

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name: The Downtown Carpark Redevelopment – Te Pūmanawa o Tāmaki

Fast-Track application number: Environmental Protection Authority Reference: FTAA-2512-1158; & Council References: BUN60460864, LUC60460865, DIS60460866 & WAT60460867

2.0 Technical Specialist Memo – Auckland Transport

To: Sarah Wilson – Senior Planner, Auckland Council; & Adonica Giborees – Principal Project Lead, Auckland Council

From: Nicholas Simpson, Director – Elevate Planning Ltd (*On behalf of Auckland Transport*)

Qualifications & Relevant Experience: I hold the qualification(s) of Bachelor of Urban Planning (Honours) from the University of Auckland and have over nine years of experience in the planning field predominantly within the Resource Consents space. Further details of my relevant experience are included in [Appendix \(1\)](#). I am an Intermediate Member of the New Zealand Planning Institute (“NZPI”). I have prepared expert evidence and technical assessments for resource consent applications and fast-track applications, alongside having appeared as an expert witness before consent authorities and the Environment Court on multiple occasions.

Preparation in Accordance with the Code of Conduct: I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses ([Code](#)), and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Signature:



Date: 29th April 2026

3.0 Executive Summary / Principal Issues

- 3.1 Elevate Planning Ltd have been engaged on behalf of Auckland Transport (“AT”) to peer review Precinct Properties Ltd’s (“**the Applicant**”) application for resource consents for consideration under the Fast Track Approvals Act (“FTAA”) and provide input to Auckland Council (“AC”). In undertaking this assessment, I have relied upon the specialist advice provided by Progressive Transport Solutions Ltd (“PTSL”)’s Director, Mr Martin Peake (Traffic Engineering), Weir Consulting Engineers Ltd’s (“Weir”) Water Infrastructure Engineer, Ms Sejal Sangwai, and closely liaised with AT’s relevant Subject Matter Experts (“SME”). This memorandum is intended to be read alongside the specialist assessments provided, which are attached to this memorandum as Appendices (2) and (3) respectively.
- 3.2 AT are supportive of the Applicant’s level of investment as a catalyst project to enable regeneration of this part of the City Centre to help achieve AC and AT’s long-term strategic directions included within the City Centre Master Plan 2020 (“CCMP”) to support a transition from the locality being historically vehicularly to an urban environment intended for the recreation and enjoyment of pedestrians (including the removal of Downtown Carpark). The Applicant has extensively engaged with AT throughout the various resource consent(s) processes, including at pre-application stage, alongside separately as part of the formation of an Integration Agreement (“IA”) between AC, AT, and the Applicant. This relationship is important to ensure that the Applicant will be able to progress their development in a way that enables AC and AT to undertake the identified upgrades to the transport network, notably removing the Hobson Street Flyover (“**the Flyover**”) over the medium term, and to maintain the function and safety whilst this transition is in underway.
- 3.3 The existing environment and surrounding transport network in which the Applicant intends to progress their works is incredibly constrained and lies in close proximity to one of New Zealand’s busiest bus interchanges (Lower Albert Street). This includes the Northern Express (“NX1”), being one of New Zealand’s most patroned bus services, Western Express (“WX1”), Western Shore buses, the Inner & City Links, and a considerable number of other in-service and out-of-service buses. Putting this into context, the combination of these services amounted to approximately 4.25 million trips recorded by AT across 2024¹. Due to the significance and sensitivity of the adjacent transport network, it is essential that any adverse impacts relating to the required construction activity, including associated demolition of the Downtown Car Park (“DTC”), are suitably quantified and understood to inform an assessment to identify any mitigation measure(s) required along with any necessary condition(s) of consent.
- 3.4 Whilst recognising that the complexities of managing any resulting construction impacts within the context of the existing environment, the receiving environment is anticipated to change as AT and AC progress works to remove the existing Hobson Street Flyover (“**the Flyover**”) and undertake the redevelopment of the transport network near the site. At this point in time, the removal of the Flyover does not form part of the receiving environment, however it is likely that a determination on an application for resource consents, described by Council as BUN60462925 involving the relocation of the retaining wall between Customs Street West and Fanshawe Street will be made whilst this application is being considered under the FTAA. The implementation of any work(s) sought through BUN60462925 will fundamentally change how the adjacent transport network is intended to operate. Whilst a decision on this application has not been made at the time of preparing this assessment, AT have conservatively considered that BUN60462925, and the information available to identify the interim road layout(s) that would be required as a result of the undertaking of these works, form part of the receiving environment and have undertaken a hybrid assessment to mitigate any potential risk(s) should a determination on BUN60462925 be made mid-processing. This approach appears to have been supported by the Applicant,

¹ Information relating to recorded bus trips during the 2025 calendar year have been requested by AT Metro, however the information has not been available at the time of preparing this assessment.

who have similarly turned their consideration to a future environment as modified by the works described within the aforementioned application.

- 3.5 Adverse impacts associated with the ongoing use and operation of the proposal post-construction have primarily been resolved, except for as it relates to the reasonableness of the design; location; and management of the Hotel Pick Up and Drop Off (“**PUDO**”) space along Customs Street West and the likely effectiveness of the measures contained within the Hotel PUDO Management Plan (“**HPUDOMP**”). This aspect of the proposal has the potential to give rise to adverse effects upon the adjacent transport network, including the safety of pedestrians traversing this section of Customs Street West and other vehicles alongside the effective function of the adjacent bus lane and potential impacts upon journey times. It is AT’s view that the design of this facility, including the management measures proposed, should be more closely considered to determine if the dimensions and location of the facility is appropriate based on the anticipated demand for its intended use, prior to a decision being made on this application.
- 3.6 Some agreement has been reached between the Applicant’s assessment and AT in relation to several matters related to the management of any adverse construction impacts. This includes:
- The reasonableness of the relocated pedestrian crossing to maintain Customs Street West connectivity;
 - Assumptions of the use of the SATURN model;
 - Impacts upon active modes and vehicles during the removal of the DTC vehicle ramp and removal of the Lower Hobson Street pedestrian bridge; impacts associated with the closure of Lower Hobson Street;
 - Reasonableness of the consultation in the development of the M Social’s Managed Access Service Arrangement Plan (“**MASAP**”);
 - Likelihood of high severity incidents occurring associated with driver distraction due to the proximity of the Flyover relative to proximity of any crane(s) placement.
- 3.7 However, there are a considerable number of disagreements between AT’s and the Applicant’s assessment relating to adverse construction impacts. These include:
- The appropriateness of enabling a left-hand turn entry from Sturdee Street for Heavy Construction Vehicles (“**HCVs**”) into the managed construction staging area and whether the removal of the indicative Customs Street West loading area for semi-trailers, to avoid the need to reverse into Lower Hobson Street, will maintain the efficiency of the managed access to accommodate the intended works programme;
 - Whether there is sufficient space within the proposed construction staging area to cater for the maximum of 24 HCV per hour as the worst case scenario, where HCV are contained to Lower Hobson Street during the construction programme where access onto the subject site is restricted to undertake unloading / loading activities. The undertaking of a HCV entering, loading and/or unloading, and existing the construction staging area based on a 2.5 minute time period does not appear to be feasible or realistic given the constraints of the staging area during a time where access through the site is restricted; intensity of vehicle movements sought; and variability in the type of HCV that might be required at different stages noting the use of HCVs up to a 19m semi-trailer;
 - That light vehicles can rely upon the managed access via Sturdee Street and that any adverse impacts will be mitigated;
 - That the closure of the southern end of the service lane to the east of the subject site has been appropriately assessed, as no specific consideration has been provided to this aspect during the construction duration;
 - That HCV restriction should be imposed when Customs Street West is reduced to a single lane eastbound across all periods to mitigate adverse cumulative effects associated with the implementation of BUN60462925; &

- That the objectives, principles, and measures contained within the draft Construction Traffic Management Plan (“CTMP”) is fit for purpose is suitably managing adverse impacts upon the surrounding transport network.
- 3.8 AT have issued a memo identifying a considerable number of matters that are considered as fundamental red flags or that could be resolved through s67 of the FTAA. This memorandum has been attached to Appendix (9) of this assessment. In Section 8.0 of this memorandum, I have outlined the outstanding issues that, in AT’s opinion, have not been directly addressed by the Applicant’s s67 responses. The nature of the deficiencies identified within the scope of these requests is primarily focused on suitably establishing any actual or potential adverse impacts associated with construction, including clarity regarding the approach to managing construction effects associated with proposed infrastructure assessments not otherwise assessed within the Applicant’s transport reports, alongside clarity around whether any additional measures are available for the management of the Hotel PUDO. With particular consideration for the omission of any assessment of the transport related impacts associated with the proposed infrastructure extensions, these works are likely to result in material impacts upon the proposed management approach that has been identified by the Applicant’s transport network that may necessitate fundamental changes in the approach set out within the draft CTMP noting that additional road closure(s) may be required. It is recommended that these issues are resolved prior to a determination on this FTAA application be made. Notwithstanding the level of assessment available for review at the time of preparing this memorandum, fundamentally options (1), (2), & (4) are not supported by AT from a transport perspective. Option (3) remains the preferred option at this stage.
- 3.9 Notwithstanding the above, should the Panel be inclined to approve the application in its current form, AT have recommended a series of amendments to the draft conditions included in Appendix (24) of the Applicant’s lodged application material alongside some additional conditions of consent with supporting advice notes. This can be found in Section 10.0 of this memorandum. The recommended conditions and amendments are intended to provide additional certainty, whilst validating key assumptions contained within the Applicant’s assessment, and/or mitigation to suitably manage any resulting adverse impacts, there remains a concern that even with the more stringent recommended conditions that the surrounding transport network may be unable to accommodate the intensity of required construction activity. To provide a mechanism to review the effectiveness of the Applicant’s management measures, and suitability of the key principles, objectives, and measures of the CTMP, it is considered that a review condition under s128 of the Resource Management Act (“RMA”) is appropriate in the circumstances of this application, including any key assumptions and uncertainties underpinning the proposal; intensity of resulting construction impacts; and sensitivity of the surrounding transport network.

4.0 Documents Reviewed / Specialists Engaged

4.1 The following documents have been reviewed in preparing this memorandum:

- (a) Assessment of Environmental Effects (“AEE”), dated 18th December 2025, and prepared by Barker & Associates Ltd (“B&A”);
- (b) Appendix (9A), Architectural Plans, prepared by Warren & Mahoney Architects (“WAM”), dated 3rd October 2025;
- (c) Appendix (9B), Proposed Landscaped Drawing, prepared by WAM, dated 3rd October 2025;
- (d) Appendix (11), Urban Design Assessment, prepared by McIndoe Urban, dated 6th November 2025;
- (e) Appendix (13), Operational Integrated Transport Assessment (“ITA”), prepared by Flow, and dated 7th November 2025;
- (f) Appendix (14), Draft Construction Management Plan (“CMP”), prepared by RCP, dated 9th October 2025;
- (g) Appendix (19), Infrastructure Concept Design Report, prepared by Tonkin & Taylor (“T&T”) Ltd, dated November 2025;
- (h) Appendix (23), Flood Hazard Risk Assessment, prepared by T&T, dated November 2025;
- (i) Appendix (24), Proposed Conditions of Consent, prepared by B&A, n.d.;
- (j) Appendix (26), Draft CTMP, prepared by Flow, and dated November 2025;
- (k) Appendix (28), Environmental Winds Report, prepared by Holmes NZ, and dated 29th October 2025;
- (l) Appendix (29), Draft Servicing and Loading Management Plan (“SLMP”), prepared by Flow, and dated 6th November 2025;
- (m) Appendix (30), Draft Hotel Pick Up and Drop Off Management Plan (“HPUDOMP”), prepared by Flow, and dated 6th November 2025;
- (n) Appendix (31), Draft Managed Access Service Management Plan (“MASAP”), prepared by Flow, and dated 3rd November 2025;
- (o) Appendix (40), Demolition and Construction Transport Assessment, prepared by Flow, and dated November 2025;
- (p) Appendix (41), THSA Hotel Advisors Report, dated November 2025;
- (q) S67 Planning Response, prepared by B&A, dated 7th April 2026;
- (r) S67 Coastal and Flood Hazard Response, prepared by T&T, dated 7th April 2026; &
- (s) S67 Transport Response, prepared by Flow, dated 7th April 2026;

4.2 In undertaken this assessment on AT’s behalf, I have relied upon the specialist assessments provided by Progressive Transport Solutions Ltd’s (“PTSL”) Director, Mr Martin Peake, alongside Weir Consulting Engineers (“WCE”) Ltd’s Water Infrastructure Engineer, Ms Sejal Sangwai, who have similarly undertaken assessed the application on behalf of AT. Their memorandums can be found attached as Appendices (2) and (3).

4.3 The assessments undertaken by Mr Peake and myself have also taken into consideration consultation undertaken with AT’s relevant Subject Matter Experts (“SME”). The engagement undertaken to date includes feedback received on the two applications that were previously withdrawn by the applicant for a broadly similar proposal, albeit with some nuanced differences, which were described by Council as LUC60435285 and BUN60435935, alongside specific commentary for this FTAA application that was obtained via a series of focused workshops. In particular, this included engagement included representation from the following teams:

- (a) Road Safety Engineering;

- (b) Design & Standards (*Incl. Active Modes, Urban Design, Public Transport Design, and Transport Mobility*);
- (c) Traffic Engineering;
- (d) Stormwater;
- (e) Consents Planning;
- (f) Integrated Networks;
- (g) AT Metro;
- (h) Works Coordinators;
- (i) Auckland Transport Operation Centre (“**ATOC**”);
- (j) Strategic Development Programmes and Property;
- (k) City Centre Network Optimisation Team (“**CCNO**”);
- (l) Day of Operations Team;
- (m) Auckland Forecasting Centre (“**AFC**”).

5.0 Background

FLYOVER REMOVAL & FUTURE PLANNED NETWORK UPGRADES

- 5.1 AC’s City Centre Master Plan (“**CCMP**”) 2020 identifies a series of key outcomes to support the overall strategic direction for the City Centre and waterfront. Two workstreams essential to achieving the delivery of the outcomes envisaged through the CCMP include the removal of the Hobson Street Flyover (“**the Flyover**”), identified as part of the package of capital projects identified as forming part of the Downtown Development Programme (“**DDP**”), and the implementation of the City Centre Bus Plan (“**CCBP**”).
- 5.2 The DDP is a joint initiative between AC and AT, involving the delivery of on-street bus improvements identified in the CCBP; the Flyover removal; urban realm and streetscape upgrades; integration with the proposal sought through this application; and adjustments to the transport network more broadly².
- 5.3 With regard to the final future state of the surrounding road network, including the removal of the Flyover, this cannot be confirmed at this stage and is otherwise subject to a detailed business case; public consultation; internal confirmation across both AT’s and AC’s relevant stakeholder groups; and any other relevant approval(s), such as resource consent(s). It is understood that the Flyover removal itself will likely require resource consent(s), which have not yet been sought or obtained.
- 5.4 Notwithstanding the above, it is understood that as part of the CCBP changes are proposed to the routing of buses in the vicinity of the site, including moving some of the buses (such as the NX1) from Customs Street West to Fanshawe Street. This is an immediate priority to ensure that any resulting disruptions during the course of the Flyover removal / road corridor upgrades are minimised to maintain the safety and effective functioning of the surrounding transport network. To facilitate these changes additional carriageway width is required on Fanshawe Street to provide two westbound and two eastbound lanes, whereas in the existing situation all lanes currently operate westbound along Fanshawe Street. To provide the additional width required, the retaining wall between Customs Street West and Fanshawe Street needs to be realigned and reconstructed to the north of its current location.
- 5.5 To achieve this outcome, AT have submitted an application for resource consents in March 2026, referenced by the Council as BUN60462925, relating to land use consents and a discharge permit involving the relocation of the existing retaining wall between Customs Street West and Fanshawe Street as an early package of works. The scope of the resource consents sought is limited, relating to resource consent(s)

² Appendix (4), *Assessment of Environmental Effects prepared by Aurecon, Section 1.2.2, pg.3.*

required for alterations and removal of street trees alongside the disturbance of contaminated soils. As the works are associated with a “road network activity”, which is otherwise provided for as a permitted activity within Section E26 – “Infrastructure” of the AUP(OP), an assessment relating to the operation and the performance of the transport network does not appear to have been undertaken within BUN60462925. However, this remains a responsibility of AT as the Road Controlling Authority (“RCA”) and is currently being resolved. The plans and information submitted in support of this application are attached as Appendix (4) to this memorandum.

- 5.6 Whilst not formally included within the application material lodged in support of BUN60462925, a presentation was held on 27th March 2026 where the AT team responsible for this application outlined a series of options that have been considered to deliver the required retaining wall relocation works. The plans that were used to inform further discussion with the Applicant have been attached to Appendix (5) of this memorandum. The planning for the retaining wall works anticipated three main stages for the road layout, which are detailed below:
- a) Stage (1) Retaining Wall Construction Customs Street West: Between the service lane on the eastern boundary of the site and Lower Albert Street would be reduced from two eastbound lanes to one eastbound lane with an eastbound lane created on Fanshawe Street. This would maintain two eastbound lanes, as in the current situation, however these would be split between Fanshawe Street and Customs Street West. For a period, the duration of which has not yet been identified, during the retaining wall construction works, an eastbound lane on Fanshawe Street would not be provided as space for this lane is dependent upon the relocation of the retaining wall;
 - b) Stage (2) Interim Layout: An interim layout would be provided with two eastbound lanes on Customs Street West which would be created by widening the northern side of Customs Street West on the corner of Lower Albert Street. Fanshawe Street would be returned to westbound operation only. The Applicant is of the opinion that the interim layout would effectively operate similarly as the existing layout in terms of network capacity³, which has been accepted by AT. This interim layout is anticipated to remain in place until such a time that the wider network upgrades, required to facilitate Stage (3)’s permanent layout, can be undertaken;
 - c) Stage (3) Permanent Layout: A long-term layout is proposed that reconfigures Fanshawe Street to provide two eastbound lanes and two westbound lanes. It is envisaged that Customs Street would be converted to two-way operation west of the service lane and east of the service lane it would be retained as one way eastbound in a single lane for buses and authorised vehicles only. The layout of this stage is yet to be confirmed and will be dependent on the removal of the Lower Hobson Street flyover.
- 5.7 For the benefit of the Panel, the plans included within Appendix (5) have not yet been subject to detailed design and a decision and/or endorsement by AC and AT have not yet been made. The purpose of including these details is to help inform consideration around the actual and potential impacts that might occur with the likelihood of these preferred layouts being progressed and delivered by AC and/or AT.
- 5.8 I have been in regular contact with AT’s Consent Planning team in relation to this application to understand its processing status. I understand that the application has been accepted under s88 of the Act and that most requests for information were resolved at pre-application stage with it appearing unlikely that a formal s92 letter will be issued for this application.
- 5.9 The implications of the lodgement of BUN60462925, including timing for consideration of this application under the FTAA, are discussed further within Section 7.0 of this memorandum.

³ S67 Transport Response, section 3.2, pg.3.

INTEGRATION AGREEMENT

- 5.10 An Integration Agreement (“IA”) has been developed and signed by the Applicant, AC, and AT for the purposes of governing the removal of the Flyover and associated roading works proposed by AT, whilst aligning with the completion of the works sought by the Applicant. Principles behind the IA are understood to include effective communication and collaboration to ensure integrated delivery of the Applicant’s and AT’s workstreams, alongside the minimisation of disruptions to the network whilst putting in place suitable parameters for resolving any issues or disputes. It does not materially influence any of the outcomes that are sought, in terms of managing adverse construction impacts under an RMA lens, through this application. For the avoidance of doubt, Mr Peake and I have not had an opportunity to specifically review the IA document itself.

ENCROACHMENT LICENCE

- 5.11 The proposal involves the establishment of verandas along the Lower Hobson Street frontage that encroach into the road reserve, which will require an airspace encroachment licence. At this stage, there is insufficient information to advise on the suitability of the proposal against the Guidelines for Road Encroachment Licences. Notwithstanding, this is a third-party approval process that falls outside of the scope of this FTAA application process and has not been considered in the context of this assessment.

ENGINEERING PLAN APPROVAL

- 5.12 Engineering Approval (“EA”) is required for a number of works proposed by the Applicant, including but limited to, the temporary realignment (and reinstatement) of existing kerblines; the make good works to reinstate the balustrade and retaining wall along Fanshawe Street where the vehicle ramp from the DTC is to be removed; upgrading of the pedestrian footpaths; and modification works to the footpath along Quay Street.
- 5.13 Insufficient information is available at this stage to provide further comment; however it is acknowledged that additional information would be required at EA stage. For the purposes of the make good works, the reinstatement of the balustrade / retaining wall along Fanshawe Street must be comprised of a similar material and finish by comparison to its existing design.

SCOPE OF ASSESSMENT / RELATED MATTERS

- 5.14 As part of our review, we have undertaken assessments against the Auckland Unitary Plan (Operative in Part) (“AUP(OP)”) and have had regard to AT’s Temporary Traffic Management Guidelines 2022 – 2025 (“CCTTMG”) dated 7th September 2022. A copy of these guidelines is attached to memorandum as Appendix (6).
- 5.15 It is noted that the CCTTMG is non-statutory document prepared by AT, which has been developed to assist developers in preparing Traffic Management Plans (“TMP”) typically required under the relevant Corridor Access Request (“CAR”) processes. The purpose of the CCTTMG is to provide developers working with the City Centre with parameters, by way of a number of fundamental key principles to adhere to, in which to prepare their TMP through the CAR process, whilst ensuring that works can be enabled in a manner that suitably protects the safety and efficiency of the surrounding transport network. The Applicant has taken into account the principles of the CCTTMG, which has formed part of their assessment.
- 5.16 For the purposes of “Construction impacts” referred to throughout the body of this memorandum, I acknowledge that there are a range of adverse impacts associated with construction-based activities including traffic; noise; dust generation; and disruptions to amenity values etc. In the context of our

assessment, references to “*Construction impacts*” specifically refer to any adverse impacts of the proposed construction activity (including demolition, enabling works and/or infrastructure installation, and any building construction) with consideration to any adverse impacts upon the transport network.

DESIGNATION(S)

- 5.17 The subject site was previously subject to a designation held by AT (AUP(OP) Designation 1550) for the use of the DTC. AT as the Requiring Authority elected to withdraw the designation under s182 of the RMA, which was acknowledged by Council 15th August 2025 by a supporting letter. A copy of this letter has been attached as Appendix (7).

6.0 Additional Reasons for Consent Not included in AEE / Incorrect Reasons for Consent⁴

- 6.1 The proposal involves modifications to the existing vehicle crossing⁵ along Quay Street providing access from the north of the service lane, where a Vehicle Access Restriction (“**VAR**”) applies under Standard E27.6.4.1(1) that is not provided for within Activity Table E27.4.1. Resource consent is required as a non-complying activity under Rule E27.4.1(A8).
- 6.2 Whilst this is considered to be an additional reason(s) for consent, the assessment provided by the Applicant has comprehensively assessed any resulting adverse impacts upon the surrounding transport network in relation to this infringement. No further assessment is considered necessary in this regard.

7.0 Specialist Assessment

RECEIVING ENVIRONMENT

- 7.1 The Applicant’s assessment provided within the various documents submitted as part of this FTAA application have been primarily based on assessing any related adverse impacts, including an identification of any necessary mitigation measures, on the existing road network surrounding the site, alongside any road network changes that are committed to be in place post-opening of the City Rail Link (“**CRL**”).
- 7.2 Given the anticipated timing for consideration of this FTAA application before the Panel and the likelihood that a determination on BUN60462925 will occur before a decision on this application is made, I consider it likely that the works involved in BUN60462925 will form part of the receiving environment as the

⁴ Previously AT were unclear on the intent of the nine casual parking spaces proposed within the basement carpark. However, the Applicant has since clarified that these are to be allocated to the use of the Office and Dwelling based activity. Therefore, it is considered that the use of these spaces is more in line of accessory parking rather than non-accessory parking;

⁵ Technically the scope of Rule E27.43.1(A6) only applies in the situations where the use of an existing crossing remains unchanged in its design. Given the modifications proposed, noting that there is no equivalent provision within Section E27 – “Transport” that provides for changes to an existing vehicle crossing, it is considered that the Quay Street vehicle crossing better falls within scope of Rule E27.4.1(A8) for the reasons outlined above.

consent is likely to be implemented once granted. Consequently, the revised transport network that is proposed to be in place once BUN60462925 is implemented, as described earlier within this memorandum⁶, is the environment against adverse impacts should be considered.

- 7.3 It is recognised that the final form and function of the revised transport network have not been fully determined, and is still subject to some ongoing discussions within AT and other nearby properties, however in the interests of managing any potential risk(s) to the consideration of this FTAA application AT have elected to undertake a hybrid assessment. This takes into consideration all potential adverse transport impacts that can be reasonably determined, based on the information available at the time of preparing this recommendation, against the existing environment and a future environment, as modified by the works identified in BUN60462925. This includes consideration of a scenario where BUN60462925 may be implemented concurrently with any work(s) described in this application, such as demolition. This hybrid assessment has been used to inform consideration around the necessary conditions and further assessment that might be necessary to suitably avoid, remedy, or mitigate any adverse impacts upon the environment.
- 7.4 With respect to the Stage (3) permanent layout, I have received further guidance from AT's Consent Planning Team, who have advised that this layout may result in the need for additional resource consent(s) being obtained for street tree(s) alteration(s) further west along Fanshawe Street to achieve the proposed four-lanes. This is in conjunction with some wider network improvements, where the actual layout and timing of these works is currently unknown. However, it is recognised that these may materially influence the operation of the completed DTC, including how vehicles access the service lane and the Hotel PUDO. It is acknowledged that insufficient information is available at this stage to assess any resulting impacts of the proposal against the Stage (3) permanent layout.
- 7.5 Therefore, the extent of the assessment undertaken by Mr Peake and I have considered the implementation of BUN60462925 only insofar as it relates to the Stage (1) and Stage (2) works, which are specifically provided for through BUN60462925 without the need for any further resource consent(s) approval.
- 7.6 The Applicant has since responded to the matters identified above and have provided further additional analysis within the S67 Transport Response prepared by Flow. Consideration has been provided around Flow's updated assessment by Mr Peake, which is identified and discussed below.

CONSTRUCTION IMPACTS UPON THE TRANSPORT NETWORK

- 7.7 The proposal includes a construction period, involving demolition, enabling works, basement construction, and construction of the proposed towers involving a total identified duration of between 56 – 64 months. A detailed summary of the various phases throughout the construction period, including associated demolition, can be found in Section 4 of Mr Peake's memorandum⁷.
- 7.8 The length of the identified construction period, indicative staging scenarios, and proposed management measures will result in varying degrees of adverse construction impacts as the proposal progresses throughout the phases of construction. At the point of preparing this memorandum, the Applicant has yet to appoint a Main Contractor responsible for delivering the intended works to confirm whether the methodologies and programme of works is suitable, or feasible, for the required construction. As such, the Applicant has sought for a reasonable degree of flexibility in the ability to undertake any required construction activity associated with the proposal and has identified a number of parameters that, in their view, provide some flexibility whilst suitably managing any resulting impacts upon the environment. For

⁶ Para. 5.6 of this memorandum;

⁷ Mr Peake's Memo, pg.11.

the reasons described within Section 10.0 of this memorandum, the level of flexibility sought and lack of commitment to implement key principles and actions is not supported by AT.

- 7.9 The transport network that surrounds the subject site, and located near the site, is reasonably constrained and serves as a critical piece of infrastructure to maintain Auckland's bus network. Mr Peake sets out to provide more context regarding the significance of the adjacent transport network, including the number of buses and bus users that may be impacted throughout the course of construction⁸.
- 7.10 To supplement Mr Peake's assessment, I have previously liaised with AT Metro to put into context the numbers behind what the level of delay would look like in terms of real world impacts. Figure (1) below is a diagrammatic illustration of the routes that will be affected by the proposed construction which includes a mix of in-service and out-of-service buses. These buses either directly pass the subject site's frontage and/or rely upon the circulation around the urban block that accommodates the subject site to reposition the vehicle to commence at the start of the identified routes. The table included in Appendix (5) provided by AT Metro with a breakdown in the distribution of onboarded trips to a range of bus services at each stop within proximity to the subject site that will be affected by the proposed activity.

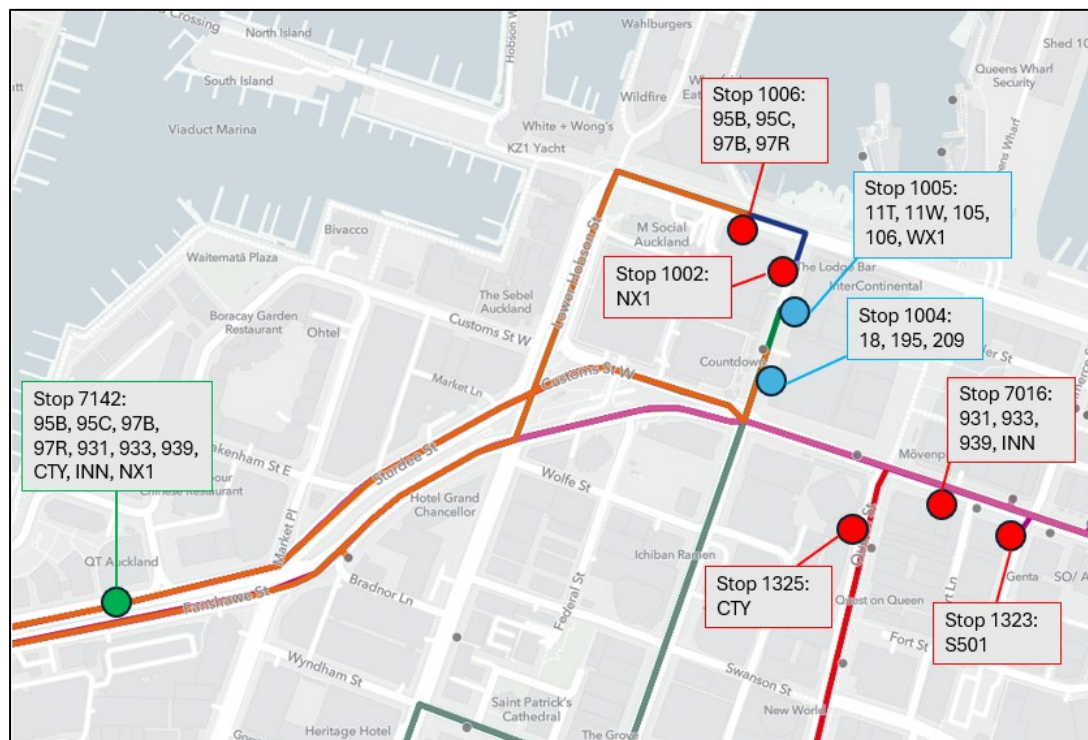


Figure (1): Identification of the routes that will be in closest proximity to the subject site that may be affected by the intended works. Figure provided by AT Metro.

- 7.11 The data provided indicates the number of passengers onboarding at each identified bus stop within the area across the 2024 period. For clarity, Peak AM is between 7am to 9am, Peak PM is 4pm to 6pm, and off peak is any time period outside of those times. Notably, weekends are included within this table. The figures given are gross monthly figures in each period (e.g. Peak AM figures show the sum of onboards at the selected stops from 7am to 9am in that month). Notably, across the 2024 period the recorded number of trips across the year amounted to approximately 4.25 million with the split between both AM / PM peak periods and off-peak periods being 2,043,779 and 2,224,638 respectively. With reference to the

⁸ Mr Peake's memo, paras. 4.29 – 4.34 (inclusive).

WX1, it is noted that this service is a reasonably recently commenced service having started on 12th November 2023, which has demonstrated reasonable year-on-year growth that is identified for increased levels of demand as the service continues. Updated trip data has been requested from AT Metro for the 2025 calendar year; however, this was not available at the time of preparing this memorandum.

- 7.12 Mr Peake goes on to provide a detailed analysis of his findings of Flow’s assessment of impacts on the bus network, including his peer review of the various management plans that are intending to avoid, remedy, or mitigate adverse impacts upon the surrounding transport network are included in paras. 4.13 – 4.97 (inclusive) of his supporting memorandum.
- 7.13 Areas of whole and/or partial agreement with the Applicant’s assessment that have been identified within Mr Peake’s assessment, include:
- a) The revised location of the pedestrian crossing from the northern footpath along Customs Street West to “Sturdee Park”, which is the pedestrian island partially located within the Flyover, would reduce the constraints to the management of HCVs accessing the site by comparison with its originally proposed location from the managed access from Sturdee Street into the construction staging area to be located on Lower Hobson Street, whilst providing better facilities for pedestrians⁹.
 - (i) Whilst this matter is considered as an area of agreement, this arrangement is a recent inclusion in response to concerns previously raised by AT. The concern identified was in relation to any potential conflicts between enabling HCVs to enter into the managed access beneath the Flyover efficiently, without creating conflicts with the pedestrian crossing or having to wait until the crossing was clear before moving into the construction staging area. An implication of this original arrangement was that it might delay HCVs from moving through the access resulting in potential queuing back into the Sturdee Street bus lane. Further questions have been identified by Mr Peake¹⁰, regarding the extent to which this pedestrian access arrangement will affect the potential queuing of HCV back into the Sturdee Street bus lane should semi-trailers require entry into the constructions staging area where they have to wait to be clear of any pedestrians in order to reverse into any identified loading space(s). This would require a considerable increase in the management of this space to ensure that pedestrian safety is maintained alongside avoiding potential queuing of trucks back into the adjacent network to mitigate impacts on the adjacent bus network;
 - b) Assumptions that have been undertaken by the Applicant, who has relied upon AT’s AFC’s City Centre SATURN model, where it relates to modelling of construction impacts are accepted and considered reasonable¹¹;
 - c) Impacts upon existing active modes connectivity, specifically in relation to walking and cycling, will be suitably mitigated to an extent that is not significant during the proposed removal of the Lower Hobson Street footbridge and existing DTC vehicle ramp onto Fanshawe Street¹². This is the period where full road closures are required, albeit for reasonably limited durations, with appropriate consideration for timing to avoid periods where higher number of pedestrians would be within the City Centre;
 - d) Impacts upon the transport network where it relates to any increased delays to buses and other vehicular modes during the removal of the Lower Hobson Street footbridge and DTC vehicle ramp

⁹ Mr Peake’s memo, para.4.22, pg. 14.

¹⁰ Mr Peake’s memo, para 4.23, pg. 14.

¹¹ Mr Peake’s memo, para 4.35, pg. 18.

¹² Mr Peake’s memo, para 4.48, pg.18.

onto Fanshawe Street are to be of a relative short duration and appropriately mitigated by way of a number of measures, including the timing of works to be undertaken. One area of additional recommendation that Mr Peake has identified is that the timing for removing the pedestrian footbridge should avoid when cruise ships are using Princes Wharf. A condition of consent has been recommended to this effect¹³;

- e) Impacts associated with the closure of Lower Hobson Street, throughout the entire course of any construction activity required by this application, including any redistributed traffic, is not forecast to result in any notable changes in travel time or delay on the network for general traffic or buses. Key to this finding, the Applicant has demonstrated that the existing traffic volumes that rely upon this section of road are largely associated with the current use of the DTC that are going to be distributed to other parts of the network. Mr Peake concurs with the modelling provided¹⁴;
- f) That the preparation of M Social's Managed Access Service Arrangement Plan ("MASAP") is fit for purpose of accommodating the needs of M Social, based on the further consultation undertaken with this Affected Party¹⁵. Notwithstanding this general area of agreement, Mr Peake has identified that the implementation of the MASAP would warrant modifications to the existing nose of the median island on Lower Hobson Street by the M Social loading dock to minimise the potential risks of damage alongside further recommended measures, which are already identified within the Applicant's assessment, to form part of the final wording of the proposed conditions of consent. These have been identified in Section 10.0 of this memorandum;
- g) That the potentially high severity of a crash, directly associated with the operation and distraction that could be attributed to adjacent crane use, would be reduced based on the common operation of cranes within a City Centre environment; low speeds on the flyover (30km/h); and that traffic being unidirectional¹⁶. Notwithstanding, Mr Peake is of the opinion that the risk of distraction will still exist to an extent and that some means of managing that impacts would be required, such as screening along the whole eastern edge of the Flyover to a height of 1m from the top of the existing concrete edge barrier. A condition has been recommended in Section 10.0 of this memorandum to this impact.

7.14 Areas of disagreement with the Applicant's assessment that have been identified within Mr Peake's assessment include:

- a) That left-hand turns into the proposed construction staging area contained within Lower Hobson Street can be undertaken from Sturdee Street into Customs Street West under The Flyover in a way that will not adversely affect the safety and effectiveness of the adjacent transport network. It is AT's position that this remains an item that requires further supporting analysis as detailed within this memorandum¹⁷. It is Mr Peake's opinion that if this access / loading area is to remain, the degree of adverse impacts upon buses and pedestrians would be greater than what has been assessed and raises concerns where it relates to the suitability of the management measures proposed to balance competing priorities between efficient access for HCVs coming into the construction staging area, in order to minimise any delay to the adjacent network, and maintaining pedestrian safety and priority¹⁸. Mr Peake notes that this manoeuvre would be against the normal direction of flow and would need to be undertaken at slow speed due to the

¹³ Mr Peake's memo, paras 4.63 & 4.65, pgs. 20 – 21.

¹⁴ Mr Peake's memo, para 4.73, pg.21.

¹⁵ Mr Peake's memo, para 7.3, pg.32.

¹⁶ Mr Peake's memo, para 7.19, pg.36.

¹⁷ Section 8.0 of this memorandum.

¹⁸ Mr Peake's memo, para 4.22, pg. 14.

tightness of the turn¹⁹. The resulting implications of this are that it would likely impact the operation of eastbound traffic travelling to Customs Street West, including eastbound Customs Street West buses located within the bus lane, and would require a manoeuvre over the pedestrian crossing where pedestrians may be unaware of the oncoming movement given the direction of traffic flow. It is AT's position that this movement should not be supported, particularly when there are available alternatives for access to avoid the movement. A condition has been recommended in Section 10.0 of this memorandum to limit the ability for this movement to occur within the final CTMP.

- b) Whilst Mr Peake concurs, in principle, that the modelling results show that HCVs using the bus lane to access the site will unlikely result in delays to buses based on the existing environment, he remains of the opinion that the modelling is not sensitive enough to take into account the complexities and constraints of the existing road layout²⁰. The positioning of the bus lane results in the need for vehicles, including buses, to weave between lanes when travelling from Sturdee Street to Lower Hobson Street. It is Mr Peake's view that the introduction of an additional 24 HCV in conjunction with other movements would increase the complexity of this arrangement, which is not taken into account through the modelling. However, Mr Peake notes that this situation cannot be realistically modelled to understand any potential impacts of this weaving motion.

The modelling also assumes that the trucks will be able to freely exit the intersection and enter the site on Lower Hobson Street. However, management measures must be in place to ensure that there is sufficient space for a truck to enter the site clear of the intersection which must notably take into account any vehicle(s) required to exit the construction staging area and proximity to the pedestrian crossing which is immediately within the path that a vehicle(s) is to exit. Mr Peake anticipates there remains a potential risk that any impacts will be exacerbated, and compounded, should more than one truck attempt to access the site at the same time and depending upon where the construction programme is at within its staging, noting that some of the scenarios do not allow for construction vehicles located within the site and are constrained to the lower level of Lower Hobson Street. The maximum number of heavy vehicles forecast per hour presents a realistic risk of this situation occurring even with the management measures proposed;

- c) That there is sufficient space within the proposed construction staging area to enable HCV to suitably enter / exit the access, based on the maximum number of 24 per hour, in order to appropriately mitigate resulting impacts upon the adjacent transport network, particularly buses²¹. There are periods throughout the draft construction programme where unloading / loading is to occur solely within the Lower Hobson Street service lane, where there is no ability for an HCV to enter into the site. This occurs during part of the required demolition, enabling works, and likely entirety of basement construction. The operation of this space is considerably confined, and it remains unclear whether the operation of this construction staging area can function at a rate that the Applicant has identified. In real terms, the arrival, unloading and/or loading, and ultimate departure is anticipated to occur on average for a period of 2.5 minutes based on the maximum number of HCVs that have been forecast through the Applicant's assessment with the management measures proposed. This figure appears to be optimistic and no specialist(s), such as a Buildability Consultant or Main Contractor, has been engaged to confirm if this is realistic or feasible. The potential impact that could occur as a result of not being able to undertake such an optimised timeframes is that HCVs may be unable to enter into the managed site access, or leave the construction staging area, without giving rise to additional queuing within the adjacent bus lane and back into the nearby transport network. This has the

¹⁹ Mr Peake's memo, para 7.13, pg.35.

²⁰ Mr Peake's memo, para 4.79, pg.22.

²¹ Mr Peake's memo, paragraph 4.85, pg.25.

potential to cause increased delays to buses and other transport modes. If the number of trucks forecast are unable to be managed this could impact on the ability to meet the anticipated construction programme, resulting in potential increases to the length of works and requiring consideration of alternative management measures that may result in greater adverse impacts upon the adjacent network;

- d) That light vehicles, either associated with contractor parking and/or the dropping off of tools and other products necessary by any contractor(s), are suitably considered within the Applicant's assessment and that appropriate management measures have been put in place to ensure that any resulting impact upon the transport network has either been sufficiently established and mitigated. Within this conclusion, the Applicant is of the view that the access beneath the Flyover for the use of light vehicles would be reasonable despite the need to manage the site access and any resulting impacts relating to this activity in terms of any increased queuing that might result have not been quantified. This has been identified as an outstanding matter for the Applicant to address, which is attached below in Section 8.0 of this memorandum;
- e) That the closure of the service lane access at Customs Street West during the construction period has been appropriately assessed, whereas the Applicant has not directly identified the stated duration where the service lane access along Customs Street West would be closed. The level of impact, in terms of any increased servicing and loading requirements along Quay Street as a consequence of this closure, has not been assessed. The applicant has rather focused their consideration on establishing any adverse impact to Quay Street solely within the context of any post-construction / operational impacts²². This is discussed further within Section 8.0 of this memorandum;
- f) That there should be HCV restrictions during a time where retaining wall relocation works are being undertaken where a single lane is in place eastbound along Customs Street West without an alternative or additional eastbound lane being established on Fanshawe Street. The period of this intended works is not known at this stage, however the potential cumulative impacts of enabling HCVs to mix with buses and other local access vehicles may reasonably delay bus operations;
- g) That the objectives, principles, and measures contained within the CTMP draft condition are fit for purpose to ensure that any resulting adverse impacts upon the surrounding transport network are suitably avoided, remedied, and/or mitigated. The specific deficiencies are discussed further in Section 10.0 of this memorandum.

7.15 Whilst not an area of disagreement per se, no supporting assessment has been provided by the Applicant to establish any further adverse construction impacts associated within the required infrastructure extensions associated with the stormwater and wastewater network. However, Mr Peake has turned his mind to consider the proposed wastewater extension options in Section 6. of his memorandum and has identified that Option (3) remains the preferred solution to have the least effects upon the surrounding transport network. The decision making implications of these missing assessments are outlined in Section 8.0 of this memorandum below.

OPERATIONAL IMPACTS UPON THE TRANSPORT NETWORK

7.16 Whilst the proposal removes the existing vehicle trips associated with the use of the DTC, with lower numbers of car parks proposed by comparison to the existing situation, the outcome sought results in materially different impacts upon the adjacent transport network noting access into the basement carpark will now be achieved via the existing service lane.

²² Mr Peake's memo, para 4.86, pg.24.

7.17 Areas of whole and/or partial agreement with the Applicant's assessment that have been identified within Mr Peake's assessment include:

- a) That the proposed trip generation volumes used within the analysis, specifically associated with the proposed use of the activities post-construction and resulting impacts are reasonable. Notwithstanding, a small area of contention is noted where it relates to trip rates associated with the residential component. However, Mr Peake notes that the likely assumptions used will not result in a significantly different number by comparison to the trip rates used that would materially affect the outcomes of the modelling undertaken²³;
- a) That the traffic modelling undertaken associated with the number of car parks and trips, including the demand for any related servicing and loading activities, generated by the proposed basement parking and adjacent service lane will not result in a notable impact from a wider network perspective²⁴. Specific consideration has been provided to the impact upon buses, which show an overall neutral impact; some slight reductions in journey times (including the NX1 and WX1 services); and some slight increases in journey times of the order up to 10 seconds for some services further along Customs Street East. However, Mr Peake's overall view is that the wider network can continue to operate with little change resulting from the proposed development²⁵;
- b) The SIDRA modelling findings, which consider the more localised impacts with particular regard to the service lane, will operate to a level of performance that does not give rise to significant impacts upon the transport network. Similarly, Mr Peake notes that the modelling provided does not take into account that traffic turning left into the site will be required to give way to pedestrians on the footpath²⁶. However, Mr Peake notes that this is an existing situation that already occurs;
- c) That the proposed design and layout of the Quay Street / Service lane vehicle crossing will provide for improved delineation between vehicular and pedestrian priority to reduce the potential safety conflicts that occur through the use of this crossing, in principle subject to further detailed design²⁷. Ideally, a right-hand turn restriction from the service lane onto Quay Street would have been constructed however due to the limited space within the carriageway this is not a feasible solution. Notwithstanding, Mr Peake has recommended that signage be incorporated into the service lane so to discourage motorists from using Quay Street to minimise any further conflict. The proposed Servicing and Loading Management Plan ("SLMP") will similarly assist in managing the impacts upon this part of the transport network. Below I have discussed further inclusions within the proposed draft conditions included in Section 10.0 of this memorandum to this effect;
- d) That the proposed north-south pedestrian connection proposed, whilst not being at-grade or directly north-south in its orientation, will achieve the intent of the required north-south at-grade pedestrian connection identified in Standard I205.6.2(3)²⁸. I concur with Mr Peake's assessment to this effect;

²³ Mr Peake's memo, para 8.9, pg.38.

²⁴ Mr Peake's memo, para 8.16, pg.39.

²⁵ Mr Peake's memo, para 8.18, pg.40.

²⁶ Mr Peake's memo, para 8.27, pg.41.

²⁷ Mr Peake's memo, para 8.32, pg.42.

²⁸ Mr Peake's memo, para 8.43, pg.43.

- 7.18 That the decision to dispose of the DTC occurred independently to any resource consent(s) process, where a decision was made by AC at governing body level in 2021²⁹. Whilst existing vehicle trips will be displaced, these have been modelled in collaboration with AT's AFC and shown to be accommodated by other existing publicly available car parking within other parts of the City Centre.
- 7.19 Areas of disagreement with the Applicant's assessment, not otherwise able to be resolved via a condition(s) of consent, that have been identified within Mr Peake's assessment include:
- a) That the operation of the Hotel Pick Up and Drop Off ("**PUDO**") area, including consideration to its relatively constrained design; location; frequency of use; and proposed management measures will be appropriate to function safely and efficiently without giving rise to adverse impacts upon the surrounding transport network³⁰. Key to the management of the Hotel PUDO, the Applicant has proposed for this to be managed via a Hotel PUDO Management Plan ("**HPUDOMP**"). Measures contained within the HPUDOMP include use of signage for hotel drop-off only; time restrictions for up to five minutes for hotel guest and three minutes for taxis or ride-shares; valet parking undertaken by hotel staff; signage for egress and ingress; limitation sizes for vehicles identified by signage; staffing across a 24/7 period, including provision for a "doorman" and porter; turning away authorised vehicles and idling vehicles within the Hotel PUDO; staff directing vehicles away should the Hotel PUDO be occupied. Monitoring has now been included within the HPUDOMP. Mr Peake, including AT's SMEs, do not concur that the overall design and supporting management of the Hotel PUDO will be suitably managed to mitigate resulting impacts upon the safety and effective function of the adjacent transport network. The specific reasons for this position are identified below³¹:
 - i. There are practical limitations to manage the Hotel PUDO effectively to move vehicles on if there is no space for them to stop within the two designed PUDO spaces noting the constrained nature of the facility;
 - ii. Location of the western most vehicle crossing is located poorly in relation to vehicles approaching the Hotel PUDO along Sturdee Street. Legibility of this access is poor and would only be more readily visible at about 10m from the nose of the island separating Sturdee Street and Customs Street West. This will likely result in motorists suddenly braking and making lane changes for motorists wanting to turn into the vehicle crossing; some motorists inadvertently turning into the eastern vehicle crossing (exit only), which would conflict with the operation of the PUDO area. The arrangement could result in vehicle-to-vehicle conflicts, which would be exacerbated by the fact that the facility would be frequented by motorists unfamiliar with the arrangement (such as tourists);
 - iii. An exceedance to the maximum vehicle crossing widths is proposed to enable the swept path of minivans and trailers to enter the facility. This increases the exposure of conflicts between pedestrians on Customs Street West footpath that is subject to a high number of pedestrian movements that are anticipated to increase as a result of the proposed development;
 - iv. The vehicle crossings are not designed to 90° to the footpath, but are angled to accommodate the swept path of vehicles. This would risk conflicts between vehicles and pedestrians on the footpaths;

²⁹ Mr Peake's memo, para 10.1, pg. 54.

³⁰ Mr Peake's memo, para 8.55, pg.47.

³¹ Mr Peake's memo, para 8.47, pgs.44 -45.

- v. No clear delineation between the Hotel PUDO area and adjacent footpath on Customs Street West has been identified. Therefore, vehicles turning in may drive over the footpath, especially in a situation where no space is available within the PUDO;
- vi. Vehicle tracking contained within the s67 Transport Response details cars entering the eastern most PUDO parking space will be in a forward direction. This is a difficult manoeuvre when parallel parking, particularly in a constrained location. It is Mr Peake's view that more likely motorists are to pull forward and reverse into the space, which will likely position motorists pulling out onto the footpath and then reversing back into the space, which will increase conflict with pedestrians.

Mr Peake's analysis goes on to specifically assess the individual characteristics of the proposed Hotel PUDO and has turned his consideration to similar examples of Hotel PUDOs within the City Centre³². It is acknowledged, as the Applicant has identified, that a direct comparison to that which is proposed is not able to be undertaken noting that other hotels do not appear to implement active management. Compared to the likes of the Sofitel Hotel and Park Hyatt, which maintains PUDO spaces sufficient to accommodate at five (plus taxi facilities) and seven parking spaces, respectively, the proposed dimensions of this application's Hotel PUDO are relatively small. The level of demand for the use of such a facility does not appear to be sufficiently addressed within the design of such a facility. Drawing on the assessment provided in Appendix (41) of the Applicant's analysis, Mr Peake identifies that the THSA Advisors outline that there are difficulties without appropriate facilities being established for such a use as evidenced in the case of the Intercontinental Hotel. Overall, Mr Peake considers that further design refinement is necessary to establish a Hotel PUDO facility that appropriately responds to the surrounding transport environment to mitigate adverse impacts relating to safety and efficiency. Further discussion on the reasonableness of the measures contained within the HPUDOMP are discussed in Section 10.0 of this memorandum and within para. 8.66 of Mr Peake's memorandum.

FLOODING & INUNDATION IMPACTS

- 7.20 AC's GIS Viewer shows that the site is covered in part by an area identified as Flood Prone; a small portion of the site in the north-western corner subject to an overland flow path(s); and coastal inundation covering a majority of the site and adjacent service lane. Outside of the subject site, Council's GIS Viewer identifies that a significantly sized overland flow path is contained primarily within the road reserve, which feeds into the 1 per cent AEP floodplain along Quay Street.
- 7.21 Subsequently, a supporting flood hazard risk assessment has been prepared by T&T in support of the application to establish the pre and post development situation taking into account the 2.1° and 3.8° climate change factor. As part of this assessment, T&T have specifically assessed the post-development situation that will occur within the surrounding transport network that show localised increases in the calculated flood depths ranging between 0.01 – 0.02m in depth within either the lower side of Lower Hobson Street or along Customs Street West. Table 2.2 of T&T's assessment identifies the changes in the velocities of flood waters during a 1 in 100 year storm event, which identify changes ranging between 0.03 – 0.09m/s in the post-development flow rates.
- 7.22 AT have engaged WCE's Water Infrastructure Engineer, Ms Sejal Sangwai, who has peer reviewed T&T's assessment and supporting addendum memo dated 7th April 2026, who concurs with the findings presented and reasonableness of the modelling undertaken. Overall, Ms Sangwai is of the opinion that the post-development situation will result in "very minor increases" in flood depths from by comparison with the existing situation alongside considered within the context of the existing flood dynamics. The works

³² Mr Peake's memo, para 8.51, pg.46.

proposed are not considered by Ms Sangwai to result in any additional adverse impacts upon AT's road network as it relates to any coastal inundation or flood risks.

- 7.23 It is noted that the assessment undertaken by Ms Sangwai and T&T has taken into account the existing environment, which does not include the works proposed in BUN60462925 that could result in a situation that reduces the available flood storage within the road reserve ultimately changing the pre-development situation. However, the team responsible for delivering the works included within the aforementioned consent application have yet to undertake the detailed work to establish what measures may be implemented to maintain the capacity of the road to the pre-development situation. It is understood that this is an aspect that AT is intending to work through, in consultation with the applicant, as the detailed design is refined.
- 7.24 All other related flood impacts are to be reviewed by Council's Development Engineer. For the avoidance of doubt, AT do not hold no specific concerns in relation to the proposed Condition (79) and the wording proposed based on the information reviewed to date.

OTHER MATTERS

WIND MITIGATION

- 7.25 As set out within AT's s67 and Red Flags Memo, whilst I and AT's SMEs do not have the expertise to peer review the supplied wind report, I have turned my mind to consider the proposed mitigation measures to minimise any adverse wind impacts as the applicant intends to rely upon a number of measures located within the road reserve.
- 7.26 Part of the mitigation strategy is reliant upon establishing additional specimen tree planting towards the west of M Social, alongside increasing the number of trees contained within an existing tree pit located at the intersection of Lower Hobson Street / Quay Street. This is an issue that has been discussed at a high-level with AT's specialists, who consider that there may be an opportunity to increase the density of planting in the applicant's identified location. However, this is subject to EA, which will require further consideration surrounding (but not limited to) the size of any tree(s) at the time of planting; proximity to underlying services; and future planned upgrades required as part of the surrounding transport network.
- 7.27 Additionally, it is acknowledged that part of the intended mitigation strategy is reliant upon the establishment of a canopy extending into the road reserve along the western frontage of the subject site. For any structure(s) encroaching into the road reserve, an Encroachment Licence is required for such works. In terms of the reliance of the canopies for the purposes of a permanent assessment for mitigating adverse impacts, AT recommends some caution noting that Encroachment Licences are limited in duration, up to a maximum of 20 years, and can be terminated on a notice period of one to two months. Encroachments are required to be designed to be removable, which must be demonstrated at the time of applying for a future Encroachment Licence application. This situation is common, particularly if AT requires to undertake any work within the road reserve which may necessitate the removal of any Encroachment.
- 7.28 In the interests of clarity, if the wind mitigation strategies are required to be permanent to provide certainty that suitable mitigation will be in place to maintain safe wind speeds, consideration must be given to whether the extent of canopy depth needs to be increased further within the boundaries of the subject site where the applicant has direct control or through the implementation of any other measure(s), such as wind breaks or other interventions, that is not directly reliant upon what is positioned within the road reserve. For the avoidance of doubt, if the intent is that the need for maintaining such measures to mitigate adverse impacts of the Applicant's proposal it would not bind AT, through any supporting condition(s) of consent, in its obligations to maintain the road as the RCA and undertake changes as it sees fit.

WASTEWATER UPGRADES / PROPOSED PUMP STATION WITHIN STURDEE PARK

- 7.29 Outside of the deficiencies of the proposed infrastructure extensions and associated implications relating to construction impacts upon the transport network, one further area of concern that has been identified by AT's SMEs is the lack of clarity regarding the final preferred solution for servicing the proposal in terms of wastewater. As set out within the memorandum provided by Mr Peake³³, a number of options have been identified. One option includes the construction, and use, of an above-ground pump station located within Sturdee Park, which is a similar outcome that was used at the corner of Pakenham Street West and Daldy Street. This option is not supported by AT's SMEs, particularly when viewed in the context of the outcomes that are anticipated through the CCMP involving the broader public realm and streetscape upgrades that are identified for the locality. The inclusion of such a structure would materially influence the ability to deliver, and potentially reduce, the level of amenities that are identified as a priority for the area line with the CCMP. Alternatives should be explored, which should take into consideration the potential resulting disruptions to the operation and safety of the surrounding transport network.

8.0 Section 67 Information Gap

- 8.1 The applicant was provided with a comprehensive joint memorandum, prepared by Mr Peake and myself dated 25th March 2026, which is attached to this memorandum as Appendix (9). This memorandum incorporated the identification of a number of s67 matters under the FTAA, alongside a number of red flags.
- 8.2 A response to this memorandum was submitted to the Council on 7th April 2026, which have been reviewed by Mr Peake and I with limited input from some relevant AT SMEs due to the timeframes under the FTAA.
- 8.3 The response provided did not include specific number referencing that corresponded to the matters outlined within the aforementioned memorandum, but generically responded to a number of grouped key themes. The responses provided do not directly respond to the specific details identified within AT's memorandum. Short of confirming the individual items that have and have not been resolved, I have focused on identifying the fundamental items of additional assessment that should be provided so as to suitably identify the degree of adverse impacts generated and to inform any required condition(s) of consent, as necessary.

TABLE (1): OUSTANDING SECTION 67 INFORMATION GAPS

Information gap ³⁴	Nature of deficiency	Decision-making impact	Risk / uncertainty created
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³³ Mr Peake memo, para 6.4, pg. 30.

³⁴ References to Sections within this part of the Table include direct references to AT's s67 and Red Flags Memo included in Attachment (9).

1. Confirmation regarding the operational requirement for coach facilities associated with the use of the hotel (Sections 4.3 / 4.4)	Partial response provided in the Applicant's s67 Transport Response, citing that coach facilities are not required, however this has not been prepared by the entity responsible providing for the Hotel Advisor's report attached as Appendix (41) to the Applicant's lodged material to confirm if such a facility(ies) is required for the five star hotel rating intended to be achieved;	Unclear whether the need or demand for coach facilities would result in the need for accommodating such facilities into the design of the proposal, or would result in a request for kerbside availability to accommodating such facilities.	Medium, risk that the Applicant will require to reconsider the design of the Hotel PUDO and/or design response. No kerbside availability is supported for the use of such facilities, as per the advise previously provided to the Applicant;
2. How the operation for the Hotel PUDO will occur for a van entering the area if vehicles are parked within one of the two PUDO spaces (Section 4.6)	Partial response, not all possible movements of vans have been tracked (e.g. the Sprinter and trailer, which is typically used by Airport shuttles) when turning left into the Hotel PUDO.	Unable to confirm whether this movement can operate efficiently without the vehicle remaining stuck within the PUDO and ending up creating a queue.	Medium
3. Lack of information to understand pedestrian / vehicular delineation at the Hotel PUDO (Section 4.11)	Details were requested in relation to the Hotel PUDO to demonstrate how vehicle movements would be separated from pedestrian movements from the proposed "Urban Room" and footpath along the northern extent of Customs Street West	Unable to confirm whether the proposed design of the Hotel PUDO provides for sufficient delineation between pedestrian and vehicular priority measures, as a result the extent of adverse impacts is unclear	Medium
4. Management of nine casual parking spaces located within the basement (Section 4.13)	No information provided to understand how these spaces are to be managed and assigned to the uses that they are designed to accommodate, which is understood to be tied into the residential and/or office component. Latest response details that these are to be managed via a concierge but no other details than this.	Unable to confirm whether the management measures are appropriate to ensure that the trip generation assessment provided is valid for these spaces. However in saying this, AT defers to Council's Traffic Engineer as this is primarily an internal management matter	Low risk, which can be likely managed via conditions of consent that require additional details to tie the management of these spaces into the SLMP.

5. Outline of further measures that could be implemented should the HPUDOMP prove not to be effective (Section 5.1)	Details were requested in relation to what additional mitigation measures could be implemented on-site, outside of those already put forward by the Applicant, to suitably avoid, remedy, or mitigate adverse impacts upon the surrounding transport network associated with the proposed Hotel PUDO.	Unclear whether any alternative measure(s) are available, short of closing the Hotel PUDO, should the impacts result in significant safety and operational impacts, to be implemented.	High, that the adverse impacts associated within the use of the Hotel PUDO cannot be suitably managed through the implementation of the HPUDOMP.
6. Lack of information to understand how M Social's managed access will operate safely noting the closure at the northern end of Lower Hobson Street (Section 6.8 and 6.9)	Later in the construction period, the Applicant intends to relocate the gated area within the closed portion of the Lower Hobson Street slip lane to provide managed access to M Social to access their loading space. However, this is likely to impact the ability of M Social's truck to be able to reverse into the loading dock and could result in a situation where a truck may reverse onto Lower Hobson Street which raises potential safety impacts. Further to this, there is limited clearance to the kerbside lane on the Lower Hobson Street flyover. There is a potential that a 10.3m truck waiting at the boom gate might overhang the traffic land and pose a hazard(s) to any vehicles traveling from the intersection.	Unclear on whether the operation of this arrangement can operate safely and would avoid any potential collision with any oncoming vehicle(s) looking to access the Flyover.	Medium
7. Design vehicle for M Social access has yet to be confirmed for what is used for their loading dock (Section 6.11)	Understand that M Social have ongoing engagement with the Applicant, however AT have not been able to assess the size of vehicle that is required for the servicing of M Social. This has been requested to assess the appropriateness of the managed access to avoid any potential impacts to the adjacent network.	Unable to confirm whether the extent of space required along the northern end of Lower Hobson Street is sufficient to avoid any vehicle(s) encroaching into the adjacent traffic lanes;	Low, anticipated that the result of this engagement with M Social is forthcoming
8. No assessment provided to understand how the existing servicing and loading demands for any property(ies) accessed via the service lane are to the managed during construction and demolition (Section 7.1)	Partial response provided, which outlines that the southern end of the service lane and supporting access from Customs Street West is to be closed off for an undisclosed period of time. No information has been provided to understand the length of time that the service lane is intended to be closed; the existing operational requirements for the likes of the Aon / HSBC buildings taking into account the vertical height restrictions along the northern end of the service lane; and to establish any resulting impacts upon Quay Street	Degree of adverse impacts associated with this period are unknown, including the potential conflicts that occur from redirecting service vehicles to Quay Street prior to any vehicle crossing improvements being undertaken to better provide delineation between pedestrians and service vehicles.	Medium

9. No information to understand safety zones and indicative plant locations, including crane operations, required to facilitate the required construction (Sections 9.2 and 10.4)	This has been verbally responded to, however this has not been directly responded to within the S67 Transport Response. No information has been provided to validate that the safety zones / indicative plant locations, including crane positions, are not going to result in the need for additional space, and resulting road closure(s), to enable the required construction. Particular concern was identified in the scenario where basement construction was to be undertaken, where it was unclear whether the crane could be positioned within the basement or would have to be located elsewhere	Extent of impacts associated with the surrounding transport network in terms of impacts to buses and pedestrians not suitably established.	Medium
10. No information provided to understand how the access under Lower Hobson Street will be managed, including trucks that need to reverse into Lower Hobson Street will be managed in regards to the proposed pedestrian crossing location (Sections 10.8 and 10.9).	Unable to confirm how the management of the proposed pedestrian crossing and overall performance of the managed access / construction staging area along Lower Hobson Street can operate safely and effectively, including the ability to manage the access in relation to the revise pedestrian crossing location. If the flexibility for the use of the left-hand movement from Customs Street West is still sought or required, it is unclear how the interface with the pedestrian accessway and operation of the loading area is to operate in a way that would not inadvertently give rise to increased impacts upon the operation of the adjacent bus lane and other pedestrians. Further to the above, it is unclear whether the loss of the originally proposed loading space along Customs Street West will result in any material impact to the proposed loading programme. This may result in inefficiencies through the management of any the construction staging area, noting increased times would likely result from the larger trucks having to reverse into the space along Lower Hobson Street.	Degree of adverse impacts associated with this stage of the construction scenario, when there is no space contained within the subject site for HCV to turn around and manoeuvre, not being clearly addressed and unable to confirm if the approach to managing impacts is suitable³⁵.	High

³⁵ Para 7.13(a)(i) of this memorandum.

<i>11. Infrastructure extensions, preferred solutions, and an outline of an approach to how any construction impacts are to be managed (Sections 10.28 – 10.35)</i>	<i>No information provided to confirm what the final or preferred solutions are for the installation of the public wastewater and stormwater networks in order to service the subject site, including how this relates to the management of any construction related impacts and associated management measures upon the transport network. A preferred solution should be assessed by the Applicant's transport expert to confirm whether the undertaking of any infrastructure works would result in any additional impact(s) upon the surrounding transport network, including potential delays to buses and ability to maintain pedestrian access along the site's frontage.</i>	<i>No ability to consider whether the proposed management mechanisms are suitable for the intended works to be undertaken or whether this may materially impact the consideration of any resulting delays to buses, noting that some of the options involves proximity to the Lower Albert Street bus interchange accommodating the NX1 and western shore buses. Ultimately, it is unclear whether additional principles and measures are required within the CTMP to avoid, remedy, or mitigate adverse impacts.</i>	<i>High</i>
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9.0 Recommendation
9.1 Overall, there remain considerable gaps and a number of key assumptions that have been made in the Applicant's assessment where it relates to the management of any related construction effects upon the surrounding transport network and adjacent property(ies). However, AT recognises that the level of detail available at this stage reflects the fact that a Main Contractor responsible for preparing the construction programme; developing an intended works methodology; and delivering the required demolition of DTC and broader redevelopment of the subject site has yet to be appointed. Information that has been requested by AT is intended to minimise any perceived uncertainties that have been identified in the assessments provided, whilst allowing a more informed consideration around the reasonableness of the proposed mitigation measures, including any necessary condition(s) of consent, to manage any actual and potential impacts upon the transport network. It is recommended that the aspects identified in Section 8.0 of this memorandum are resolved prior to a determination on this FTAA application is made. 9.2 Adverse operational impacts relating to the ongoing use of the proposal, once construction has been completed, have primarily been demonstrated to ensure that any resulting disruptions to the surrounding transport network will be avoided, remedied, or mitigated with the exception of the inclusion, and management, of the Hotel PUDO. This remains a point of contention between the Applicant and AT. Further consideration of the design and location of the Hotel PUDO, including an outline of any further management measure(s) that might be reasonably implemented, is considered necessary to secure an outcome that will suitably mitigate adverse impacts upon the adjacent transport network. A series of recommended conditions have been identified in Section 10.0 of this memorandum, which include provisions for effective monitoring of the Hotel PUDO and HPUDOMP's performance to help inform a decision around the future operation and reasonableness of the use of such a facility once operational.

- 9.3 Notwithstanding the recommendations identified in Paras 9.1 & 9.2 above, should the Panel be inclined to approve the application, AT have recommended an extensive series of amendments to the Applicant's proposed conditions alongside a number of additional conditions of consent. For the avoidance of doubt, Whilst an extensive number of amendments and additional conditions have been recommended, potential impacts upon the adjacent transport network remain based on the complexities and characteristics of the surrounding environment; constrained period of time where loading / unloading activities are unable to occur within the subject site and wholly contained to Lower Hobson Street; and intensity of HCV activity to maintain the intended programme of works.

10.0 Proposed Conditions

- 10.1 The wording of the draft conditions that have been provided to date are not considered to provide sufficient certainty to AT that any resulting adverse impacts upon the surrounding transport network will be suitably avoided, remedied and/or mitigated. In particular, the framing and wording of the conditions that relate to the various management plans are generally light on detail and appear to request a reasonable degree of flexibility in allowing further details to be finalised based on the appointment of the Main Contractor. In lieu of these details available at the time of considering this decision, it is difficult to confirm whether the management measures proposed are reasonable to maintain the safety and functions of the nearby transport network, particularly in terms of maintaining bus journey times. Many of the specific measures and details included across the Applicant's various assessments do not appear to have found their way into the proposed wording of the conditions included within the Applicant's draft set of conditions.
- 10.2 Subsequently, AT have provided a series of tracked changes to the draft set that has been submitted by the applicant which is attached as Appendix (10) to this memorandum with supporting analysis on why such changes have been recommended below. Intended to sit alongside this set, in the interests of enabling ease of review, AT have recommended further conditions that have not been specifically identified within the Applicant's draft conditions without an equivalent condition(s) proposed.

TABLE (2): TRACKED CHANGED VERSION OF APPLICANT'S PROPOSED CONDITIONS & ASSOCIATED COMMENTS

<u>Condition Reference:</u>	<u>Commentary on tracked changes:</u>
Conditions (12), (14) (15), & (16) Management Plans:	Amendment to Condition (12) clarifies that there may be a need to consult other party(ies) in the review and certification of a management plan, such as a Council Controlled Organisation ("CCO"). The latter proposed amendment to this condition also intends to clarify that works should not progress until such a time that the Applicant has received confirmation, in writing, that the measures contained within the management plan(s) have been certified. In the absence of such an inclusion, this suggests that there is an equivalent deemed certified provision that would allow the Applicant to progress works that might not be wholly in accordance with an appropriately certified Management Plan(s). The advice note included in Condition (12) is problematic, as AC and/or AT are unlikely to have been able to undertake a clear permitted activity assessment in support of this application noting the overall activity status and extent of works

	sought through this application. I understand that the intent is to enable the decommissioning works of the existing DTC, which is fully internalized to the existing building, however potentially a clearer way of doing this is to prepare a condition to this effect. An advice note has been included in Condition (14), as it is understood that the intent of such a condition is specifically addressing consultation requirements for landowners directly affected by the proposed works. It appears that the Applicant has considered AT as an affected party, rather than part of Council responsible for certifying the review of the various management plans and supporting Council's Compliance Team. In Condition (16), there is no clarity as to what constitutes a "Minor change". This is subjective and has the potential to result in materially different impacts depending upon the nature of change(s) and which part(s) of the Management Plans that are proposed to be amended. Suggest clarity in the scope of what constitutes a "Minor change" is provided or alternatively deletion of the condition. To not require certification through this process is also problematic, as this is a relatively subjective view and could lead to materially different outcomes if not reviewed, and certified, accordingly.
Conditions (21) & (24): Construction Management Plan	Condition (21) includes recommended wording to ensure that the draft CMP is finalized based on advice provided by the Main Contractor responsible for preparing and implementing the proposed works methodology. This is considered necessary, as many of the measures recommended by the Applicant have been based on a series of assumptions that works may be undertaken in a certain way, in lieu of a final contractor being appointed at this stage. AT have specifically requested further details from the Applicant's contractor responsible for delivering the intended works to validate the key assumptions identified within the assessments provided to help inform a view regarding the reasonableness of the proposed construction management approach. The amendments proposed to Condition (24) are intended to address the fundamental gaps in the Applicant's assessment to ensure that sufficient information is available, by way of the final contractor's methodology and programme of works / including an identification of any key differences between the final CMP and draft, which is to be relied upon to help certify the CTMP. To account for the lack of an assessment relating to the finalized option to extend the publicly reticulated stormwater and wastewater network, an amendment has been included within this condition to request that the final methodology and CMP takes into account the preferred options for the extensions. However, the principle remains that this is information that should be provided prior to the determination on this FTAA application to help understand if the management measures provided within the draft CTMP are fit for purpose or to identify if an alternative approach(s) is required

Conditions (25), (27), (28), & (29): CTMP Objectives, Principles, & Detailed Measures	Amendment provided to Condition (25) is intending to resolve the difference in opinion between AT considered as an “<i>Affected Party</i>”, set out in the discussion included earlier in Table (2) of this memorandum, opposed to a specialist involved in the review and certification of the CTMP. Condition (26), whilst the proposed overarching objective set out by the Applicant in managing effects of demolition and construction impacts upon the surrounding road network captures the amendments provided, AT are of the view that more specific objectives should be set out to ensure clarity of what the CTMP is intended to achieve. The two key areas of AT’s interest are set out in Condition (26)(a), (26)(b) and 26(c) amendments, which reflect the focus of the assessments undertaken by Mr Peake and I. Principles contained within Condition (27) are not considered to be specific in the wording and do not reflect the more specific measures that are identified in the Applicant’s assessment and form part of the conclusions around why, in their opinion, adverse impacts would be suitably avoided, remedied or mitigated. For example, the originally proposed wording included references to “<i>minimize unnecessary pedestrian, road and bus lane closures</i>”. However, the statutory wording used does not appear to demonstrate a strong commitment to what the Applicant has specifically assessed. The amendments are of a nature to clarify that road, bus lane, and/or pedestrian closures are to be avoided, except in the circumstances that have been specifically assessed, and quantified, throughout the Applicant’s analysis. The scenarios where road closures, including bus lane and footpath closures, have been specifically assessed are detailed within the amended condition. Should any additional closure(s) be required, other than those specifically assessed, the degree of adverse impact upon the transport network has not been suitably quantified or identified and would not be supported without additional analysis and consideration of the overall approach to managing any resulting adverse impacts. This is fundamental to ensure that the Applicant’s conclusions surrounding the modelling of any potential delay(s) are substantiated, albeit supported by the other management measures included within the CTMP. One of the key areas of contention relates to the arrival and/or departures of HCV associated with the implementation of works authorized in BUN60462925. The Applicant remains of a view that a restriction is not necessary. However, for a period of time, the total duration of which is not currently known, where there is a single eastbound lane along Customs Street West, it is considered that HCV movements should be restricted until this stage of works are completed. The reduced capacity along this part of the network, including the need to maintain bus services through this route, would result in a pinch point that would be exacerbated by any cumulative effects associated with the HCVs leaving the site and potentially congesting Customs Street West and causing increased delays to bus journey times at the intersection of Lower Albert Street / Customs Street West. The amendments included in Condition (28) are similarly aimed at giving effect to the principles, both proposed and amended through AT’s marked up version. It is AT’s position that the level of detail provided within the final CTMP should reflect
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	the fact that a final programme of works and supporting methodology should be available via the finalized CMP. To ensure that the detailed measures remain fit for purpose, the amended CTMP condition ties in consideration for any notable changes between the draft and final versions of the CMP, whilst providing a broader consideration for any related impacts associated with the required infrastructure extension works, should the Panel be inclined to not request additional information to this effect. As noted by Mr Peake, a restriction on the use of the managed access beneath the Flyover has been recommended in this condition set. The intent of this restriction is to ensure that any movements associated with light vehicles do not result in any conflicts between HCVs accessing the construction staging area to mitigate a situation where increased queuing into the adjacent Sturdee Street bus lane could occur. Alternative access for contractors and light vehicles is available along the shared service lane accessed from Customs Street West and Quay Street, which represents a more appropriate access point to ensure that the effective and efficient function of this managed access can be maintained, as far as practicable, for HCVs. Further supporting details have been requested within the final CTMP to ensure that contractor parking is suitably identified. It is accepted that once the basement parking area is practically completed that there is an ability for contractor parking to be established within the subject site, should it be safe to do so when the tower super structure(s) are under construction. Recommendations have been included within relating to the provision of advanced notice for motorists and the general public, so that they are made aware of the restrictions in this part of the network minimize the degree of disruption and allow bus patrons notice to sufficiently plan their journey times. Based on the concerns identified by Mr Peake, a restriction relating to the use of the left-hand in movement along Customs Street West has been included within the amended condition. This is to ensure that this potential conflict point is avoided;
Condition (48): Signage and Wayfinding Design	One of the key areas of concern has been the increased use of the Quay Street vehicle crossings for vehicles exiting the basement car parking level. This is due to the potential for right hand turns onto Quay Street occurring, resulting in safety conflicts between other vehicles within the road reserve alongside with the number of pedestrians frequenting this part of Quay Street. The amendment for signage to be included within the service lane to encourage motorists to take the Customs Street West frontage is to help discourage the use of the Quay Street as much as possible.
Conditions (53) and (54): MASAP	In terms of sequencing, we have suggested the re-ordering of the conditions to ensure that the objectives are positioned before the details that are to be included within the MASAP. One further objective has been recommended to the MASAP, which is to ensure that motorists do not inadvertently get stuck within the northern section of Lower Hobson Street without being able to safely manoeuvre back into the flyover, which is a potential consequence of closing the lower level of Lower Hobson Street for the period of works that has been identified. The current wording for Condition (53), which is now identified as Condition (54), included no details on the mitigation measures that were required to be identified within the MASAP despite these being specifically described within the Applicant's supporting

	transport assessments. Therefore, the extent of amendments included to Condition (54) are intended to capture those details that are included within the various assessments to ensure that it is clearer at compliance stage exactly what measures should be identified in the preparation of the MASAP.
Condition (81) and (82): Access and Parking	Amendments have been recommended to tie in the considerations that are included in amended Condition (116) to ensure that the quality of finish of any vehicle crossing(s) proposed is consistent with the expectations along the Customs Street West frontage.
Condition (116): Footpath Reinstatement	The Applicant has been previously advised that simply reinstating the footpaths, which has been understood to be on a like-for-like basis, along Lower Hobson Street and Customs Street West are not a supported outcome. The outcome proposed is anticipated to result in a significant increase in pedestrians to the area, which is already highly frequented by pedestrians, such that an enhanced footpath condition is considered appropriate to ensure that the quality of pedestrian experience ties into the considerable investment that AT has put into the area, noting the upgrade works that have occurred along the likes of Quay Street and Lower Albert Street. The amendments proposed reflect this approach.
Conditions (121) and (122): SLMP Objectives and Detailed Measures	Amendments proposed to Condition (121) intend to recognise that there is a potential conflict during AM peak periods in relation to the demand for servicing and loading with the high number of pedestrians traversing Quay Street. A number of specific measures have been proposed in Condition (122) to ensure that the objectives of the SLMP are achieved. This includes recommended systems, such as registration plate recognition; integration between the loading dock management system and access control; provision of concierge service outside of “core hours”; and card access for regular users, which are intended to ensure that the SLMP can operate efficiently with minimal delays within the service lane that could otherwise result in queuing back into the adjacent transport network. Specific restrictions relating to the arrival of truck movements have been recommended during the AM peak period, noting that there will be significant numbers of pedestrians along Quay Street arriving in the City Centre and travelling to work / other purposes due to the proximity to the nearby bus stops and interchange along Lower Albert Street. This is to reduce any potential conflict between the use of the Quay Street vehicle crossing and pedestrians. A further provision has been included regarding further details around how the proposed nine casual car parking spaces, which are to be in some way allocated to the office and dwelling uses, are to be managed. Little details have been provided around this arrangement to date, however it is acknowledged that this is predominantly an area for AC’s Traffic Engineer to comment on as any resulting impacts arising from such an activity would likely be internal to the site.
Conditions (125) and (126): HPUDOMP	Amendments have been suggested to include additional objectives to the HPUDOMP, which include the prevention of queuing across the Customs Street West footpath, and to ensure that no more than two cars are parked within the PUDO at any one time. The first amendment has been agreed to within Flow’s s67

	Response assessment ³⁶ . These amendments are intended to create clarity around the matters of concern that have been identified by AT regarding the use of the PUDO and adjacent transport network. With respect to Condition (125), an advice note has been recommended to ensure that the management of the Hotel PUDO should occur regardless of the star-rating of the proposed use.
Condition (130): Vehicle Intervisibility – Convex Mirror	The wording proposed does not clarify the location(s) of any convex mirror that may be necessary to ensure that intervisibility is maintained. Whilst this mitigation measure is primarily one to ensure that any internal impacts are avoided or mitigated (which is more of AC's Traffic Engineer to comment on), AT are of the view that at least a convex mirror is required in the service lane opposite the exit to the basement carpark to ensure that the potential for a crash to occur within the service lane is mitigated. If not appropriately managed, the operation of the service lane may be impacted should an incident occur that may have flow on implications for the nearby vehicle crossings and transport network more generally.
Condition (132): Quay Street Vehicle Crossing Treatment	The wording included within Condition (132)(f) suggests that the installation of bollards is to be undertaken by AT rather than the Applicant. However, AT are of the view that this should be the responsibility of the Applicant to implement, including the need to obtain any required third-party approval(s) such as EA or a Resolution. Specifically, the proposed use of the existing vehicle crossing along Quay Street is intended to receive a considerable increase in vehicle movements directly associated with the proposal noting that the existing situation does not include an ability for motorists to directly exit the DTC from the service lane. Instead, motorists typically exit the DTC currently via the vehicle ramp onto Fanshawe Street or through the Customs Street West vehicle crossing. The installation of the bollards is considered appropriate to provide appropriate delineation between the vehicle crossings servicing M Social and the service lane, which is considered necessary to ensure that pedestrian safety along this part of Quay Street is suitably maintained. This is critical due to the proximity to the nearby bus stops in conjunction with the high levels of pedestrian movement along this section of Quay Street. The amendment proposed is intended to clarify that this remains the Applicant's responsibility.
Additional Recommended Conditions & Advice Notes:	
<u>FURTHER RECOMMENDED CONDITIONS OF CONSENT & SUPPORTING ANALYSIS</u>	
10.3	Following Mr Peake's recommendation ³⁷ , a condition of consent has been recommended in relation to the establishment, and maintenance, of a visual screen affixed to the top of the existing concrete barrier along the eastern extent of the Flyover. This is to provide additional certainty that any actual or potential driver distraction that could occur due to the proximity of crane operations to the nearby Flyover is suitably mitigated.

³⁶ S67 Transport Response, Flow, section 3.3, pg.7.

³⁷ Mr Peake's memo, para. 7.18, pg. 36.

- 10.4 The Applicant has prepared on their assessment on the assumption that 24 HCVs per hour can be accommodated, at the worst case, within the extent of their construction staging area throughout all construction scenarios, which notably includes a period where loading / unloading is wholly contained within Lower Hobson Street³⁸. In lieu of any assessment to substantiate or demonstrate whether this is practical, feasible, or realistic, it is considered necessary that monitoring of the performance of the management of the Applicant's controlled accesses and staging area is implemented during the periods where this situation is to occur. Notwithstanding and as noted by Mr Peake³⁹, it is not considered that any additional assessment could be provided at this stage to realistically demonstrate the feasibility of this arrangement from what has already been provided. Ultimately, the aim of such monitoring parameters is to inform an assessment to validate the Applicant's key assumptions that the construction staging area can, and will, accommodate the intensity of HCV movements as proposed.
- 10.5 The risks and uncertainties associated the feasibility and practicality of the Applicant's intended approach to undertake the required construction activities, which are exacerbated by the length of duration period proposed and sensitivity of the adjacent transport network that is anticipated to undergo extensive changes whilst the proposal is under construction, warrants the inclusion of a review condition under Section 128 of the RMA. The purpose of the review condition is to ensure that there is an appropriate mechanism in place to review the reasonableness of the proposed construction management approach and supporting conditions of consent, including the key principles and measures included within the CTMP, across the length of required construction. The information that would be obtained via the monitoring of the managed accesses would similarly serve an empirical basis to help inform consideration around whether a reduced maximum number of HCVs per hour could be appropriate. As noted by Mr Peake⁴⁰, this may affect the overall duration of the intended construction programme. However there is a clear discrepancy in the Applicant's assessment as the working hours started within the Construction Noise and Vibration Management Plan state hours of operation starting way earlier in the morning or finishing later than the periods stated across the various transport assessments. Therefore, it remains that the Applicant cannot otherwise prepare a final construction programme in such a way that accommodates a reduced maximum number of per hour HCV without the need to lengthen the overall length of construction required. The purpose of the review condition also includes additional contingency to address any potential future change(s) that may occur within the transport network, not otherwise consented or forming part of the receiving environment, that may materially impact the extent to which the management measures put forward by the Applicant remain reasonable or effective.
- 10.6 Whilst the use of monitoring of the performance of the Hotel PUDO has been concurred with in Flow's s67 Transport Response⁴¹, albeit with a disagreement where it relates to the frequency of monitoring, no draft condition(s) has been recommended to this effect. However, it is recognised that within the body of the draft HPUDOMP there are some monitoring parameters that have been identified. AT partially agrees with some of the identified measures, although it is considered that these measures might not comprehensively assess the extent of performance of the management measures contained within the HPUDOMP and to help establish the reasonableness of the impact associated with the Hotel PUDO facility. As a result, Mr Peake and I have recommended a series of specific measures required for the undertaking of any monitoring and reporting to help inform an assessment of the performance of the HPUDOMP and Hotel PUDO more generally.
- 10.7 It is acknowledged that additional assessment has been requested by AT previously to outline any potential other measure(s), other than those included within the draft HPUDOMP, that could reasonably be implemented for the management of the Hotel PUDO should there be resulting impacts upon the

³⁸ Para 7.14(a) of this memorandum.

³⁹ Mr Peake memo, para 2.8, pg.5.

⁴⁰ Mr Peake memo, para 2.8, pg.5.

⁴¹ Section 3.3, pg. 7.

adjacent transport network. This has not yet been provided. The uncertainties surrounding the effectiveness of the measures contained within the HPUDOMP, coupled with the extent of concerns listed in Mr Peake's supporting memorandums, gives rise to a situation where the use of a s128 review condition would be appropriate. The use of a s128 in this context would provide a mechanism for which AC could reasonably determine that there could be grounds for closing or removing the Hotel PUDO, should the Applicant exhaust all other potential measure(s) to further manage and mitigate adverse impacts, based on the results of the monitoring to be undertaken.

- 10.8 Further to the additional monitoring measures required, AT have further recommended that should the use of the consented hotel cease to operate or be converted to some other activity that the Hotel PUDO be removed with the supporting vehicle crossings to be reinstated as kerb and footpath. The reason for this inclusion is that the use of this space has only been specifically assessed in relation to the demand for such a facility associated with the use of the hotel and is only proposed to be specifically managed in accordance with the HPUDOMP.

Heavy Construction Vehicle Monitoring

- x. To demonstrate the feasibility of being able to accommodate the maximum number of Heavy Construction Vehicles, as required by Condition (X) of these consents, via the Sturdee Street managed access and wholly contained within the construction staging area accommodated within Lower Hobson Street, when Heavy Construction Vehicles unloading and/or loading cannot occur from within the subject site, the consent holder must undertake surveys of the times taken for a Heavy Construction Vehicle to enter, unload and/or load, and exit the construction staging area via the Customs Street West access.
- xi. The surveys required in Condition (X) of these consents must be undertaken for a period of two separate workdays between Monday to Friday from 7am – 7pm within one week following the commencement of each phase of the construction programme identified below:
 - During demolition;
 - During enabling works;
 - During basement construction;
- xii. The results of the surveys undertaken must be provided within one week following the completion of each survey period to the Council in consultation with Auckland Transport, in writing and prepared by a suitably qualified and experienced traffic engineer, for certification. The results of the survey findings must include, but not be limited to, the following:
 - A graph interpreting the spread in total time recorded for each vehicle across the identified monitoring period for each day surveyed;
 - The number and type of vehicles surveyed;
 - An identification of the average, minimum, and maximum time taken per vehicle type(s);
 - Raw data, by way of a spreadsheet, for the results of any surveying undertaken;
 - The number of vehicles that exceed a time of 2.5 minutes to entry, load and/or unload, and exit the managed construction staging area;

Flyover Visual Screening Barrier

- xiii. At least two weeks prior to the commencement of any construction activity authorized by these consents, the consent holder must erect a 1m visual screen from the top of the existing concrete edge barrier along the entire eastern extent of the Hobson Street Flyover to limit views towards any proposed crane

operation. This barrier must be maintained for the life of the required construction activity or until such a time that the Flyover is no longer in place or operational.

Advice Note:

Engineering Approval will be required for this work.

S128 Review Condition – Construction Management

- xiv. Under section 128 of the RMA, the conditions of these consents may be reviewed by the Manager Resource Consents at the consent holder's cost.

Within one month following commencement of any construction activity authorized by these consents, but excluding the period of decommissioning any utilities contained within the Downtown Car Park, in order:

- To deal with any adverse effect on the environment which may arise or potentially arise from the exercise of these consents and which it is appropriate to deal with at a later stage, in particular adverse construction effects associated with the undertaking of any required construction activity, including enabling works; basement construction; and the construction of any tower super structure(s), upon the surrounding transport network;
- To respond to the results of the monitoring of the performance of the managed accesses along Sturdee Street and construction staging area located within Lower Hobson Street, during a period where no alternative loading or unloading can occur from within the subject site, should the length of time taken for a Heavy Construction Vehicle to enter, load and/or unload, and exit the construction staging area exceed 2.5 minutes in length; and
- To review the suitability of the objectives, principles, and specific details required in the final CTMP required in Conditions (26), (27), and (28) of these consents to appropriately avoid, remedy, or mitigate adverse effects upon the transport network directly associated with any construction activity(ies) exercised through these consents. This may include, but not be limited to, the following measures:
 - Reduction of the maximum number of hourly Heavy Construction Vehicles below the maximum of 24 Heavy Construction Vehicles required by Condition (28)(k) of these consents; and
 - Restrictions to Heavy Construction Vehicles during either the AM peak period between the hours of 7am – 10am and/or PM peak period between 4pm – 7pm;

Hotel PUDO Monitoring:

- xv. To ensure the effectiveness of the management measures required in the Hotel PUDO Management Plan, as required in Conditions (X) of these consents, the consent holder must undertake monitoring in accordance with the following frequencies:
- Within three months following the operation of the Hotel PUDO and implementation of the Hotel PUDO Management Plan; and
 - Annually thereafter;

Hotel PUDO Monitoring Parameters:

xvi. The monitoring must occur across a week period and include surveys of at least two week days and one weekend day between the hours of 6am – 10pm. This must include an identification of the following:

- Any incidents of queuing across the footpath along Customs Street West or into the road carriageway;
- Instances where, and frequency of, hotel staff having had to send pick up and drop off vehicles away from the PUDO in the scenario where the PUDO was fully occupied;
- Length of time that a vehicle(s) is parked within the PUDO;
- The number and type of vehicles utilising the PUDO across the identified survey period;
- Any instances relating to pickups and drop offs within the road reserve along the Customs Street West and Lower Hobson Street frontages of the subject site;
- Observation of any near misses between pedestrians and vehicles utilising the PUDO;
- Instances of any non-hotel related use of the PUDO, including identification of where staff had to move on any related vehicles;

Hotel PUDO Monitoring Reporting Requirements

xvii. The results of any monitoring required in Condition (X) must be provided to the Council in consultation with Auckland Transport, in writing, and prepared by a suitably qualified and experienced traffic engineer, within one month following the completion of each monitoring period. This must include, but not be limited to, the following matters:

- A summary of the survey data undertaken throughout the monitoring period(s);
- An assessment of any crashes in the vicinity of the PUDO, against NZTA's Crash Analysis System, including the intersection of Customs Street West / Lower Hobson Street / Sturdee Street to identify any safety issues that relate to the operation of the PUDO;
- The extent to which the management measures included within the Hotel PUDO Management Plan have been implemented and effective. This includes the extent to which queuing within Customs Street West, including across the footpath, has been avoided; and
- Any recommendations to address any issue(s) identified within the monitoring reporting to address the safety and performance of the adjacent transport network, which may include (but not be limited to) the closure of the Hotel PUDO. These measures must be identified and agreed with Auckland Council, in consultation with Auckland Transport, prior to implementation which must be at the consent holder's expense.

Hotel PUDO Purpose / Reinstatement

xviii. Should the consented use of the hotel activity cease to operate or be converted into any other activity(ies), the consent holder must remove the PUDO and reinstate the vehicle crossings associated with the use of the Hotel PUDO along Customs Street West, as shown in Condition (1) of these consents, in accordance with Auckland Council and/or Auckland Transport's requirements. This must be undertaken within three month period following the cease of operation and/or the change in consented use of the hotel activity.

Reinstatement of Fanshawe Street Retaining Wall & Balustrade

- xix. Within three months following completion of demolition of the Downtown Car Park, or at a timeframe otherwise to be confirmed by Council, the consent holder must remediate the Fanshawe Street retaining wall and supporting balustrade in accordance with Auckland Council's and/or Auckland Transport's requirements.

Advice Note:

The timing and extent of remediation required is dependent upon the status of works to be undertaken through BUN60462925. Therefore, it is recognized that flexibility may be needed in the timeframe for undertaking any required remedial works. Engineering Approval will be required for this work. The final design of the reinstatement works along Fanshawe Street have not been confirmed at this point in time, however further information will be required at Engineering Approval Stage.

RECOMMENDED ADVICE NOTES

- 10.9 Instead of individually track changing the various advice notes, which are not specifically related to any relevant condition(s) of consent, that have been recommended within the Applicant's document, I have specifically included these below for the benefit of the Panel.

Road Encroachment Licence

- x. Any canopies to be constructed over the private road boundary into the road corridor will require an encroachment licence application. This has not been specifically assessed as part of this application for resource consents. For more information please refer to the following: <https://at.govt.nz/about-us/working-on-the-road/road-processes-for-property-owners/road-encroachment-licences-or-leases/>

Resolutions

- x. Permanent traffic and parking controls as per the advice note above are subject to a Resolution approval from Auckland Transport. Changes to traffic / parking controls on the road reserve will require Auckland Transport Traffic Control Committee (TCC) resolutions. The resolutions, prepared by a qualified traffic engineer, will need to be approved so that the changes to the road reserve can be legally implemented and enforced. The resolution process requires external consultation to be undertaken in accordance with Auckland Transport's standard procedures. It is the responsibility of the consent holder to prepare and submit a permanent Traffic and Parking Changes report to Auckland Transport Traffic Control Committee (TCC) for review and approval. No changes to the traffic and parking controls will be allowed before the resolution is approved by the Auckland Transport Traffic Control Committee (TCC). All costs shall be borne by the consent holder. Application details and can be found from the following Auckland Transport website link: <https://at.govt.nz/about-us/working-with-at/traffic-and-parking-controls>

Engineering Approval – Transport

- x. Prior to the commencement of any engineering works, the consent holder shall submit engineering plans (including engineering calculations and specifications) to the Council for approval in writing. The engineering plans shall include, but not be limited to, the information regarding the detailed design of all roads and road network activities provided for by this resource consent approval.
- x. As part of the application for Engineering Approval, a registered engineer shall:

- a) *Certify that all public roads and associated road network activities or access ways have been designed in accordance with the Auckland Code for Practice for Land Development and Subdivision – Chapter 3: Transport.*
- b) *Provide a statement that the proposed infrastructure has been designed for the long-term operation and maintenance of the asset.*
- c) *Confirm that all practical measures are included in the design to facilitate safe working conditions in and around the asset.*

The engineering plan application forms including fees can be found at the following Auckland Council website:

<https://www.aucklandcouncil.govt.nz/building-and-consents/engineering-approvals/Pages/default.aspx>

Corridor Access Requests

- x. *It will be the responsibility of the consent holder to determine the presence of any underground services that may be affected by the Applicants work in the road reserve. Should any services exist, the Applicant shall contact the owners of those and agree on the service owners' future access for maintenance and upgrades. Services information may be obtained from <https://www.beforeudig.co.nz/>.*

All work in the road reserve shall be carried out in accordance with the general requirements of The National Code of Practice for Utility Operators' Access to Transport Corridors <http://nzuag.org.nz/national-code/ApprovedNationalCodeFeb13.pdf> and Auckland Transport Design Manual <https://at.govt.nz/about-us/manuals-guidelines/transport-design-manual/>

Prior to carrying out any work in the road corridor, the consent holder shall submit to Auckland Transport a Corridor Access Request (CAR) and temporary traffic management plan (TMP), the latter prepared by an NZ Transport Agency qualified person and work shall not commence until such time as the Applicant has approval in the form of a Works Access Permit (WAP). An assessment undertaken under the framework of the Resource Management Act does not constitute an equivalent approval for the required CAR or TMP. The application may be made at <https://at.govt.nz/about-us/working-on-the-road/corridor-access-requests/apply-for-a-car/> and 15 working days should be allowed for approval.

11.0 Supporting Documents

Appendix (1): Nicholas Simpson Statement of Qualifications & Relevant Experience

Appendix (2): Progressive Transport Solutions Memorandum

Appendix (3): Weir Consulting Engineers Ltd Memorandum

Appendix (4): Retaining Wall Relocation Application BUN60462925

Appendix (5): Plans for Indicative Layout

Appendix (6): AT's Temporary Traffic Management Guidelines 2022 – 2025

Appendix (7): s182 Decision

Appendix (8): Record Bus Trips 2024

Appendix (9): AT's s67 / Red Flags Memo

Appendix (10): Tracked Changed Version of Applicant's Proposed Conditions

Appendix (1): Nicholas Simpson Statement of Qualifications & Relevant Experience

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Appendix (8): Recorded Bus Trips 2024

Group	Routes	Stops	Time of Day	Month											
				January	February	March	April	May	June	July	August	September	October	November	December
Fanshawe inbound	95B, 95C, 97B, 97R, 931, 933, 939, CTY, INN, NX1, S501	7142													
			Peak AM	43110	54806	66360	61223	61463	54042	58360	62369	62843	65544	60555	34340
			Peak PM	9767	12143	16838	12854	10875	9649	10837	11722	15161	17846	17195	11090
			Off Peak	43820	52643	66868	57813	51692	49294	51637	56352	59738	66883	62084	48144
Fanshawe outbound	95B, 95C, 97B, 97R, 931, 933, 939, CTY, INN, NX1, S501	1002, 1006, 1323, 1325, 7016													
			Peak AM	8475	14136	17858	13375	13030	11109	12031	14254	16727	17966	16216	9949
			Peak PM	47624	56291	66550	65631	64376	57216	60998	65020	65108	70083	62025	40802
			Off Peak	75893	88381	107367	97305	90225	83548	85197	95023	99011	111311	103750	82489
Albert St outbound	11T, 11W, 18, 105, 106, 195, 209, WX1	1004, 1005													
			Peak AM	3504	9281	10823	7990	9788	8558	7665	10610	9974	8286	7788	4191
			Peak PM	17412	16102	19939	19697	18291	18764	17950	19351	19330	20144	17882	12617
			Off Peak	35081	32501	40627	39795	33327	34614	32575	37533	38661	42167	38909	32380
Sum			Peak AM	55089	78223	95041	82588	84281	73709	78056	87233	89544	91796	84559	48480
			Peak PM	74803	84536	103327	98182	93542	85629	89785	96093	99599	108073	97102	64509
			Off Peak	154794	173525	214862	194913	175244	167456	169409	188908	197410	220361	204743	163013

Appendix (9): AT's s67 / Red Flags Memo

Appendix (10): Tracked Changed Version of Applicant’s Proposed Conditions