proposed to include details such as limiting work hours for those receivers in a day or workdays in a week, selecting low noise or smaller equipment (which may lead to a longer overall construction period), carefully planning site operations and applying localised barriers where practicable as an alternative to these restrictions. The CNVMP will also include details of the overall works, its timing, duration and contact details where complaints and enquiries should be directed and the framework for communication with neighbours during all stages of construction to successfully manage and mitigate adverse construction noise effects.

The management framework of a CNVMP is considered to represent the best practicable option for enabling construction of the project while avoiding and protecting people in the neighbourhood from the unreasonable emission of construction noise. By undertaking these mitigation measures, which will be ensured by consent conditions, it is considered that any adverse construction noise effects will be appropriately avoided, remedied or mitigated to be minor and temporary in nature.

4.10.5 Traffic effects

A high-level transport assessment has been prepared for the project and this is enclosed as **Appendix 6**. This transport assessment analyses the locational qualities of the Site in terms of its broader connectivity with the transport environment, wider transport issues and factors affecting travel demand in the area and potential adverse transport adverse effects on the environment.

The transport assessment highlights that the Site has excellent access to transport infrastructure in terms of being serviced by rapid transit bus services directly within Wynyard Quarter, being within a 10-minute walkable catchment to the Northern Busway services along Fanshawe Street and 15-20 minute walkable catchment to the regionally significant Britomart Train Station/CRL and Auckland Ferry Terminal. In addition, the Site is served by an excellent and high-quality network of walking and cycling facilities to the extent that these locational qualities of the Site make it a highly desirable location for intensification and support the uptake of active transport modes.

Based on the residential led nature of this project, including the number of apartments and retail floor space, the transport assessment has analysed potential traffic generation effects of the project on the environment during the morning and afternoon peak periods. That analysis concludes that the adverse effects will be less than minor and can be safely accommodated on the transport network because residential dwellings in the Wynyard Quarter area have proven to result in very low levels of private traffic with higher corresponding levels of walking. This conclusion is largely due to the central city location of the Site in Wynyard Quarter and the excellent connections to active transport modes which influence the way in which people travel to work and the consequential transportation effects on the environment.

The mode share analysed in the transport assessment demonstrates that people living in the Wynyard Quarter (and Viaduct Harbour) area mainly walk to work at 31%, followed by work from home at 28% and drive to work at 27%, with the latter steadily declining and expected to continue

in the long term. Overall, this mode share analysis indicates that people living in Wynyard Quarter are more likely to walk to work than people living in any other area outside of central Auckland, and are less likely to drive to travel to work thereby collectively indicating that more housing in the precinct represents an optimal transport outcome.

Having regard to the above and analysis of the transport assessment, the potential adverse transport effects of the project in this location are considered to be less than minor due to the residential led nature of the project and in this highly connected central city location. All the necessary transport infrastructure to service this residential led project and additional housing in this location already exists and no mitigation has been identified as being required to address transport effects of the project are required either.

In respect of potential construction traffic effects, it is considered that any adverse construction traffic effects will be suitably managed and minimised with a construction traffic management plan (CTMP). The CTMP will outline how truck movements at specific phases of construction will be managed to ensure that impacts on the surrounding traffic network will be avoided and minimised. A draft CTMP will be provided with the substantive application to provide a general overview of the proposed management framework and a final CTMP will be included in the proposed consent conditions too.

4.10.6 Contamination effects

Previous detailed site investigations (DSI) undertaken as part the Orams Marine redevelopment directly south of the project area confirm that this piece of land where the project will be developed is contaminated due to HAIL activities linked with the former bulk product storage and materials used in the land reclamation process. In this regard, there is the potential for adverse effects on human health with the proposed soil disturbance and change of land use on site.

A Site Management Plan (SMP) and Remedial Action Plan (RAP) prepared by a suitably qualified and experienced practitioner will be provided with the substantive application. The SMP and RAP will outline the remedial strategy for this development to minimise the disturbance of soil and groundwater, and encapsulate contamination on site. The RAP will also outline during and post management actions to protect human health and to ensure that contamination risks to people and the environment is avoided.

Having regard to the above, and by implementing the remedial measures and soil disturbance controls and/or procedures in accordance with the SMP and RAP, it considered that adverse effects arising from historical contamination of the land on human health and the environment will be appropriately avoided and mitigated to be less than minor.

4.10.7 Natural hazard effects

The Council's Geomaps indicates that the Site and broader Wynyard Precinct along the waterfront is susceptible to natural hazards in terms of coastal inundation and flooding. The climate change and natural hazards assessment by T+T in **Appendix 7** explains that the project can be designed to support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards integrating recognised adaptation strategy categories of 'protect', 'avoid', 'retreat' and 'accommodate' into the building design.

The primarily mitigation method for reducing natural hazard risks in the project is to protect the development from coastal inundation by raising the building platform above the inundation level,

such as setting a finished ground floor level of at least 4.0 mRL. It is anticipated that floor levels of the proposed building will be confirmed in the next preliminary and/or detailed design phase of the project and is expected to be resolved as part of the substantive application. In doing so, this will effectively avoid hazard exposure of coastal inundation over the 100-year period to reducing onsite risks and mitigate adverse effects.

Overall, by adopting a minimum finished floor level that protects assets from coastal inundation over the next 100 years, adverse effects of the project on the environment will be appropriately avoided and mitigated to the extent that the project will not increase the overall risk of natural hazards to the broader Wynyard Precinct too because the project would not be exposed to inundation hazards directly.

4.10.8 Infrastructure capacity effects

Tonkin and Taylor (T+T) have undertaken a high-level capacity assessment of the three waters infrastructure to service this project. This matter is detailed within the Infrastructure Assessment in **Appendix 5** together with high-level supporting calculations of expected flows relative to the extent of development proposed in this project.

In terms of wastewater, T+T have undertaken a capacity assessment for all upstream demand at the potential connection point to provide an understanding of the current flows, upstream of the nearest 300 mm diameter pipe. This capacity assessment indicated that the existing public 225 mm diameter wastewater line parallel to the site and potential connection into the 300 mm diameter line has adequate capacity to receive wastewater flows from the project. Similarly for water supply, T+T have identified that there are two existing public potable water supply lines to the Site which run along the western side of Beaumont Street and the southern side of Jellicoe Street. T+T are also of the view that there is likely to be adequate water supply in the network to service the project too. With respect to stormwater, T+T have identified a new potential stormwater connection for the Project in terms of connecting into the existing 750mm diameter stormwater line. The design of this potential stormwater connection will be further investigated in the next preliminary and/or detailed design phase of the project and is expected to be resolved as part of the substantive application to ensure that stormwater discharges from the Site will be appropriate.

Overall, in reliance on the advice of the T+T, it is considered that this project will be adequately serviced with the existing bulk infrastructure in place without the need for any upgrades to service the project. Local infrastructure within the project area itself will need to be constructed and installed by the applicant, however, this is considered to be standard for all other urban development projects. Accordingly, it is considered that adverse servicing and infrastructure capacity effects will be avoided and less than minor.

4.10.9 Wind effects

The Project is anticipated to generate wind effects due to nature of the proposed building in this project location and city centre context. To avoid and/or mitigate adverse wind effects, wind tunnel investigations will be undertaken in the next preliminary design phase for the Project to assess the mean wind speeds around the building based on the intended use of the relevant areas (including pedestrian footpaths and roadways). It is anticipated that these wind tunnel investigations will confirm if the wind effects generated by the Project will be appropriate and acceptable, or if any mitigation is recommended.

The investigation and assessment of wind conditions is a planning requirement under the AUP. Therefore, it is considered that anticipated wind effects will be fully investigated and resolved as part of the substantive application with supporting expert analysis by a wind engineer. Any recommendations to avoid or mitigate wind effects will either be integrated to the design of the Project or included in the proposed consent conditions to the extent that any potential adverse effects will be minor or less than minor.

4.11 Statement of activities involved in the project that are prohibited activities (s13(4)(i))

No activities that are prohibited under the Resource Management Act 1991 (RMA 1991) are included or proposed as part of this project.

5.0 Persons Affected

5.1 Persons and groups the applicant considers likely to be affected (s13(4)(j))

Persons and groups likely to be affected by the project are identified as follows:

(i) Relevant local authorities

o Auckland Council

The applicant has consulted with Auckland Council in respect of this project in accordance with the requirements in section 11 of the FTAA and a summary of that consultation is included with the Consultation Summary Report in **Appendix 4**. The applicant will endeavour to collaboratively work with Auckland Council as the project progresses.

(ii) iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements:

o Mana Whakahono ā Rohe are iwi participation arrangements and a tool designed to assist tangata whenua and local authorities to discuss, agree and record how they will work together under the RMA. For this project within the Auckland region, we understand that there are no completed⁹ Mana Whakahono ā Rohe arrangements between iwi authorities and Auckland Council.

(iii) Other relevant iwi authorities:

There is a total of 15 relevant iwi authorities for this site as listed below:

- o Ngāi Tai ki Tāmaki
- o Ngāti Maru
- o Ngāti Pāoa
- o Ngāti Tamaoho

⁹ We understand that a Mana Whakahono ā Rohe arrangement has been initiated between Ngāi Tai Ki Tāmaki and Auckland on 12 March 2018 but this is still under negotiation and therefore has not been signed or completed.

- Ngāti Tamaterā
- Ngāti Te Ata
- Ngāti Whanaunga
- Ngāti Whātua o Kaipara
- Ngāti Whātua Ōrākei
- Te Ahiwaru - Waiohua
- Te Ākitai Waiohua
- Te Kawerau ā Maki
- Te Patukirikiri
- Te Patukirikiri
- Waikato – Tainui

The applicant has consulted with all of the relevant iwi authorities identified above and a summary of that consultation is included as **Appendix 4**.

(iv) Relevant Treaty settlement entities

Ngāi Tai Ki Tāmaki have a coastal statutory acknowledgement area (OTS-403-128) over the adjacent coastal marine area directly to the west of the Site and project area. This is a statutory acknowledgement under the Ngāi Tai ki Tāmaki Claims Settlement Act 2018.

Given that this project will be located on land, and no works are proposed within the adjacent coastal marine area, it is considered that Ngāi Tai ki Tāmaki as the relevant Treaty Settlement entity for the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 would not be adversely affected by this project.

(v) Relevant protected customary rights groups and customary marine title groups

The following groups have lodged claims for protected customary rights and customary marine title groups over the coastal marine area adjacent to the project area:

- Ngāti Te Ata
- Ngā Puhī nui tonu, Ngāti Rāhiri, Ngāti Awa, Ngāi Tāhuhu and Ngāitawake
- Ngāi Tai ki Tāmaki
- Ngāti Taimanawaiti (Ngāti Tai)
- Ngāti Kawau and Te Waiariki Kororā
- Ngāti Whātua Ōrākei Trust
- Ngāitawake

For the reason that this project will be located on land, and no works are proposed within the adjacent coastal marine area, it is considered that the above groups would not be adversely affected by the project and therefore this provision does not apply.

(vi) Ngā hapū o Ngāti Porou, if the project area is within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou.

Not applicable to the project because the project area is not within or adjacent to ngā rohe moana o ngā hapū o Ngāti Porou.

(vii) Relevant applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011.

The project will be undertaken on land only and no works are proposed within the adjacent coastal marine area. Therefore, there no relevant applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011 that would be affected by this project.

(viii) Persons with a registered interest in land that may need to be acquired under the Public Works Act 1981.

There are no persons with a registered interest in land that may need to be acquired under the Public Works Act 1981.

(ix) Adjacent landowners including:

- Orams Marine Superyacht facility located to the south of the project area at 164 Beaumont Street
 - Orams Marine is development partner for this Project and has been involved with developing the concept design to date. The design of the Project makes provision for integration with the marine yard on the ground level of the building to ensure effects on the efficient operations of Orams are avoided.
- 37-55 Madden Street located east of the project area
 - This adjacent site is a vacant undeveloped site which is currently used for long-term non-accessory car parking purposes. This adjacent site is owned by Auckland Council. The applicant has consulted with Auckland Council in respect of the Project as detailed above and no concerns have been expressed in respect of effects of the Project on this adjacent site to date.
- 65-75 Jellicoe Street located north of the project area
 - This adjacent site is owned by Auckland Council and is currently used for public open space purposes as Silo Park. The consultation with Auckland Council to date has not raised any issues and concerns with effects on Silo Park but has identified that the design of the Project would need to appropriately respond to this public open space interface. This has been noted by the applicant's design team and will be further refined in the next preliminary and/or detailed design phases of the Project. Further, given that this site is located north of the project area, shading effects on this public open space will be avoided.
- 155 Beaumont Street located south-east of the project area
 - This site contains the '30 Madden' development and is the nearest residential receiver in relation to the project area. It contains a series of apartments in several multi-level buildings that are privately owned and occupied. Beaumont Street provides physical separation between the project area to this adjacent site which is some 70m away. The owners/occupiers of this adjacent site may be affected by the Project. Potential adverse effects associated include visual dominance, shading and landscape visual effects which have been considered in the urban design and landscape visual assessment in **Appendix 9**

and at this stage are considered low. On that basis, this site is noted only as potentially affected on a conservative basis and further analysis will be undertaken at the substantive application stage.

5.2 Consultation (s13(4)(k))

5.2.1 Consultation for the purposes of section 11 (s13(4)(k)(i))

The consultation undertaken for the purposes of section 11 of the FTAA, along with any other consultation undertaken on the project with the individuals and groups referred to in s13(4)(j), is detailed in a Consultation Summary Report attached at **Appendix 4**.

5.2.2 How the consultation has informed the project (s13(4)(k)(i))

As detailed within the Consultation Summary Report in **Appendix 4**, the applicant has consulted extensively with the Auckland Urban Development Office¹⁰ (AUDO) within Auckland Council in respect the project. This consultation with the AUDO focused on the design of the project and included:

- Two Technical Advisory Group (TAG) meetings and workshop in November 2024 and March 2025 whereby the applicant presented the scheme and TAG members provided recommendations; and
- Focussed design workshops between the applicant's project team and AUDO design team members in the months of March, April, May and June in 2025 whereby attendees collaboratively discussed and explored potential design options and changes.

This consultation with the AUDO has informed the proposed design of the building in terms of its response to the public realm and waterfront context, buildings heights and typologies, relationship with Te Ara Tukutuku, apartment amenity, vehicle access to the development and other general urban design matters.

Matters of the project which were identified by TAG as requiring closer consideration have been addressed by the applicant's project team by revising the design of the project to better recognise the history of the site and its maritime character, achieving a strong design response of a high-quality marker building in this location that reinforces the waterfront axis and the angled/stepped façade of the tower building which directly responds to and reflects the twisted geometry of Te Ara Tukutuku. Overall, this constructive and iterative consultation with AUDO has informed the proposed built form, urban design and landscape visual aspects of the project.

5.3 Any Treaty settlements that apply to the project area, and a summary of the relevant principles and provisions in those settlements. s13(4)(l)

There are no Treaty settlements that apply to the project area because the project will be developed on land only.

The coastal statutory acknowledgement area (OTS-403-128) over the adjacent coastal marine area directly to the west of the project area is a statutory acknowledgement under the Ngāi Tai ki

¹⁰ Formerly Eke Panuku Development Auckland

Tāmaki Claims Settlement Act 2018. For completeness, a summary of the relevant principles and provisions in this settlement is provided below.

5.3.1 Ngāi Tai ki Tāmaki Claims Settlement Act 2018

The purpose of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 is to:

(a) to record in English and te reo Māori the acknowledgements and apology given by the Crown to Ngāi Tai ki Tāmaki in the deed of settlement; and

(b) to give effect to certain provisions of the deed of settlement that settles the historical claims of Ngāi Tai ki Tāmaki.

Section 9 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 sets out the Crown's acknowledgements of its past failings and of grieves of Ngāi Tai ki Tāmaki. Section 9(12) summarises the impact of these failings, acknowledging that *"by 1880, Ngāi Tai ki Tāmaki were left virtually landless, and the Crown's failure to ensure that they retained sufficient land for their present and future needs was a breach of Te Tiriti o Waitangi/the Treaty of Waitangi and its principles. This hindered the social, economic, and cultural development of Ngāi Tai ki Tāmaki and undermined the ability of Ngāi Tai ki Tāmaki to protect and manage their taonga (including te reo Māori) and their wāhi tapu, and to maintain spiritual connections to their lands. The Crown further acknowledges that this has severely impacted on the well-being of Ngāi Tai ki Tāmaki today and has compromised the ability of Ngāi Tai ki Tāmaki to exercise manaakitanga in their traditional rohe"*.

Section 10 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 sets out the Crown's apology.

Section 76 sets out that the relevant consent authority *"must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to the activity"*. Section 79 also requires that *"each relevant consent authority must attach information recording the statutory acknowledgement to all statutory plans that wholly or partly cover a statutory area"*.

Schedule 2 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 sets out those areas subject to statutory acknowledgement, which is also recorded at Appendix 21 of the AUP (OP). The site is not located within any of these statutory acknowledgement areas and as such there is no redress within the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 which affects natural and physical resources relevant to the proposal or project area.

The applicant has consulted with Ngāi Tai ki Tāmaki in respect of the project and have been invited to share their views or feedback, as documented in the Consultation Summary Report in **Appendix 4**. However, to date, Ngāi Tai ki Tāmaki have not expressed an interest in the project or for further engagement.

5.4 Processes already undertaken under the Public Works Act 1981 s13(4)(m)

There have been no processes undertaken under the Public Works Act 1981 in relation to the project.

5.5 Any relevant principles or provisions in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 (s13(4)(n))

Not applicable to the project because the project area is not within or adjacent to ngā rohe moana o ngā hapū o Ngāti Porou.

5.6 Information identifying the parcels of Māori land, marae, and identified wāhi tapu within the project area (s13(4)(o))

Not applicable – there are no parcels of Maori land, marae or identified wahi tapu within the project area.

5.7 Whether determination under section 23 is sought (s13(4)(p))

No determination under s23 is sought under this application.

5.8 Whether determination is sought under section 24(2) (s13(4)(q))

No determination under s24(2) is sought under this application.

5.9 Whether determination is sought under section 24(4) (s13(4)(r))

No determination under s24(4) is sought under of this application.

6.0 What is needed to complete the project

6.1 A description of the applicant's legal interest (if any) in the land (s13(4)(s))

The Applicant owns the leasehold interest of the Site for a term of 125 years commencing from 23 October 2019. This ownership of the leasehold interest provides the applicant with the ability to redevelop the Site as part of its development agreement with Auckland Council as the landowner of the fee simple title.

6.2 Consents, certificates, designations, concessions, and other legal authorisations (other than contractual authorisations or the proposed approvals) (s13(4)(t)).

Resource consents described and listed in section 3.3 of this report is required under the Resource Management Act 1991 to authorise the project.

Other than those described in section 3.3 above, no other consents, certificates, designations, concessions, and other legal authorisations are needed to authorise the project.

7.0 Other matters

7.1 If any activities in the project, or similar activities, have been part of an application or decision under a specified Act (s13(4)(u)).

7.1.1 If an application has been made, details of the application (s13(4)(u)(i))

In June 2019 an application for resource consent was lodged with Auckland Council for the development of a mixed-use building on this same project area. That application is not substantially the same as this project because it was for an entirely different building form.

The June 2019 resource consent application involved the development of new building which included the following.

- 136 residential apartments;
- 3,118m² of retail space;
- 997m² of marine commercial space; and
- 181 car parking spaces.

That application was a non-complying activity overall and required RMA approvals under the AUP and NES for Contaminated Land.

7.1.2 If a decision has been made, the outcome of the decision and reasons for it ((s13(4)(u)(i))

No decision was made with respect to the application referred to in section 7.1.1 above because it was withdrawn by the applicant.

7.2 A description of whether and how the project would be affected by climate change and natural hazards (s13(4)(v)).

The project site is potentially affected by climate change and natural hazards in terms of flooding and coastal inundation given the waterfront location of the project and low-lying flat land. As detailed above, however, the project will be designed to account for the effects of climate change and natural hazards. Further, the circumstances that apply to the project site also apply to the balance of the Wynyard Precinct, and much of the balance of the City Centre zone.

7.3 If the referral application is lodged by more than 1 person (s13(4)(w)).

Not applicable, as the application is only lodged by one party.

7.4 A summary of compliance or enforcement actions (if any) (s13(4)(x))

No compliance or enforcement actions have been taken against the applicant.

8.0 Matters relating to specific proposed approvals

s13(4)(y)(i)

This section provides an assessment of the project seeking resource consent approval against the information specified in clause 2 of Schedule 5 being:

An assessment of the project against:

- i. any relevant national policy statement;
- ii. any relevant national environmental standards; and
- iii. if relevant, the New Zealand Coastal Policy Statement.

8.1 Relevant National Policy Statements

8.1.1 National Policy Statement on Urban Development

The NPS-UD came into effect on 20 August 2020 with the overall purpose to ensure well-functioning urban environments that meet the changing needs of diverse communities. The NPS-UD requires a significant step change in how we plan for, and enable intensification within the urban areas of Auckland, particularly the City Centre. This places a very different lens on the appropriate approach to matters such as height, development capacity and amenity, including the Policy 3(a) requirement to realise as much development capacity as possible in city centre zones, to maximise the benefits of intensification.

The proposal is considered to be consistent with the NPS-UD for the reasons below with reference to the objectives and policies of particular relevance.

- The project is for the development of a new mix use building containing residential and retail activities with inbuilt flexibility for use as serviced apartments (visitor accommodation) too. The development will be residential led with approximately 215 apartments within a walkable catchment to public and active transport including Britomart Train Station, CRL, rapid transit bus services, the Auckland Downtown Ferry and the high-quality networks of cycleways and walkways in the Wynyard Precinct and broader city centre area. The project location will also offer excellent accessibility for people from housing to jobs in the city centre and broader Auckland region, community services and regionally significant natural and open spaces. The residential led nature of this project in a highly connected and walkable location of Wynyard Quarter will ensure that the project will deliver and contribute to a well-functioning urban environment (Objective 1, Policy 1(c)).
- The project will deliver approximately 215 apartments with average sizes ranging between 81m² – 182m² across one, two and three bedroom apartment typologies thereby providing housing types and densities consistent with expectations of the City Centre zoning and Wynyard Precinct. The residential led of this project will significantly contribute to housing stock in an accelerated manner because the project area is already serviced with all the necessary civil and transport infrastructure to support the feasibility of this project. The project will overall enable increased housing and business capacity in an area of the City Centre with high market demand, supporting competitive land and development markets (NPS-UD Objective 2 and 3(c);

- Wynyard Quarter is a highly accessible location within the city that is within a walkable catchment to Britomart, CRL, rapid transit bus services, ferry services and other active modes. The project will therefore enable more people to work and live within one of the most accessible areas of the City Centre supporting a shift to public and active modes of transport and a reduction in greenhouse gas emissions (Objective 8, Policy 1(c) and policy 1(e)).
- The project will deliver a residential led mixed use development providing employment opportunities and approximately 215 apartments in a range of typologies and sizes which will contribute to the emergence of a diverse and vibrant community. This will also assist in responding to the changing needs of people, communities and future generations (Objective 4).
- The building heights and density of the building in this project are designed to take account of and respond appropriately to design principles of the AUP, Wynyard Quarter Urban Design Framework and any potential adverse effects. The proposed building heights will also enable a greater quantity of dwellings and, in practice, a greater variety of dwelling types in the Precinct achieved through an increase in building height (Policy 1(a) and policy 3(a))
- The height and development capacity are consistent with the planned built form of the City Centre zone and provisions of the Wynyard Precinct (NPS-UD Policy 6). This will assist to improve the amenity values appreciated by the wider community and future generations by enabling further building variation and interest while allowing more people to live and work within the city centre and enliven the Central City waterfront.
- The height and development capacity in the project address and take account of what are be appropriate qualifying matters (NPS-UD Policy 4); and

8.2 National Environmental Standards

8.2.1 National Environmental Standard for Contaminated Land

The NES came into effect on 1 January 2012. All territorial authorities are required to give effect to and enforce the requirements of the NES in accordance with their functions under the RMA relating to contaminated land. The relevant consent matters related to the project under regulations of the NES have been identified and assessed in section 3.3.2 and 4.10.6 of this report above.

The proposed ground disturbance is essential to enable development of the project. A Remediation Management Plan (RAP) will be prepared as part of the substantive application and will be based on site specific investigations and testing of ground contaminants present. It is anticipated that the RAP will include measures for dealing with and disposing of the contaminated material to fill sites appropriately certified to take contaminated material where necessary.

Additionally, it is anticipated that the Remediation Management Plan will require workers on the site to follow the appropriate procedures for working with contaminated material. Such measures can be imposed as conditions of consent to ensure that the development will not result in significant risks to human health and will accord with the NES for Contaminated Land. Overall, it is considered that the project will achieve the overarching purpose and objective of the NES to protect human health.

8.3 New Zealand Coastal Policy Statement

The New Zealand Coastal Policy Statement (NZCPS) is a national policy statement under the RMA. The purpose of the NZCPS is to state objectives and policies in order to achieve the purpose of the Act in relation to the coastal environment of New Zealand.

The project does not involve any works or structures within the coastal marine area. However, the Site and broader Wynyard Quarter is reclaimed land that is bounded on three sides by the sea and includes an area of the coastal marine area to the west and the north. The project is considered to be consistent with the NZCPS for the reasons below with reference to the relevant objectives and policies:

- The natural character of the Precinct relates primarily to the coastal marine area as the adjacent land has been urbanised and no longer has a “natural character”. The urban form of the wider Wynyard Quarter area and the character of the western edge already contains built elements such that the coastal environment in this setting is already highly modified. This supported by expert observations in the landscape visual assessment in **Appendix 9** which notes that Site is highly modified with a former marine industrial, manmade, urban character to the extent that the project will be consistent with the natural character of the Wynyard Precinct. Therefore, the introduction of the proposed building in this location will not erode the natural character of the coastal environment but will be consistent with the surrounding character of the water’s edge (NZCPS Objective 2 and Policy 13).
- The Precinct seek to manage the relationship between the coastal marine area and the central commercial area through transitioning height down to the water edge. The project will ensure this policy approach is maintained within the Precinct through continuing to focus height further away from the harbour by the stepped height approach of the building which features the lowest height Marina building closest to the water’s edge along the western boundary. An exception to this is the central Tower building in the project whereby the planning framework envisages a marker building in this location where greater height is enabled on this specific site to provide greater visual interest increasing amenity of the coastal area and enabling more efficient use of land that benefits from the amenity offered by this locality (NZCPS Objective 2 and Policy 13).
- There are no outstanding natural features or outstanding natural landscape overlays that apply to the site, or the adjacent coastal marine area, under the AUP (OP). However, in a general visual sense, the project is considered to be compatible with the surrounding evolving coastal and urban landscape (NZCPS Policy 15).
- The project provides for public open space adjacent to the coastal marine area, and walking access to and along the coastal marine area by providing for a 7m building setback along the western edge of the project. This is not otherwise required in the planning framework of the AUP and Wynyard Precinct provisions and the project therefore provides the opportunity to restore and enhance public access to the coast. This building setback also enables the project establish a high amenity public open space adjacent to the coastal marine area for active and passive recreation opportunities, as well as walking access to and along the coast that will be free of charge and safe for pedestrian use (NZCPS Objective 4 and Policies 18 and 19).
- The project will be designed to manage coastal inundation hazards and to take account for the effects of climate change in accordance with recognised adaptation strategy categories.

Implementation of these adaptation strategies in the project demonstrate that risks from climate change and natural hazards can be reduced with development of the Sites by adoption of an approach that reduces exposure and incorporating resilience measures in the project that reduce vulnerability (NZCPS Objective 5 and Policy 25).

8.4 Whether, to the best of the applicant's knowledge, there are any existing resource consents of the kind referred to in s30(3)(a) (Schedule 5 Clause 2(1)(b))

There are no existing resource consents of the kind referred to in s30(3)(a).