188 Beaumont Street, Auckland Central

Fast-track Approval Substantive Application

Assessment of Environmental Effects and Statutory Analysis

9 April 2026

Prepared for:
Westhaven Residential Limited Partnership

B&A
Urban & Environmental

B&A Urban & Environmental

B&A Reference:

026342

Status:

Final

Date:

9 April 2026

Prepared by:

Mary Wong

Senior Associate, Barker & Associates Limited

Reviewed by:

Nick Roberts

Managing Director, Barker & Associates Limited

Contents

Appendices

Appendix 1	Completed FTAA Checklist
Appendix 2	Record of Title and Interests
Appendix 3	Full Names and Addresses of Owners and Occupiers of the Site and Land Adjacent
Appendix 4	Proposed Draft Consent Conditions
Appendix 5	Architectural Drawings
Appendix 6	Landscape Design Report
Appendix 7	Landscape Drawings – Podium & Tower Entrance
Appendix 8	Subdivision Scheme Plans
Appendix 9	Civil Preliminary Design Report and Engineering Drawings
Appendix 10	Erosion and Sediment Control Plan
Appendix 11	Geotechnical Assessment Report
Appendix 12	Coastal and Flood Hazard Risk Assessment
Appendix 13	Detailed Site Investigation and Site Management Plan
Appendix 14	Referral Decision
Appendix 15	Urban Design and Landscape Assessment
Appendix 16	Property Economics' Economic Impact Assessment
Appendix 17	Market Economics: Wider Regional and National Economic Benefits Assessment
Appendix 18	Wind Tunnel Investigation
Appendix 19	Integrated Transportation Assessment
Appendix 20	Travel Management Plan
Appendix 21	Draft Construction Traffic Management Plan
Appendix 22	Noise and Vibration Assessment
Appendix 23	Draft Construction Noise and Vibration Management Plan
Appendix 24	Hazardous Facilities Risk Assessment and Draft Ammonia Response and Evacuation Plan
Appendix 25	Waste Management Plan
Appendix 26	Draft Construction Management Plan
Appendix 27	Consultation Summary Report
Appendix 28	Section 30 Notice
Appendix 29	Ineligible Activity Assessment
Appendix 30	AUP (OP) Activities and Rules Assessment
Appendix 31	Written Approvals of Affected Persons

Appendix 32 Corporate Statements

1.0 Applicant and Property Details

To:	Environmental Protection Authority
Site Address:	188 Beaumont Street and 164 Beaumont Street (boundary adjustment only), Auckland Central
Applicant Name:	Westhaven Residential Limited Partnership
Address for Service:	Barker & Associates Ltd PO Box 1986 Shortland Street Auckland 1140 Attention: Mary Wong
Legal Description:	Lot 1 DP 541270
Site Area:	5,215m^2
Site Owner:	Auckland Council (Fee Simple Title) and Westhaven Residential Limited Partnership (Leasehold Title)
Unitary Plan:	Auckland Unitary Plan (Operative in Part)
AUP(OP) Zoning:	Business – City Centre
AUP(OP) Precinct:	Wynyard Precinct, sub-precinct C and E
AUP(OP) Overlays & Controls:	Coastal inundation 1% AEP plus 1m control – 1m sea level rise Macroinvertebrate Community Index - Urban
Additional Limitations:	Flood plain and flood prone area Contaminated land
Locality Diagram:	Refer to Figure 1 of this report
Brief Description of Proposal:	The Project is an urban development project in the city centre involving a marker building comprising 210 residential apartments across three buildings, ground floor retail activities and associated car parking including enabling earthworks and installation of underground infrastructure.
Summary of Reasons for Approvals:	The application seeks all resource consents that would have otherwise been applied for under the Resource Management Act 1991 necessary for the implementation and ongoing operation of the Project

including, dewatering, land disturbance, comprehensive development signage, construction noise and vibration infringement, transport standard infringements, discharge of contaminants, construction of a new building and ancillary infrastructure subject to natural hazards, subdivision (boundary adjustment and unit title), temporary construction activities, zone and precinct standard infringements. The required resource consents are, but not by way of limitation, the list of consents set out in Section 7 of this report.

2.0 Executive Summary

This report has been prepared in relation to a substantive application by Westhaven Residential Limited Partnership (the 'applicant' or 'WRLP') for resource consents for an urban development project in Auckland's city centre that will assist with the urban regeneration of Wynard Quarter and provide opportunities for people to reside in the establishing neighbourhood.

The project will involve a residential-led mixed use building comprising 210 residential apartments, ground floor retail and ancillary car parking including enabling earthworks and installation of underground infrastructure at 188 Beaumont Street, Auckland Central ('Project'). The activities will be contained within a building featuring three distinct elements and achieves the design qualities of a marker building in this location. The Project is a premium development in a unique, strategic location which will transform the currently under-utilised carpark site into a high-quality development that will contribute positively to the City's urban form and will have significant regional benefits for Auckland. The design of the Project includes a central Tower building which is located in a position whereby the Wynyard Precinct provisions specifically contemplate a taller marker building reflecting the Waterfront and Wharf axes that underpin the intended urban structure of the Precinct. The Project overall represents a high-quality addition to the Wynyard Precinct with a landmark bespoke tower that will positively contribute to the identity of Wynyard Quarter and the City Centre.

This report has been prepared in accordance with the requirements of the Fast-track Approvals Act 2024 ('FTAA'). The FTAA is intended to facilitate the delivery of a development project with significant regional or national benefits.

The Project was referred under the FTAA by the Minister for Infrastructure on 19 December 2025. WRLP is seeking through this application all necessary approvals to authorise the Project being resource consents ordinarily sought under the Resource Management Act 1991 ('RMA').

The proposal requires resource consent under the Auckland Unitary Plan ('AUP(OP)') and National Environmental Standards for Contaminated Land ('NESCS') and all necessary resource consents to enable the construction and operation of the Project are sought through this application.

This application and Assessment of Environmental Effects ('AEE') have been prepared in accordance with sections 43 and 44 of the FTAA, Clauses 5-8 of Schedule 5 of the FTAA, and provides a description of the Project together with a summary of the assessment of actual and potential effects on the environment.

The actual and potential adverse effects on the environment are assessed in detail through a comprehensive suite of technical reports included with the application and the proposed conditions of consent have been developed with input from technical specialists to ensure the adverse effects of the Project are appropriately managed. With the mitigation and conditions of consent proposed, it is concluded that these will be appropriately avoided, remedied or mitigated to be no more than minor overall (and more than minor only for visual amenity effects for the nearest residential receiver). Overall, the adverse impacts of the Project are not considered sufficiently significant to be out of proportion to the significant regional benefits of this Project.

There will also be significant positive effects on the environment from the Project, including through increasing housing supply and intensification within the city centre with the provision of 210 high-quality residential apartments in a highly desirable and connected central city location.

The Project is considered to be consistent with the Treaty settlements and iwi planning documents relevant to the site, and the applicant has provided regular updates and offers to engage with iwi.

The application is also considered to be generally consistent with, and will give effect to, the relevant objectives and policies of the New Zealand Coastal Policy Statement (NZCPS), National Policy Statement - Urban Development ('NPS-UD'), National Policy Statement for Natural Hazards ('NPS-NH') and AUP(OP).

Overall, it is considered that the Project meets the purpose of the FTAA as it will deliver a development project with significant regional benefits, including:

- The Project will provide an estimated $416 million direct economic contribution into the Auckland economy, with 3,400 FTE-years of employment generated over a five-year development period. The project will stimulate significant local business activity, particularly in the tourism, retail, and hospitality sectors. The development will also catalyse further private sector investment in the surrounding areas, enhancing Auckland's economic growth.
- The scale and offering of residential development directly adjacent to Orams will enable Orams to remain internationally competitive and achieves wider economic impacts and benefits to the region which will be at risk if the Project is not granted consent. Those economic impacts and benefits include:
    - Under a conservative scenario: Household incomes in Auckland increase by a total of $663m (discounted at 8%), while at the national level some $725m is added to household incomes; and the Superyacht activity sustained by Orams Marine is estimated to sustain over 27,000 MEC years of employment over 25 years in Auckland (just over 30,000 MEC years at the national level).
    - Under high performance scenario: Household incomes in Auckland increase by a total of $835m (discounted at 8%), while at the national level some $914m is added to household incomes; and the Superyacht activity sustained by Orams Marine is estimated to sustain over 35,500 MEC years of employment over 25 years in Auckland and just over 39,500 MEC years at the national level.
- This Project as a residential led mixed use building will directly contribute to increasing housing supply as it involves the construction and delivery of 210 high-quality residential apartments in a highly connected central city location where there is demand for apartment living.
- The Project will assist in continuing to transform the urban form of Wynyard Quarter, replacing a currently inefficient land-use of an existing carpark with a high-quality, architecturally designed mixed-use development. It introduces publicly accessible waterfront edge and includes the activation of the street edges with retail and hospitality uses. The development will create a vibrant, pedestrian-oriented environment, significantly enhancing the public realm, legibility, and safety of Wynyard Quarter.
- The Project contributes positively to Auckland's skyline and urban environment. The three towers and articulated podiums form a coherent composition that provides a visually distinctive and landmark while integrating with the city's broader built form. The development establishes active edges, and enhanced street interfaces, creating a high-quality urban design outcome.

- The range of uses—comprising residential, retail, and food and beverage —will deliver short- and long-term economic benefits, including job creation during construction and operation, growth in tourism and hospitality activity, and support for city-centre business functions. By intensifying land use in a strategic, transit-accessible location, the project aligns with the Auckland Plan 2050's compact city strategy and NPS-UD directives for efficient urban growth.
- The Project will enhance existing transport infrastructure by integrating the site into Auckland's public transport network with proximity to key transport hubs, including Waitematā Station (and CRL), ferry terminals, and the Lower Albert Street bus interchange. This transit-oriented development supports sustainable urban growth and reduces reliance on private car usage.
- The Proposal contributes to climate change mitigation through the proximity to public transport hubs, combined with active mode facilities (bicycle parking, end-of-trip facilities), reduces reliance on private vehicles and promotes sustainable transport options.

During the development of the Project, the applicant and its representatives have undertaken consultation with iwi authorities, Auckland Council, Healthy Waters, Auckland Transport and Watercare and the application has been refined in response to that consultation and feedback.

3.0 Purpose of the Report

This resource consent application and Assessment of Environmental Effects (AEE) is provided in accordance with the requirements of Schedule 5 of the FTAA. The proposal does not involve any activities that are classified as prohibited under the AUP (OP), RMA or any National Environmental Standards (NES).

A Schedule 5 checklist, which confirms that this application meets the requirements for an application to be accepted as complete, is provided at Appendix 1.

For ease of reference, information provided in this report can be found in the following sections:

Section 4: Introduction

Section 5: Site context

Section 6: Proposal

Section 7: Planning Framework

Section 8: Consultation undertaken

Section 9: Statutory requirements relating to iwi authorities

Section 10: Assessment of the actual and potential environmental effects

Section 11: Mitigation and monitoring of effects

Section 12: Proposed consent conditions

Section 13: Assessment of relevant statutory considerations

Section 14: The Fast-track Approvals Act decision making process

Section 15: Assessment of the proposal against the Fast-track Approvals Act decision making framework

Section 16: Conclusions

As a Referred Project, this Application has been made in accordance with s42 of the FTAA and approval is sought for resource consents that would otherwise be sought under the RMA (s42(4)(a)).

4.0 Introduction

This resource consent application is submitted in relation to WRLP's proposal for a significant urban development project in the city centre involving a marker building containing 210 residential apartments, ground floor retail activities and associated car parking ('Project') at 188 Beaumont Street, Auckland Central (the "Site" or the "project area").

The Project has been referred to an expert consenting panel under the Fast-track Approvals Act 2014 ("FTAA") and this AEE addresses the requirements of the FTAA. This substantive application and AEE are provided in accordance with the requirements of sections 42, 43 and 44 of the FTAA, the Schedule 5, and the relevant provisions of the RMA.

The information provided in this application is sufficiently detailed to correspond to the scale and significance of the Project and the matters that will be assessed in considering whether to grant the approvals sought, including any adverse effects of the activities to which the approvals relate. The assessment of the adverse effects takes into account any proposal by the applicant to manage the adverse effects of an activity through the proposed conditions.

In accordance with Section 46 of the Act, the information provided in this application complies with Section 42, Section 43 and Section 44, relates solely to a referred project, and does not seek approval for an ineligible activity, as the proposed activity:

- Would not occur on identified Māori land;
- Would not occur in a customary marine title area;
- Would not occur in a protected customary rights area;
- Would not occur on Māori customary land or land set apart as a Māori reservation as defined in section 4 of Te Ture Whenua Māori Act 1993;
- Is an urban development project and is therefore not an aquaculture activity;
- Is not an activity that would require an access arrangement under section 61 or 61B of the Crown Minerals Act;
- Will occur on land and therefore does not involve any activity that would be prevented under section 165J, 165M, 165Q, 165ZC, or 165ZDB of the Resource Management Act 1991 which relate to activities in the coastal marine area;
- Would not occur on land that is listed in Schedule 4;
- Would not occur on a national reserve or other reserve land held under the Reserves Act 1977;
- Is not a prohibited activity under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 or regulations made under that Act; and
- Is not a prohibited activity under section 15B and 15C of the Resource Management Act 1991.

4.1 Statement of Qualifications and Experience

Mary Wong

I am a Senior Associate at Barker & Associates (B&A) based in the Auckland office. B&A is an independent planning, urban design and landscape consultancy with offices across New Zealand. I have been employed at B&A since 2015. I hold the Degree of Bachelor of Planning with Honours from the University of Auckland and I am an Intermediate Member of the New Zealand Planning Institute. I have over ten years of experience including time in local government and private practice.

My experience includes the preparation of complex resource consent applications and the management of multidisciplinary teams. I also have experience in the RMA plan making process including preparation of private plan changes, structure planning, and community consultation and stakeholder engagement.

I confirm that, in my capacity as co-author of this report, I have read and abide by the Environment Court of New Zealand's Code of Conduct for Expert Witnesses Practice Note 2023.

Nick Roberts

I am the Managing Director at B&A. I hold the Degree of Bachelor of Planning from the University of Auckland and I am Full Member of the New Zealand Planning Institute. I was most recently a member of the Auckland Council Urban Design Panel and recipient of the Nancy Northcroft Planning Practice award from the New Zealand Planning Institute.

I specialise in strategic and policy planning and have led the development of large-scale strategic plans and significant changes to policy across New Zealand. My experience in the City Centre and Wynyard Quarter area dates back to providing planning policy advice to Auckland Council since 2011 and to the former Auckland City Council since 2004. I was also involved with the preparation of a number of designed based plan changes on behalf of the former Auckland City Council which included Plan Change 2 to the (then) Operative Plan implementing urban design controls across the Central City. I was also the principal author for Plan Change 4 which introduced the Wynyard Quarter provisions into the District Plan and provided for the redevelopment of Wynyard Quarter.

During the development of the Auckland Unitary Plan (AUP) I was engaged by Auckland Council as their lead planning expert to provide evidence on submissions received in relation to Topic 050 City Centre Zone including any site-specific requests. During that time, I provided evidence on the objectives, policies and methods of the City Centre zone including the Cook Street Depot and Britomart Precincts. I was also involved with preparing a joint statement of evidence on the waterfront precincts which included Wynyard, Viaduct, Westhaven, Central Wharves and Ports.

I, or my firm, have also been involved with consenting many development projects across Wynyard Quarter.

I confirm that, in my capacity as co-author of this report, I have read and abide by the Environment Court of New Zealand's Code of Conduct for Expert Witnesses Practice Note 2023.

4.2 Introduction to WRLP

The applicant and authorised person under Section 42 of the FTAA for this resource consent application is Westhaven Residential Limited Partnership ('WRLP').

WRLP is a joint venture between Precinct Properties and Orams Marine, both of whom have significant experience and capabilities in the successful construction and delivery of transformational projects in Auckland's city centre.

Precinct Properties ("Precinct")

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

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

Further information regarding the profile of Precinct, the background of the Project, its development journey and the feasibility of the Project is provided in Appendix 32.

Orams Marine ("Orams")

Orams is a leading provider of New Zealand's marine facilities with a dedicated marine precinct located in Wynyard Quarter. The Orams Marine precinct is a world-class and designed to meet the needs of superyachts, the commercial sector and recreational marine industry. Facilities of this marine precinct developed by Orams include an 820T travelift, 60m work sheds, 90m marina berths, workshops and space to carry out a broad range of marine refit and maintenance services. Further information about Orams, its role in the regeneration of Wynyard Quarter and the background to this Project is provided in Appendix 32.

5.0 Site Context

This section of the application is provided in accordance with clauses 5 and 8 of Schedule 5 of the FTAA.

Copies of Records of Title for the site are attached at Appendix 2. In accordance with clause 5 of Schedule 5 of the FTAA, the names and addresses of owners and occupiers of the site and land adjacent to the site (where occupiers were identifiable after reasonable inquiry) are enclosed as Appendix 3. A summary of the site and locality details is provided below.

5.1 Site Description

The Site is located at 188 Beaumont Street, Auckland Central. It is legally described as Lot 1 DP 541270 and has a site area of 5,215m^2. The Applicant owns the leasehold interest of the Site for a term of 125 years commencing from 23 October 2019. This ownership of the leasehold interest provides the applicant with the ability to redevelop the Site for residential purposes as part of its development agreement with Auckland Council as the landowner of the fee simple title.

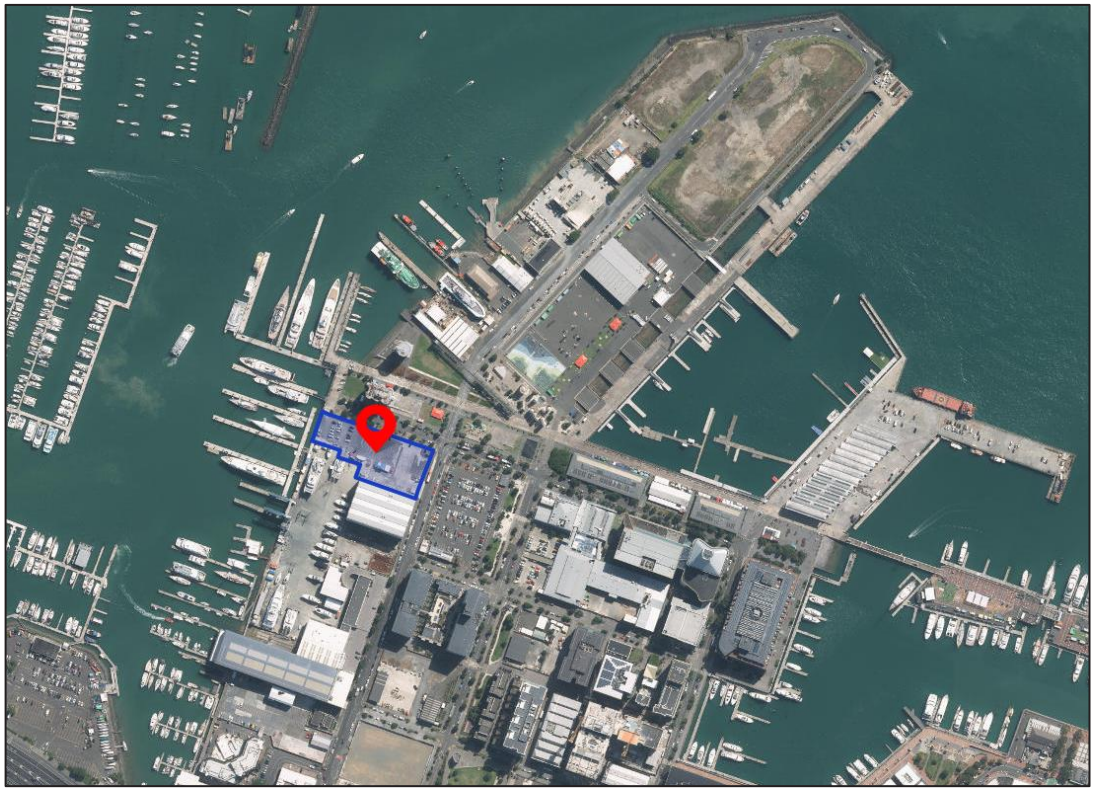

Figure 1: Locality plan of project location (Source: Emaps).

Under the AUP(OP), the Site is zoned Business – City Centre and is located within the 'Wynyard Precinct' that applies to the north-western end of the city centre. The AUP(OP) describes the purpose of the Wynyard Precinct is to provide for the comprehensive and integrated redevelopment of this large brownfield area while enabling the continued operation of marine and hazardous industries. The Site is located within sub-precincts C and E of the Wynyard Precinct as shown in Figure 2.

The topography of the Site is flat and there are no vegetation or other discernible features on site. The majority of the Site is comprised entirely of paved impervious surface and is currently used for long-term non-accessory car parking (with the resource consent which authorises that activity expiring on 31 July 2028). The Site also contains a few small temporary buildings and structures.

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

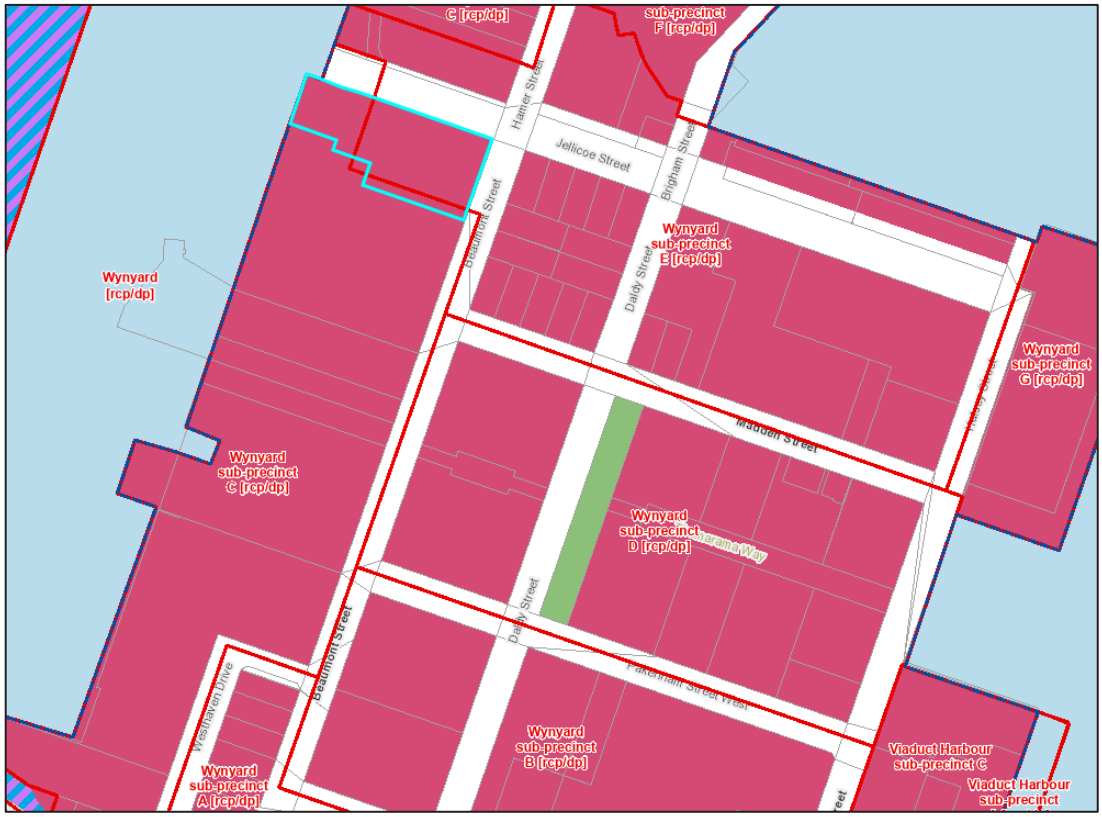

Figure 2: AUP(OP) zoning plan and sub-precinct boundaries (Source: Auckland Council Geomaps).

Two volcanic viewshafts pass over Wynyard Quarter being E10 and E16 which protects views of Maungawhau on approach to the city from the North Shore on SH1, the Northern Motorway and Harbour Bridge. These volcanic viewshaft overlays are captured in the AUP(OP) and are identified as 'Natural Heritage: Regionally Significant Volcanic Viewshafts and Height Sensitive Areas Overlay' in the planning maps and relevant provision. Notably, the Site is located outside of this volcanic viewshaft overlay as demonstrated by **Figure 3** thereby maintaining its potential for the development of a marker building in this project location.

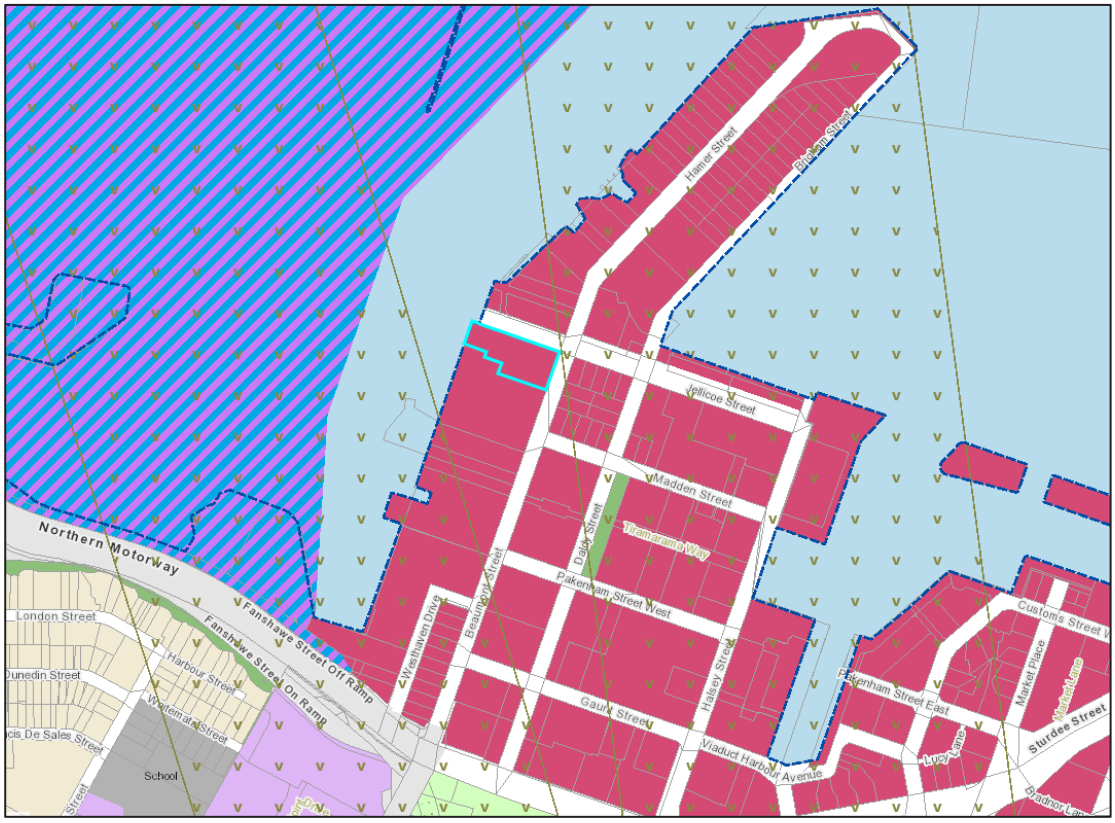

Figure 3: Extent of maunga viewshafts over Wynyard Quarter ('v' pattern) and relationship to the site outlined in blue (Source: Auckland Council Geomaps).

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

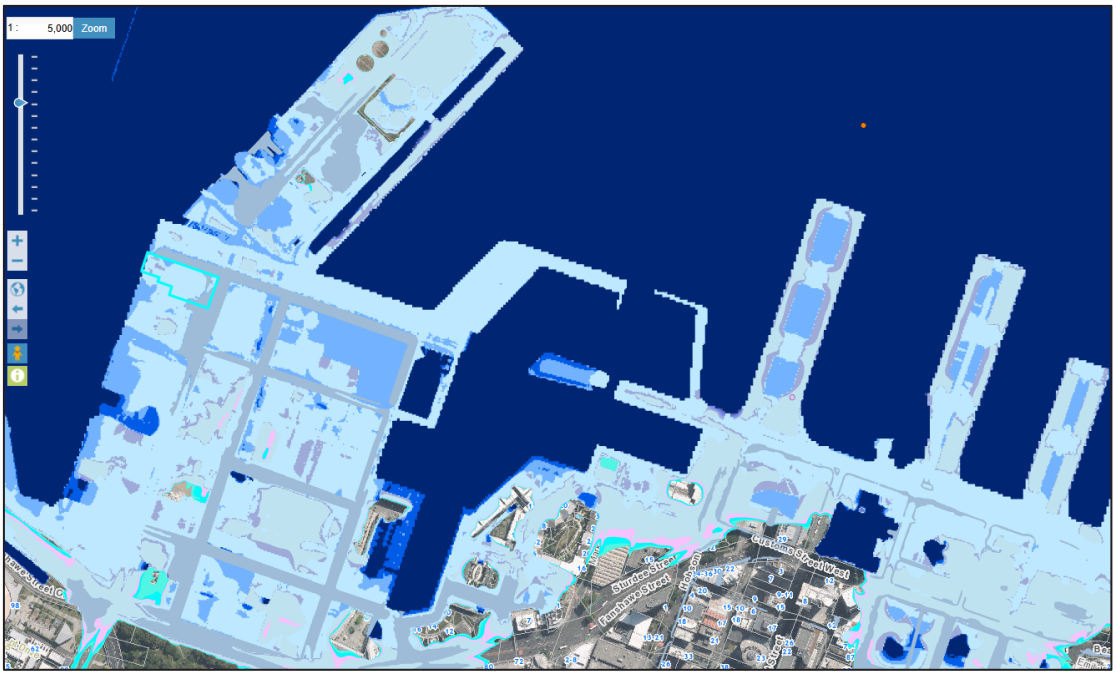

Figure 4: Location and extent of natural hazards on site (outlined in blue) and in broader context of Wynyard Quarter and the Viaduct Harbour (Source: Auckland Council Geomaps).

5.2 Surrounding Locality

The Site abuts the coastal marine area to the west, the existing Orams Marine facility to the south, Jellicoe Street and Silo Park to the north and Beaumont Street and a non-accessory carpark to the east. The Orams Marine superyacht facility located directly south of the project was recently redeveloped as a world-class marine precinct designed to meet the needs of superyachts, the commercial sector and recreational marine industry. The Project will complement and complete the marine development along this western promenade of the Wynyard Precinct and the Project is an important component of the broader long-term plan for the Orams Marine Precinct.

In a broader context, the project location of Wynyard Quarter is considered to be the largest brownfield area in Auckland's City Centre and is in the process of a significant urban regeneration project evolving from its historical industrial and marine industry uses to include a mix of development and activities including:

- high-quality open space areas, restaurants, offices and cafés;
- office and residential activities; while
- incorporating a marine focus along the western edge reflected in the substantial Orams Marine operations directly south of the site.

A significant public project planned north of the project area, and to which the project responds to, is Te Ara Tukutuku. Te Ara Tukutuku is public open space project by Auckland Council planned at the northern end of Wynyard Point to create a regionally significant waterfront destination as the largest new public open space in the City Centre in 100 years. Designation no. 505 in the AUP(OP) provides for the development of the public open space component of the Te Ara Tukutuku masterplan[1].

Figure 5: Concept design for Te Ara Tukutuku relative to project area outlined in red.

[1] We understand that some components of the Te Ara Tukutuku masterplan will require a future plan change to be realised.

More broadly, Wynyard Quarter is located within one of the most connected parts of the city centre given its close proximity to regionally and nationally significant transport infrastructure as shown on Figure 6. This includes the motorway network and interchange, the arterial road network, Waitematā Train Station, the City Rail Link[2], the ferry terminal, and bus routes leaving from or travelling along Lower Albert Street, Fanshawe Street and Britomart. It is also well connected via pedestrian and cycle linkages with excellent accessibility within the Precinct and to the City Centre.

There are a large number of regionally or locally significant facilities in broader proximity of the Project as demonstrated on Figure 7 including:

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

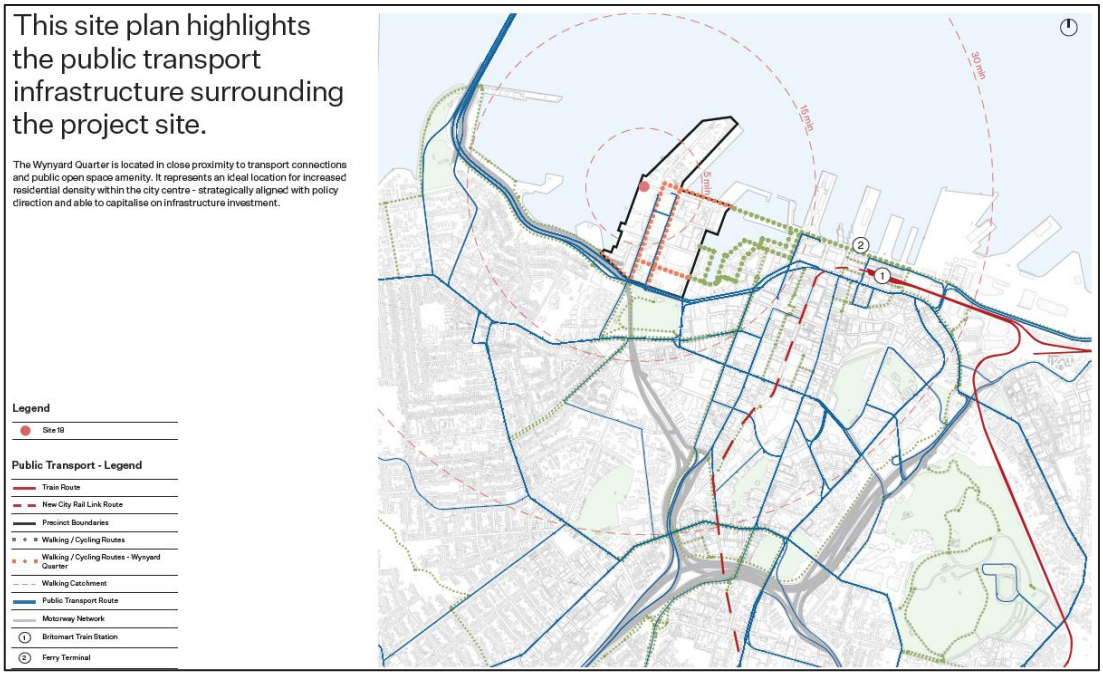

Figure 6: Map of City Centre zone public transport (Source: Warren and Mahoney Architects).

[2] Construction of the stations and supporting rail infrastructure is expected to be completed by December 2025.

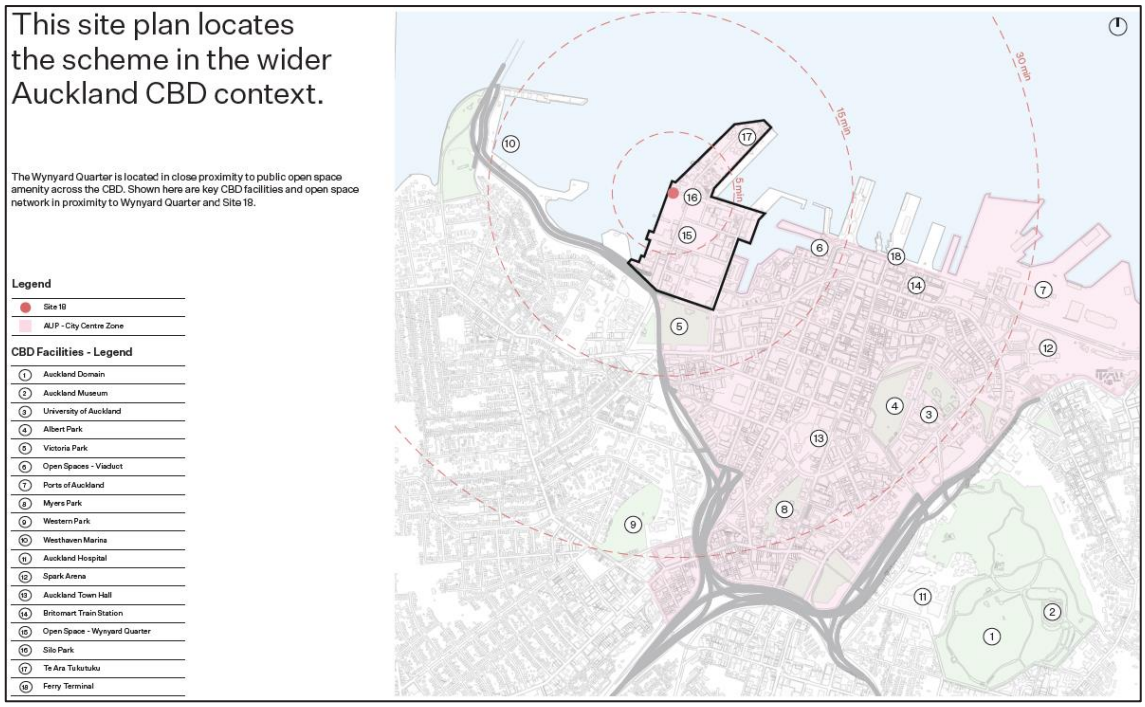

Figure 7: Map of City Centre zone facilities (Source: Warren and Mahoney Architects).

5.3 Owner and Occupiers

In accordance with clause 5(1)(d) of Schedule 5 of the FTAA, the full names and addresses of the following are provided at Appendix 3.

(a) each owner of the site and of land adjacent to the site; and

(b) each occupier of the site and of land adjacent to the site whom the applicant is able to identify after reasonable inquiry;

6.0 Proposal

This section of the application is a summary of the key elements of the proposal provided in accordance with clause 5(1)(a) of Schedule 5 of the FTAA.

The extent of the project is shown on the drawings enclosed as Appendices 5, 6, 7, 8 and 9. The following provides an overall summary of the proposal and is intended to be read alongside the visual material and technical reports accompanying this application for a full understanding of the proposal.

For completeness, approvals are sought for resource consents which would otherwise been applied for under the RMA under Section 42(4)(a) of the FTAA.

6.1 Earthworks and Enabling Works

Earthworks are proposed across the majority of the Site to facilitate construction of the proposal and any existing buildings or structures on site will be removed. The earthworks required for all enabling works on site accounts for a site-wide scrape excavation of 1.5m in depth, three concrete

core caps, building piles and the installation of underground infrastructure. The earthwork quantities have been calculated as approximately 5,110m^2 in area with a total cut volume of 13,480m^3 and 7,070m^3 of fill as detailed within the Erosion and Sediment Control Plan (ESCP) in Appendix 10.

No seasonal restrictions are proposed during the earthworks phase of the Project. However, additional erosion and sediment control measures will be implemented during the winter months to enable the subsurface excavations and substructure to be completed without temporary closing of the Site during the winter period.

Reinforced bored concrete piles embedded into the underlying East Coast Bays Formation rock are likely to be the preferred foundation solution, while driven steel piles are likely to be considered for more lightly loaded areas. Piles for the building will be installed at approximately 50m deep using temporary steel casings to support upper levels of the earthwork excavations. Piling activities are planned to generally be completed from the west to east direction of the Site.

The substructure of the building will then be installed comprising of three building cores which will include life shafts underlain by structure piles that will be tied together with a core cap. The structural concepts to date indicate that the underside of the core caps will sit at approximately RL -1.0m (and will not extend below -1.0m RL). The formation of these core caps will require localised temporary excavations that extend up to approximately 4m below existing ground levels. Groundwater levels at the Site are influenced by tidal levels and monitoring of groundwater levels has determined that groundwater is expected to be encountered between RL +0.7 to RL +1.3m across the building platform with some tidal fluctuation. This corresponds to typical depths of 1.5m to 2.5m below the existing ground level and therefore temporary dewatering and groundwater diversion will be required to construct the core caps.

6.2 Buildings and Activities

6.2.1 New Building

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

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

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

- Marina building - this will be an 8 storey and approximately 34m high building at the western end of the Site and will contain 18 three-bedroom residential apartments;

- Tower building – this will be a 23 storey and approximately 84m high building in the centre of the Site and will contain 126 (one, two and three bedroom) residential apartments; and
- Beaumont building – this will be a 10 storey and approximately 40m high building at the corner of Jellie and Beaumont Street. It will contain 66 one, two and three bedroom) residential apartments.

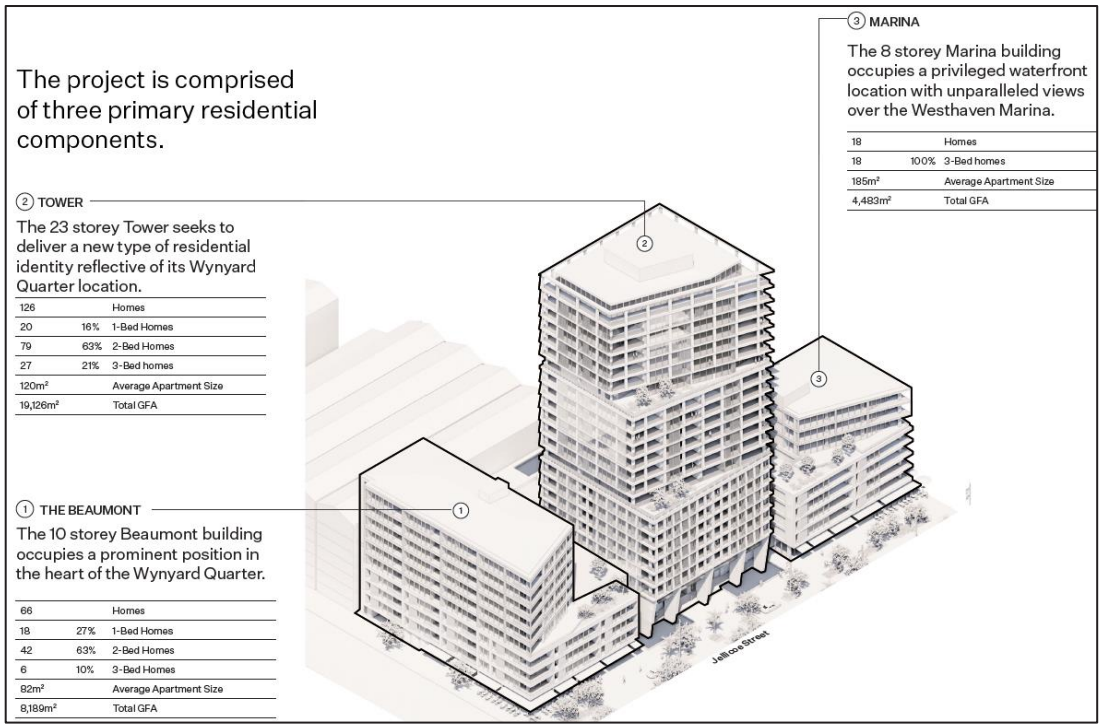

Figure 8: Design of project and three primary residential components of the building (Source: Warren and Mahoney Architects).

The development reflects a site-specific marker building that responds to the urban framework of the Precinct. A key design element is the angled and stepped façade of the Central tower building which is a direct response to and reflection of the twisted geometry of Te Ara Tukutuku. Another significant design feature is that the Project will achieve a 7m setback along the water edge and western boundary of the Site. This building setback will be located on privately owned land but is designed to be a publicly accessible landscaped terrace offering views to the Westhaven Marina and across the Waitematā Harbour. This design feature will provide significant public benefit and amenity in terms of maintaining and enhancing public access to and along the coastal marine area (as a matter of national importance under s6 of the RMA) which is not required under the operative planning framework of the AUP(OP).

The materiality and façade design of the building acknowledges and reflects the Site's marine industrial context whilst supporting its residential use. The tower's gridded frame has an expressed concrete materiality brought tangibly to ground through the five deep, triple height columns at the Jellicoe Street entry lobby which respond to the six-pack silos at Silo Park, opposite the Site. The base of the eastern and western Beaumont and Marina buildings has a solid brick materiality with lighter weight materials above. The colour of these two buildings is differentiated relative to their corner urban and coastal edge locations. Further details on the specific design of the building are described in the Urban Design and Landscape Assessment in Appendix 15.

6.2.2 Retail Activities

Two retail spaces are provided on the ground floor of the building and primarily along the Jellicoe Street frontage and at the corner between Jellicoe and Beaumont Street. The type of retail activities operating within these spaces are still to be determined but are likely to be occupied by food and beverage retail offerings. The concept design of retail spaces within the building totals approximately 624m^2.

6.2.3 Residential Activities

The remainder of the building provides for intensive urban living in the form of 210 residential apartments.

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

Typology	Number
One bedroom	38
Two bedrooms	121
Three bedrooms	51
Total	210

The design of the building provides for high-quality on-site amenity for each apartment and future occupants. Each of the apartments are generously sized with averages ranging between 90m^2 to 185m^2 across the three typologies. Each of the apartments will be provided with private open space in the form of a balcony, as well as access to the common roof terrace on level 4 of the building above the car parking podium.

All units within the building will have outlook either over Jellicoe or Beaumont Street, the harbour, or within the Site itself. The exception to this will be some south facing units on Levels 5-7 of the Marina building and on Levels 4-22 of the Tower Building whereby the 6m outlook of these units extend partly extend over the adjoining Orams Marine yard to the south of the Site.

6.3 Site Access, Parking and Transport

Vehicle access to and from the building will be provided from Beaumont Street only. No form of vehicle access will be provided from Jellicoe Street. This was a deliberate design decision having regard to the prominent location of the site at the very western termination of the Waterfront Axis in the Wynyard Quarter Urban Design Framework 2014 and the desire to minimise traffic along this part of Jellicoe Street where it is adjacent to the public open space of Silo Park.

Following vehicle access into the site, the internal accessway provides access either to the Orams Marine yard directly to the south of the Site or into the car parking areas on the ground and podium levels of the building. The podium of the building provides for a total of 261 car parking spaces for the residential activities within the building. No basement or at-grade car parking is proposed. All parking spaces on site will be allocated for residential use only.

The development also encourages and supports the use of active transport modes through the provision of 132 secure bicycle parking spaces provided in three separate areas on the ground floor of the building. Additional secure bike storage can be provided within the individual dwellings.

Three separate pedestrian accesses are provided into the building via the three entrance lobbies for each of the three building. The lobbies for the Marina and Tower buildings are accessed from Jellicoe Street, and the lobby for the Beaumont building is accessed from Beaumont Street.

6.4 Infrastructure

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

The Project proposes the following connections to existing three waters infrastructure to enable the servicing of the Site:

- Stormwater - Two stormwater connections are proposed to the existing public network on Jellicoe Street. The existing 300mm connection will be retained (conveying approximately 38 L/s to the 600mm main). A new 300mm connection to the 750mm main will be installed (conveying approximately 77 L/s). The development complies with Auckland Council Network Discharge Consent (NDC) Schedule 4 requirements for Brownfield small sites. Stormwater treatment and attenuation are not required.
- Water supply – Three new connections are proposed to the existing 250mm ductile iron water main on Jellicoe Street, being two 40mm connections for retail potable supply, and one 150mm combined connection for residential potable water and fire supply.
- Wastewater – The existing wastewater connections to the Site are proposed to be retained for the Project. Approximately two-thirds of the flow will be directed to the eastern connection, with one third directed to the western connection. The western connection is the existing 150 mm diameter PVC wastewater connection and the eastern connection is the existing 225 mm diameter VC pipe connection to the east of the northern site boundary. WRLP is underway with CCTV investigations of the relevant public wastewater pipes to confirm if these have capacity to accommodate the development. WRLP will ensure there is operational wastewater infrastructure with sufficient capacity to service the project.

6.5 Landscape Design

Landscape design elements of the Project are provided on the Level 4 podium of the building, upper terraces and tower entry; and on the ground floor primarily at the western interface to the coastal marine area.

6.5.1 Podium Landscape

The landscape design for the Level 04 podium, upper terraces, and tower entry responds to the site's waterfront and coastal context, establishing a planted landscape framework that grounds the built form while providing high-quality amenity for residents. The design draws on the character of the Wynyard Quarter and its former coastal landscape, using vegetation, landform, and materiality to create a cohesive and contextual landscape setting. The podium features a generous and integrated planting framework assists with wind mitigation and microclimate

control, enabling a range of shared outdoor spaces including poolside, dining, and informal gathering areas that support the broader amenity offering of the Project.

Figure 9: Podium landscape design (Source: WAM).

This approach is continued along the upper terrace edges, where there are layers of wind and shade tolerant planting. These planted edges contribute to privacy, enclosure, and visual softness while acknowledging the site's coastal heritage.

At the tower entry, landscape elements including green wall planting and water features reference the waterfront location and establish a clear transition from the public realm to the residential domain. Together, the podium, terraces, and tower entry landscapes create a unified and legible landscape strategy that enhances resident experience while responding to the site's natural and urban context.

6.5.2 Ground Level Landscape

The design of the privately owned, publicly accessible western edge balances freely accessible water edge with a hospitality focused terrace space. The terrace level ties to the elevated 3.40m RL FFL of the indoor retail (food and beverage) space on the ground floor of the Marina building. A single Pōhutukawa tree anchors the coastal edge. The tree's position aligns with the internal architectural layout at ground and upper levels. Low growing coastal native groundcover planting in swathes also occupies the coastal edge ground plane.

The western end landscape design also incorporates a number of features to provide wind mitigation in the public realm including Silo Park. These include the wall on the Orams boundary, glass balustrades to the terrace deck and a free-standing east / west wind wall aligned through the planting.

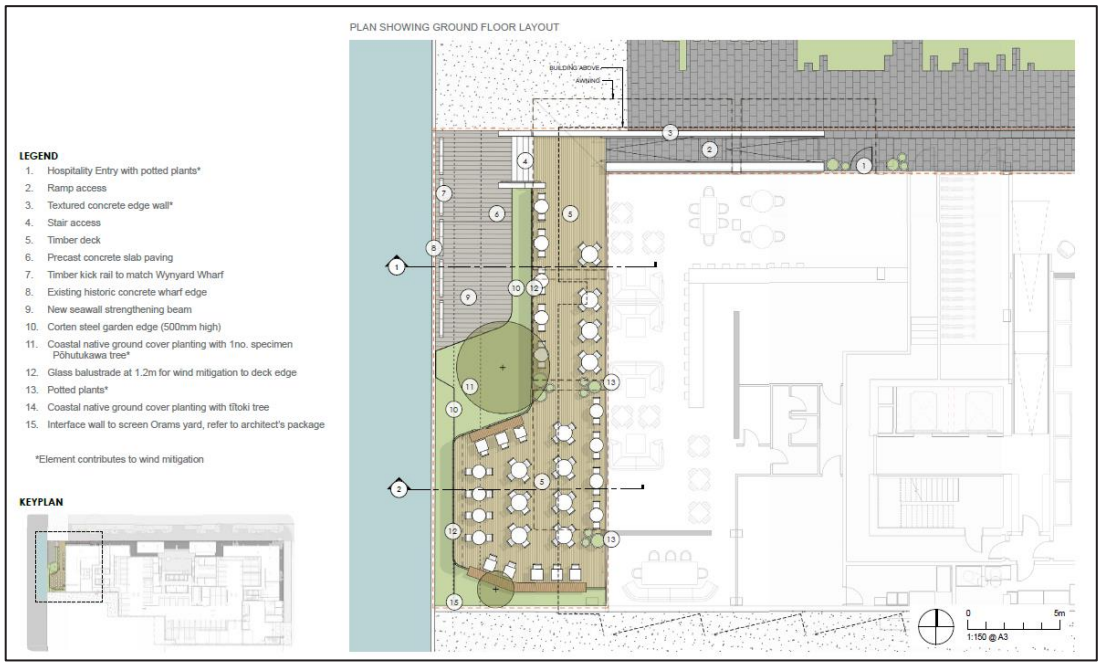

Figure 10: Marina landscape design at western coastal edge of the Site.

The landscape design for the Beaumont and Tower frontages continues the established Jellicoe Street character through to the building setback. The Beaumont frontage accommodates a street level retail space, contributing activity and vibrancy to the heart of Wynyard Quarter.

The Tower frontage includes a prominent building entry framed by two water features and green walls. The high-quality Jellicoe streetscape materials and detailing extend through to the entry stairs and accessible ramp.

6.6 Subdivision

6.6.1 Boundary Adjustment

A subdivision for a boundary adjustment is proposed between the Site and 164 Beaumont Street which directly adjoins the southern boundary of the Site. The proposed boundary adjustment is minor in scale and reduces the original area of the Site. The proposed area changes in this boundary adjustment do not exceed 10% of the net site area of each site and are summarised in the table below.

Site Address	Existing Site Area	Proposed Site Area	Area Adjustment / Percentage
188 Beaumont Street	5,215m^2	4,937m^2	-278m^2 / -5.3%

164 Beaumont Street	1.1026ha	1.130ha	+274m^2 / +2.5%

The boundary adjustment is necessary to implement the Project because it is a requirement of the development agreement between the applicant and Auckland Council which specifies that it must occur following construction of the proposed building. This approach ensures that the final legal boundaries accurately reflect the as-built development and are positioned appropriately in relation to buildings, accessways, services, and associated infrastructure. Undertaking the boundary adjustment post-construction provides certainty that the cadastral layout aligns with the physical configuration of the site.

Areas of the two sites subject to the proposed boundary adjustment are shown on the scheme plans included as **Appendix 8**.

6.6.2 Unit Title

Following the boundary adjustment, the commercial and residential components of the development will be subject to a unit title subdivision. The creation of unit titles will enable individual commercial and residential units to be separately owned, leased, and managed, while providing for appropriate shared ownership and maintenance responsibilities in respect of common property.

The unit title subdivision will be as per the unit title scheme plans in **Appendix 8**. This unit title subdivision will establish a series of principal units for the dwellings and retail spaces, accessory units for the car parking spaces and balconies and common property for all the common areas throughout the building. This unit title subdivision will occur following the boundary adjustment described above.

7.0 Planning Framework

7.1 Overview

This section of the application is provided in accordance with Schedule 5, clause 5(1)(h) of the FTAA which requires an assessment of the activity be provided against relevant provisions of the following documents provided in Schedule 5, clause 5(2) of the FTAA:

(a) A national environmental standard.

(b) Other regulations made under the Resource Management Act 1991.

(c) A national policy statement.

(d) A New Zealand coastal policy statement.

(e) A regional policy statement or proposed regional policy statement.

(f) A plan or proposed plan.

(g) A planning document recognised by a relevant iwi authority and lodged with a local authority.

The Project has been considered against the above documents in the following sections of this report as well as consideration of the Project against the items listed in Schedule 5, clause 5(3)(a)-(c).

The application seeks all resource consents necessary for the construction and ongoing operation of the Project. The list of consents considered to be required is outlined below. For completeness, this application also seeks consent for any matters that are not listed below but which are subsequently identified as being necessary through the processing of this application.

In summary, the Project requires: non-complying activity consent overall under the AUP(OP) and restricted discretionary activity under the National Environmental Standards for Contaminated Land. Overall, the Project is assessed as a non-complying activity.

The Site is zoned Business - City Centre Zone under the AUP (OP) and is located within sub-precincts C and E of the Wynyard Precinct. The project requires approvals for the matters as outlined below. A detailed rules assessment against the applicable AUP(OP) standards is attached in **Appendix 30.**

7.2 Resource Consents Required

7.2.1 Auckland Unitary Plan (Operative in Part)

The AUP(OP) was made operative in 2016. Since being made operative there have been a number of appeals and plan changes. The Plan Changes that have a bearing on this application are Plan Change 79 and 120 which are identified in the sections below.

Reasons for consent under the AUP(OP) in accordance with clause 5(1)(f) of Schedule 5 of the Act are as follows:

Taking, using, damming and diversion of water

- E7.4.1(20) – The proposal will involve dewatering (groundwater take) associated with groundwater diversion to enable construction of the concrete core caps that is likely to take longer than 30 days and would therefore not meet permitted activity standards E7.6.1.6. This is a restricted discretionary activity.
- E7.4.1(28) – The proposal will involve the diversion on groundwater caused by an excavation that does not meet permitted activity standards E7.7.1.10 because the permanent core caps are likely to extend more than 2m below the natural high-tide groundwater level. This is a restricted discretionary activity.

Land Disturbance – Regional

- E11.4.1(A9) - The proposal will involve greater than 2,500m^2 of land disturbance (5,110m^2 proposed) within the sediment control protection area to facilitate construction of the proposed building in the City Centre zone. This is a restricted discretionary activity.

Land Disturbance – District

- E12.4.1(A6) - The proposal will involve greater than 2,500m^2 of land disturbance (5,110m^2 proposed) across the site to facilitate construction of the proposed building in the City Centre zone. This is a restricted discretionary activity.

- E12.4.1(A10) - The proposal will involve greater than 2,500m^3 of land disturbance (total cut volume of 13,480m^3 and 7,070m^3 of fill proposed) across the site to facilitate construction of the proposed building in the City Centre zone. This is a restricted discretionary activity.

Signage

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

Noise and Vibration

- E25.4.1(A2) – Construction noise levels during construction of the proposed building for a duration of 15 consecutive calendar days or more in duration are predicted to exceed the 75 dB LAeq construction noise limit in Standard E25.6.2.28(1) by up to 25dB during the loudest activity (vibrated casing) to the adjacent site at 164 Beaumont Street. This is a restricted discretionary activity.
- E25.4.1(A2) – Construction vibration amenity levels during construction of the proposed building are predicted to exceed the vibration amenity limits in Standard E25.6.30(1)(b) to the adjacent site at 164 Beaumont Street. This is a restricted discretionary activity.

Transport

- E27.4.1(A2) – The proposal involves parking, loading and access which is accessory to an activity but which does not comply with the standards for parking, loading and access as restricted discretionary activities.
    - Standard E27.6.2(6) for a shortfall 80 secure bicycle parking spaces where a minimum of 212 spaces is required and 132 spaces are provided.
    - Standard E27.6.2(8) because three loading spaces are requires (one for 624m^2 of retail activity and two for all other activities greater than 20,000m^2) where two are provided.
    - Standard E27.6.3.1(1) and Table E27.6.3.1.1(T117) requires an aisle width of 7.1m where a 2.4m wide parking space is provided for regular users, and the project provides an aisle width of 6.8m for the 2.4m wide parking spaces within the building.
    - Standard E27.6.3.5(1) because a vertical clearance height of 2.3m is provided for the car parking podium levels whereas a vertical clearance height of 2.5m is required because accessible parking will be provided.
    - Standard E27.6.3.6 because the access onto Beaumont Street exceeds a gradient of 1 in 20 for the first 4m with a gradient of 1 in 12 proposed.
    - E27.6.4.2 and E27.6.4.3 because the proposed vehicle crossing onto Beaumont Street exceeds the permitted 6m width with 6.63m proposed.

Contaminated Land

- E30.4.1(A6) – The proposal involves the discharge of contaminants into air, or into water, or onto or into land not meeting permitted activity Standard E30.6.1.4 because the Site meets the definition of land containing elevated level of contaminants. This is a controlled activity.

Natural Hazards and Flooding

- E36.4.1(A9) - The proposal involves the construction of a new building on land located within the coastal inundation 1% AEP area as shown on the planning maps. This is a restricted discretionary activity.
- E36.4.1(A33) - The proposal involves the construction of other land drainage works, stormwater management devices or flood mitigation works in the 1% AEP flood plain. This is a restricted discretionary activity.
- E36.4.1(A37) - The proposal involves the construction of a new building on land located within the 1% AEP floodplain as shown on the planning maps. This is a restricted discretionary activity.
- E36.4.1(A38) – The proposal involves the use of the new building to accommodate more vulnerable activities (dwellings) located within the 1% AEP floodplain. This is a restricted discretionary activity.
- E36.4.1(A56) – The proposal involves infrastructure (drainage and sewerage system) in the coastal storm inundation 1% AEP area, coastal storm inundation 1% AEP control plus 1m sea level rise and the 1% AEP flood plain as shown on the planning maps. This is a restricted discretionary activity.

Subdivision – Urban

- E38.4.1(A4) – The proposal involves a unit title subdivision. This is a controlled activity.
- E38.4.1(A6) – The proposal involves a boundary adjustment between 188 and 164 Beaumont Street which does not exceed 10% of the net site area of each site. This is a controlled activity.
- E38.4.1(A11) - The proposal involves the subdivision of land within the 1% AEP floodplain and coastal storm inundation 1% AEP + 1m sea level rise area. This is a restricted discretionary activity.
- E38.4.1(A13) - The proposal involves subdivision that does not meet the restricted discretionary activity standard in E38.7 standards for subdivision for specific purposes. This is a discretionary activity. The following standard is not met:
    - Standard E38.7.3.4 because the entirety of the site is subject to coastal hazards and therefore the site cannot contain a rectangle in accordance with the specifications of the standard outside of a coastal inundation hazard area.
- E38.4.3(A33) - The proposal involves subdivision in accordance with an approved land use resource consent complying with Standard E38.9.2.1. This is a restricted discretionary activity.
- E38.4.3(A38) - The proposal involves subdivision that does not meet the standards in E38.9 standard for subdivision in the business zone. This is a discretionary activity. The following standard is not met:
    - Standard E38.9.1.1 because the entirety of the site is subject to coastal hazards and therefore the site cannot contain a rectangle in accordance with the specifications of the standard outside of a coastal inundation hazard area.

Temporary Activities

- E40.4.1(A24) – The proposal will involve temporary activities associated with building and construction (including structures and buildings that are accessory activities) for a duration of more than 24 months as provided for in Table E40.4.1(A20). These temporary activities include construction of the project and associated enabling works. This is a restricted discretionary activity.

Business - City Centre

- H8.4.1(A32) – The proposal involves the development of new buildings in the City Centre zone. This is a restricted discretionary activity.
- H8.4.1(A32A) – The proposal will involve the demolition or removal of all existing buildings on site in the City Centre zone to enable construction of the proposed building. This is a controlled activity.
- H8.6.25 - The Jellicoe and Beaumont Street frontages of the site are identified on Map H8.11.5 as requiring new buildings to adjoin the entire length of the frontage and provide a minimum contiguous building height of 13m for a minimum depth of 6m from the frontage. The design of this Project does not comply with this standard because the building is setback in part along both street frontages. This is a restricted discretionary activity pursuant to standard C1.9(2).
- H8.6.26 - The Jellicoe and Beaumont Street frontages of the site are both subject to the verandah control on Map H8.11.6 of the City Centre zone which requires a new building to provide a continuous veranda along the full width of its building frontage. The proposal does not comply with this standard because the verandahs provided in the design of the new building are not continuous along both frontages. This is a restricted discretionary activity pursuant to standard C1.9(2).
- H8.6.32 – The 6m outlook space of some south facing dwellings on Levels 5-7- on the southern side of the Marina building and on Levels 4-22 of the Tower building will partially extend over the adjoining site at 164 Beaumont Street. Written approval of the owner and occupier of this adjacent site has been obtained however, no legal instrument to maintain the outlook space in perpetuity is proposed. This therefore does not comply with the standard and is a restricted discretionary activity under standard C1.9(2).

Wynyard Precinct

- I214.4.1(A1) - The proposal involves 210 dwellings on land located in sub-precinct C as a non-complying activity, and sub-precinct E as a restricted discretionary activity.
- I214.4.1(A15) - The proposal involves the provision of 624m^2 of food and beverage retail space exceeding 100m^2 GFA per site. This is a discretionary activity in sub-precinct C and restricted discretionary activity in sub-precinct E.
- I214.4.1(A28) - The proposal involves the provision of retail tenancies with sizes ranging between 176m^2 - 265m^2 across the ground level of the building. This is a non-complying activity in sub-precinct C and restricted discretionary activity in sub-precinct E.
- I214.4.2(A47) - The proposal will involve the demolition or removal of all existing buildings on site to enable construction of the proposed building. This is a controlled activity.

- I214.4.2(A51) - The proposal involves the construction of a new building on land within the Wynyard Precinct. This is a restricted discretionary activity.
- I214.4.2(A53) – The proposal involves subdivision on land within the Wynyard Precinct. This is a restricted discretionary activity.
- I214.4.2(A58) – The proposal involves the development of a new building that does not comply with standard I214.6.7(1) Maximum site intensity [3] on land (refer calculations provided in Architectural Plans in Appendix 5). This is a non-complying activity.
- I214.4.2(A61) - The proposal does not comply with standard I214.6.6 Building Height in relation to the floor plate dimensions and Precinct Plan 5 which applies the maximum permitted building heights of 18m, 62m and 31m across the site. Infringing this standard and the maximum permitted building heights is a discretionary activity. The Project includes the following proposed building heights to the top of plant:
    - A height of approximately 34.56m is proposed for the Marina building where a 18m height limit applies.
    - A height of approximately 84.05m is proposed for the Tower building where a 62m height limit applies.
    - A height of approximately 40.97m is proposed for the Beaumont building where a 31m height limit applies.
    - The central Tower building in sub-precinct E does not comply with the maximum cumulative floor plate area dimensions of 900m^2 GFA and maximum dimension of 30m by 30m for that part of the building above 31m because the maximum plan dimensions are exceeded (refer Architectural Plans in Appendix 5 which show the proposed floor plate dimensions and ground floor area.
- I214.6.10(1) - The proposal does not provide marine and port activities and marine retail to a height of 18m above ground level as required by Precinct Plan 7. This is a restricted discretionary activity pursuant to standard C1.9(2).
- I214.6.8 – The proposal does not comply with Standard H8.6.25 Building frontage alignment because the Jellicoe and Beaumont Street frontages of the Site are identified on Map H8.11.5 as requiring new buildings to adjoin the entire length of the frontage and provide a minimum contiguous building height of 13m for a minimum depth of 6m from the frontage. The design of this Project does not comply with this standard because the building is setback in part along both street frontages. This is a restricted discretionary activity pursuant to standard C1.9(2).
- I214.6.11 - The proposal involves the establishment of vehicle entry and exit directly from Beaumont Street (south of Jellicoe Street) to service the proposed development. This standard does not allow for the establishment of vehicle access along Beaumont Street or Jellicoe Street and pursuant to standard C1.9(2) this is a restricted discretionary activity.

[3] Consent notice 11576335.4 on the Certificate of Title requires Lot 1 (188 Beaumont St) and Lot 2 (164 Beaumont St) to form a single site in regards to the relevant site intensity standard of the AUP(OP). On this basis, an aggregated maximum floor area ratio (MFAR) has been calculated for this project based on Lots 1 and 2 forming one site and using the MFAR specified on Precinct Plan 3 of the Wynyard Precinct.

7.2.2 AUP(OP) Plan Change 79

Transport

- E27.4.1(A2) – The proposal involves parking, loading and access which is accessory to an activity but which does not comply with the following standards for parking, loading and access:
    - Standard E27.6.3.1 because some accessible parking spaces will not have 2.5m headroom so the ability to hoist wheelchairs will be compromised in those spaces.
    - Standard E27.6.3.2(A) because a total of 11 accessible parking spaces are required where a total of 6 spaces are proposed.
    - Standard E27.6.3.5 because a vertical clearance height of 2.3m is provided but 2.5m is required where accessible parking is provided.
    - Standard E26.6.4.3 because the proposed vehicle crossing onto Beaumont Street exceeds the permitted 6m width with 6.7m proposed.

7.2.3 AUP(OP) Plan Change 120

Proposed Plan Change 120 (PC120) to the AUP was publicly notified by Auckland Council on 3 November 2025. PC120 aims to manage housing intensification and natural hazards.

Certain rules regarding natural hazards have immediate legal effect from 3 November 2025.

Reasons for consent under PC120 in accordance with clause 5(1)(f) of Schedule 5 of the Act are as follows:

Land Disturbance – District

- E12.4.1 - The proposal involves earthworks within a flood prone area not complying with Standard E12.6.2.(11) which is a restricted discretionary activity pursuant to standard C1.9(2).

Natural Hazards and Flooding

- E36.4.1A (A57) - Activities where natural hazard risk is significant in accordance with Table E36.3.1B.1 in coastal inundation hazard area 1 is a non-complying activity.
- Rule E36.4.1A(A57) - Activities where natural hazard risk is significant in accordance with Table E36.3.1B.1 in coastal inundation hazard area 1 is a non-complying activity.
- E36.4.1A(A68) - Stormwater pipes in the coastal inundation hazard area 1 is a restricted discretionary activity.
- E36.4.1A(A77) - All other buildings and structures, including retaining walls and earth bunds, in coastal inundation hazard area 1 is a discretionary activity.
- E36.4.1A(A78) - Activities where natural hazard risk is significant in accordance with Table E36.3.1B.1 in a high flood hazard area is a non-complying activity.
- E36.4.1A(A81) - Surface parking and above ground parking areas (including vehicle entry and exit points) in a high flood hazard area is a discretionary activity.
- E36.4.1A(A98) - All other structures and buildings (including retaining walls) in the 1 per cent annual exceedance probability (AEP) floodplain and flood prone areas is a restricted discretionary activity.

7.2.4 National Environmental Standard for Assessment and Managing Contaminants in Soil to Protect Human Health 2011

The NESCS is a nationally consistent set of planning controls and soil contaminant values. It seeks to ensure that land affected by contaminants in soil is appropriately identified and assessed before it is developed and, if necessary, the land is remediated or the contaminants contained to make the land safe for human use.

A Detailed Site Investigation (DSI) was undertaken for the project area and this identified that activities on the Hazardous Activities and Industrial List ('HAIL') have occurred on the Site (principally Activity A13 - bulk petroleum or petrochemical industries) and contaminants remain above background concentrations. As such, this piece of land is deemed to have been used for HAIL activities and the NESCS applies.

The DSI and Site Management Plan (SMP) prepared by WWL in **Appendix 13** concludes that the Site will be suitable for development. However, resource consent is required under the NESCS regulations as follows:

- Regulation 10 – The proposal involves the subdivision of land, change of land use and soil disturbance to a piece of land whereby soil contaminants remain above background concentrations for the protection of human health. This is a restricted discretionary activity.

7.3 Other National Environmental Standards

The proposal does not require resource consents under any of the other National Environmental Standards, including:

- National Environmental Standards for Freshwater
- National Environmental Standards for Air Quality 2004
- National Environmental Standards for Commercial Forestry
- National Environmental Standards for Telecommunication Facilities
- National Environmental Standards for Electricity Transmission Activities
- National Environmental Standards for Sources of Drinking Water
- National Environmental Standards for Marine Aquaculture
- National Environmental Standard for Storing Tyres Outdoors
- National Environmental Standards for Detached Minor Residential Units 2025
- National Environmental Standards for Greenhouse Gas Emissions from Industrial Process Heat

7.4 Permitted Activities

In accordance with clause 5(5)(a) of Schedule 5 of the FTAA the following permitted activities are part of the proposal to which the consent application relates such that a resource consent is not required for the activities under section 87A(1) of the RMA.

7.4.1 AUP(OP)

Stormwater – Discharge and diversion

- E8.4.1(A1) - The proposal involves the diversion of stormwater runoff from lawfully established impervious areas directed into an authorised stormwater network that complies with Standard E8.6.2.1 because the impervious area will be lawfully established as part of this consent.

Chapter E24 Lighting

- The proposal is likely to involve the provision of external lighting around the building complying with general standards E24.6.1 and the relevant standards that apply in Table E24.6.1.1 for lighting of the project in the City Centre zone. Lighting activities that comply with all the relevant permitted activity standards is provided for as a permitted activity in Table E24.4.1(A1). The relevant standards Chapter 24 in are captured in the proposed consent conditions in **Appendix 4** to ensure compliance will be achieved.

Chapter E25 Noise and vibration

- The proposal involves both activities emitting operational and construction noise and vibration at all adjacent properties that will comply with the relevant permitted activity standards (except at 164 Beaumont Street) and is provided for as a permitted activity in Table E25.4.1(A1). The acoustic report in **Appendix 24** demonstrates how the relevant permitted activity standards will be complied with and the proposed conditions of consent in **Appendix 4** include relevant noise and vibration conditions to ensure compliance will be achieved.

Chapter E27 Transport

- The AUP(OP) rules assessment in **Appendix 30** provides a detailed permitted activity assessment of the proposal against the relevant transportation standards.

Chapter E36 Natural hazards and flooding

- The proposal involves above ground parking areas in the form of the car parking podium on Levels 1-4 in the 1% AEP floodplain that comply with standard E36.6.1.7 which is provided for as a permitted activity in Table E36.4.1(A24). The Coastal and Flood Hazard Risk Assessment in **Appendix 12** confirms that this standard will be complied with because the earthworks do not result in adverse changes in flood hazard beyond the Site.
- The proposal involves buildings and structures on land which may be subject to land instability that comply with standard E36.6.1.11 which is provided for as a permitted activity in Table E36.4.1(A43). The geotechnical report in **Appendix 11** provides site stability or geotechnical recommendations for the proposal and the geotechnical related proposed conditions of consent in **Appendix 4** contains those recommendations to ensure they will be complied with.

Chapter H8 Business - City Centre zone

- The proposal involves dwellings on land zoned Business - City Centre which is provided for as a permitted activity in Table H8.4.1(A3).
- The proposal involves retail activities on land zoned Business - City Centre which is provided for as a permitted activity in Table H8.4.1(A10).
- The proposal involves public amenities in terms of landscaping and planting, seating and lighting on land zoned Business - City Centre which is provided for as a permitted activity in Table H8.4.1(A16).

- The proposal will be designed and constructed to comply with Standard H8.6.29 Glare so that the reflectivity of all external surfaces does not exceed 20% of the white light. Conditions of consent are proposed to ensure this standard is complied with.

Chapter I214 Wynyard Precinct

- The proposal involves public amenities in terms of landscaping and planting, seating and lighting within sub-precinct C and E of the Wynard Precinct which are provided for as permitted activities in Table I214.4.1(A25).
- The proposal involves the provision of parking for dwellings that complies with the maximum parking ratio of 1 space per 80m^2 gross floor area. The architectural drawings and ITA in Appendices 5 and 19 demonstrate that the maximum parking ratios in this standard will not be exceeded.
- The proposal involves the development of an accommodation building containing dwellings that will be designed and constructed to comply with Standard I214.6.4(1) and (2) to achieve a minimum level of internal acoustic amenity for occupants of the building. The retail tenancies on the ground floor will also be designed and constructed to comply with Standard I214.6(3). The Acoustic Report in Appendix 22 explains how compliance with these standards will be achieved and recommends conditions of consent to ensure this too.

7.5 Overall Activity Status

Overall, the application requires non-complying activity consent under the AUP(OP) and restricted discretionary activity consent under the NESCS. The majority of reasons for consent either have a controlled, restricted discretionary or discretionary activity status under the AUP(OP)

However, in this case, we have taken a conservative approach and assessed the application overall as a non-complying activity. Where there is a group of activities in an application which are closely associated with each other, or are directed towards one dominant use or purpose, they should be assessed holistically as a single "bundle", according to the most stringent activity status. Part C1.5 of the Unitary Plan (Applications for more than one activity) and Part C1.6. (Overall activity status) also inform this judgment.

The overall activity status for this application is non-complying.

A comprehensive assessment of the Project against the statutory framework is provided in Section 13 of this report.

7.6 Auckland Unitary Plan – Special Information Requirements

This section sets out the special information requirements relevant to the reasons for consent that are required under the AUP(OP).

Auckland-wide – Special Information Requirements

Hazard Risk Assessment

E36.9(1) of Chapter E36 of the AUP(OP) requires a hazard risk assessment to be undertaken when subdivision, use or development requiring resource consent is proposed to be undertaken on land which is subject to the 1 per cent annual exceedance probability (AEP) floodplain, coastal storm

inundation 1 per cent annual exceedance probability (AEP), coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise.

Tonkin and Taylor have undertaken a hazard risk assessment for the project and this is provided as **Appendix 12** of the application material.

I214 Wynyard Precinct – Special Information Requirements

Site Travel Management Plan

I214.9(5)(a) in the Wynyard Precinct requires a site travel management plan (TMP) corresponding to the scale and significance of the activity to be provided for retail and food/beverage retail activities that are greater than 100m^2 per site. The project involves retail and food/beverage retail greater than 100m^2 on the Site.

Parlane & Associates has prepared a site TMP for the project and this is provided as **Appendix 20** of the application material.

Emergency and Evacuation Plan

I214.9(7)(a) in the Wynyard Precinct requires an emergency and evacuation plan to be provided for risk sensitive activities marked # in the activity table located in sub-precinct D, E, F, G or areas 1-6 shown on Precinct plan 10 (excluding events). The project involves dwellings in sub-precinct E which is marked as a risk sensitive activity.

Tonkin and Taylor have prepared an emergency and evacuation plan for the project and this provided as **Appendix 24** of the application material.

7.7 Plan Change 120 Special Information Requirements

This section sets out the special information requirements relevant to the reasons for consent that are required under PC120 to the AUP(OP) which have immediate legal effect.

Hazard Risk Assessment

E36.9(1) of Chapter E36 under PC120 requires a hazard risk to be undertaken when subdivision, use or development requiring resource consent is proposed to be undertaken on land which are within one or more natural hazard areas. For coastal hazards, this should include consideration of the potential effects of climate change over at least a 100 year timeframe.

Tonkin and Taylor have undertaken a hazard risk assessment for the project with respect to the flooding and coastal natural hazards that apply to the Site and this is provided as **Appendix 12** of the application material.

Landslide Risk Assessment

E36.9(3) of Chapter E36 under PC120 requires a landslide risk assessment to be prepared by a suitably qualified and experienced person in accordance with Appendix 24 Landslide hazard risk assessment methodology must accompany a resource consent application for the subdivision, use or development of land within a landslide hazard area. The Site is mapped on Auckland Council's Geomaps viewer as being within a 'low' and 'very low' landslide susceptibility areas but is located within 150m of a 'very high' landslide susceptibility area to the north.

A Landslide hazard risk assessment in accordance with the Appendix 24 methodology is contained within the geotechnical report prepared by Initia in **Appendix 11** of the application material.

Geotechnical Report

E36.9(3) of Chapter E36 under PC120 requires a geotechnical assessment to be prepared by a suitably qualified and experienced person in accordance with Auckland Council Code of Practice for Land Development and Subdivision, Section 2 (Earthworks and Geotechnical Requirements) must accompany a resource consent application for the subdivision, use or development of land within a landslide hazard area.

A geotechnical report prepared by Initia is provided in **Appendix 11** of the application material.

7.8 Priority projects and Staged Implementation

Section 43 of the FTAA requires the substantive application to:

- State whether the application relates to a priority project, and if so, states specific requirements (s43(h));
- With reference to the requirements of s13(4), include a statement of whether the project is planned to proceed in stages and if so, an outline of the nature and timing of the stages.

This application does not relate to a priority project and the project is a single stage project.

7.9 Any Other Activities

This section is provided in accordance with clause 5(1)(e) of Schedule 5 of the FTAA. There are no other activities that are part of the proposal to which the consent application relates.

7.10 Other Approvals

In accordance with clause 5(1)(f) of Schedule 5 of the FTAA, no other approvals are required, nor have been obtained, for the Project separate to this FTAA application.

7.11 Information Requirements

7.11.1 Schedule 5(5)(1) of the FTAA

Clause 5 of Schedule 5 of the Act sets out specific information to be included in a substantive application for resource consent. These requirements are addressed throughout the consent application and supporting technical documents. A checklist is attached as **Appendix 1** which sets out how and where this information has been provided.

8.0 Consultation Undertaken

Consultation has been undertaken jointly by the applicant and project team with key stakeholders, and records have been well maintained. This approach has enabled the consideration of evolving issues and the provision of feedback which has enabled refinement of the design or to inform subsequent detailed design stages.

An update of further consultation undertaken with the persons and groups referred to in section 11(1) of the FTAA (and in addition to the consultation undertaken at the referral stage) is provided in the Consultation Summary Report in **Appendix 27**.

9.0 Statutory Requirements Relating to Iwi Authorities

9.1 Treaty Settlements and Redress

This section of the application is provided in accordance with clause 5(1)(i) of Schedule 5 of the FTAA, which requires an application to provide information about any Treaty settlements that apply in the project area, including:

(i) the identification of the relevant provisions in those Treaty settlements; and

(ii) a summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area

The Treaty Settlements in **Table 1** below are relevant to the site due to the respective iwi groups having an interest over the area the site is located. We do not consider that any provisions of the treaty settlements apply to the site as only Crown assets are involved in the redress offered, and the statutory acknowledgments are over Crown owned land only. The assessment below is therefore provided for completeness.

Table 1: Summary of Treaty Settlement and relevance to the project area.

Treaty Settlement	Relevance to the Project Area
Te Kawerau ā Maki Claims Settlement Act 2015	Te Kawerau ā Maki and the Crown signed a Deed of Settlement on 22 February 2014. Te Kawerau ā Maki Claims Settlement Act 2015 gave effect to provisions of the Deed. The Deed acknowledges that Te Kawerau ā Maki suffered injustices that impaired the economic, social and cultural development of Te Kawerau ā Maki and records the matters required to give effect to a settlement of all the historical claims of Te Kawerau ā Maki. The Settlement seeks to provide redress to Te Kawerau ā Maki in the form of land, money, the right of first refusal of Crown lands, an agreed historical account, overlay classifications, statutory acknowledgements, statements of association, name changes to certain sites of interest, relationship agreements with government agencies, and an apology from the Crown. Te Kawerau ā Maki will also receive cultural redress through Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Deed. Only Crown assets are involved in the property redress offered to Te Kawerau ā Maki. The site is unaffected by the redress offered.
Ngāi Tai ki Tāmaki Claims Settlement Act 2018	Ngā Tai ki Tāmaki Claims Settlement Act 2018 gave effect to certain provisions of the Deed of Settlement signed on 7 November 2015.

	Amendment deeds were signed in June 2016, July 2017 and June 2018. The deed of settlement acknowledges that Ngā Tai ki Tāmaki suffered injustices that impaired the economic, social and cultural development of Ngā Tai ki Tāmaki and records the matters required to give effect to a settlement of all the historical claims of Ngā Tai ki Tāmaki. The Land Settlement provides redress to Ngā Tai ki Tāmaki in the form of land, money, the right of first refusal of Crown lands, an agreed historical account, imposition of overlay classifications and statutory acknowledgements/deeds of recognition placed over land sites recognising their interest, relationship agreements with government agencies, place name changes and an apology from the Crown. The coastal statutory acknowledgement area (OTS-403-128) over the adjacent coastal marine area (CMA) directly to the west of the project area is a statutory acknowledgement under the Ngāi Tai ki Tāmaki Claims Settlement Act 2018. The project does not extend into the CMA and is entirely on land. Only Crown assets are involved in the redress offered, and the statutory acknowledgments are over Crown owned land only or apply within the CMA (to which the application doesn't extend); therefore, the site is unaffected by the Deed in this regard.
Ngāti Pāoa Deed of Settlement 2021	The Ngāti Paoa Deed of Settlement 2021 was signed on 20 March 2021. The deed of settlement acknowledges that Ngāti Paoa suffered injustices that impaired the economic, social and cultural development of Ngāti Paoa and records the matters required to give effect to a settlement of all the historical claims of Ngāti Paoa. The Settlement seeks to provide redress to Ngāti Paoa in the form of land, money, the right of first refusal of Crown lands, an agreed historical account, overlay classifications, statutory acknowledgements, statements of association, name changes to certain sites of interest, relationship agreements with government agencies, and an apology from the Crown. It is noted that the settlement does not provide for redress in relation to the Hauraki Gulf. Agreement has been reached to address this relationship in the future. Only Crown assets are involved in the redress offered to Ngāti Paoa, and the overlay classifications, statutory acknowledgements, and statements of association are over Crown owned land only; therefore, the project site is unaffected by the redress offered
Te Ākitai Waiohua Deed of Settlement 2021.	The Te Ākitai Waiohua Deed of Settlement was initialled on 23 December 2022 and was signed on 12 November 2021.

	The deed of settlement acknowledges that Te Ākitai Waiohua suffered injustices that impaired the economic, social and cultural development of Te Ākitai Waiohua and records the matters required to give effect to a settlement of all the historical claims of Te Ākitai Waiohua. The Land Settlement provides redress to Te Ākitai Waiohua in the form of land, money, the right of first refusal of Crown lands, leaseback agreements, statutory acknowledgements, letters of introduction to certain Ministers/crown agencies, organisations and the Auckland Council, an agreed historical account, agreements with Ministry of Primary Industries with respect to fisheries, statements of association, relationship agreements with government agencies, and an apology from the Crown. It is noted that the settlement does not provide for redress in relation to the Manukau or Waitematā Harbours. Agreement has been reached to address this relationship in the future. Only Crown assets are involved in the redress offered to Te Ākitai Waiohua, and the statutory acknowledgements/statements of association/leaseback agreements are over Crown owned land only; therefore, the project site is unaffected by the redress offered.
Ngāti Whātua Ōrākei	Ngāti Whātua Ōrākei and the Crown signed a Deed of Settlement on 5 November 2011. The deed of settlement acknowledged that Ngāti Whātua Ōrākei suffered injustices that impaired the economic, social and cultural development of Ngāti Whātua Ōrākei and recorded the matters required to give effect to a settlement of all the historical claims of Ngāti Whātua Ōrākei. The Settlement provided redress to Ngāti Whātua Ōrākei in the form of land, money, the right of first refusal of certain Crown lands, facilitation of ongoing relationships with government agencies, imposition of overlay classifications and statutory acknowledgements placed over land sites, place name changes and an apology from the Crown. The site is not impacted by the Act or Deed because only Crown assets are involved in the redress offered, and because none of the statutory acknowledgement areas identified applies.
Te Patukirikiri deed	Te Patukirikiri and the crown signed a Deed of Settlement on 7 October 2018. The deed of settlement acknowledged that Te Patukirikiri suffered injustices that impaired the economic, social and cultural development of Te Patukirikiri and recorded the matters required to give effect to a settlement of all the historical claims of Te Patukirikiri. The Settlement provided redress to Te Patukirikiri in the form of financial and commercial redress, the return of several sites of

	cultural significance, statutory acknowledgement area, the conservation status of Motutapere Island from a scenic reserve to a nature reserve and a number of relationship agreements. The site is not impacted by the Act or Deed because only Crown assets are involved in the redress offered, and because none of the statutory acknowledgement areas identified applies.
Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014	Ngā Mana Whenua o Tāmaki Makaurau signed a Deed of Settlement on 8 September 2012 and the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act subsequently came into effect on 17 January 2019. The Collective Redress Act provides shared redress to the iwi and hapu constituting Ngā Mana Whenua o Tāmaki Makaurau by restoring ownership of 14 maunga (volcanic cones) and motu. It also establishes a mechanism for iwi and hapu to exercise mana whenau and kaitiakitanga over the maunga and motu and provides a right of first refusal. The site is not impacted by the Act or Deed because only Crown assets are involved in the redress offered, and because the statutory acknowledgement areas identified do not apply to the site.

9.2 Planning Document Recognised by a Relevant Iwi Authority

Clauses 5(1)(h) and 5(2)(g) of Schedule 5 of the FTAA requires an application to provide an assessment against a planning document recognised by a relevant iwi authority and lodged with a local authority.

We have identified the following iwi management plans in Table 2 below. No other iwi has currently Iwi Management Plans that could be located as far as practicable.

Table 2: Relevant Iwi Management Plans

Iwi	Relevant Iwi Management Plan
Ngāti Whātua Ōrākei	Te Pou O Kāhu Pōkere Iwi Management Plan for Ngāti Whātua Ōrākei 2018
Te Kawerau ā Maki	Te Kawerau ā Maki Resource Management Statement 1995
Ngāi Tai ki Tāmaki Trust	Ngāi Tai ki Tāmaki: Trust: Management and Development Plan Stage One 1994 Ngāi Tai ki Tāmaki ' Resource Management Principles & Operational Policies 2002'
Ngāti Te Ata	Ngāti Te Ata: Tribal Policy Statement 1991
Ngāti Te Ata Waiohua	Ngāti Te Ata Waiohua Tribal Policy Statement

	Ngāti Te Ata Waiohua Issues and Values Statement 2011
Ngāti Tamaterā	Ngāti Tamaterā: Environmental Management Plan 2019

It is noted that the neither the RMA nor the FTAA detail specific matters for consideration for an Iwi Management Plan. As such, each Iwi Management Plan varies and covers a range of matters in relation to resource management. An overarching assessment of the proposal against each Iwi Management Plan is provided below.

9.2.1 Ngāti Whātua Ōrākei

The Ngāti Whātua Ōrakei Management Plan 2018 (Te Pou O Kāhu Pōkere) is a document which outlines the interests and values of Ngāti Whātua Ōrakei in resource management matters through policy and implementation. The relevant outcomes sought by the management plan include:

- Incorporation of Mātauranga Māori values and active exercise of kaitiakitanga in ecological reporting and in the development and implementation of initiatives for environments in the rohe;
- Ecological restoration of land through native planting and incorporation of free design to maximise ecological and indigenous biodiversity values;
- Incorporation of sustainable design management and treatment of stormwater and avoidance of untreated stormwater from urban areas;
- Avoiding direct discharge of wastewater into the coastal marine area;
- Accidental discovery protocols are followed for all earthworks operations.

The following comments are made from a planning perspective with regard to the Project when analysing the environmental outcomes sought by the management plan:

- The Project outlines a comprehensive landscaping approach which will enable native and indigenous flora and fauna to be planted and sustained.
- The Project includes necessary connections to the public wastewater network so that direct discharge of wastewater into the coastal marine area will be avoided.
- Stormwater treatment is not required because there are no uncovered high contaminant generating areas proposed and the proposal relates to a brownfield site.
- In the event of any unlikely accidental discovery on the Site, works will follow the accidental discovery protocol under the Heritage New Zealand Pouhere Taonga Act 2014 appropriate protocols and Iwi shall be notified.

It is considered that the proposed development can be constructed and operated in a manner that is consistent with the environmental and resource management outcomes identified by Ngāti Whātua Ōrakei in Te Pou O Kāhu Pōkere.

9.2.2 Te Kawerau ā Maki Resource Management Statement 1995

Te Kawerau ā Maki Resource Management Statement 1995 is the guiding document that provides the resource management interests of Te Kawerau ā Maki. The Statement seeks to address

resource management issues by achieving balance between the maintenance of spiritual and cultural values, environmental and heritage protection and enhancement. In particular:

- to ensure maintenance and enhancement of tikanga and spiritual well-being and recognising the need to re-establish a land and economic base for Te Kawerau;
- protect and enhancement of native flora and fauna and their ecosystem while promoting sustainable management of land and protection of the cultural meaning, amenity and aesthetic values of the landscape; and
- to represent Te Kawerau heritage of the area in the design of buildings, especially civic buildings.

The following reasons outline how the Project is consistent with this document:

- The Project also outlines a comprehensive landscaping approach which will enable native and indigenous flora and fauna to be planted and sustained.
- The Project will implement comprehensive landscaping for the Level 04 podium, upper terraces and tower entry that respond to the waterfront and coastal context.

9.2.3 Ngāi Tai ki Tāmaki Trust

The relevant iwi management plan for Ngāi Tai ki Tāmaki Trust is the Management and Development Plan Stage One 1994 and Resource Management Principles & Operational Policies 2002 which reflect the aspirations of the iwi when dealing with significant resource management issues. In particular, the operational policies seek to:

- Encourage policies and procedures that that avoid connection of stormwater and wastewater drainage systems;
- Support and encourage policies and practices that ensure stormwater systems (with the exception of clean rainwater collected from rooftops, etc.) discharge via land-based designs rather than directly into waterways;
- Support and encourage policies and practices that seek advice from kaumatua and long-standing community members on flood prevention measures, given the need for sound local knowledge on the past behaviour of waterways in the rohe and ensure blocked waterways and drains are kept clear;
- Supports and encourages policies and practices that make the results of all archaeological investigations carried out within the rohe available to Ngai Tai. Report any artifacts of Māori origin found in the rohe to Ngai Tai Kaumatua immediately.

The following reasons outline how the Project is consistent with this document:

- The Proposal includes necessary connections to the public wastewater network so that direct discharge of wastewater into the stormwater network and coastal marine area will be avoided.
- Stormwater treatment is not required because there are no uncovered high contaminant generating areas in the project.
- The natural hazards of the Site are managed through the engineering design as far as practical to ensure the long-term longevity of the Site.

- In the unlikely event there is an accidental discovery on the Site, works will follow the accidental discovery protocol under the Heritage New Zealand Pouhere Taonga Act 2014 and Iwi shall be notified.

9.2.4 Ngāti Te Ata Waiohua

Ngāti Te Ata Waiohua have a Tribal Policy statement that was prepared in 1991 and Ngāti Te Ata Waiohua Issues and Values 2011 which identified kaitiaki objectives for environmental management. The purpose of these documents are to lay down the Kaupapa of Ngāti Te Ata Waiohua, to define procedures for negotiation between Ngāti Te Ata and external agencies, to articulate Ngāti Te Ata Waiohua tribal policy for external agencies and to identify obligations of external agencies to Ngāti Te Ata. The 1991 document covers a ten-year planning period which has since passed. However, the key principles and issues that are of importance to Ngāti Te Ata Waiohua remain relevant and are referred to in Ngāti Te Ata Waiohua Issues and Values 2011.

The key policies of relevance from these documents include the kaitaki approach to environmental management, which provides for the following:

- Restoration of damaged ecological systems;
- Restoration of ecological harmony;
- Ensuring that resources and their usefulness increases;
- Reducing risk to present and future generations; and
- Providing for the needs of present and future generations

These policies have been assessed against the Proposal, and are considered to be consistent for the following reasons:

- The proposed landscape planting scheme as mentioned previously, will support the enhancement of indigenous flora and fauna.
- The Project will not adversely affect any sensitive features of the environment, or implicate the provision of kai for future generations.
- The natural hazards of the Site are managed through the engineering design as far as practical to ensure the long-term longevity of the Site.
- The Project will provide for the needs of present and future generation through increasing housing supply as it involves the construction and delivery of 210 high-quality residential apartments in a highly connected central city location

9.2.5 Ngāti Whanaunga

The Environmental Management Plan prepared by Ngāti Whanaunga in 2019 outline objectives and priorities for resource management. In particular:

- Setting out appropriate processes for environmental management including consultation, transparency, accountability for decisions, and adaptive and practical processes for environmental management.
- Sustaining and enhancing the mauri of ecosystems, habitats, species and natural resources under their care in the Ngāti Whanaunga rohe.

- Protecting wāhi tapu, cultural heritage sites, places and landscapes and associated traditional knowledge in the Ngāti Whanaunga rohe.
- Informed decisions are made about the environment and heritage of the Ngāti Whanaunga Rohe in accordance with tikanga.
- The Treaty of Waitangi is being upheld by central and local government, industry and local communities and reflected in the way they make decisions.
- Communities understand and value the contributions in environmental management and heritage protection

The Proposal is considered to be consistent with the objectives and outcomes anticipated by the Management Plan for the following reasons:

- Erosion and sediment control measures will be implemented to manage sediment loss across the Site and maintain water quality. Contaminated land will be remediated.
- Noise, odour and air pollution is minimised far as practicable with regard to the demolition of the existing carpark building, and the construction of the new towers.
- The natural hazards of the Site are managed through the engineering design as far as practicable to ensure longevity of the Site.
- The development includes energy-efficient design and construction and includes landscaping to incorporate native trees and vegetation into the landscaping elements.

9.2.6 Ngāti Tamaterā

Ngāti Tamaterā prepared an Environmental Management Plan 2019, which looks at the environmental principles as kaitiaki of the land through the management of physical and natural resources. In particular:

- Promote and enhance partnerships between Ngāti Tamaterā and central government, regional and district councils on all resource management issues e.g. management of natural hazards including flooding, wastewater treatment.
- Protect and enhance soil quality and advocate for the protection of culturally important areas susceptible to erosion and flooding that is induced by human activity.
- Protect other taonga from the adverse effects arising from odour, noise, and air pollution including increasing levels of greenhouse gases.
- Advocate for the protection of the mauri of wāhi tapu by preventing destruction and modification of land and upon an 'accidental discovery', works are to stop immediately until such a time that Tangata Whenua are contacted and appropriate protocol are in place.
- Promote and protect land and aquatic biodiversity for the benefit of current and future generations.
- To manage natural hazard risks (e.g., defence structures) and events in a way that restores and maintains the mauri of the environment.

The Proposal is considered consistent with the Environmental Management Plan for the following reasons:

- Stormwater quality will be appropriately managed noting the proposal is for a brownfield redevelopment.
- The landscaping palette will include indigenous species.
- The potential natural hazard risk has been considered and appropriately mitigated through the proposed design of the site.
- In the unlikely event there is an accidental discovery on the Site, works will follow the accidental discovery protocol under the Heritage New Zealand Pouhere Taonga Act 2014 and Iwi shall be notified.

9.2.7 Summary

Overall, it is considered that the Project can be constructed and operated in a manner that is generally consistent with the environmental outcomes sought by planning documents recognised by relevant iwi authorities and lodged with Auckland Council.

9.3 Customary Marine Title, Protected Customary Rights and ngā rohe moana o ngā hapū o Ngāti Porou

This section of the application is provided in accordance with clause 5(1)(j) of Schedule 5 of the FTAA which requires:

> *a list of any relevant customary marine title groups, protected customary rights groups, ngā hapū o Ngāti Porou (where an application is within, adjacent to or directly affecting ngā rohe moana o ngā hapū o Ngāti Porou), or applicants under the Marine and Coastal Area (Takutai Moana) Act 2011; and*

The site is not subject to customary marine title or protected customary rights (or claims for these) as the site is not within the "common marine and coastal area" as defined in s9 of the Marine and Coastal (Takutai Moana) Act 2011 ("MACA"). However, the Section 18 report included customary marine title applicant groups under MACA as other Māori groups with relevant interests since the project area abuts the marine and coastal area. The Minister's decision also directed these parties to be invited to comment on the application.

There are no protected customary rights that relate to the site and as such an assessment under Clause 6(1)(h) is not required.

The site is not within or adjacent to, and would have no effect on, ngā rohe moana o ngā hapū o Ngāti Porou.

10.0 Assessment of Actual and Potential Environmental Effects

This section of the application is provided in accordance with clauses 5(4), 6 and 7 of Schedule 5 of the FTAA. These provisions require an assessment of the actual or potential effects on the environment. Clause 6 of Schedule 5 sets out information required to assess environmental effects. Clause 7 of Schedule 5 sets out the matters to be covered in the assessment of the environment effects. **Appendix 3** identifies the owners and occupiers of the land adjacent to the project area. The persons identified in **Appendix 3** are considered to be the same people who may

be affected by the activity (with reference to clause 6(1)(e) of schedule 5) and are considered in the assessment of effects.

The actual and potential effects of the project are assessed below and in the supporting technical reports submitted with this application. The following effects on the environment (including on the matters set out at clause 7 of Schedule 5) are considered relevant to the project:

- Positive effects
- Geotechnical and earthworks
- Groundwater take and diversion
- Noise and vibration
- Servicing and infrastructure capacity
- Natural Hazards
- Traffic
- Economic effects
- Contamination
- Construction activities
- Urban design and landscape visual
- Subdivision
- Hazardous risks
- Waste management
- Wind

These matters are set out and discussed below.

10.1 Positive Effects

The proposal has a range of positive effects amounting to significant regional benefits and economic and social benefits. The Economic Impact Assessment (EIA) prepared by Property Economics in Appendix 16 has quantified the economic benefits of this project to include:

- Projected generation of economic activity in the Auckland region amounting to a Net Present Value (NPV) of approximately $369 million to the regional economy over the five year development period;
- A total direct capital injection of around $416m into the regional economy; and
- Contribution of around 1,240 FTE jobs during the peak construction year within the Auckland region, with a total number of FTE years at around 3,400 over the development period.

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

- This project will deliver 210 residential apartments in a highly connected central city location and quality designed building. The 210 apartments will comprise of one, two and three bedroom typologies and is considered to represent a significant housing supply for the Auckland region. The EIA in Appendix 16 notes that the number of apartments in this Project are significant when considered in the broader context of apartment developments within the City Centre and Stats NZ data which indicates that the average number of consented apartments has been approximately 441 per year. Having regard to this, the delivery of approximately 210 apartments in this Project represents a significant contribution to housing supply in the city centre and in the broader context of Auckland's housing affordability challenges and constraints.
- The Project will serve a specific housing and mixed-use market that is in high demand and not well catered for elsewhere in the city centre. The Project provides an opportunity for an increase in the level of competitive residential land that is likely to be coupled with an increase in the relative attractiveness of the area with wider markets both regionally and internationally.
- The Site is located in a highly connected and desirable area of the city centre and therefore ideally placed to maximise the benefits of intensification due to its very high land costs plus its unrivalled ability to harness the wider benefits of agglomeration. Agglomeration can boost foot traffic for retailers and service providers, while helping to attract talent, investors, and tourists, thereby enhancing Auckland's local and global competitiveness. City centre intensification will also help accelerate its economic recovery from the Covid-19 pandemic. Given the very little vacant land left in the city centre, the taller nature of the building in this project will maximise the economic benefits of intensification there.
- The increased local population base will result in a net increase in the number of full-time equivalent employees able to work within Wynyard Quarter and the surrounding suburbs. In this regard, the Project would directly support employment and economic activity in the City Centre and the broader Auckland region by enabling more people to live closer to their workplaces.
- Growth from residential development is expected to act as the catalyst for further growth in the area. The Project will provide critical mass and an increased local population which will result increased demand for local business and services. This will be a net gain for the local economy and stimulate further growth and amenity improvements for the area. In effect, the Project may also create interest for additional residential / commercial development within the area, thereby further harnessing economic benefits.

Market Economics (ME) has also analysed the broader economic benefits from the co-location of this residential-led project adjacent to Orams' significant marine facility. With reference to the ME assessment, we highlight the following positive effects:

- Orams Marine operates in a highly competitive market. The ability to offer a full service to superyacht skippers and managers that includes an accommodation offering immediately adjacent to the yard is vital to Orams continued success. Increased competition from yards in Australia (and around the world) that offer complete and comprehensive services including accommodation immediately adjacent, will attract business away from Orams. Without providing this quality accommodation offering in Wynyard Quarter, there is a risk some of the

economic benefit to the broader Auckland economy through owner and crew spending (as detailed below) will be lost as people choose to refit their super yachts elsewhere.

- The scale and offering of residential development directly adjacent to Orams will enable Orams to remain internationally competitive and commercially viable enabling Orams to achieve wider economic impacts and benefits to the region as described in the report, which will be at risk if the project is not granted consent. Those economic impacts and benefits include:
    - Under a conservative scenario: Household incomes in Auckland increase by a total of $663m (discounted at 8%), while at the national level some $725m is added to household incomes; and the Superyacht activity sustained by Orams Marine is estimated to sustain over 27,000 MEC years of employment over 25 years in Auckland (just over 30,000 MEC years at the national level).
    - Under high performance scenario: Household incomes in Auckland increase by a total of $835m (discounted at 8%), while at the national level some $914m is added to household incomes; and the Superyacht activity sustained by Orams Marine is estimated to sustain over 35,500 MEC years of employment over 25 years in Auckland and just over 39,500 MEC years at the national level.

  The economic benefits identified by ME are considered to be positive effects of the project. We also accept the advice of ME that the economic benefits and numbers identified are significant at the regional level. While the project does not directly deliver these economic benefits, these benefits could be at risk if this project is not granted consent in order for Orams Marine to remain globally competitive (as an attractive option for super yacht owners to select this particular marine facility in Auckland which offers a high-quality accommodation option directly adjacent to the facility). the residential development agreement with Auckland Council specifically requires a residential development on this Site and failing to deliver this residential development could result in Auckland Council terminating the lease of the Site and WRLP losing the opportunity to develop the site. Practically, getting the residential development underway is critical to support the viability of marine infrastructure investment to date and consequentially, this inability to deliver the residential component could mean that the significant economic benefits of Orams marine identified in the ME report would be lost to the region too. Therefore, we consider that the project will contribute to sustaining these economic benefits associated Orams Marine at the regional level.

Other positive effects of the project contributing to the overall significant regional benefits of the project include:

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

- The project area in Wynyard Quarter is located in one of the most accessible areas of the city centre providing good accessibility between the housing to jobs, community services, natural spaces and open spaces including by way of public or active transport modes (NPS-UD Policy 1(c)). The Site is located within a walkable catchment to the central city as the economic heart of the Auckland offering more than 100,000 jobs; an extensive range of community facilities including regionally significant healthcare facilities such as Auckland Hospital and Starship; tertiary education facilities; and an extensive network of open spaces including Victoria Park, Myers Park and the Auckland Domain as well as public promenades along the Auckland waterfront. The project will also provide excellent accessibility to open spaces in the immediate surrounding area such as Silo Park, Te Ara Tututuku and the Jellicoe Street upgrades which collectively represent significant public investment in the downtown environment.
- The project will support climate change mitigation including the reduction or removal of greenhouse gas emissions. The Site is located within a highly accessible location within the City Centre with Britomart, the largest public transport interchange within the region less than a 15minute walk away. Once the City Rail Link is completed in 2026, access to and from the outer fringe of the CBD and beyond will become significantly more enhanced, supported also by new stations at Aotea Square, Karangahape Road and Mt Eden. In this respect, the project will enable more people to work and live within one of the most accessible areas of the City Centre supporting a shift to public and active modes of transport and a reduction in greenhouse gas emissions consistent with Policy 1(c) and 1(e) of the NPS-UD. Further to this, the project will also support climate change adaptation for the next 100 years through the design of the building which integrates an adaptation response on the ground level of the building which allows the relevant floor levels to be raised if necessary, in the future.
- The Site has always been identified in the Wynyard Quarter Urban Design Framework and Wynyard Precinct provisions as being appropriate for landmark height in the form of a tower to achieve a marker building. The project represents a high-quality development of a distinctive and well-modulated form which includes a tower building that responds specifically to its urban context and the framework of the Precinct to overall offer an attractive building form, while establishing a positive frontage to Silo Park that also enhances the safety and passive surveillance of the adjacent public realm

10.2 Geotechnical and Earthworks

10.2.1 Earthworks

The Erosion and Sediment Control Plan (ESCP) in **Appendix 10** provides a detailed overview of the proposed earthworks methodology and specific erosion and sediment control methodologies in accordance with GD05 that are to be implemented on site over the earthworks phase, and these are also illustrated on the preliminary erosion and sediment control plans.

In summary, the overall management strategy for the earthworks phase of the project includes the establishment of a series of erosion and sediment control measures before piling activities commence. This includes establishing stabilised construction accesses at both Jellicoe and Beaumont Street, installation of a perimeter bund around the perimeter of the Site to isolate clean runoff from entering the earthworks area and the installation of stormwater inlet protection at two street catchpit inlets along both street frontages. Dewatering of excavations for the lift cores

will also be handled separately and treated due to the groundwater being contaminated and to avoid further contamination of water on site. This is proposed to be achieved by the formation of a drainage trench at the western low point of the Site and then pumping runoff directly to a secondary treatment device which will allow sediment within the stored water volumes to settle out before discharging to stormwater network, or to trade waste. Any dust effects arising from the earthwork activities can be suitably managed by spraying the site with water so that dust particles are dampened and suppressed to avoid spread in the surrounding environment.

Without repeating the full suite of proposed erosion and sediment control measures contained within the ESCP, these are considered appropriate to manage erosion and sediment effects and a final set of erosion and sediment control plans will be further developed by the appointed contractor. Having regard to the above, and noting that best practicable erosion and sediment control measures will be implemented on site, it is considered that any adverse sedimentation effects will be mitigated to be less than minor.

10.2.2 Geotechnical and Site Stability

Earthworks and excavations across the project area are proposed to establish the building platform and achieve the proposed design levels, construct the structural central "core" of the building underlain by structure piles and the installation of local infrastructure to service the project. The geotechnical report by Initia in Appendix 11 provides a detailed analysis of subsurface conditions beneath the site and a suite of recommendations for the detailed design of earthworks, lift pit excavations, design considerations for liquefication effects and foundation design options for the proposed building together with recommended methodologies during the construction phase to ensure that land and slope stability is maintained. These recommendations are included in the proposed consent conditions.

Importantly, as part of the geotechnical assessment Initia has assessed the long-term stability of the Site and surrounding environment. Initia has noted that the western sea wall was recently strengthened in 2020 using reinforced concrete soldier piles with structural ties to the existing seawall facing. Provided the proposed building does not surcharge the wall (i.e. is founded on deep piles as recommended in the geotechnical report) it is considered that there will not be a site stability risk over the 50-year design life of the building under both static and seismic design cases to the extent that no further specific stabilisation measures are required along this boundary. The sea wall strengthening has also mitigated existing potential lateral spreading hazards at the Site. Additionally, considering that the remainder of site is near flat both and post-development, this presents no long-term stability hazards to people or property in the immediate and surrounding environment.

The geotechnical report overall concludes that there are no significant geotechnical hazards and by implementing the recommendations contained within this report, the development is unlikely be affected by significant geotechnical hazards nor will the development worsen, accelerate or result in material damage to the extent that the site is considered to be suitable for the proposed development.

Based on the geotechnical report, it is considered that any adverse geotechnical and land instability effects will be avoided or mitigated to be less than minor.

10.3 Groundwater Take and Diversion

Groundwater monitoring at the Site has indicated that the proposed core cap excavations for the Tower and Marina buildings will extend approximately 1-2m below low tide groundwater levels and 2 – 2.5 m below peak high tide groundwater levels, thereby requiring temporary groundwater taking during construction of the building. In the long term, the lift pits/core caps will not require groundwater take (as they will be designed to be tanked) but will sit below existing groundwater levels.

In relation to potential groundwater take effects, Initia has undertaken a qualitative review of offsite settlement effects from groundwater drawdown and deflections (mechanical settlement) behind the temporary cut-off walls. With reference this to this review, Initia has noted that the nearest structure is the B2 Orams Building which is offset a minimum of 24.5m from the excavations and is not sensitive to shallow settlement effects because it is fully piled, and the nearest service is the Jellicoe Street Water Main which comprises a 250 mm diameter ductile iron pipe offset a minimum of 12.8 m from the excavations. Additionally, on the basis that the core cap excavations are supported with an appropriately designed cut-off wall, Initia concludes that both groundwater and mechanical settlement effects on adjacent structures and services will be negligible because:

- The minimum horizontal offset is greater than 3x the excavation depth (4.2 m); and
- the groundwater cutoff wall will minimise the groundwater drawdown radius, particularly as it will extend below the low permeability Marine Sediments and Firm to Stiff Takaanini Formation Silts/Clay and the groundwater drawdown radius is expected to be less than the minimum 12.8m offset from the excavation.

For the reasons above, Initia concludes that there will be negligible offsite groundwater take effects and accordingly no specific groundwater or settlement monitoring is considered to be necessary or recommended as a consent condition.

In relation to potential groundwater diversion effects, Initia also concludes that the core caps will have negligible effects on the groundwater flows/regimes on neighbouring sites due to the limited width of the lift pits/core caps (less than 15m in width), the offset from neighbouring sites and limited depths of the lift pits/core caps which extend less than 2.5m below groundwater levels during high tide conditions and less than 2m during low tide conditions. For these reasons, Initia also considers that no specific controls or monitoring are considered necessary or recommended as consent conditions for groundwater diversion effects.

In reliance on Initia's report and noting that no specific groundwater or settlement monitoring are recommended as conditions of consent, it is considered that any adverse groundwater take and diversion effects will be less than minor.

10.4 Noise and Vibration

10.4.1 Construction Noise and Vibration

Marshall Day Acoustics (MDA) has prepared a construction noise and vibration assessment for the proposal and this is enclosed as **Appendix 22**.

In terms of construction noise predicted during the enabling works, earthworks and building construction phases of the project, MDA has predicted that there would be some exceedances to

the relevant construction noise standards during the vibrated casing/sheet piling construction phases of the project which will be the loudest activity. Specifically, MDA has predicted that construction noise levels from these works would infringe the 75 dB LAeq construction noise limit by up to 25 Db only at the adjoining site to the south occupied by Orams Marine over the duration of approximately 4.5-5 months for piling activities. The extent of this noise infringement is also predicted to reduce as the works progress away from piling. With respect to all other occupied buildings on adjacent sites and in the wider Wynyard Precinct, MDA predicts that compliance with the daytime construction noise limit of 75 dB LAeq can be achieved at all other occupied buildings due to them being more than 70m away from the Site.

In respect of construction vibration effects, MDA predicts that the project is likely to comply with the permitted building protection vibration limits from any construction activity at Orams Marine and all other buildings within the precinct. With respect to vibration amenity, MDA predicts that vibration levels could occasionally be perceptible for workers within the Orams Marine buildings only. However, in MDA's expert opinion, these levels are considered to be acceptable because Orams Marine is an industrial receiver who are therefore more likely to be more tolerant of high vibration. Finally, in terms of all other receivers within the precinct, MDA predicts that compliance with construction vibration levels will be achieved for both cosmetic building protection and amenity limits. We also note that written approval has been provided from Auckland Council and Westhaven Commercial Limited Partnership as the owners and Orams Marine as the occupier of 164 Beaumont St as the site exposed to the highest (and infringing) construction noise levels and construction vibration amenity limits such that the adverse effects must be disregarded.

Notwithstanding that written approval has been obtained and substantial compliance with the relevant construction noise and vibration standards will be achieved at all other receivers within the precinct, MDA recommends the preparation and implementation of a final Construction Noise and Vibration Management Plan (CNVMP) throughout the duration of the construction period for the project to build upon the management framework of the draft CNVMP in Appendix 23. The final CNVMP is recommended to include details such as identification of the duration, frequency, and timing of works to manage disruption; processes for engaging with potentially affected receivers; measures for controlling noise and vibration; a complaints procedure and methods and frequency for construction noise and vibration monitoring, and reporting of monitoring results and outcomes.

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

10.4.2 Residential Acoustic Amenity

The Wynyard Precinct includes specific noise standards for the purpose to minimise reverse sensitivity effects on existing industrial and maritime land uses by providing a minimum level of internal acoustic amenity for occupants of accommodation buildings from external noise sources generated by activities in the Precinct, and a maximum level of noise that activities other than accommodation may generate. These specific noise standards in the precinct have been reviewed

by MDA and are considered to be suitable for ensuring an appropriate level of internal acoustic amenity for residential occupiers.

The façade of the building is still in the preliminary design phase at this stage of the project. However, MDA considers that the façade of the apartments can be suitably designed at the detailed design stage to provide sufficient sound insulation to readily comply with the required sound insulation standards in the precinct for accommodation buildings (i.e. dwellings). This design compliance should be appropriately demonstrated during the building consent stage and MDA has recommended conditions of consent to ensure this. Related to this, MDA notes that the internal noise levels can only be achieved with windows closed such that mechanical ventilation will be required and therefore this forms part of the suite of recommended conditions too.

Based on MDA's report and by adopting the recommended conditions of consent, it is considered the building will be designed and constructed to achieve an appropriate level of internal acoustic amenity for all occupiers of the residential apartments and reverse sensitivity effects on any existing industrial and maritime activities within the precinct will be avoided.

10.5 Servicing and Infrastructure Capacity

10.5.1 Infrastructure Capacity

Tonkin and Taylor (T+T) have undertaken a detailed capacity assessment of the three waters infrastructure to service this project. This matter is detailed within the Civil Report in Appendix 9 together with the supporting calculations of expected flows relative to the extent of development proposed in this application and the proposed connections to the existing network.

In terms of water supply, the potable water demand for the proposed development has been calculated in accordance with the Watercare Water Code of Practice for Land Development and Subdivision based on the number of dwellings and retail floor space in the project. This calculation has estimated a peak hourly demand increase of 7.4 L/s which T+T concludes can be supported by the existing water supply network. This conclusion is based on the numerous water mains in the vicinity of the Site with substantial pipe diameters and pre-application advice from Watercare advising that the network can support a flow of 6.6 L/s. Whilst the proposed peak hourly demand of the project at 7.4 L/s is slightly higher than 6.6 L/s, T+T are of the view that this small increase will not have a material impact on the ability of the network to service the development.

In terms of stormwater, pre and post development flows of the Site are considered to be very similar because under both scenarios the Site is considered to be fully impervious. The only increase to stormwater flow into the network from the proposed development is from the impact of future climate change with a 2.1°C climate change allowance applied as required in the Auckland Council Stormwater Code of Practice. By applying this climate change allowance, this equates to an estimated post-development flow of 115 L/s for a 1 in 10-year ARI event which represents an increase of 17 L/s from pre-development flows of 98 L/s. Based on the calculations undertaken by T+T, this indicates that the existing stormwater network has adequate capacity to service the project (including in a future climate change scenario) and this was confirmed in pre-application discussions with Healthy Waters. With respect to stormwater quality, the project complies with the Auckland Council NDC Schedule 4 requirements for Brownfield Sites because the total developed area will be less than 5,000m^2 and 20 lots. The proposed boundary adjustment following construction of the project is such the site and total developed area will be 4,937m^2 and therefore less than 5,000m^2. Stormwater treatment is not required because there are no

uncovered high contaminant generating areas in the project, and stormwater attenuation is not required either because the Site is not within the SMAF control overlay and there is no material increase in imperviousness and associated runoff. These approaches were confirmed in pre-applications with Healthy Waters.

Finally, in terms of wastewater the capacity assessment undertaken by T+T confirms that the existing public 225mm wastewater line within Jellicoe Street and its connection to the 300mm diameter line along Beaumont Street are expected to have sufficient capacity to accommodate wastewater flows generated by the project. However, Watercare has requested further CCTV investigations to confirm if there is sufficient capacity in the network is required notwithstanding that the 300mm appeared to have sufficient capacity when then manholes were physically opened and inspected. At this advice from Watercare, T+T is now underway with CCTV investigations for both the 300mm and 150mm pipes to confirm their capacity. If the CCTV investigations confirm that the existing network does not have capacity to service the project, an appropriate alternative solution will be developed in consultation with Watercare to ensure that there will be operational wastewater infrastructure with sufficient capacity to service the project. Conditions of consent to this effect have been proposed to ensure there is operational wastewater infrastructure in place to service the development.

Overall, in reliance on the advice of the T+T and from Watercare/Healthy Waters to date, it is considered that this project will be adequately serviced. Localised infrastructure within the project area itself and connections to existing services will need to be constructed and installed by WRLP, however, this is not considered to be unusual for any urban development project. Accordingly, it is considered that adverse servicing and infrastructure capacity effects will be less than minor.

10.6 Natural Hazards

T+T have prepared by a Coastal and Flood Hazard Risk Assessment ("Risk Assessment") in **Appendix 12** which addresses both of these natural hazards in context of the AUP(OP), PC120 and the National Policy Statement for Natural Hazards (NPS-NH). The assessment considers potential risks relating to coastal inundation and rainfall-induced flooding, based on a '*risk-based approach'* using a semi-quantitative approach based on the templates included in Ministry for the Environment (2021)[4] guide to local climate change risk assessments. The Risk Assessment primarily considers the consequences associated with the activity and excludes the dwellings proposed in this project because they will be located at elevations well above the coastal and inundation levels on Level 1 and above at RL 7.5m. With reference to this Risk Assessment, we highlight the key conclusions on each hazard below.

10.6.1 Flood Hazards

Discrete parts of the Site are subject to flood hazards in the form of flood plains and flood prone areas as shown Council's Geomaps viewer. Further analysis in the Risk Assessment reveals that this flood plain is determined by the topographic depression (i.e. flood prone area) and spillway level to the coast and therefore any increase in flood levels would simply cause more water to flow to the coast. As a result of this, the flood level on site is insensitive to increased rainfall depth and the

[4] MfE (2021) He kupu ārahi mō te aromatawai tūraru huringa āhuarangi ā-rohe / A guide to local climate change risk assessments. Wellington: Ministry for the Environment.

predicted flood level is unlikely to change as a result of 3.8°C increase in temperature change due to climate change.

The Risk Assessment concludes that the project will not create any new flood hazards and will not result in the exacerbation of flood hazards either. Additionally, the project will not create or increase flood hazards to other properties, infrastructure or the environment because the detailed flood assessment of the post-development scenario has identified that the flood level in vicinity of the Site is determined by the topographic depression and spillway level to the coast as explained above. By reducing the volume of the flood plain (by ~50m^3), there will be no increases to surrounding flood levels due to the overflow to the coast and no adverse effects arising from filling in the flood plain.

The Risk Assessment also concludes that catchment flood risk is low and does not pose a risk to life now or in the future. Catchment flooding including 3.8°C and the maximum development scenario results in flood depths of low flood hazard, with flood depths along the existing road network of less than 0.22m meaning that over the next few decades safe egress can be achieved when considering rainfall-induced flooding alone. Where safe refuge is required, this can be provided within the building because the inundation will not enter habitable floors with the sufficient provision of freeboard and because the building is structurally stable. The residual risk associated with refuge also identifies no risk to life, injury or significant property damage. The residential areas can sustain basic human needs as well as the occupants being aware that the building is safe.

The Risk Assessment also identifies that the 3.0 mRL level (on the ground floor) is above the 1% AEP flood level (existing and future) with 0.15 m freeboard but potentially affected by coastal inundation during storms between 2090 and 2130 (with no freeboard allowance). This highlights that flood hazard is the likely determinant of the 1% AEP inundation level up to around 2080 after which there the long-term coastal inundation increasingly becomes the dominant hazard particularly with the higher emission scenarios.

10.6.2 Coastal Hazards

Coastal inundation is the dominant natural hazard that applies wholly across the Site. However, the Council's Geomaps viewer indicates that the broader Wynyard Quarter and downtown waterfront area of the city centre is also subject to coastal (and flood) hazards and therefore these hazards are not contained or specific to the site only.

Similar to the conclusions for flood hazards, the Risk Assessment concludes that the project does not create any new and will not exacerbate existing coastal hazards either. In addition, the project will not adversely affect any adjoining or surrounding properties exposure to coastal inundation hazards because coastal inundation from the sea is time and level limited but is not volume limited and is therefore not mass-balanced like catchment flows (i.e. neighbouring areas that would be exposed to the same hazard will have the same exposure after the development is complete. Likewise, neighbouring areas that are not exposed will remain unexposed after this development is complete).

The Risk Assessment concludes the project is considered to be 'potentially tolerable' within these hazard overlays with the appropriate risk treatment to reduce to tolerable levels. The proposed design levels on the ground floor the building are assessed as avoiding coastal inundation (and flooding) through rainfall from the design events and therefore also reduces flooding from more

frequent hazard events. The proposed design mitigates significant coastal inundation and catchment flooding risk through the design elements of floor level elevation for the ground floor with the resultant risks being low to negligible for at least the next 80 years based on the proposed ground floor levels. Essential services are proposed to be situated on the ground floor are above the predicted flood levels to at least 2130 and an adaptation response is proposed if flooding occurs, resulting in low risk over the next 100 years for the building. That adaption response involves undertaking an assessment of the flood risk and potential adaptation response if flooding take place at 3.1 mRL in the loading zone of the building. A potential adaptation response which could be recommended in the assessment would be to raise floor levels on the ground floor of the building where a flood risk is identified in the assessment. This raising of ground floor levels can be achieved by placing a concrete slab overlay on relevant parts of the building. The proposed design of the building has been designed to incorporate this adaption response in terms of the structural design to accommodate this additional load. A condition of consent is proposed to ensure the implementation of an adaption response. In our view, this represents a sensible and practical solution that balances the competing requirements of achieving optimal urban design outcomes in terms of a building design that effectively engages with the public realm, maintains a relationship with the streetscape and is functional by minimising the extent of stairs and ramps required to access the building, against the competing requirement of mitigation from natural hazards and the effects of climate change.

For life safety risks, the Risk Assessment also concludes this to be low due to both safe egress/refuge in the short to medium term with a transition to safe refuge in the longer term with the establishment of a stay in place protocol for residence and vertical evacuation for ground floor occupants.

10.6.3 Summary

In summary, the Risk Assessment concludes that the proposed design mitigates significant coastal inundation and catchment flooding risk through the design elements of floor level elevation for the ground floor with the resultant risks being low to negligible for at least the next 80 years based on the proposed ground floor levels when the building is constructed. The building has been designed so that essential services situated on the ground floor are above the predicted flood levels to at least 2130 and proposes an adaptation response resulting in low risk over the next 100 years for the building. On the basis that risks are considered to be low to negligible for at least the next 80 years with the proposed design and low over the next 100 years with the proposed adaption response, we consider that actual and potential effects on the environment will be less than minor.

10.7 Traffic

10.7.1 Traffic Design, Access and Parking

An Integrated Transport Assessment (ITA) has been prepared for the project and this is enclosed as **Appendix 19**. This transport assessment analyses the locational qualities of the Site in terms of its broader connectivity with the transport environment, wider transport issues and factors affecting travel demand in the area and potential adverse transport adverse effects on the environment.

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

The mode share analysed in the ITA demonstrates that people living in the Wynyard Quarter (and Viaduct Harbour) area mainly walk to work at 31%, followed by working from home at 28% and driving to work at 27%, with the latter steadily declining and expected to continue in the long term. Overall, this mode share analysis indicates that people living in Wynyard Quarter are more likely to walk to work than people living in any other area outside of central Auckland, and are less likely to drive to work. This therefore indicates that more housing in the precinct represents an optimal transport outcome in terms of active transport modes and supporting the reduction of greenhouse gas emissions.

Based on the residential led nature of this project, including the number of apartments and retail floor space, the transport assessment has analysed potential operational traffic generation effects of the project on the environment during the morning and afternoon peak periods. That analysis supported by Sidra modelling concludes that the adverse effects will be less than minor and can be safely accommodated on the transport network with the requirement for any mitigation. because residential dwellings in the Wynyard Quarter area have proven to result in very low levels of private traffic with higher corresponding levels of walking. Results of the Sidra modelling on the local intersection (Jellicoe and Beaumont Street) and at the Beaumont/Fanshawe Street intersection will either operate at a very high level of service of A on all approaches during the morning and evening peak, or there will be no changes in delay or level of service compared to the base situation with the project. On this basis, the ITA concludes that any actual or potential operational traffic generation effects from the proposal will be less than minor.

With respect to the effects arising from the parking, design and access infringements, the ITA concludes that:

- The 6.8m aisle width which exceeds the relevant AUP(OP) standards will not generate any adverse effects on the environment beyond the Site including pedestrians or passing traffic, as this slightly narrower aisle width within the building will still comply with the requirements of AS/NZS2890.1 and the parking will be utilised by regular users who will familiarise themselves with the narrower aisle width.
- The 2.3m vertical clearance height within the car parking podium is non-compliant with the relevant AUP(OP) standard where accessible car parking is provided. This reduced vertical clearance height will make lifting a wheelchair onto or off a car roof more difficult but this clearance height is common for other parking buildings in the central city area, and these spaces will be used by regular users only.
- The gradient of the proposed access which slopes down to the footpath is non-compliant with the relevant AUP(OP) standard. As the access slopes down to the footpath, there are no sightline issues at the Site or proposed design of the access that would result in any adverse effects because pedestrians will be clearly visible to drivers when coming down the slope.

- There are no existing traffic capacity issues on Beaumont Street along the frontage of the Site and the Project will not generate any additional traffic capacity issues. Providing the access on Beaumont Street instead of Jellicoe Street is considered to be the preferred option (despite this not being provided for in the AUP(OP)) because the pedestrian and cycling amenity on Jellicoe Street is higher. Additionally, the access along Beaumont Street will allow safe and efficient access to and from the Site and there will be no impact on the safe and efficient operation of the transport network due to the very low traffic volumes passing along the Site and expected to use the access.
- The provision of bicycle parking does not comply with the AUP(OP) standard requirement but complies with the requirement under the consent order version of PC79. The overall provision of bicycle parking is considered to be sufficient and practicable to sufficiently meet the needs of cyclists. Additionally, once the consent order of version of PC79 is formally adopted in the AUP(OP) this technical shortfall of bicycle parking will fall away.
- There is no demand for a third loading space on site. The two loading spaces provided will be adequate to meet the demand for both the residential and retail activities on site such that there will be no external effects on the transport network from this shortfall of one space.
- The proposed 6.63m width of the vehicle access will not impede visibility or sight distances for drivers entering and exiting the Site. The proposed with the access is considered to be safer and more convenient for drivers and pedestrians because the separation of entering and exiting traffic reduces the potential conflict for pedestrians.
- The overall provision of accessible parking on site is considered to be appropriate because it complies with the requirements of NZS4121:2001 to that the extent that it will sufficiently meet actual demand within the project.

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

10.7.2 Construction Traffic

Construction traffic effects in the ITA are assessed as being fewer than 30 trucks per day or 4 trucks per hour over most of the construction period which is considered to be low and insufficient to have any noticeable impact on the existing transport network. At its peak phase of construction, traffic flows are estimated at 60 trucks per day over an approximate construction period of three months which equates to just under 8 trucks per hour or one truck on average every 8 minutes. While there will be an increase in the number of trucks travelling to and from the Site, this level of traffic is not high enough to create any noticeable impacts on traffic capacity or safety. Any adverse effects construction traffic effects are therefore assessed as less than minor for the majority of the construction period or minor at the most during the peak construction period because such effects will be temporary in duration and localised in nature.

To manage potential construction traffic effects from the proposal a draft Construction Traffic Management Plan (CTMP) has been prepared in Appendix 21 and a final CTMP is proposed as a condition of consent. The overall objective of the CTMP is to outline procedures for safely and

efficiently managing construction-related traffic and to ensure safety for works, pedestrians, cyclists and motorists while minimising disruption to the transport network. The proposed conditions also require the final CTMP to be prepared and submitted to Council for certification and be prepared by a suitably qualified and experienced person prior to the commencement of physical works on site to ensure that the management framework is appropriate and acceptable.

In particular, the proposed final CTMP condition requires a list of specific details to be provided for avoiding, remedying and mitigating adverse effects on the environment from earthworks, construction and management of all works associated with this project. The condition also requires the process to record and investigate any traffic complaints and procedures to be followed investigation of the complaints, review of the mitigation/management measures and recording outcomes of the investigation.

In our experience, the provision of a final CTMP as a condition of consent for urban development projects is considered to be appropriate and standard practice. We also understand that the appointed contractor would normally contribute to the development of the final CTMP to provide real life practical input into the development of this management plan to ensure it would be workable and feasible in context of the Site. Notwithstanding that a contractor has not been appointed to this project, the draft CTMP is considered to provide an appropriate framework to ensure that operations of the surrounding road network and pedestrian safety including people in the neighbourhood will be appropriately managed and maintained to the extent that that any adverse construction traffic effects arising from the proposal will be avoided or mitigated to be minor.

10.8 Economic Effects

The project does not provide for the development of any marine and port activities or marine retail on the site in accordance with the requirements of Precinct Plan 7 which identifies areas where activity is limited to marine and port activities and marine retail only up to a height of 18m above ground level. The EIA prepared by Property Economics in Appendix 16 assesses whether this potential reduction of marine industry land and floorspace provision has the potential to undermine Auckland's marine industry and the role, function and performance of the wider Wynyard Quarter.

With reference to the assessments and analysis in the Property Economics EIA, even with the exclusion of the Site it is considered that sufficient marine industry land remains within Wynyard Quarter to accommodate foreseeable demand. Specifically, there is an estimated total of 42,790m^2 of marine-related (built) floorspace within Wynyard Quarter (excluding the site), which exceeds the projected demand of 37,280m^2 by 2041 thereby indicating that there is more than sufficient capacity to meet marine industry needs over the next 15 years. Locational trends today also indicate that many upstream and support function in the marine supply chain no longer rely on immediate waterfront access because they increasingly locate in industrial precincts where operators can access larger floor plates, lower land costs, dedicated parking and efficient freight connections. Based on these estimates and findings, plus the evolving employment composition in Wynyard Quarter which is transitioning away from traditional manufacturing/industrial activities to a high-density, mixed-use precinct, the EIA concludes that utilisation of the Site for residential and retail purposes will not adversely affect the current or foreseeable growth of the marine industry in Wynyard Quarter.

In summary, while the project represents a reduction in marine land capacity, this is not considered to be a significant economic cost that will materially undermine the marine sector's productivity, growth potential or its overall economic performance. While the reduction in marine industry land capacity presents a minor economic cost, it is outweighed by the broader economic benefits of the project.

On this basis, we consider that any actual and potential economic effects from the non-provision of marine activity on this Site will be less than minor.

10.9 Contamination

A Ground Contamination Assessment and associated Site Management Plan (SMP) have been prepared for the project and are included as **Appendix 13.**

The site was reclaimed from the sea in approximately 1912. Reclamation materials commonly used in the local area at that time included dredged sediments (hydraulic fill), excavated foreshore headland materials, demolition debris, gasworks waste, and incinerator ash. These materials have the potential to contain elevated concentrations of metals and other contaminants.

Following reclamation, the site was occupied by Mobil Oil and its precursor companies from the late 1920s until approximately 2006. Historical plans for the Mobil Auckland Storage and Processing Terminal (ASPT) indicate that bulk storage of petroleum fuels, solvents, vinyl acetate monomer (VAM), transformer oil, and lubricating oil occurred onsite. A fire suppression system incorporating aqueous film forming foam (AFFF) was previously located in the north-eastern corner of the site.

The Mobil ASPT was decommissioned circa 2006. Since that time, the property has supported marine industry activities, including use as a base for Emirates Team New Zealand during the America's Cup campaign. More recently, parts of the site have been repaved and the area has operated primarily as a commercial car park.

Hazardous Activities and Industries List (HAIL) activities have historically been undertaken on the site. These activities principally comprise bulk fuel and petroleum chemical storage by Mobil, together with the potential presence of contaminants within the original reclamation fill. As a result, contaminants including metals, hydrocarbons, solvents, PFAS and cyanide have been identified in site soils and groundwater.

A review of the contamination ground conditions in the context of the proposed development and associated construction works indicates that the primary ground contamination risks relate to the following matters:

1. **Deep excavations (beneath surficial engineered subbase and hardfill)**
   Where excavations extend below the engineered subbase and hardfill layers, construction workers may encounter hydrocarbon-impacted soils, including soils containing significant petroleum hydrocarbons (SPH), which may generate odours. In most cases, the limited duration and small footprint of such works (e.g., piling or localised excavations for ground beams) will inherently limit exposure risk.

   Nevertheless, potential effects will be confirmed and appropriately managed through consent conditions requiring a vapour risk assessment to confirm if building protection measures need to be incorporated in the design or not, and works to be implemented in accordance with the SMP, which is also proposed as a condition of consent.

For longer-duration excavations (e.g., building cores), engineering controls required for safe excavation entry—such as sheet piling or cement stabilisation—will also serve to mitigate potential exposure to contaminants. Measures implemented to protect site workers will concurrently avoid or minimise effects on neighbouring site users and the wider public.

2. Offsite disposal of surplus soil or fill

   Surplus soils or fill generated during development are unlikely to meet cleanfill acceptance criteria. At a minimum, surplus material will require disposal to a managed fill facility. Soils between approximately 1.5 m and 5 m depth that cannot be reused onsite are anticipated to require disposal to a Class 1 landfill (e.g., Redvale or Hampton Downs), due to the potential for odour generation and contaminant concentrations. Disposal pathways will be confirmed through appropriate characterisation and waste acceptance testing.

3. Management of surface water and groundwater discharges
   Surface water accumulating within excavations and groundwater generated through dewatering activities may contain low concentrations of PFAS, cyanide, and dissolved hydrocarbons. Localised sheens of SPH may also occur. The SMP outlines the management, treatment (if required), and discharge options for water that cannot be infiltrated onsite, ensuring compliance with relevant regulatory requirements.

4. Vapour intrusion into the proposed building
   A low residual human health risk associated with potential vapour intrusion into the proposed building has been identified. Additional vapour monitoring is currently being undertaken to confirm the level of risk. Should monitoring indicate that an unacceptable risk remains, it can be effectively mitigated through incorporation of appropriate vapour protection measures within the building design.

   A range of mitigation options are available, and the final solution will be informed by the results of the vapour monitoring programme and a site-specific vapour risk assessment. The optimal approach may comprise a combination of passive and/or active vapour mitigation measures integrated into the final building design (if required).

On the basis of the above, and subject to implementation of the SMP and associated controls, it is concluded that potential adverse effects arising from ground contamination will be appropriately managed to a level that is less than minor.

10.10 Construction Activities

A Construction Management Plan (CMP) has been prepared for the Project and is included as Appendix 26.

Given the scale and complexity of the Project, construction will be staged and undertaken progressively. A contractor has not yet been appointed to carry out the physical construction works. However, it is anticipated that the appointed contractor will prepare a final, detailed CMP prior to commencement of works. This document will confirm the final construction methodology, staging and programme, site access arrangements, construction laydown and storage areas, temporary hoarding and fencing required for health and safety purposes, and the specific best practicable options to be implemented to avoid or minimise adverse effects on the adjacent environment and the wider area.

To support the resource consent application, a draft CMP (Appendix 14) has been prepared. The draft CMP establishes the overarching principles, practices and procedures that will be implemented to manage, remedy and mitigate potential adverse effects during the construction phase. It provides a robust framework to ensure that construction activities are undertaken in a coordinated and environmentally responsible manner.

While construction will result in temporary changes to the public realm, including adjustments to pedestrian and vehicle movements, clear and safe alternative routes will be maintained at all times to ensure the continued efficiency and safety of the surrounding transport network. A draft Construction Traffic Management Plan (CTMP) in Appendix 21 sets out appropriate measures to manage construction-related traffic effects, maintain pedestrian safety, and protect the amenity of surrounding properties.

Overall, subject to the finalisation, certification and implementation of the CMP and CTMP (and any associated sub-management plans), it is considered that potential adverse effects arising from construction activities will be appropriately managed and mitigated, such that any residual effects will be temporary and no more than minor.

10.11 Urban Design and Landscape Visual

An Urban Design and Landscape Assessment has been prepared for the project and this is enclosed as Appendix 15.

10.11.1 Urban Design

The design of the Project has been carefully developed to respond to and reinforce the key urban design framework attributes of this part of the Wynyard Precinct. The proposal defines the western termination of the east–west Waterfront Axis and responds directly to the angled Wharf Axis, an alignment that has been further reinforced through the progressive design development of Te Ara Tukutuku. In doing so, the Project gives architectural expression to this structuring axis of the Precinct and strengthens their legibility within the wider urban context.

The Site is identified within the Precinct framework as a site where a ‘marker building’ can be developed, and the proposed development appropriately realises this intent. The building heights—37.56m (40.965m to top of plant), 80.78m (84.05m to top of plant), and 31.68m (34.555m to top of plant), measured east to west—are carefully calibrated to sit comfortably within the established and anticipated built form of the Wynyard Precinct and the western edge of the City Centre. The tower element will enhance the legibility of the Precinct within the wider cityscape, providing a clear point of reference, while remaining subordinate to and not competing with the prominence of the central city core.

The development will introduce a prominent and architecturally expressive built form in a location where a landmark quality is anticipated and appropriate. It will replace a long-vacant site with a high-quality urban development, bringing vibrancy, activity, and passive surveillance to a part of the Precinct that currently lacks these qualities. The proposal establishes a defined and active built edge to both Jellicoe and Beaumont Streets, and positively engages with the park and public realm of North Wharf. Ground floor activation, including food and beverage tenancies, together with residential occupation above, will contribute to a lively and well-used public interface throughout the day and evening.

The Project has also been designed to respect and protect the primacy of adjoining marine industrial activities to the south. The layout and orientation of apartments deliberately limit direct overlooking of the landward marine yard from the majority of dwellings and from public areas, while still enabling appreciation of the working waterfront character that defines this part of Wynyard. This balanced approach maintains operational privacy and functionality while celebrating the authentic marine context of the Precinct.

Vehicular access is consolidated to a single servicing and parking entry point from Beaumont Street, providing access to the fully sleeved on-site parking and service areas. Jellicoe Street remains free of vehicular crossings and is dedicated to pedestrian movement. This approach reinforces the pedestrian priority of the east–west Waterfront Axis and strengthens the amenity relationship with Silo Park and the surrounding public realm.

The shading studies also demonstrate that the generous separation of the Site from the closest established residential neighbours ('30 Madden' at 155 Beaumont Street) and its position to the south of Silo Park, with the Orams Marine industrial yard adjacent to the south of the project, assist in ameliorating potential adverse shading effects on neighbours in the wider locality with morning through to midday shade falling on the water and Orams industrial yard. Limited shading will also affect the public realm of Silo Park in Spring and Summer. In Spring shading does not reach the park until 5pm shading a portion of the park by 6pm. In summer shading commences at 4.45pm lying across the playground in Silo Park by 5.45pm and by 7.15pm the full extent of shading by the Project on the park is in effects with sun remaining in the west and east of the park. Adverse effects of this summer shading of the park are assessed to be low. Shading effects in respect of 30 Madden will only occur in winter to parts of the building's west and north facade only, and for a fleeting period of time between 1 hour to 1 hour and 15 minutes in the middle the day such that the effects are assessed as being low.

With respect to the overall scale and form of the building, the reduced footprint of the Tower building as it increases in height and the angled alignment of the upper levels of the Beaumont and Marina buildings assist in ameliorating the potential adverse impact of the height the Project and its overall scale and intensity, whilst also contributing a distinctive, well-modulated landmark building anchoring the western end of the Waterfront axis. The key design move of the Tower building's angled stepped façade provides a shift of vertical planes to rotate the massing through the Tower's height to create three tiers that respond to the Te Aratukutuku alignment providing a significant contribution to manging the scale, form and intensity of development.

Overall, the Project will deliver a high-quality, architecturally distinctive development that reinforces the intended urban structure of the Wynyard Precinct, activates key public interfaces, enhances legibility within the wider cityscape, and contributes positively to pedestrian amenity. The resulting urban design effects will be not only appropriate but demonstrably positive.

10.11.2 Landscape Effects

The Wynyard Precinct is a key brownfield urban regeneration area within the city centre. Over the past fifteen years, its landscape character has undergone substantial transformation—from a low-scale, heavy industrial environment characterised by fuel storage tanks, fishing, marine and construction activities, to a vibrant mixed-use precinct comprising medium- to high-density development set within a high-quality public realm and pedestrian-focused environment.

The Site is strategically located within the Precinct to accommodate buildings of scale while limiting potential adverse landscape effects. It benefits from dual street frontages and is positioned to the south of Silo Park, thereby minimising potential shading effects on this important open space. The marina water space to the west and the Orams Marine sheds and yard to the south provide appropriate contextual interfaces for a development of greater scale. To the southeast, established residential properties across Beaumont Street are afforded generous separation distances, maintained by intervening street blocks and the road corridor itself.

The proposed tower will be prominent within the Precinct; however, it is located on a site specifically identified for a taller built form. The Precinct framework anticipates a limited number of landmark sites as site-specific opportunities for taller buildings, and the Project responds directly to that strategic direction. The tower's distinctive, site-responsive form—including its tapered profile addressing the Wharf Axis—reflects the particular urban characteristics of the Site. While the tower height acknowledges the Site's central city context, it remains appropriately scaled and does not challenge the primacy of the central city core or its existing and anticipated height profile.

The Project does not encroach upon or compromise any protected maunga viewshafts. The Site lies outside the extent of the viewshaft overlays affecting other parts of the Wynyard Precinct.

In overall landscape terms, and having regard to the Site's context within a city centre regeneration precinct; the strategic identification of the Site for landmark tower development; its relationship with adjacent marine industrial and open space activities; the provision of a publicly accessible western water's edge; the consideration of environmental wind effects; and the high quality, contextually responsive architectural design, the Project is assessed as generating positive landscape outcomes. It will enhance the character and amenity of this part of the Wynyard waterfront, reinforce its evolving urban identity, and deliver on the intended outcomes of the Precinct's regeneration framework. Accordingly, adverse landscape effects will not be generated by the proposal.

10.11.3 Visual Effects

In order to assist in the analysis of potential visual effects visual simulations from eight viewpoints have been prepared. These are assessed in detail within the Urban Design and Landscape Assessment with the conclusion being that any visual effects will be largely very-low, or low adverse at most and some cases positive. In RMA terms, this translates to largely less than minor adverse effects or minor adverse effects at the most.

With respect to effects on views and visual amenity from the Project to the nearest residential receiver at 155 Beaumont Street, these are assessed as being low overall for the west facing apartments of the seven storey Beaumont Street apartment building that have a west/northwest outlook toward the Site. This low (minor) adverse effect rating is due to Project not changing views from the lower to middle level apartments because those views are already obscured by the Orams Marine development that forms part of the existing environment. In relation to west facing apartments of the nine and thirteen storey Daldy Street block, while some north-westerly views from these apartments are also already obscured by the existing Orams Marine development, the Project will also obscure components of the existing views in the north-westerly direction. Notwithstanding this, it is considered that these apartments will all retain a spacious north-west and westerly outlook with high levels of open space outlook and visual amenity given that the Project will be located some 100m away from the closest corner of the Daldy Street block. The

adverse visual amenity effects for the nine and thirteen storey west facing apartments in the Daldy Street block are assessed as moderate (being no more than minor).

10.12 Subdivision

The proposal includes a boundary adjustment and the subsequent establishment of unit titles for the completed development.

The boundary adjustment and unit titling are administrative and legal mechanisms to facilitate the efficient ownership and operation of the development. They do not alter the nature, scale, or intensity of the built form assessed within this application and will not give rise to any additional adverse environmental effects beyond those addressed elsewhere.

10.13 Hazardous Risks

The site is situated approximately 120 metres from the closest boundary of the Sanford fish processing facility at 22–32 Jellicoe Street. This is the only remaining hazardous facility within the Wynyard Precinct. The facility utilises anhydrous ammonia as a refrigerant gas within a closed-loop system. All former bulk liquid tank farms previously located on Wynyard Point have been decommissioned (prior to the 36th America's Cup in 2021), and no other hazardous industry remains within Sub-precinct F or the surrounding area.

Anhydrous ammonia is classified as:

- A flammable gas (Class 2.1.1B) when mixed with air at concentrations between 15%–28%;
- Toxic via inhalation (Class 6.1C); and
- Corrosive to skin and eyes (Classes 8.2B and 8.3A).

While ammonia presents potential toxicity risks in the event of an accidental release, it has a strong, pungent odour at low concentrations, enabling early detection well before harmful exposure levels are reached. Fire and explosion risks are secondary to toxicity risk and are comparatively low.

The site falls within Sub-precincts C and E and Risk Areas 1 and 3 of the Wynyard Precinct under Chapter I214 of the Auckland Unitary Plan (Operative in Part). Residential activities are identified as "risk sensitive activities" (#) under Activity Table I214.4.1 and therefore require consideration under the relevant assessment criteria.

Special Information Requirement I214.9(7)(a) applies to risk sensitive activities within certain sub-precincts and risk areas and requires preparation of an emergency and evacuation plan.

The Auckland Unitary Plan development documentation identifies "Area B" (now Area 2) as the key location where specific consideration is required for dwellings due to ammonia release risk from the Sanford facility. Area B corresponds to limited portions of Sub-precincts D and G and does not include the application site.

A Quantitative Risk Assessment (QRA) has been undertaken to evaluate potential off-site effects associated with a hypothetical accidental ammonia release from the Sanford facility.

The modelling confirms that:

- Risk contours at the application site are very low and well below applicable acceptable risk criteria.

- The site is not subject to unacceptable levels of risk from ammonia use at the Sanford facility.
- No mitigation measures are required to address hazardous industry risk.

Accordingly, there is no need for:

- Building occupancy restrictions;
- Alternative site layouts;
- Specialist building design features;
- Ammonia detection or alarm systems; or
- Ongoing specialist monitoring.

In the unlikely event of an accidental ammonia release, evacuation of the site would most likely only be required under southeasterly wind conditions (i.e. winds blowing from the direction of the Sanford facility). Such wind conditions are relatively uncommon in Auckland, where prevailing winds are typically south-westerly with a secondary north-easterly pattern.

Should a broader community evacuation be required, Fire and Emergency New Zealand would coordinate and manage response procedures in accordance with standard emergency protocols.

While the level of risk at the site does not necessitate specific emergency response planning beyond standard civil defence and emergency management arrangements, a draft Ammonia Emergency Response and Evacuation Plan has been prepared and appended to the application to satisfy Special Information Requirement I214.9(7)(a)

Subject to implementation of the Emergency Response and Evacuation Plan, the development will not result in unacceptable adverse effects on future occupants arising from off-site hazardous industry activities and is considered appropriate from a hazardous industry and public safety perspective.

10.14 Waste Management

The proposed development will utilise a private waste collection service for both residential and commercial components. Waste storage will be provided within five dedicated refuse management areas, collectively comprising approximately 98 m² of space, ensuring adequate capacity for separation, storage, and manoeuvring of bins.

For the residential component, shared waste facilities will include:

- 8 x 1100L mobile bins for general refuse
- 5 x 240L wheelie bins for organic waste
- 10 x 660L mobile bins for co-mingled recyclables
- 3 x 1100L mobile bins for cardboard

Residential bins servicing the Marina and Beaumont Buildings will occur twice weekly, with the Tower Building serviced three times per week, reflecting anticipated waste generation levels.

For the commercial component, shared facilities will include:

- 2 x 660L mobile bins for general refuse
- 2 x 240L wheelie bins for organic waste

- 2 x 660L mobile bins for co-mingled recyclables and cardboard
- 2 x 240L wheelie bins for glass

Commercial waste will be collected twice weekly.

The total area required to store and manoeuvre both residential and commercial bins is calculated at 65.5 m². As 98 m² of refuse storage space is provided, the development exceeds the minimum operational requirements, ensuring efficient waste management without adverse effects on site functionality or surrounding amenity.

Access for waste collection vehicles is provided via Beaumont Street, through the vehicle entranceway to the loading bay and refuse areas. Collection vehicles will park within the Beaumont Building during servicing, thereby avoiding obstruction of the public road and maintaining safe and efficient collection operations.

Overall, the proposed waste management system is appropriately designed to accommodate anticipated waste volumes and will operate efficiently without generating adverse environmental effects.

10.15 Wind

FidelicFlow Ltd was commissioned to undertake a wind assessment of the proposed development and this is enclosed as Appendix 18.

The assessment evaluates the potential effects of the development on pedestrian-level wind conditions and has been undertaken in accordance with Standard H8.6.28 (Wind) of the Auckland Unitary Plan (Operative in Part). The relevant provisions of the Auckland Unitary Plan seek to ensure that development within the City Centre zone avoids, remedies or mitigates adverse wind effects on public spaces, including streets and pedestrian areas.

The study incorporated both wind tunnel testing and computational fluid dynamics (CFD) modelling, informed by Auckland's long-term wind climatology. Wind tunnel testing was undertaken using a 1:300 scale physical model of the site and surrounding area extending to a radius of approximately 500 metres, enabling the influence of neighbouring buildings to be accurately represented. Three scenarios were assessed: the existing environment, the existing environment including buildings currently under construction on the neighbouring Orams Site, and the proposed development. Testing was undertaken for 16 wind directions to capture the range of wind conditions affecting the site. CFD simulations were also undertaken to provide additional insight into airflow behaviour around the proposed building, particularly for south-westerly and north-easterly winds, which were identified as the most influential wind directions.

The assessment confirms that the site is naturally exposed to winds from the west through northeast, resulting in elevated background wind conditions in some locations. Under existing conditions, most areas surrounding the site experience wind conditions suitable for their intended pedestrian activities. Some locations along Jellicoe Street currently experience stronger winds than desirable for pedestrian comfort, although overall wind safety thresholds are met.

The proposed development alters the local wind environment, providing increased shelter in some areas while generating localised wind acceleration around building corners and along parts of Beaumont Street. The modelling indicates that several areas that are currently exposed to wind, including parts of Silo Park and Jellicoe Street, would experience improved wind conditions as a

result of the development. However, without mitigation, some locations near the building corners and street interfaces could experience higher wind speeds due to flow separation and localised acceleration.

To address these effects, a mitigation package was developed and tested through additional wind tunnel modelling and supported by CFD simulations. The mitigation measures, which align with the Boffa Miskell landscape design dated 9 December 2025, include architectural and landscape interventions such as a glass balustrade along the western edge of the building deck, a solid wall at the western corner of the building, a wide awning, and additional tree planting and landscaping along the western edge of the building and Jellicoe Street.

Testing confirms that with these mitigation measures in place, pedestrian wind comfort across publicly accessible areas of the site achieves Category C or better, which is suitable for typical pedestrian activities. Pedestrian wind safety criteria are also met across the site. One location on Beaumont Street remains classified as unsafe; however, this area is a vehicular route and is already identified as unsafe under existing conditions.

Overall, the assessment concludes that with the incorporation of the recommended mitigation measures, the proposed development will provide an acceptable pedestrian wind environment and will comply with the pedestrian wind comfort and safety requirements of the Auckland Unitary Plan.

11.0 Mitigation and Monitoring of Effects

Clause 6(1)(d) of Schedule 5 of the Act requires that an assessment of an activity's effects on the environment must include:

> *"a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effects of the activity".*

A description of the mitigation measures proposed is provided in the technical assessments appended to this AEE and are also documented in the consent conditions appended to this AEE. In summary, and in accordance with clause 6(1)(d) of Schedule 5 of the Act, the following mitigation measures are proposed to address actual and potential effects on the environment relative to specific subject matters, but are not strictly limited to:

Table 3: Summary of Mitigation

Subject Matter	Summary of Mitigation and Condition Response
Transport	• Draft Construction Traffic Management Plan (CTMP) provided in Appendix 21 and final CTMP required as consent condition • Draft Travel Management Plan provided in Appendix 20 and required to be implemented as a consent condition
Urban Design, Landscape and Visual	• Final architectural design details required as consent condition.

	• Final landscape plans required as a condition of consent, this includes ongoing maintenance requirements. • Lighting Plan required as a condition of consent. • Concept signage details provided in Architectural drawings in Appendix 5 and final signage details to be provided prior to installation required as a consent condition.
Noise and Vibration	• Draft Construction Noise and Vibration Management Plan (CNVMP) provided in Appendix 23 and final CNVMP required as consent condition • During construction consent conditions to manage construction noise and vibration effects. • A condition of consent requiring the operational noise to comply with the relevant standards within the AUP(OP). • A condition of consent requiring all dwellings to achieve internal noise levels with a requirement for sound insulation and mechanical ventilation.
Construction	• Draft Construction Management Plan (CMP) provided in Appendix 26 and final CMP required as consent condition • Pre Construction Meeting is a consent condition requirement. • A condition requiring the management of dust.
Servicing Infrastructure	• Installation of local three waters infrastructure required as a consent condition. • Requirement for CCTV investigations to be undertaken of the public wastewater lines to confirm capacity and result of this investigation to be provided to Watercare as a consent condition.

	• Consent condition requiring operational wastewater infrastructure to service the project prior to occupation.
Geotechnical	• Works to be in accordance with recommendations in geotechnical report and required as a consent condition. • Method statement and certification to be provided by engineer confirming works in accordance with recommendations in geotechnical report and required as a consent condition
Contamination	• An SMP updated to address the final design. This document will interface with the Erosion and Sediment Control Plan and Dewatering Management Plan required by other conditions of consent; • A project specific health and safety plan that incorporates the requirements of the SMP; and • A vapour risk assessment.
Bulk earthworks	• Erosion and sediment control to be implemented in accordance with the draft Erosion and Sediment Control Plan with a final ESCP required as consent conditions.
Wind	• Confirmation at the time of building consent that the final plans meet the testing results within the wind assessment report. • Consent conditions requiring provision of the following: o A continuous 1.2 m high glass balustrade (RL 4.6) along the western deck edge of the proposed building; o An approximately 3 m high solid wall at the western corner of the building; o A 2.6 m wide awning; o New trees on the western side of the building and

	○ Additional landscaping, including trees, potted plants, and concrete edge wall along the ramp on Jellicoe St.
Waste	• Draft Waste Management Plan (WMP) provided in Appendix 25 and final WMP required as consent condition
Hazards	• Consent condition requiring climate change adaptation to be implemented if required. • Consent condition requiring a Flood and Coastal Inundation Management Plan • Consent conditions requiring the implementation of the emergency evacuation plan in the event of a ammonia related hazardous event.

Clause 6(1)(g) of Schedule 5 of the Act also requires that an AEE include:

> *"if the scale and significance of the activity's effects are such that monitoring is required, a description of how the effects will be monitored and by whom, if the activity is approved".*

The monitoring that is proposed as part of the construction of the development is also documented in the consent conditions enclosed in the application material. In summary, the proposed monitoring includes, but is not limited to:

- Methods and procedures for monitoring as part of the CNVMP;
- Monitoring of the proposed erosion and sediment controls;
- Monitoring and management framework as part of the Travel Management Plan; and
- Monitoring as part of the SMP for land contamination.

12.0 Proposed Consent Conditions

This section of the application is provided in accordance with clause 5(1)(k) and clause 18 of Schedule 5 of the Act. These clauses require that an application provides conditions for the resource consent. The proposed conditions of consent which seek to implement the mitigation and monitoring that has been identified in the technical assessments as being necessary are appended to this AEE as **Appendix 4.** The proposed conditions have been drafted in accordance with Section 108, which relate to Part 6 and 10 of the RMA.

In recommending the proposed conditions of consent for this application in accordance with Clause 5(1)(k) of Schedule 5, the conditions are proposed to:

- Appropriately manage adverse effects, including providing mitigation to prevent or reduce adverse effects during and after construction in accordance with Clause 6(1)(d) of Schedule 5;
- Provide for monitoring as required by Clause 6(1)(g) of Schedule 5; and
- Give effect to those matters that the panel must consider under Section 81(2)(a).

The proposed conditions of consent relating to necessary mitigation and monitoring have been developed following technical assessments which identified the potential adverse effects of the Project. The proposed conditions to ensure potential adverse effects are appropriately avoided, remedied or mitigated. The conditions include details of the proposed mitigation to be undertaken to manage the actual or potential effects of the activity (as required by Clause 6(1)(d) of Schedule 5) and describe how the effects will be monitored and by who (as required by Clause 6(1)(g) of Schedule 5).

The conditions are not considered to be more onerous than necessary and comply with Section 83 with reference to Section 81(2)(d). It is considered that they meet the requirements of the FTAA and that the Panel may grant the resource consent subject to the conditions in accordance with Section 81(1)(a) of the FAA.

13.0 Assessment of Relevant Statutory Considerations

This section of the application is provided in accordance with clauses 5(1)(h), 5(2) and 5(3) of Schedule 5 of the Act. The Act requires that applications must include an assessment of the activity against the relevant provisions and requirements of those documents listed in clause 5(2) being:

(a) a national environmental standard:

(b) other regulations made under the Resource Management Act 1991:

(c) a national policy statement:

(d) a New Zealand coastal policy statement:

(e) a regional policy statement or proposed regional policy statement:

(f) a plan or proposed plan; and

(g) a planning document recognised by a relevant iwi authority and lodged with a local authority.

13.1 National Environmental Standards

13.1.1 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

The NESCS came into effect on 1 January 2012. All territorial authorities are required to give effect to and enforce the requirements of the NESCS in accordance with their functions under the RMA relating to contaminated land.

The purpose of the NESCS is to provide a nationally consistent set of planning controls and soil contaminant values. It seeks to ensure that land affected by contaminants in soil is appropriately

identified and assessed before it is developed and, if necessary, the land is remediated or contaminants contains to ensure the land is safe for human use.

The relevant consent matters identified for the proposal under NESCS regulations have been identified in section 7.2.4 of this report and the potential effects on human health are assessed in section 10.9 of this report too. In summary, the proposed soil disturbance is considered to be essential for enabling and facilitating development of the site and the DSI/SMP in **Appendix 13** has appropriately identified the type and concentration of contaminants in the soil.

The DSI/SMP in **Appendix 13** outlines the suite of mitigation measures, and health and safety practices to be implemented on site during the handling of contaminated soils and remediation actions required to ensure the land can be safely occupied for their intended residential and commercial uses in this project. Conditions of consent are also proposed to ensure that the mitigation measures will be implemented, will not result in significant risks to human health and will accord with the NESCS. Overall, it is considered that the project will achieve the overarching purpose and objective of the NESCS to protect human health.

13.1.2 Other National Environmental Standards

The proposal does not require resource consents under any of the other National Environmental Standards (listed in Section 7.3), and therefore an assessment against the intent of these is not required.

13.2 National Policy Statements

13.2.1 National Policy Statement on Urban Development 2020

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

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

- The project is for the development of a new mixed-use building containing residential and retail activities. The development will be residential led with approximately 210 apartments within a walkable catchment to public and active transport including Britomart Train Station, CRL, rapid transit bus services, the Auckland Downtown Ferry and the high-quality networks of cycleways and walkways in the Wynyard Precinct and broader city centre area. The project location will also offer excellent accessibility for people from housing to jobs in the city centre and broader Auckland region, community services and regionally significant natural and open spaces. The residential led nature of this project in a highly connected and walkable location of Wynyard Quarter will ensure that the project will deliver and contribute to a well-functioning urban environment (Objective 1, Policy 1(c)).
- The project will deliver approximately 210 apartments with average sizes ranging between 90m^2 to 185m^2 across one, two and three bedroom offerings thereby providing housing types

and densities consistent with expectations of the City Centre zoning and Wynyard Precinct. The residential led of this project will significantly contribute to housing stock in an accelerated manner because the project area is already serviced with all the necessary civil and transport infrastructure to support the feasibility of this project. The project will overall enable increased housing and business capacity in an area of the City Centre with high market demand, supporting competitive land and development markets (NPS-UD Objective 2 and 3(c)).

- Wynyard Quarter is a highly accessible location within the City Centre that is within a walkable catchment to Britomart, CRL, rapid transit bus services, ferry services and other active modes. The project will therefore enable more people to work and live within one of the most accessible areas of the City Centre supporting a shift to public and active modes of transport and a reduction in greenhouse gas emissions (Objective 8, Policy 1(c) and policy 1(e)).
- The project will deliver a residential led mixed use development providing employment opportunities and approximately 210 apartments in a range of offerings and sizes which will contribute to the emergence of a diverse and vibrant community. This will also assist in responding to the changing needs of people, communities and future generations (Objective 4).
- The building heights and density of the building in this project have been designed to take account of and respond appropriately to design principles of the AUP(OP), Wynyard Quarter Urban Design Framework and any potential adverse effects. The proposed building heights will also enable a greater quantity of dwellings and, in practice, a greater variety of dwelling types in the Precinct achieved through an increase in building height (Policy 1(a) and policy 3(a))
- The height and development capacity are consistent with the planned built form of the City Centre zone and provisions of the Wynyard Precinct (NPS-UD Policy 6). This will assist to improve the amenity values appreciated by the wider community and future generations by enabling further building variation and interest while allowing more people to live and work within the City Centre and enliven the Central City waterfront.

In summary, it is considered that this project will add to development capacity for housing and contribute to well-functioning urban environments.

13.3 New Zealand Coastal Policy Statement

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

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

- The natural character of the Precinct relates primarily to the coastal marine area as the adjacent land has been urbanised and no longer has a “natural character”. The urban form

of the wider Wynyard Quarter area and the character of the western edge already contain built elements such that the coastal environment in this setting is already highly modified. This supported by observations in the landscape visual assessment in **Appendix 15** which notes that Site is highly modified with a former marine industrial, manmade, urban character to the extent that the project will be consistent with the natural character of the Wynyard Precinct. Therefore, the introduction of the proposed building in this location will not erode the natural character of the coastal environment but will be consistent with the surrounding character of the water's edge (NZCPS Objective 2 and Policy 13).

- The Precinct seeks to manage the relationship between the coastal marine area and the central commercial area through transitioning height down to the water edge. The project will ensure this policy approach is maintained within the Precinct through continuing to focus height further away from the harbour by the stepped height approach of the building which features the lowest height Marina building closest to the water's edge along the western boundary. An exception to this is the central Tower building in the project whereby the planning framework envisages a taller marker building in this location where greater height is enabled on this specific site to provide greater visual interest increasing amenity of the coastal area and enabling more efficient use of land that benefits from the amenity offered by this locality (NZCPS Objective 2 and Policy 13).
- There are no outstanding natural features or outstanding natural landscape overlays that apply to the site, or the adjacent coastal marine area, under the AUP(OP). Having regard to the established and anticipated character of this part of the city's waterfront, the project is considered to be compatible with the surrounding evolving coastal and urban landscape (NZCPS Policy 15).
- The project provides for public open space adjacent to the coastal marine area, and walking access to and along the coastal marine area by providing for a 7m building setback and landscaped publicly accessible open space along the western edge of the project. This is not otherwise required in the planning framework of the AUP(OP) and Wynyard Precinct provisions and the project therefore provides the opportunity to restore and enhance public access to the coast. This building setback also enables the project establish a high amenity public open space adjacent to the coastal marine area for active and passive recreation opportunities, as well as walking access to and along the coast that will be free of charge and safe for pedestrian use (NZCPS Objective 4 and Policies 18 and 19).
- The project has been designed to manage natural hazards and to take into account the effects of climate change with a proposed adaption response. By incorporating this adaption response that has been integrated into the design of the building, the risks from climate change and natural hazards will be reduced with an approach that reduces exposure and incorporates resilience measures that reduces vulnerability (NZCPS Objective 5 and Policy 25).

13.3.1 National Policy Statement for Natural Hazards 2025

The National Policy Statement for Natural Hazards (NPS-NH) came into force on 15 January 2026 and applies to the natural hazards of flooding, landslips, coastal erosion, coastal inundation, active faults, liquefaction and tsunami.

In relation to the geotechnical natural hazards, the geotechnical report in **Appendix 11** confirms that in context of the risk matrix table in Appendix 1 of the NPS-NH:

- There are no known active faults in vicinity of the Site and therefore there is no semiquantitative risk assessment required or that can be undertaken;
- There are no landslip or landslide hazards identified for the Site and therefore there is no semiquantitative risk assessment required or that can be undertaken ; and
- For liquefaction the relevant likelihood and consequence are:
    - Scenario 1 of 1 in 500 year earthquake: Likelihood is Unlikely and Consequence is Minor (Low overall risk)
    - Scenario 2 of rare earthquake (1 in 500 to 1 in 5000 year event): Likelihood is Rare and Consequence is Moderate (Low overall risk)

In relation to all other natural hazards, the Risk Assessment in Appendix 12 confirms in context of the risk matrix table in Appendix 1 of the NPS-NH that the project with mitigation of the proposed adaption response is low risk for both coastal inundation and flooding for the next 100 years, for both building damage and life safety. The risk for tsunami is medium for property damage from the maximum credible tsunami (although the risk to people is low).

With reference to these risk levels identified in the relevant technical reports, the project is consistent the objective of the NPS-NH that "Natural hazard risk to people and property associated with subdivision use and development us managed using a risk-based proportionate approach" because:

- The natural hazard risk associated with subdivision, use and development of the Site has been assessed using the risk matrix in Appendix 1 of the NPS-NH (Policy 1);
- The natural hazard risks of flooding and coastal inundation associated with the subdivision, use and development of the Site will be managed using an approach of appropriate building design and an adaptive response that is proportionate to the level of natural hazard risk over the next 50 to 100 years (Policy 2);
- Subdivision, use and development of the Site have been assessed as having none to low risks for geotechnical hazards and low to medium for flooding and coastal hazards, and no very high natural hazard risks have been identified (Policy 3);
- The geotechnical report and Risk Assessment both conclude that subdivision use and development of the Site will not create or increase significant natural hazard risk on other sites (Policy 4);
- The hazard risk assessments have been prepared based on best available information (Policy 5); and
- The Risk Assessment has considered the potential impacts of climate change to 100 years into the future (Policy 6).

13.3.2 Other National Policy Statements

The proposal does not require an assessment against the following National Policy Statements below for the reasons set out as follows:

- National Policy Statement for Renewable Energy Generation – this NPS provides guidance for local authorities on how renewable energy generation (including the construction, operation and maintenance of structures associated with renewable energy generation) should be dealt

with in RMA planning documents. The proposal does not include the construction or operation of renewable energy generation structures or related activities. Therefore, an assessment of this NPS is not required; and

- National Policy Statement on Electricity Generation – this NPS sets out the objectives and policies for managing the electricity transmission network. The project does not involve any activities relating to the operation, maintenance and upgrade of the existing transmission network or the establishment of new transmission resources and therefore an assessment of this NPS is not required.
- National Policy Statement on Highly Productive Land (NPSHPL) – this NPS sets out the objectives and policies for the protection of highly productive land for land-based primary production. The site is zoned Business – City Centre and therefore the NPSHPL is not applicable.
- National Policy Statement for Freshwater Management (NPSFM) – this NPS sets out the objectives and policies for freshwater management under the Resource Management Act 1991. In this case, the project area is located within the City Centre which is a highly urbanised area which does not contain any streams or wetlands. The NPSFM is therefore not applicable to the proposal and assessment is not required.
- National Policy Statement for Indigenous Biodiversity (NPSIB) – this NPS sets out the objectives to protect, maintain and restore indigenous biodiversity requiring at least no further reduction. The project area is almost fully impervious and does not contain any indigenous biodiversity. The NPSIB is therefore not applicable and an assessment is not required.
- National Policy Statement for Infrastructure (NPSI) – this NPS sets out the objectives and policies for infrastructure under the Resource Management Act 1991 and applies to all infrastructure activities and infrastructure supporting activities. The project is for a development project only and does not involve any infrastructure activities or infrastructure supporting activities. The NPSI is therefore not applicable and an assessment is not required.

13.4 Regional Policy Statement, Regional Plan and District Plan

13.4.1 Auckland Unitary Plan (Operative in Part) 2016

The AUP(OP) combines the regional policy statement, regional coastal plan, regional plans and district plans into one combined plan. The Plan has a hierarchical policy framework with the regional policy statement at the top, then with regional and district plan provisions giving effect to the regional policy statement. The proposal has not been assessed against Chapters B4 Natural heritage, B5 Historic heritage and special character or B9 Rural environment because these sections of the RPS are not applicable to the proposal. All other relevant chapters of the RPS are assessed below.

13.4.2 Regional Policy Statement

13.4.2.1 Chapter B2 Urban Growth and Form

The Project is considered consistent with objective B2.2.1(1), which seeks to achieve a quality urban form within a high-quality urban environment. The development of the Site will include high-quality mixed-use buildings with a new public realm providing access along the coastal edge. The Project will stimulate greater productivity and economic growth in this part of the Auckland city centre and support the effectiveness and success of public transport in this location. The

Waitematā Train Station and ferry and bus services are within walking distance to the site and the land use diversity of this project in terms of commercial use (food and beverage and retail) and high-density residential use will enable social and economic vitality. As such, the proposal gives effect to the policy framework of policies B2.2.2(4), (5) and (6) because such urban growth and intensification will be contained within the core of the centre (ie within the Rural Urban Boundary) and higher residential intensification is enabled within Business City Centre Zone. Further, the development of the Site from a carpark will create increased employment and commercial opportunities for future demand consistent with objective B2.5.1.(1) and (2).

13.4.2.2 Chapter B3 Infrastructure, Transport and Energy

The objectives and policies for infrastructure under B3.2.1 and B3.2.2 are principally focused on ensuring that the importance of infrastructure is recognised, and appropriate provision of such infrastructure.

With respect to objective B3.2.1(5) in terms of infrastructure and land use planning being integrated to service growth efficiently, the project is consistent with this objective by providing for an intensive form of a residential-led mixed use development in the city centre where there has been significant infrastructure investment to date and the critical residential mass that this project will introduce will make efficient use of this infrastructure investment.

13.4.2.3 Chapter B6 Mana Whenua

The project gives effect to objectives B6.2.1(1) and (2) and policy B6.2.2(1) due to the consultation and engagement with relevant iwi authorities that have occurred to date. This process also gives effect to policy B6.2.2(1) in terms of providing the opportunity for Mana Whenua to actively participate in the sustainable management of natural and physical resources, and building and maintaining partnerships and relationships with iwi authorities. The applicant remains open to further engagement and feedback on the project should relevant iwi authorities wish to engage further with WRLP.

13.4.2.4 Chapter B10 Environmental Risk

The Proposal will be consistent with Objective B10.2.1(1)-(6) understanding that the Site is subject to identified flood and coastal hazards, and contaminated land. Assessments against the flood hazards has been undertaken, and the design and layout of the buildings respond to and/or accommodate both the hazards so that the risk to people and property is avoided or otherwise managed.

While the Site is subject to both flooding and coastal hazards, the Risk Assessment concludes that the proposed design of the building mitigates significant coastal inundation and catchment flooding risk through the design elements of floor level elevation for the ground floor with the resultant risks being low to negligible for at least the next 80 years based on the proposed ground floor levels when the building is constructed. The design of the building also ensures essential services situated on the ground floor are above the predicted flood levels to at least 2130 and provides an adaptation response which could include the raising of ground floor levels (if required) resulting in low risk over the next 100 years for the building thereby giving effect to policy B10.2.2(13).

With respect to contaminated land, the implementation of the SMP **(Appendix 14)** will manage potential ground contamination effects on human health and the environment during ground

disturbance activities associated with the proposed Site development thereby meeting policies B10.4.2(1) to (3).

Overall, the proposal has taken into account the effects of climate change on natural hazards, including future climate change sea level rises, therefore meeting the objective and policies of B10.

13.4.3 Summary

Based on the foregoing, the proposal is considered to be generally consistent with the policy direction of the RPS. The proposal is strongly supportive of the provisions relating to urbanisation of the land (being the purpose of the zoning applied to the site).

13.4.4 Regional and District Objectives and Policies

13.4.4.5 Chapter E7 Taking, Using, Damming and Diversion of Water and Drilling

Policy E2.3(23) relates to the diversion of groundwater and requires proposals to ensure that adverse effects are avoided, remedied and mitigated with respect to scheduled historic places and sites and places of significance to Mana Whenua; people and communities; flooding is not caused or exacerbated; monitoring is incorporated where appropriate; and mitigation is incorporated where appropriate.

The project is considered to be consistent with this policy because the geotechnical assessment by Initia concludes that both groundwater mechanical settlement effects on adjacent structures, and services and groundwater diversion effects on groundwater flow/regimes on neighbouring sites (and therefore people and communities), will be negligible. There are no scheduled sites and places of significance to mana whenua surrounding the Site and the groundwater diversion will not cause or exacerbate any flooding effects. For these reasons above, no specific groundwater or settlement monitoring is considered to be necessary or recommended as a consent condition. Overall, this policy in relation to groundwater diversion is considered to be met.

13.4.4.6 Chapters E11 and E12 - Land Disturbance - Regional and District

The objectives and policies for land disturbance seek to ensure that land disturbance is undertaken in a manner where the safety of people is protected and adverse effects on the environment are avoided, remedied or mitigated. In our view, the proposal will give effect to these objectives and policies for the reasons below:

- The land subject to earthworks is not located within any overlays associated with natural heritage, mana whenua, natural resources, historic heritage or special character. The earthworks therefore will not adversely affect the matters associated with these overlays (Policy E12.3(2)).
- The geotechnical report in the application material confirms the site is not subject to landslide instability and provides a suite of recommendations that are accepted by WRLP to ensure the stability and safety of surrounding land, buildings and structures, thereby giving effect to Policy E11.3(6) and Policy E12.4(6).
- A suite of erosion and sediment control measures in line with GD05 will be implemented on site and ensured by proposed consent conditions. This will ensure that adverse effects from land disturbance avoids, remedies or mitigates adverse effects on the environment (Objective E12.2(1)) and earthworks will be designed and implemented with specific engineering requirements (Policy E12.3(5)).

- The land disturbance is necessary to facilitate development of the project to provide for people and communities social and economic well-being by the development of a high-quality mixed use building that provides housing opportunities and regionally significant economic benefits (Policy E12.3(3)).

13.4.4.7 Chapter E23 – Signs

The objectives for signs seek to ensure that comprehensive development signage (CDS) contribute to the social and economic well-being of communities through place identification, and advertising goods and services (Objective E23.2(1)). They should also be managed to maintain traffic and pedestrian safety, historic heritage values and the visual amenity of the surrounding environment (Objective E23.2(2) and Policy E23.3(3)).

The CDS proposed is considered to be consistent with these desired outcomes. The elevations demonstrate that the signs on the exterior of the buildings do not visually dominate the façade on which they are located, but will be simple and discrete signage zones. The signage will not be flashing or contain variable message to cause potential traffic safety hazards and any illumination will be in compliance with permitted activity standards for lighting in the AUP(OP). Content for this signage is yet to developed and is expected to be in collaboration with future tenants of the two retail spaces. A condition of consent is proposed to ensure that the final design details of all signage are appropriate and commensurate with a City Centre environment. Overall, the relevant signage provisions are considered to be met to the extent that visual amenity, traffic and pedestrian safety will be maintained.

13.4.4.8 Chapter E25 - Noise and Vibration

The objectives and policies for noise seek to ensure that people are protected from unreasonable levels of noise and vibration (Objective E25.2(1) and Policy E25.3(1) and (2)). In particular, it is also clear from our review of the provisions that where construction activities cannot comply with the noise or vibration standards, regardless of the zoning and site surrounds, this is not considered to be an unacceptable outcome (Objective E25.2(4) and Policy E25.3(10)).

We consider the proposal to be consistent with these provisions. Construction noise is an inherent part of development in any environment and this is not considered to be an unacceptable outcome. Predicted exceedances to the construction noise standards and vibration amenity limits will be only occur at 164 Beaumont Street. All other receivers in the immediate and wider environment are predicted to comply with the relevant construction noise and vibration standards. As such, construction noise and vibration effects can be adequately managed by limiting the days and hours of construction with consent conditions, monitoring and proactive management by the applicant (or its nominated contractors) as well as preparing and implementing the management framework of the CNVMP which is proposed as a condition of consent. Consent conditions are also proposed to ensure that the dwellings in this project will be designed and constructed to achieve specific internal noise levels for accommodation buildings in the Wynyard Precinct and any reverse sensitivity effects will be minimised. Therefore, the proposal is considered to be consistent with, and not in tension with, the objectives and policies of in relation to noise and vibration.

Overall, having regard to the analysis above we consider the proposal to be consistent with the relevant objectives and policies for noise and vibration.

13.4.4.9 Chapter E27 - Transport

The transport objectives and policies seek to encourage that land use and transport (including public transport, walking and cycling) is integrated in a manner that enables adverse effects of traffic generation on the transport network to be managed while supporting urban amenity, efficient use of land and the functional requirements of activities. In addition, the objectives and policies ensure that parking and access is designed, located and accessed safely and efficiently for pedestrians and vehicles within and outside the Site. These objectives and policies have been amended under PC79 and are assessed where applicable below.

The proposal is considered to be consistent with these objectives E27.2(1), (2) and (5) and policies E27.3(2) and (3) as vehicular, cycling and walking transport modes (including accessible parking) are integrated into the development and has also been comprehensively designed to provide cycling and walking connections with the surrounding transport network and broader connections in the City Centre including connectivity to the Waitematā Station noting the extension of the rail network through the City Rail Link.

Vehicular and bicycle parking commensurate to the scale and nature of the proposal and complying with the maximum and minimum requirements of the AUP(OP) are provided in the project. This is consistent with Policy E27.3(3) and Policy E27.3(4) ensuring the safe, effective and effective operation of the transport network, supporting the use of more sustainable transport options including public transport, cycling and walking, and the efficient use of land, in addition to Policy E27.3.(14) of PC79. Car parking has been designed to avoid adverse effects on the amenity of the streetscape consistent with Policy E27.3(17) by designing the entrance lobbies and retail spaces on the ground floor to provide sleeving and screening of the parking and locating parking above the ground level in a podium structure that is sleeved by the dwellings on the upper floors. Locating the proposed vehicle access on Beaumont Street as opposed to Jellicoe Street is also consistent with Policy E27.3(20) because the pedestrian and cycling amenity on Jellicoe Street is higher, and the access has been designed and located to provide for safe, effective and efficient movement to and from the Site.

A condition of consent is also proposed to ensure the compliant provision of electric vehicle supply equipment consistent with Objective E27.2(7) and Policy E27.3(30) of PC79.

On this basis, it is considered that the safe and efficient operation of the transport network will not be unreasonably compromised in the future such that the proposal is consistent with the outcomes sought by the AUP(OP) and will be consistent with relevant objectives and policies that relate to transport.

13.4.4.10 Chapter E30 - Contaminated Land

The relevant objective and policies for contaminated land seek to manage discharges of contaminants to protect the environment and human health, and enable land to be used for suitable activities now and in the future.

The proposal will meet these provisions as the discharge of contaminants from contaminated land into air, water or into land will be managed to protect the environment and human health via the measures outlined in the SMP, consistent with Policy E30.3(2). Best practice contaminated land management has also been adopted for the identification, monitoring and remediation of contaminated land for this project (Policy E30.3(2)(f). Appropriate conditions of consent are

proposed for the transport and disposal of contaminated material removed from the Site to prevent adverse effects on the environment consistent with Policy E30.3(2)(g).

Overall, the relevant contaminated land objectives and policies will be met.

13.4.4.11 Chapter E36 – Natural Hazards and Flooding

The proposal involves the construction of new buildings within the mapped extent of the flood and coastal hazard areas. The proposed design and the location of activities (both those sensitive, potentially sensitive and less sensitive to natural hazards) within the site will ensure the risk to people within the site is managed to acceptable levels. No significant risks are identified in relation to the proposal. Acceptable levels of risk to people are achieved through the provision of safe refuge from existing and future flood scenarios, including the effects of sea level rise by integrating an adaption response into the design of the building as explained in the report above. Noting the potential for future adaptation actions to respond to increasing inundation hazard risk when required

Flood and coastal risk assessments have demonstrated that the proposal will not result in adverse effects or the exacerbation of flood hazards beyond the site or in relation to the adjacent road network. Geotechnical assessments have examined the suitability of the site (located within historic reclamations) and the proposed built design.

The proposal is considered consistent with and to meet the objectives and policies of chapter E36, including those introduced through Plan Change 120 Specifically, the Risk Assessment in **Appendix 12** confirms that:

- The project is considered to be potentially tolerable with the identify hazard overlays with the appropriate risk treatment to reduce risk to tolerable and therefore low risks. The proposed design levels for the Project avoid coastal inundation over the next 100 years for the 1%AEP coastal inundation events and avoids flooding for the 1%AEP rainfall flooding including allowance for 3.8C, and therefore also reduce flooding from more frequent hazard events (Objective E36.2(3B).
- Subdivision and development of the Site will occur in a way that avoids creating or exacerbating natural hazard risks on other properties, infrastructure and the environment (Objective E36.2(3C)
- The Risk Assessment undertaken has taken into account the long-term effect of climate change (Objective E36.2(7).
- The matters to be considered in risk assessments for proposals to subdivide, use or develop land that is subject to natural hazard risk has been assessed and considered in context of this project (Policy E36.3(3)).
- The project has been designed such that it reduces risk in natural hazard areas to a tolerable level by ensuring appropriate safe refuge and safe egress are provided where possible and maintained where available, and an adaptation response which may include enabling floor levels on the ground floor to be raised to reduce the extent of flooding or inundation within the building (Policy E36.3(4C)(f)).

13.4.4.12 Chapter E38 – Subdivision Urban

The objectives and policies for subdivision seek to ensure that sites are suitable for their intended purpose, have the necessary infrastructure in place and have a layout which is safe, efficient,

convenient and accessible (Objective E38.2(6) and Policy E38.3(7)). The Proposal will give effect to these provisions as the boundary adjustment is minor and will ensure that the final boundaries contain the relevant built form. The unit title subdivision will enable the separate ownership of the commercial tenancies and apartments.

13.4.4.13 Chapter E40 – Temporary Activities

The objectives and policies for temporary activities adopt an overall enabling approach but seek to ensure that adverse effects on the environment are minimised, managed and mitigated (Objective E40.2(3)). In summary, we consider the Proposal will give effect to these provisions because:

- Adverse construction noise and traffic effects arising from the temporary construction activities proposed will be appropriately managed with best practicable measures and will be minimised as far as practicable (Policy E40.3(1)).
- Construction activities are planned during standard days and hours of construction to ensure that an acceptable level of amenity will be maintained. Given the city centre environment, noisy construction activities and temporary traffic management measures are anticipated but will be undertaken in a manner that minimises disruption as far as practicable (Policy E40.3(3)).
- A series of management plans in relation to construction management, construction traffic and noise are proposed as conditions of consent which will ensure that construction effects of this nature will be appropriately avoided where practicable, or mitigated and minimised where avoidance cannot be practically achieved.

Overall, the project will be consistent with the relevant Temporary Activities objectives and policies.

13.4.4.14 Chapter H8 – Business City Centre Zone

The objectives and policies of the City Centre Zone are contained within AUP (OP) chapters H8.2 and H8.3. In summary, the objectives seek to accommodate growth and the greatest intensity of development in the city centre, creating an attractive place for people to live, work, learn, and visit whilst maintaining and enhancing identified special character areas while respecting its valley and ridgeline form and waterfront setting.

The policies also aim to provide a range of commercial, entertainment, business and educational activities that contribute to the vibrancy and amenity of the city, as well as a range of living environments and house sizes. The policies also aim to achieve development of quality and design, and to enhance the amenity of and activities along the waterfront, as well as making it a major gateway to Auckland.

An assessment of the proposal against the objectives and policies is provided below:

- The proposed development is of high quality and considered to fit appropriately within this part of the city centre, reinforcing the quality of development and sense of place (Objective H8.2(2)).
- The proposed development will replace a carparking site and provide additional commercial and residential floor space and a publicly accessible waterfront edge that will provide an attractive place to work, live and gather (Objective H8.2(6) and Policy H8.3(2)).

- The location of the proposed development has good connections to public transport (notably Waitematā Station noting the extension of the rail network through the City Rail Link) and is located within a highly walkable catchment to other services and amenities in the wider city centre area (Objective H8.2(11) and Policy H8.3(22).
- The proposed development retains wind environments to the surrounding public spaces that are appropriate for their intended uses and does not result in inappropriate shading of public spaces Policy H8.3(30) and (31)).
- The proposed buildings have been designed to respond to the different edge conditions and contribute to the planned future form and quality, creating a sense of place. Specifically, the project is for a high-quality and site-specific development comprising a landmark tower and adjacent apartment buildings in the Wynyard Precinct. The public realm amenity and activation of this part of the Precinct will be enhanced and public access to the western water edge provided over private land. Architecturally the building has a bespoke design that responds to the long-established urban design framework of the Precinct's urban form creating a distinctive, memorable building worthy of its prime waterfront location and landmark scale (Policy H8.3(30)(c)).
- Shading studies for the project demonstrate that limited shading will affect the public realm of Silo Park in spring and summer to the extent that adverse effects of summer shading of the park are assessed to be low (Policy H8.3(30)(d)(i)).
- The Tower building height does not challenge the primacy of the Central City core but its height, bulk and massing can be accommodated in the view as part of the established and further anticipated urban form of the city centre skyline (Policy H8.3(29)).

Having regard to the above, it is considered the proposed development is in accordance with the objectives and policies of the City Centre zone.

13.4.4.15 Chapter I214 Wynyard Precinct

The Wynyard Precinct provisions of the Auckland Unitary Plan seek to guide the comprehensive redevelopment of Wynyard Quarter from its historic industrial and marine uses into a vibrant, mixed-use waterfront environment. The precinct framework supports a diverse range of activities, high-quality architecture and urban design, active public spaces, and the continued operation of marine and innovation-related activities. Development is expected to contribute to a distinctive waterfront destination while maintaining compatibility with operational port, marine, and event activities.

The proposed development comprises residential apartments above ground-floor retail and food and beverage tenancies. This mix of activities is consistent with the intended evolution of Sub-precincts C and E toward a high-amenity mixed-use neighbourhood. Residential activity contributes to establishing a permanent community within Wynyard Quarter, supporting local businesses and services and reinforcing the precinct's role as a vibrant urban waterfront. Ground-floor retail and hospitality uses further support the precinct objectives by activating street edges, providing services for residents and visitors, and enhancing the pedestrian environment.

The proposal exceeds the standard height controls for the precinct; however, the site is identified within the precinct framework as a suitable location for a marker building consistent with Policy I214.3(3)(b)) and Precinct Plan 5. The Wynyard Precinct anticipates that selected sites may accommodate taller buildings to create visual landmarks and assist in structuring the skyline and

urban form of the waterfront area. In this context, additional height is anticipated provided that the building demonstrates high architectural quality, contributes positively to the skyline, and maintains a human-scale relationship with surrounding streets and public spaces (Objective I214.2(2)(b). Where the design achieves appropriate massing, articulation, and architectural quality, the height exceedance can be considered consistent with the policy intent of site-specific opportunities for taller buildings. In this case, the proposed height of the Tower Building is such that it will not challenge the primacy of the city centre but will contribute to and enhance the legibility and urban, city precinct character of Wynyard. The height, along with the Tower's stepped, reducing, footprint assist the aesthetic qualities of the tower and create a memorable, distinctive addition to the Precinct and city. The Project will generate beneficial urban form and related positive character outcomes, and the character of the Precinct will be enhanced by the way in which the tower's angled, stepped form reinforces the alignment of Te Ara Tukutuku and the Wharf axis.

The development also supports the precinct's urban design and public realm outcomes. Active ground-floor uses can enhance pedestrian vitality, improve natural surveillance, and contribute to the attractiveness of streets and open spaces. The provision of retail and food and beverage tenancies at street level is consistent with the policy direction to encourage activity and interest at ground level, particularly along key pedestrian routes and near public spaces within Wynyard Quarter (Objective I214.2(1)(c)).A key consideration in the precinct is the management of reverse sensitivity between residential activities and ongoing marine, fishing, and event-related operations (Objective I214.2(9) and Policy I214.3(29) and (30). Residential activities are anticipated within Sub-precincts C and E provided that appropriate mitigation measures are implemented. These typically include building design responses such as acoustic insulation, internal layout considerations, and ventilation strategies that reduce the potential for noise or operational effects to result in adverse effects on residential amenity. With appropriate design responses as proposed, the proposal can coexist with nearby operational activities without constraining their ongoing operation. In addition, the Hazardous Facilities risk assessment in Appendix 24 of the application confirms that the permanent accommodation in this project is not subject to potentially unacceptable levels of risk associated with existing hazardous industry.

The proposal also aligns with the transport and accessibility outcomes sought for Wynyard Quarter. The precinct encourages reduced reliance on private vehicles and promotes walking, cycling, and public transport use. Residential development within this highly accessible central location supports a compact and walkable urban environment and contributes to the vitality of the precinct outside of typical business hours (Objectives I214.2(11) and Policies (I214.3(34), (35) and (38)).

Overall, the proposed development is consistent with the objectives and policies of the Wynyard Precinct. The mixed-use configuration supports the creation of a vibrant waterfront neighbourhood, the active ground-floor uses enhance pedestrian amenity and public realm outcomes, and the residential component contributes to the establishment of a permanent community within Wynyard Quarter. Although the building exceeds the standard height control, the site's identification as a marker building location anticipates additional height where it contributes positively to the skyline and urban design outcomes. On the basis that the project presents a high-quality architectural design and there is appropriate management of reverse sensitivity effects, the proposal supports the strategic intent of the Wynyard Precinct and represents an appropriate form of development within Sub-precincts C and E.

13.5 Iwi Management Plans

Iwi management plans have been assessed in Section 9.0 above.

13.6 Other Plans

13.6.1 Auckland Plan 2050

The Auckland Plan is the key strategic document which sets the Council's social, economic, environmental and cultural objectives. A key component of the Auckland Plan is the Development Strategy which sets out how future growth will be accommodated up to 2050. In terms of the form of development, the Auckland Plan takes a quality compact approach to growth and development. The Auckland Plan defines this as[5]:

- Most development occurs in areas that are easily accessible by public transport, walking and cycling;
- Most development is within reasonable walking distance of services and facilities including centres, community facilities, employment opportunities and open space;
- Future development maximises efficient use of land; and
- Delivery of necessary infrastructure is coordinated to support growth in the right place at the right time.

Under the Auckland Plan achieving the quality compact approach for future development is twofold. There needs to be sufficient capacity for growth across Auckland and good design needs to be embedded in all development.

This Project supports a quality compact urban form. The Project represents a significant opportunity to develop a waterfront site located within the Auckland CBD for a high-quality mixed use development that is easily accessible by public transport, walking and cycling. The Project will also deliver a privately owned but publicly accessible and high-quality public open along the western edge of the Site which will provide a place for people to gather adjacent to the coastal marine area. Overall, the Project is consistent with the strategic direction of the Auckland Plan and will contribute to achieving a quality compact approach to urban growth, while ensuring that good design is also delivered as part of the development. These strategic objectives of the Auckland Plan are reflected in the AUP(OP) objectives and policies, which are also assessed above.

13.6.2 Auckland Future Development Strategy 2023-2053

The Auckland Future Development Strategy 2023-2053 ('**FDS**') incorporates a strategic framework which identifies spatial outcomes and principles for growth within the Auckland region. The FDS identifies four main spatial environments, being existing urban areas, future urban areas, rural areas, and business areas, and also identifies spatial priorities where the greatest benefits of investment can be achieved.

The FDS is underpinned by five key principles in order to achieve a well-functioning urban environment with a quality compact urban form:

- Principle 1: Reduce greenhouse gas emission.

[5] Auckland Plan 2050, pg. 206.

- Principle 2: Adapt to the impacts of climate change.
- Principle 3: Make efficient and equitable infrastructure investments.
- Principle 4: Protect and restore the natural environment.
- Principle 5: Enable sufficient capacity for residential and business growth in the right place at the right time.

Overall, the project is consistent with these principles. In particular, the Site is located within the urban zoned area and will enable capacity for business and residential growth within the Auckland CBD to be realised while contributing to a reduction in greenhouse gas emissions due to the reduction in carparks and the CBD's strategic location close to public transport and amenities. In addition, the FDS identifies the city centre to be the focus of business, tourism, educational, cultural and civic activities as well as an important residential centre. The proposed high-quality mixed use development including dwellings and retail spaces will contribute to this growth and investment within the city centre. The design of the building also incorporates an adaptation response for the next 100 years and therefore the project can adapt to the impacts of climate change.

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

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

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

13.6.4 Auckland Central City Masterplan 2020 ("CCMP")

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

A key feature and aspiration for Wynyard Quarter in the West Waterfront of the CCMP is for this area to continue to be a hotspot for development over the next five to ten years as remaining opportunities are realised on development sites between Fanshawe Street and Wynyard Point. The project is considered to be consistent with the CCMP because it will enable the development of a high-quality residential led building on a future development site specifically identified in the CCMP as shown in Figure 11 below.

Figure 11: CCMP for West Waterfront with project location identified in red circle.

13.6.5 Waterfront Plan 2012

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

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

The project is consistent with this vision of the Waterfront Plan for Wynyard Quarter because it provides for a mixed use residential led development immediately to the south of Wynyard Point and integrates with the Orams Marine superyacht refit facility along the southern boundary. The project will deliver 210 residential apartments to provide the necessary critical mass of residents and workers to support the economic viability and vitality of this waterfront neighbourhood.

13.6.6 Wynyard Quarter Urban Design Framework (WQUDF)

The WQUDF provides a robust and flexible framework to guide the development of Wynyard Quarter. The WQUDF defines urban design principles against which development proposals will be assessed and provides an indicative design framework for the Wynyard Precinct, as well as the rationale behind the approach taken for the precinct. The WQUD contains four key urban concepts

to integrate the precinct into its unique waterfront and CBD setting. These concepts are illustrated in below and include:

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

Figure 12: WQUDF urban design concepts

The Site anchors the western terminus of the Waterfront Axis at the interface between land and sea. Height variation is a key principle within the WQUDF with a series of development sites identified as appropriate for supporting additional building height with maximum height limits of 52m. The sites selected for additional height are located to give emphasis to the three identified Axis - Waterfront, Park and Wharf - and "*provide variety to building form and scale*"[6]. These sites have become known as the 'marker building' sites within Wynyard Quarter and have been carried over into the operative planning framework of the AUP(OP) and the Wynyard Precinct provisions in particular.

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

13.7 Planning Instrument Considerations Summary

Overall, the application is considered to be consistent with, and not contrary to, the applicable provisions of the NESCS, NPSUD, NPS-NH and AUP(OP), relevant iwi authority documents, and any relevant regional or local plans.

14.0 The Fast-track Approvals Act Decision Making Framework

In considering whether to grant the approvals sought in this application, the panel must meet the requirements of Section 81, which includes applying the specific decision-making clauses in Schedule 5.

[6] Wynyard Precinct – Urban Design Framework February 2014 page 28

14.1 Approvals Relating to Resource Consents Ordinarily Sought under the RMA 1991 – Schedule 5

Clause 17 of Schedule 5 outlines that when considering a consent application and setting conditions, the Panel must take into account the following:

- The purpose of the FTAA;
- The provisions of Parts 2, 3, 6 and 8 to 10 of the RMA that direct decision making on an application for a resource consent (but excluding s104D); and
- The relevant provisions of any other legislation that directs decision making under the RMA.

The Panel must give the greatest weight to the purpose of the FTAA.

The reference to Part 2 excludes Section 8 of the RMA and the reference to Part 6 excludes Section 104D.

Clause 18 of Schedule 5 outlines that Parts 6, 9 and 10 of the Resource Management Act 1991 relevant to setting conditions on a resource consent apply to the Panel.

14.2 Declining an Approval Under Section 85

The Panel must decline an approval if 1 or more of the situations in s 85(1). The situations relevant to all types of approvals that can be sought under the FTAA are:

- The approval is for an ineligible activity;
- The Panel considers that granting the approval would breach obligations relating to Treaty settlements and recognised customary rights; and
- In the case of an approval for a resource consent, the approval must be declined if it is in an area covered by clause 17(5) Schedule 5 in an area.

The Panel may decline an approval if the Panel forms the view that:

- The activity or activities for which the approval is sought would have one or more adverse impacts; and
- Those adverse impacts are sufficiently significant to be out of proportion to the project's regional or national benefits that the Panel has considered, even after taking into account any conditions that the Panel may set in relation to those adverse impacts, and any conditions or modifications that the applicant may agree to or propose to avoid, remedy, mitigate, offset, or compensate for those adverse impacts.

In subsections (3) and (4), adverse impact means any matter considered by the Panel in complying with Section 81(2) that weighs against granting the approval.

15.0 Assessment of the Proposal Against the Fast-track Approvals Act Decision Making Framework

15.1 Information Considered

This AEE, and Section 13 in particular, has been prepared considering the information referred to in s 81(2)(a) of the FTAA to the extent it is currently available. Specifically:

- All of the technical reports supporting the application;
- Information from Ministry for the Environment relating to the referral application;
- The analysis of Treaty settlement and iwi planning documents as prepared for the application. This was prepared with reference to the comments about these matters in Ministry for the Environment's feedback on the referral application; and
- Feedback received from engagement.

15.2 Situations Where the Panel Must Decline an Approval

None of the situations under section 85 of the FTAA where the Panel must decline an approval apply to the application.

- The application does not seek approval for an ineligible activity as defined in Section 5 of the FTAA;
- There are no Treaty settlements that apply to the site as identified in Section 9.1. As such, granting the approvals sought would not breach Section 7 of the FTAA; and
- Clause 17(5) Schedule 5 does not apply to the resource consent approvals sought because they do not include an application for a coastal permit for aquaculture activities.

15.3 Situations Where the Panel May Decline an Approval

In this case, the preceding assessments of effects in the report above together with the collective technical assessments provided with this application all conclude that adverse effects of the proposal will be appropriately avoided, remediated or mitigated to largely be no more than minor, and more than minor only for visual amenity effects for a discrete block of apartments at the nearest residential receiver. The project will have significant regional benefits as described in the report above (and in the Property Economics EIA and Market Economics Assessment), and the adverse impacts of the project are not sufficiently significant to be out of proportion to the project's regional benefits.

15.4 The Purpose of The Fast-track Approvals Act

Assessment of the proposal against the purpose of the FTAA is to be given the most weight by the Panel.

The purpose of the FTAA is (Section 3 of the FTAA):

> *"The purpose of this Act is to facilitate the delivery of infrastructure and development projects with significant regional or national benefits"*

What constitutes a significant regional or national benefit is not defined in the FTAA. However, the considerations in Section 22(2)(a) have been used as a reference point for the purposes of this analysis.

The Project specific approvals sought to enable the Project, is considered to meet the purpose of the FTAA for the following reasons:

- This project will directly contribute to increasing housing supply as it involves the construction and delivery of 210 high-quality residential apartments in a highly connected central city location where there is demand for apartment living.
- The Property Economics EIA in Appendix 16 estimates a $416 million direct economic contribution into the Auckland economy, with 3,400 FTE-years of employment generated over five year development period. The project will stimulate significant local business activity, particularly in the tourism, retail, and hospitality sectors. The development will also catalyse further private sector investment in the surrounding areas, enhancing Auckland's economic growth.
- The proposal will transform the urban form of Wynyard Quarter, replacing the existing carpark with a high-quality, architecturally designed mixed-use development. It introduces publicly accessible waterfront edge and includes the activation of the street edges with retail and hospitality uses. The development will create a vibrant, pedestrian-oriented environment, significantly enhancing the public realm, legibility, and safety of Wynyard Quarter.
- The project contributes positively to Auckland's skyline and urban environment. The three towers and articulated podiums form a coherent composition that provides a visually distinctive and landmark while integrating with the city's broader built form. The development establishes human-scale frontages, active edges, and enhanced street interfaces, creating a high-quality urban design outcome.
- The range of uses—comprising residential, retail, and food and beverage —will deliver short- and long-term economic benefits, including job creation during construction and operation, growth in tourism and hospitality activity, and support for city-centre business functions. By intensifying land use in a strategic, transit-accessible location, the project aligns with the Auckland Plan 2050's compact city strategy and NPS-UD directives for efficient urban growth.
- The project will enhance existing transport infrastructure by integrating the site into Auckland's public transport network with proximity to key transport hubs, including Waitematā Station (and CRL), ferry terminals, and the Lower Albert Street bus interchange. This transit-oriented development supports sustainable urban growth and reduces reliance on private car usage.
- The project contributes to climate change mitigation through the proximity to public transport hubs, combined with active mode facilities (bicycle parking, end-of-trip facilities), reduces reliance on private vehicles and promotes sustainable transport options.
- The scale and offering of residential development directly adjacent to Orams will enable Orams to remain internationally competitive and commercially viable enabling Orams to achieve wider economic impacts and benefits to the region as described in the Market Economics report, which will be at risk if the project is not granted consent. Those economic impacts and benefits include:

- Under a conservative scenario: Household incomes in Auckland increase by a total of $663m (discounted at 8%), while at the national level some $725m is added to household incomes; and the Superyacht activity sustained by Orams Marine is estimated to sustain over 27,000 MEC years of employment over 25 years in Auckland (just over 30,000 MEC years at the national level).
- Under high performance scenario: Household incomes in Auckland increase by a total of $835m (discounted at 8%), while at the national level some $914m is added to household incomes; and the Superyacht activity sustained by Orams Marine is estimated to sustain over 35,500 MEC years of employment over 25 years in Auckland and just over 39,500 MEC years at the national level.

15.5 Resource Consent and Change of Condition Approvals Sought: Parts 2, 3, 6 and 8 to 10 of the RMA and Relevant Provisions of Any Other Legislation Directing Decision-making Under the RMA

15.5.1 Part 2 of the RMA

This section of the application is provided in accordance with clauses 5(1)(g) and 17 of Schedule 5 of the Act.

Part 2 contains the purpose and principles of the RMA. Section 5 sets out the purpose of the RMA and requires a broad judgement as to whether a proposal would promote the sustainable management of natural and physical resources. This exercise of this judgement is informed by the principles in sections 6 to 8 and considered in light of the particular circumstances of each application.

Section 5 of Part 2 identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being and health and safety while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment. It is considered that the proposed development is complementary to these objectives. The overall Proposal involves high-quality mixed-use development within the city centre in a way that it will not unreasonably disrupt the amenity of the surrounding area and at the same time contribute to the city's economic development and housing needs thereby providing for community wellbeing. The location of the proposed activities within the city centre and within close proximity to public transport infrastructure will assist in achieving the city's broader goals of better integrating transport and land-use planning. The Proposal does not raise any issues with the potential of natural and physical resources to meet the needs of future generations, includes measures to safeguard the life-supporting capacity of air, water, soil, and ecosystems and avoid, remedy and mitigate adverse effects.

Section 6 of the Act sets out a number of matters of national importance including (but not limited to) the protection of outstanding natural features and landscapes and historic heritage from inappropriate subdivision, use and development. It is considered that the Proposal does not give rise to any issues with respect to matters of national importance, in particular sections 6(b), (c), (e), (f) and (g) as there are no outstanding natural features or landscapes, no indigenous vegetation or habitats, no historic heritage and no identified protected customary rights. In terms of section

6(a), the site is in a highly modified environment and the urban form of the wider Wynyard Quarter area and the character of the western edge already contain built elements such that the coastal environment in this setting is already highly modified. The project will also provide for the maintenance and enhancement of public access to the coastal marine area under section 6(d) in the form of a privately owned but publicly accessible 7m open space along the western edge of the Site, providing opportunities for the public to view and appreciate the coastal marine area. The project has also been designed to manage significant natural hazards under section 6(h) in terms of geotechnical, flood and coastal inundation hazards.

Section 7 of the RMA identifies a number of "other matters" to be given particular regard by Council and includes (but is not limited to) Kaitiakitanga, the efficient use of natural and physical resources, the maintenance and enhancement of amenity values, and maintenance and enhancement of the quality of the environment. The Proposal is considered to be consistent with the matters in section 7 as the development of the new mixed use building in this location is an efficient use of land, and, as set out in this report, it is considered that the proposed development is such that amenity values of the surrounding area and the quality of the environment will be enhanced. Regard is given to the effects of climate change through the location of development in a highly accessible location and assessment of natural hazards.

Overall, as the effects of the proposal are considered to be consistent with all of the above sections of the RMA, and the proposal generally accords with the relevant AUP(OP) objectives, policies, and assessment criteria, it is considered that the proposal will not offend against the general resource management principles set out in Part 2 of the RMA.

15.5.2 Part 3 of the RMA

Part 3 of the RMA relates to the duties and restrictions under the RMA. It is considered that the proposal meets Part 3 of the RMA because:

- The approvals sought are all approvals required under Sections 9 (land use consent), 11 (subdivision consent), 14 (water permit), and 15 (discharge permit) of the RMA;
- Construction noise and vibration effects have been assessed in Appendix 22 which identifies the specific property at risk of an exceedance to which written approval has been obtained but effects will be managed by the CNVMP. The draft CNVMP provided demonstrates that there are a range of specific methods available for managing noise and vibration on that property and the surrounding environment. As a result, Section 16 of the RMA has been complied with; and
- As has been set out in the earlier sections of this AEE, the development has been designed to minimise effects on the natural environment, and any effects that remain are proposed to be managed through a comprehensive suite of conditions. As a result, Section 17 of the RMA has been complied with.

15.5.3 Part 6 of the RMA

Part 6 of the RMA relates to resource consents. It sets out how decisions on applications for resource consents are considered if applied for under the RMA. The relevant sections in Part 6 are addressed below:

- The primary decision-making section applying to resource consents is Section 104 of the RMA. A comprehensive assessment against the relevant factors of Section 104 has been undertaken

above. In short, it concludes that the resource consent approvals sought are consistent with all of the planning instruments to which regard must be had and adverse effects will be no more than minor; and

- Under Section 104(6A) of the RMA, a consent authority may decline an application for resource consent if the applicant has a record of significant non-compliance with a requirement of this Act. The applicant, WRLP has not been the subject to significant non-compliance.
- Under Section 105 RMA when deciding an application for a discharge permit the decision maker must have regard to the nature of the discharge and the sensitivity of the receiving environment to adverse effects; the applicant's reasons for the proposed choice; and any possible alternative methods of discharge, including discharge into any other receiving environment:
- With regards to the discharge of contaminants from the disturbance of contaminated land, the nature of the discharge and sensitivity of the receiving environment are discussed in the DSI at Appendix 13. The discharge is required in order to remediate the land so it is safe for the intended commercial and residential land uses and there are no possible alternative methods of discharge.
- Under section 106 and 106A of the Act, a consent authority may refuse to grant a subdivision or land use consent, or may grant the consent subject to conditions, if it considers that there is a significant risk from natural hazards. The Geotechnical Assessment by Initia attached as Appendix 11 confirms that the proposed development is suitable for the site provided the geotechnical recommendations outlined within the report are adopted. The Coastal and Flood Hazard Risk Assessment by T+T attached as Appendix 12 confirms that the development can be carried out in such a way that appropriately avoids and mitigates any flood, coastal inundation risks. Based on the above, it is considered that there is no reason to refuse to grant land use consent under Section 106A of the RMA.
- Section 107 specifies circumstances when a discharge consent cannot be granted. The Proposal is not anticipated to give rise to any of the matters listed. As detailed throughout this AEE, best practice erosion and sediment control will be in place to ensure discharge and stormwater runoff from the Project will not adversely affect freshwater environments. The Project will also work under a final Erosion and Sediment Control Management Plan to ensure dust emissions are minimised.

15.5.4 Part 8 of the RMA

Part 8 of the RMA relates to designations and heritage orders. No heritage orders or designations apply to the site or are proposed.

15.5.5 Part 9 of the RMA

Part 9 of the RMA relates to water conservation orders, freshwater farm plans and use of nitrogenous fertiliser. These matters are not relevant to any of the RMA approvals sought.

15.5.6 Part 10 of the RMA

Part 10 of the RMA relates to subdivision and reclamations. All of the provisions addressed below are relevant to the resource consent subdivision approvals sought:

- Specific conditions have been proposed in relation to the subdivision consent approval that is sought. These conditions align with Section 220 of the RMA; and
- All boundaries and allotments are shown on the scheme plans.

15.5.7 Other Relevant Legislation

There is no other primary legislation relevant to the RMA approvals being sought in this application under the RMA. This requirement in clause 17(1)(c) also captures secondary legislation. All the secondary legislation relevant to the application has already been addressed comprehensively in this AEE.

15.5.8 Conclusion

Based on the analysis above, it is considered that the application is consistent with the parts of the RMA relevant to decision making under the FTAA, and the documents to which they refer.

15.6 Decision Whether to Grant the Approvals Sought in the Application

15.6.1 Resource Consent Approvals

As set out in Section 11.2 above, none of the situations that require the Panel to decline an application apply to this application.

Assessment of the application against Sections 81 and 85 of the Act supports a decision to grant the approvals sought in the application.

The Project provides several benefits of regional significance, which are assessed in Section 9.1 above.

The potential adverse impacts of the Proposal have been appropriately avoided, remedied or mitigated through the design of the Proposal and the mitigation measures secured through conditions of consent, and the Proposal is generally in accordance with the relevant planning documents.

The relevant test for when the Panel may decline an approval under section 85 of the FTAA is whether the adverse impacts of the proposal are sufficiently significant to be out of proportion to the project's regional or national benefits, noting that a panel cannot form the view that an adverse impact meets this threshold solely on the basis that the adverse impact is contrary to a relevant planning or policy document.

In our view, the adverse impacts arising from the Project which have been assessed as no more than minor are far outweighed by the significant benefits that will be generated by the Project.

16.0 Conclusions

For the reasons set out in this AEE it is considered that the panel is required to grant the approvals sought, subject to appropriate conditions, in accordance with Sections 81 and 85 of the FTAA.