

Downtown Carpark Site Development

Fast-track Approvals Act Substantive Application

2 Lower Hobson Street, Auckland CBD

Assessment of Environmental Effects and Statutory Analysis

18 December 2025

B&A

Urban & Environmental

Prepared for:
Precinct Properties New Zealand Limited

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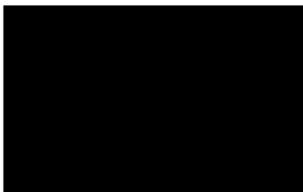
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PART A – INTRODUCTION AND PROPOSAL

1.0 Applicant and Property Details

To:	Environmental Protection Authority
Site Address:	2 Lower Hobson Street, 29 Customs Street West, 188 Quay Street, Auckland Central (" Site ") 204 Quay Street, Auckland Central (façade change from removal of pedestrian foot bridge works) Road – Lower Hobson Street, Fanshawe Street, Sturdee Street (removal of carpark ramp and pedestrian foot bridge works)
Applicant Name:	Precinct Properties New Zealand Limited
Address for Service:	Barker & Associates Ltd PO Box 1986 Shortland Street Auckland 1140 Attention: Pamela Santos
Legal Description:	Lot 9 DP 60151 (2 Lower Hobson Street), Lot 7 DP 77037 (29 Customs Street West), Lot 5 DP 63972 & Lot 1 DP 78340 (188 Quay Street) and Lot 1 DP 183125 (204 Quay Street) (refer to Records of Title as Appendix 1)
Site Area:	14,876m ²
Site Owner:	Auckland Council & Precinct Properties Holdings Limited.
Unitary Plan:	Auckland Unitary Plan (Operative in Part) (" AUP (OP) ")
AUP (OP) Precinct:	Downtown West sub-precinct B Viaduct Harbour sub-precinct A
AUP (OP) Overlays:	2 Lower Hobson Street <ul style="list-style-type: none"> • City Centre Port Noise Overlay [rcp/dp] - 58db • City Centre Port Noise Overlay [rcp/dp] - 60db 204 Quay Street, Auckland Central <ul style="list-style-type: none"> • Historic Heritage and Special Character: Historic Heritage Overlay Extent of Place [rcp/dp] - 1969, Auckland Harbour Board Workshops (former)

AUP (OP) Controls:	Coastal Inundation 1 per cent AEP Plus 1m Control - 1m sea level rise Macroinvertebrate Community Index - Urban
Designations:	None
Additional Limitations:	Overland Flow Path Flood Plain Coastal Inundation Contaminated Site
Locality Diagram:	Refer to Figure 1
Brief Description of Proposal:	Demolition of the Downtown Carpark, and development of the Downtown Carpark site into an integrated mixed-use precinct (“ Project ” / “ Proposal ”)
Summary of Primary Reasons for Consent:	<p>AUP (OP): historic heritage; groundwater diversion; land disturbance (regional and district); noise and vibration; contaminated land; hazardous substance; temporary activities; vehicle access restriction; offsite parking; loading vertical clearance; construction of new buildings; additions and alterations to existing buildings; demolition of existing building; infringement with the Admission of Sunlight to St Patrick’s Square; non-compliance to harbour edge height control plane; maximum tower dimension; setback from the street; tower separation; maximum east-west dimension; building frontage height; verandah; minimum floor to floor height; wind; minimum dwelling size; and development that do not comply with pedestrian connections</p> <p>Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulation 2011 (“NESCS”)</p>
Archaeological Authority:	The Proposal seeks archaeological authority under the Heritage New Zealand Pouhere Taonga Act (HNZPTA) as the proposed development will affect the recorded archaeological site R11/3458 Auckland Graving Dock and a small area of 19 th century reclamation.

2.0 Executive Summary

This report has been prepared in support of a substantive application for a Listed Project submitted by Precinct Properties New Zealand Limited (**'Precinct'**) for the development of the Site to provide for a mixed-use precinct providing for commercial, residential, hotel, retail, food and beverage and civic uses.

The development involves three podium buildings, two towers and four levels of shared basement, including new public spaces and a new laneway network to provide connectivity within the city centre. In addition, the proposed development involves modifications to the podia of existing adjacent buildings (HSBC and Aon) to facilitate the new laneway network.

In summary, the mixed-use development will involve:

- Demolition of the existing carpark building together with the pedestrian bridge over Lower Hobson Street and the vehicle ramp connecting to Fanshawe Street.
- Associated make good works to the heritage building at 204 Quay St (former Auckland Harbour Board Workshops) and the Fanshawe Street retaining wall, landscaping and pavements along the streetscape.
- Alterations to the existing podium buildings of the adjacent Aon and HSBC buildings.
- Excavation for a basement involving land disturbance of appropriately 100,000m³ in volume over an area of 6,442m².
- Connections and any necessary upgrades to three waters infrastructure.
- Construction of buildings principally comprising two towers each with associated podium levels, and a standalone podium, all above four basement levels, involving:
 - Tower 1 (T1) at 55 floors including Podium 1 (P1)
 - Tower 2 (T2) at 45 floors including Podium 2 (P2).
 - Podium 3 ("P3") as a two-level standalone building located in the northern portion of the Site directly adjacent to the M Social Hotel.
- A range of uses, comprising:
 - Retail and/or food and beverage tenancies in the ground floor tenancies of the podium buildings.
 - Office tenancies from level 3 and upwards on T1.
 - Residential activity including up to 160 residential units (dwellings) on the upper floors of T2 and up to 200 hotel guest rooms (visitor accommodation) in T2.
 - Retail units, bicycle parking storage, end of trip facilities and plant rooms within P3.
 - Basement vehicle and bicycle parking, loading dock, and plant and refuse rooms, including up to 121 parking spaces for the M Social Hotel.
- A major new public space, Te Urunga Hau (The Urban Room), with a pedestrian through site link through Customs Street West and Lower Hobson Street.

- A porte cochere/pick-up and drop-off area accessed off Customs Street West, and associated valet parking for the hotel.
- Landscaping and lighting.
- Overall, the development will comprise of approximately 127,500m² in gross floor area (“GFA”), with 87,000m² GFA in office space, 23,200m² GFA in residential space, 14,100m² of hotel space, 1,180m² GFA in retail and food and beverage and 3,450m² GFA in civic space for the public.

This report has been prepared in accordance with the requirements of the Fast-track Approvals Act 2024 (“FTAA” or “Act”). The FTAA is intended to facilitate the delivery of infrastructure and development projects with significant regional or national benefits. The legislation establishes an Expert Consenting Panel (“panel”) to determine applications for approvals ordinarily sought under a number of different statutes. The approvals relevant to the Downtown Carpark Development are resource consents under the Resource Management Act 1991 (“RMA”) and an authority to modify under Heritage New Zealand Pouhere Taonga Act 2014 (“HNZPTA”). The panel replaces the role of local authorities under this statute. Two categories of projects can use the FTAA and be considered by a panel: Listed Projects and Referred Projects. This application is for a Listed Project in Schedule 2 of the FTAA. As such, this application is being made in accordance with the FTAA instead of the RMA and HNZPTA.

A notable reason for seeking approvals for the proposal under the FTAA is to deliver a comprehensive and significant project for the region within a short time frame. It will enable Precinct to proceed with post-approvals phases of delivery with confidence, and provide the significant benefits to the region that are set out in this report and supporting assessments.

During the development of the proposal, Precinct and its representatives have undertaken consultation with Auckland Council, Auckland Transport, Watercare, Heritage New Zealand and adjacent landowners and occupiers. Consultation has also been undertaken with Mana Whenua groups of Tāmaki Makaurau directly by the applicant and also through the Auckland Urban Development Office (formerly Eke Panuku) Mana Whenua Governance Forum. The overall objective of that engagement have been to discuss the proposal and understand any issues that may exist with the Site, locality and development and how they might be responded to and the information requirements needed for the application.

The proposal requires resource consent under the AUP(OP) and National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (“NESCS”).

This application and planning assessment have been prepared in accordance with sections 43 and 44 of the FTAA, Clauses 5-8 of Schedule 5 and Clause 2 of Schedule 8 of the FTAA, and provides a description of the proposal together with an assessment of actual and potential effects on the environment.

The actual and potential adverse effects on the environment are assessed in detail throughout this report, together with the comprehensive suite of technical reports included with the application. Having assessed the effects against the relevant statutory framework, it is considered that any adverse effects will be appropriately avoided, remedied or mitigated to be no more than minor and can be appropriately managed with consent conditions. The proposed consent conditions are based on standard Auckland Council wording for the various consents and permits sought in this application.

There will be significant benefits from the Project:

- The economic impact of the proposal is estimated to contribute to \$1.64 billion into the Auckland economy, with 11,914 FTE years of employment generated over the eight-year development period.
- The Project is expected to contribute approximately \$650 million to regional household incomes and 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 Auckland's city centre replacing the existing carpark building with a high-quality, architecturally designed mixed-use precinct. It introduces a new network of laneways, which will improve connectivity between the city centre and waterfront while activating the street edges with retail, hospitality, and civic uses. The development will create a vibrant, pedestrian-oriented environment, significantly enhancing the public realm, legibility, and safety of the city centre.
- The inclusion of Te Urunga Hau (Urban Room) as a major new public space provides a memorable, inclusive, and culturally layered gathering place. The design expresses mana whenua values and Te Aranga Design Principles, integrating Māori narratives and identity within the built environment. This contributes to a stronger sense of place, belonging, and cultural recognition for Tāmaki Makaurau's residents and visitors.
- The Project contributes positively to Auckland's skyline and urban environment. The two slender towers and articulated podiums form a coherent composition that provides a visually distinctive and culturally resonant landmark with strong mana whenua narratives 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 office, residential (apartment and hotel), retail, and civic spaces—will deliver 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 supports low-carbon, transit-oriented growth by its immediate proximity to the Lower Albert Street bus interchange, Waitemata Station, and ferry terminals, thereby encouraging low carbon travel choices. Enhanced pedestrian connections, landscaping, and laneways improve walkability and amenity, while energy-efficient design, reduced vehicle reliance, and resilient infrastructure contribute to environmental sustainability and climate-adaptive urban form. The Project is being developed in partnership with Ngāti Whātua Ōrākei Whai Rawa Limited. The partnership will create a development that not only recognises and pays respect to Ngāti Whātua Ōrākei values and connection to the site as tangata whenua, but will actively involve their people in that process. The partnership will also enable Ngāti Whātua Ōrākei to benefit financially, allowing it to acquire an interest in the limited partnership that Precinct will form to hold the office component of the development and facilitate joint venture arrangements. Further, Ngāti Whātua Ōrākei will lead an opportunity

for other iwi and hapū around Aotearoa to invest in the development, allowing the economic benefits of the project to extend to other tribes. A letter of support for the project has from Ngāti Whātua Ōrākei and is included as **Appendix 2**.

The application is also considered to be consistent with, and will give effect to, the relevant objectives and policies of the National Policy Statement on Urban Development 2020 (“**NPS-UD**”), NESCS and Auckland Unitary Plan (Operative in Part) (AUP (OP)). It is considered that the proposal meets the purpose of the FTAA as it will deliver a development project with significant regional benefits. More broadly:

- The proposal aligns strongly with the objectives and policies of the NPS-UD, particularly those that promote intensification and efficient urban growth within existing urban areas. The development provides a high-density, mixed-use development in the heart of the city centre, adjacent to key public transport nodes such as the Lower Albert Street bus interchange, Waitematā Station, and the Downtown Ferry Terminal.
- The development supports a well-functioning urban environment by integrating residential, commercial, hotel, and civic uses, improving public realm connectivity, and enhancing urban amenity. These outcomes give effect to Objectives 1–3 and Policies 1–5 of the NPS-UD by efficiently using existing infrastructure and supporting the social, cultural, and economic wellbeing of Auckland’s residents.
- The NESCS applies due to the historical use of the site as a carpark and potential for contaminated soils from past industrial activities. A Contaminated Site Management Plan (CSMP) will guide the safe excavation, handling, and disposal of affected soils, ensuring protection of human health and the environment. This approach meets the NESCS objectives for nationally consistent management of potentially contaminated land and supports the safe development of brownfield sites within urban centres.
- The proposal has addressed environmental effect associated with the development and to ensure that any potential adverse effects are avoided, mitigated, or remedied such that it aligns with the objectives and policies the AUP (OP) and Sections 2 -8 of the Resource Management Act (RMA).

3.0 Introduction & Background

This substantive application and planning assessment is submitted in support of Precinct's proposal for the Project at 2 Lower Hobson Street, 29 Customs Street West, 188 Quay Street, Auckland Central, including façade changes at 204 Quay Street from the removal of the pedestrian foot bridge, and the removal of the carpark ramp and pedestrian foot bridge attached to the Downtown Carpark Building on Lower Hobson Street, Fanshawe Street and Sturdee Street.

The development will consist of three podium buildings, two towers and four levels of shared basement, including new public spaces and a new laneway network to provide connectivity within the city centre. This will provide for a mixed-use precinct providing for commercial, residential (hotel and apartment), retail, food and beverage and civic uses. In addition, the proposed development involves modifications to the podia of existing adjacent buildings (HSBC and AON) to facilitate the new laneway network.

The Project ("Downtown Carpark Redevelopment—Te Pūmanawa o Tāmaki") is a listed project under Schedule 2 of the FTAA. This application is made in accordance with the FTAA instead of the RMA and HNZPT. This substantive application and AEE is provided in accordance with the requirements of sections 42 and 43 of the FTAA, the applicable schedules, and the relevant provisions of the RMA and HNZPTA. A FTAA checklist, as provided by the Environmental Protection Authority, is provided within **Appendix 3**.

In accordance with Section 46 of the FTAA, the information provided in this application complies with Section 42, Section 43 and Section 44, relates solely to a listed project, and does not seek approval for an ineligible activity (refer **Appendix 4**).

As per Section 44 of the FTAA, the information provided in this application is sufficiently detailed to correspond to the scale and significance of 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. This takes into account any proposal by the applicant to manage the adverse effects of an activity through conditions.

3.1 Introduction to the Applicant

The applicant and authorised person under Section 42 of the FTAA for this resource consent application is Precinct Properties New Zealand Limited. There is no other authorised person in relation to this application.

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 has 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.

The properties subject to this application are owned by Precinct Properties Holdings Limited which is a subsidiary company of Precinct Properties New Zealand Limited.

3.2 Statement of Qualifications and Experience

Karl Cook

I am a planning and resource management consultant and Director of Barker & Associates ("B&A").

I hold the degrees of Master of Planning and Bachelor of Planning from the University of Auckland and have been a full member of the New Zealand Planning Institute ("NZPI") since 1995. I am also a member of the interview panel for new applications for full membership to NZPI.

I have experience in planning for commercial, residential and land development, institutional development, infrastructure, transport and public facilities. This experience has involved the preparation and lodgement of plan changes, resource consent applications, and notices of requirement. My work has also involved preparing outline plans of work, and assessments and advice on strategic planning and policy matters. A significant focus of my career has been in policy and development within Auckland's city centre.

As part of the wide and varied range of plan changes and resource consents that I have been involved with, my key relevant experience in Auckland's city centre includes:

- Plan changes for the Learning Quarter, Wynyard Quarter and Victoria Quarter areas within Auckland's city centre;
- Extensive involvement with the Business - City Centre zone topics throughout the Auckland Unitary Plan process from 2013 to 2016 and with Plan Change 78 from 2022 to 2024;
- Resource consent applications for developments including Commercial Bay in the downtown area, multiple residential and commercial buildings in Wynyard Quarter and Britomart, multiple institutional buildings within the University of Auckland campuses, hotel and apartment developments, and the international convention centre and hotel; and
- Advice on potential commercial, hotel and institutional developments in several locations within the city centre.

I confirm that I have read and abide by the Environment Court of New Zealand's Code of Conduct for Expert Witnesses Practice Note 2023.

Pamela Santos

I am a Senior Associate at B&A based in the Auckland office. I have been employed at B&A since 2018. 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 covering a wide range of land use planning matters on behalf of private entities in New Zealand.

During that time, I have been involved with many aspects of resource management including preparation and lodgement of complex resource consent applications, submissions and presentation of evidence to local authorities in respect of proposed plans and NoRs. My key relevant experience in Auckland's city centre include resource consent applications for developments including Commercial Bay in the downtown area, multiple residential/apartment developments and commercial buildings and mixed-use developments.

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.

Alvin Jung

I am an Associate with B&A, a planning and urban design consultancy with offices across New Zealand.

I am a qualified planner with a Bachelor of Planning (hons) from The University of Auckland and am an intermediate member of the New Zealand Planning Institute. I have over 10 years of experience as a planner and have been employed in various resource management positions in local government and private companies. I specialise in resource management planning for a range of different matters including, relevant to the present application, multi-unit apartment developments in the CBD, Town Centres and Suburban Auckland with a range of development control infringements

Examples of my experience relevant to this Project are:

- Commercial and restaurant activities in the wider Auckland Viaduct area in the Business - City Centre zone.
- External alterations of retail store on listed historic building at 44 Queen Street in Auckland CBD.
- 418 residential units on Scott Road in Hobsonville under the previous COVID19 Recovery (Fast-track Consenting) Act 2020.
- 45 residential units in two apartment buildings on Kapa Road under the previous COVID19 Recovery (Fast-track Consenting) Act 2020.

3.3 Applications Under the Resource Management Act 1991

An application for development of the Downtown Carpark under the RMA was lodged with Auckland Council and publicly notified in 2024 but was withdrawn in June 2025. A separate application for demolition of the Downtown Carpark building was lodged in July 2024 but was also withdrawn in June 2025.

4.0 Application Requirements

For completeness, it is confirmed that the application satisfies the following requirements for a substantive application under the FTAA:

- The Project is a listed project in Schedule 2 of the Act, being "The Downtown Carpark Redevelopment—Te Pūmanawa o Tāmaki" at 2 Lower Hobson Street, and 29 Customs Street West in Auckland Central. All necessary resource consents under the RMA, and archaeological authority under the HNZPTA, are sought within this application;
- In accordance with section 42 of the FTAA, the applicant, Precinct is the authorised person for the application as listed in Schedule 2 of the Act;
- An application checklist is provided as **Appendix 3** outlining that all relevant information required under sections 43 and 44 of the Act is included within the application material;

- The pre-lodgement requirements for an application set out in section 29 of the FTAA have been met, with the applicant undertaking consultation with the persons and groups referred to in section 11 of the Act as set out in section 7 below. Additionally, the application does not require an approval described in section 42(4)(l) or (m) of the FTAA;
- In accordance with section 30(6), the applicant has received a notice from Auckland Council, as the consent authority under section 30(3)(b), confirming that there are no existing resource consents for the same activity (refer **Appendix 6**; and
- All relevant fees, charges, or levies payable under applicable regulations will be paid upon lodgement of the application in accordance with section 43(1)(j).

5.0 Site Context

This section of the application is provided in accordance with clause 5 and 8 of Schedule 5, and clause 2 of Schedule 8 of the FTAA.

Copies of Records of Title for the site are attached at **Appendix 1**. A broad summary of the site and locality details is provided below.

5.1 Site Description

The land that is the subject of the Application comprises multiple contiguous fee simple allotments owned by Precinct and adjoining sections of legal road which collectively make up the Project area for this application.

The physical addresses and legal descriptions for each individual site included in this Project are listed in Appendix 1 and the project area as outlined in yellow on Figure 1 Locality plan. Source. Geomaps. Figure 1. The combined site area of all properties included in this application is a total of approximately 14,876m².

Property Address	Legal Description	Site Area (m ²)
2 Lower Hobson Street Auckland Central Auckland (Downtown Carpark Building)	Lot 9 DP 60151	6,442
188 Quay Street Auckland Central Auckland	Lot 5 DP 63972, Lot 1 DP 78340	4,730

1010 (HSBC Tower)		
29 Customs Street West Auckland Central Auckland 1010 (Aon Tower)	Lot 7 DP 77037	3,704
204 Quay Street Auckland Central 1010	Lot 1 DP 183125	N/A – Works to façade of the building only.
Road – Lower Hobson Street, Sturdee Street and Fanshawe Street	N/A	N/A – Works to remove pedestrian foot bridge and carpark ramp only.
Total = 14,876m ²		

Table 1. Addresses and legal descriptions of the site.

The Site¹ is generally rectangular in shape and contains the Downtown Carpark building in the west, HSBC Tower to the east and the Aon tower to the northeast, which are located on a common podium. While the Aon and HSBC Towers form part of the subject Site, no works are proposed to these buildings except for the podia to facilitate the new laneway network connecting to the site and upgrades to the existing service lane. An illustrative plan of adjacent land uses in relation to the Site. Source: Warren and Mahoney (WAM) is shown below in **Figure 1**.

¹ Being the three properties comprised of 2 Lower Hobson Street, 29 Customs Street West and 188 Quay Street.



Figure 1 Locality plan. Source. Geomaps.

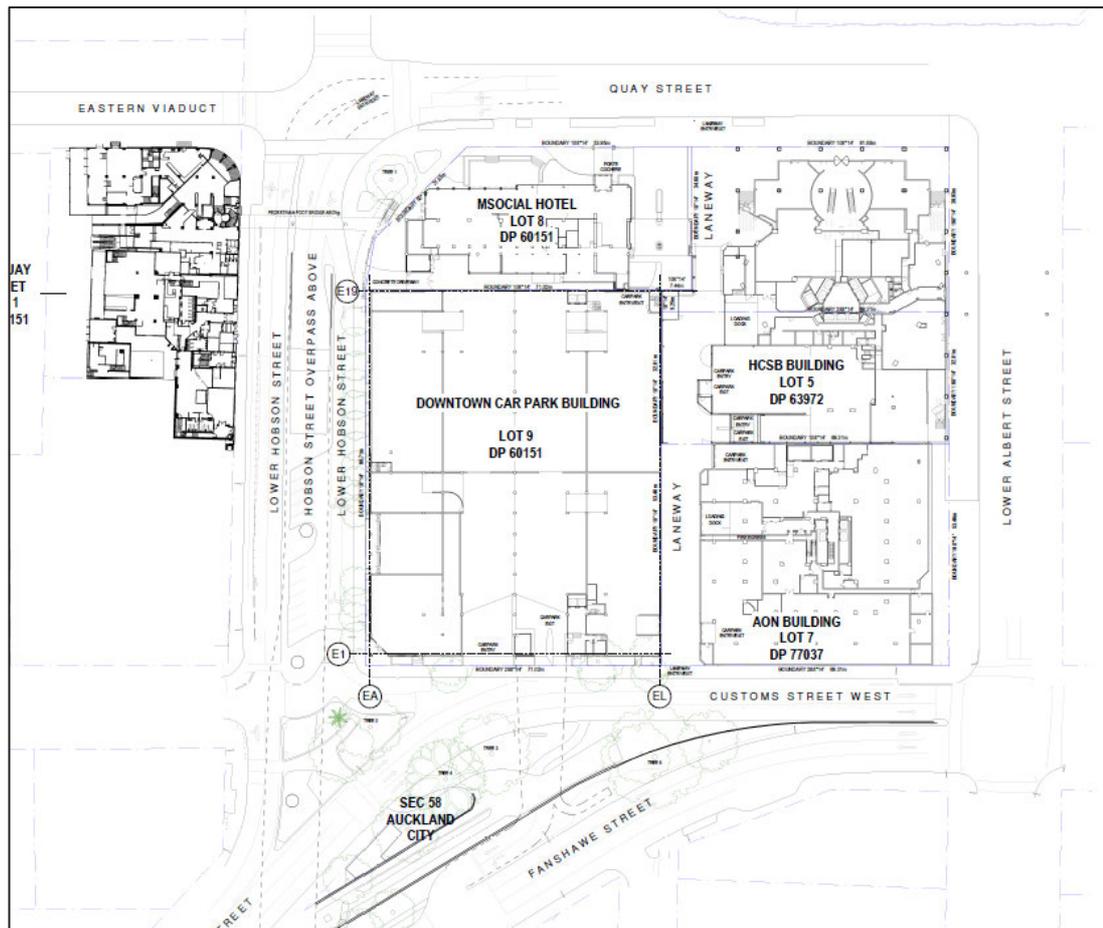


Figure 2: Illustrative plan of adjacent land uses in relation to the Site. Source: Warren and Mahoney (WAM)

The existing Downtown Carpark building is a seven-storey carparking building with approximately 2,000 carparks used for public and private parking. For the most part, the Site is fully occupied with the carpark however a small portion of the building was, until recently, occupied by restaurant activities on the ground floor. There are a number of external vehicular and pedestrian accesses via vehicle crossings, staircase, ramps, and foot bridges that connect to the surrounding streets or buildings. For vehicles, there is a crossing entrance off Customs Street West and a dedicated ramp that leads to Fanshawe Street. For pedestrian access there is:

- a staircase that leads to Lower Hobson Street from the second level of the building;
- a bridge that connects to Fanshawe Street also from the second level; and
- a pedestrian bridge over Lower Hobson Street that connects to the former Auckland Harbour Board Workshops (a heritage building) at 204 Quay Street from the second level.

There is also a driveway that connects to Quay Street through the M Social Hotel at 196 Quay Street). **Figure 3** below demonstrates the extent of the heritage building in relation to the Site. It is noted that only the building at 204 Quay Street is recognised from a heritage perspective, and not the foot bridge or the Downtown Carpark building.



Figure 3: Streetview looking north at Lower Hobson Street. The former Auckland Harbour Board Workshops demarcated in red, and the footbridge leading to the Downtown Carpark demarcated in green.

The Aon Tower contains a mix of land use activities which include general retail, a childcare facility (Kindercare), a supermarket, and food and beverage on the ground floor, with offices on the upper levels of the towers. It is noted that Kindercare will vacate their tenancy prior to the start of demolition of the Downtown Carpark Building.

A 225mmØ public wastewater pipe with manhole access and multiple stormwater pipes (ranging from 300-1050mmØ) with manhole access are located in front of the Site along Lower Hobson Street and Customs Street West. Water supply pipes are also located on both Lower Hobson Street and Customs Street West.



Figure 4. AON Tower podium. Source: Google Maps.

5.2 Key AUP(OP) and Related Features

The Site is zoned Business - City Centre Zone under the AUP (OP) and is subject to Downtown West, sub-precinct B. 204 Quay Street (Former Auckland Harbour Board Workshops) is subject to the Viaduct Harbour, sub-precinct A.

The Site is subject to the City Centre Port Noise Overlay [rcp/dp] - 58db, and City Centre Port Noise Overlay [rcp/dp] - 60db, and 204 Quay Street is subject to the Historic Heritage and Special Character Overlay: Historic Heritage Overlay Extent of Place [rcp/dp] - 1969, Auckland Harbour Board Workshops (former).

An archaeological assessment of the Project area has been undertaken and this confirms that R11/3354 (Auckland Graving Dock) is a recorded archaeological site. The Auckland Graving Dock was demolished in 1915 and removed, however the actual extent of what was removed and what was left in situ has not been able to be determined. The impacts on archaeological values of the Proposal are discussed in Section 9.9.5 below.

The Site is subject to a series of natural hazards in the form of flood plains, overland flow paths, landslide hazard risk and coastal inundation. The area to be developed in this application is largely outside of the flood and landslide hazards, however, is located within the Coastal Inundation 1 per cent AEP Plus 1m Control - 1m sea level rise as shown in **Figure 5**.

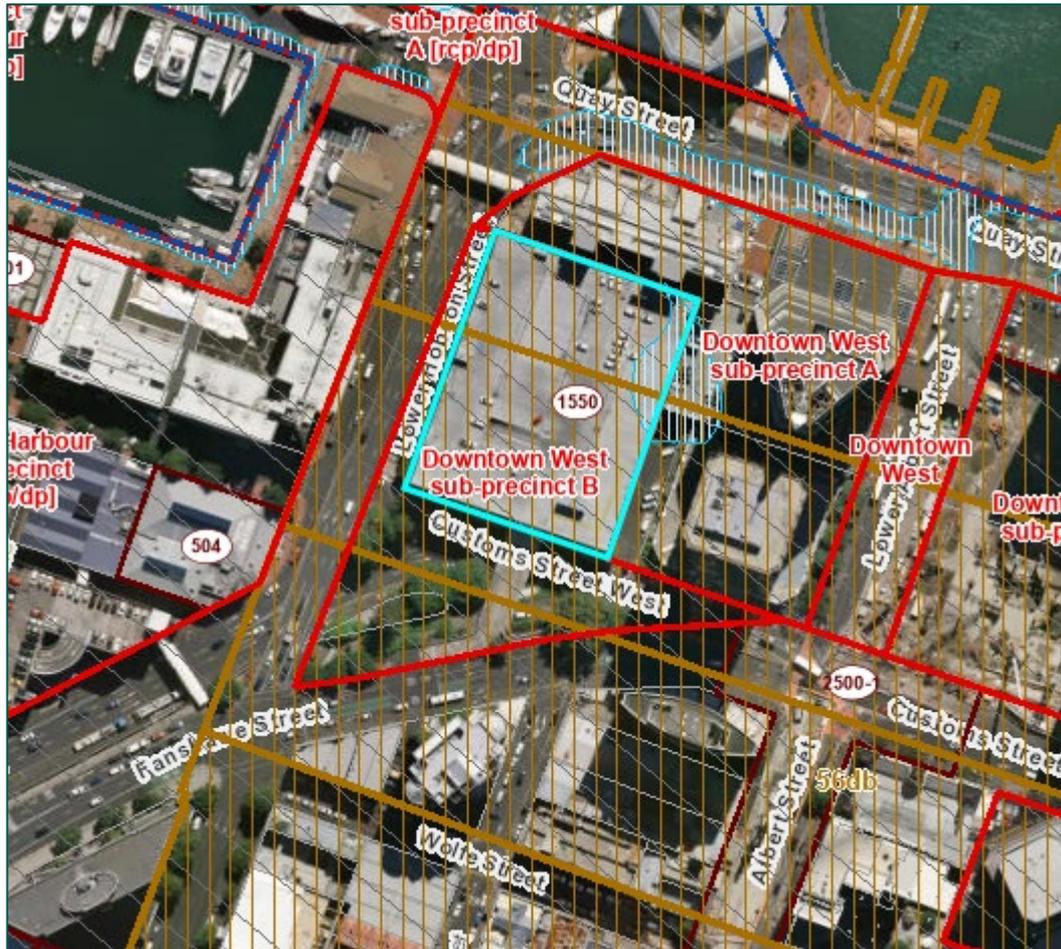


Figure 5. AUP OP Features. Source: Geomaps.

5.3 Surrounding Locality

The area surrounding the Site is characterised by a mix of uses containing commercial offices, food and beverage, retail, recreation, residential and visitor accommodation activities.

Immediately north of the Site is the M Social Hotel at 196-200 Quay Street, which is a 13-storey building (approximately 39m in height). The Site and the hotel are separated by a service lane that runs along the southern side of the hotel building. There is an additional vehicle access to the hotel along Quay Street that connects to the Downtown Carpark through the hotel.

Immediately west of the Site is the former Auckland Harbour Board Workshops at 204 Quay Street, which is subject to a Historic Heritage Overlay Extent of Place scheduling in the AUP(OP) (reference 1969) and a Historic Place Category 2 classification in the Heritage New Zealand List / Rārangī Kōrero. As noted in Section 4.1 above, a foot bridge over Lower Hobson Street connects this site to the Downtown Carpark Building. The foot bridge to the Downtown Carpark building is not identified as a heritage feature.

To the west, south-west, south and south-east are buildings that include The Sebel hotel at 89 Customs Street West, Tepid Baths Leisure Centre at 86-102 Customs Street West, the Foster & Co. Building at 30-36 Fanshawe Street which provides marine retail offering, and office tower buildings at 22 Fanshawe Street (GroupM) and 1 Albert Street (former West Plaza) respectively. These buildings / sites are separated from the Site by Hobson Street and Fanshawe Street.

Beyond the immediate environment of Customs Street and Lower Hobson Street, the Site is well connected to key transport routes including Victoria Street West, Nelson Street, Fanshawe Street and the motorway network. As a city centre site, the location means that the Site has excellent connections to a number of amenities including food and beverage, convenience stores, retail shops and open space amenities such as Commercial Bay and the Viaduct Harbour.

The immediately surrounding environment includes the Lower Hobson Street flyover/ ramp which results in a significant visual barrier for the Site and its surrounds. As part of the pre-application meeting discussions, Auckland Transport confirmed that it is seeking to remove this flyover in the future, however the timeframe for when this might occur has not been confirmed. As such, the following assessments of effects are assessed on the basis that the flyover is retained. For clarity, we do not anticipate other major changes to the receiving environment that should be considered as part of this application however it is acknowledged that there will be future changes to the transport environment.

5.4 Owner and Occupiers of Adjacent Land

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 8**:

- (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 unable 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 and clause 2 of Schedule 7 of the FTAA.

A summary of the key elements of the Proposal is set out below. More detailed descriptions on particular aspects of the Proposal are set out in the specialist reports and plans accompanying this application.

For completeness, the following approvals are sought under section 42(4):

- Resource consents (as an approval under section 42(4)(a)) that would otherwise be applied for under the RMA); and
- An archaeological authority (as an approval under section 42(4)(i)) that would otherwise be applied for under the HNZPTA).

6.1 Overview

The Proposal involves development of the Site to provide for a mixed-use precinct providing for commercial, residential, hotel, retail, food and beverage and civic uses. The development involves three podium buildings, two towers and four levels of shared basement, and a sub-basement floor, including new public spaces and a new laneway network to provide connectivity within the city centre. In addition, the proposed development involves modifications to the podia of existing adjacent buildings (HSBC and Aon) to facilitate the new laneway network.

As part of the enabling works, the demolition of the existing Downtown Carpark building (together with the Lower Hobson Street pedestrian bridge and Customs Street West vehicle ramp located within part of the road reserve) and land disturbance for the basement excavation (approximately 100,000m³ over 6,442m²) is included in this application.

The elements of the Proposal are outlined in the sections below and shown and described in more detail in the drawings and reports attached to the application.

6.2 Architecture and Landscape

The Proposal has been comprehensively designed by Warren and Mahoney (“WAM”) and has been guided by cultural narratives developed in collaboration with design partners, Haumi, supported by Ngāti Whātua Ōrākei. Throughout the design process, careful consideration has been given to the context of the Site and locality, the provisions of the Business – City Centre zone and Downtown West Precinct in the AUP(OP) and has incorporated its special features, notably the Site relationship with the core central business district with the waterfront.

Full details of the proposed buildings are enclosed within **Appendix 9A** and the Architecture and Landscape Report, which is provided in **Appendix 9C**.

A key summary of the main building elements and the landscape features of the Proposal are as follows:

Main Building Elements

The development proposes two tower buildings (T1 and T2) built over three podium buildings with four levels of basement and a new public space, Te Urunga Hau (The Urban Room). A breakdown of each component is provided below:

Tower 1 and Podium 1

T1 will be 55 floors including the podium (“P1”) at a height of approximately 227m. This will consist of two levels of commercial office lobby and supporting food and beverage from the ground floor, five floors of offices in P1, and 42 floors of office space in T1. All remaining levels that do not have assigned uses will be plant rooms.

Tower 2 and Podium 2

T2 will be 45 floors including the podium (“P2”) at a height of approximately 162m. The ground floor of T2 will comprise commercial and residential lobby areas together with retail and food and beverage uses. Level 1 above will accommodate the hotel reception and hotel wide amenity. Remaining podium levels will be office floors. T2 will contain 12 floors of hotel use, hotel amenity level on floor 1, 22 floors of residential apartments above the hotel, and a residential amenity level on floor 7. All remaining levels that do not have assigned use will be plant rooms.

Hotel Pick-up and Drop-off/Porte Cochere

A pick-up and drop-off area for the hotel, referenced as a porte cochere in the THSA Hotel Advisors Report in **Appendix 41**, is located along the Customs Street West frontage. It provides space for two cars or a large van to park and lane for vehicles to pass.

Podium 3

Podium 3 (“P3”) is a standalone building located in the northern portion of the Site directly adjacent to the M Social Hotel. This will contain two levels and will consist of retail units, bicycle parking storage, end of trip facilities and plant rooms.

Basement

Four levels of basement are proposed which will contain private carparking, bicycle parks, storage areas for the office and residential units, and a single additional localised sub-basement level to accommodate water tanks and lift pits.

Te Urunga Hau (The Urban Room)

A major new public space, Te Urunga Hau / the Urban Room, is proposed on the ground floor. Pedestrian laneways to and from Customs Street West and Lower Hobson Street will be provided and will connect to the existing pedestrian laneway network within HSBC and Aon buildings, thereby providing a connection through to Lower Albert Street and Commercial Bay via the existing pedestrian overbridge.

Te Urunga Hau / the Urban Room will be accessible to the public 24/7 with the exception of the existing through-site link within the HSBC building, which will only be open during business hours. This area will be comprehensively landscaped (further described in section 6.2.1 below) and the mix of proposed commercial tenancies will activate the area particularly during the day. The residential and hotel component of the Proposal will help activate this area after hours and at night. This mix allows for 24/7 occupation and activation of the precinct. In particular, the residential and hotel lobbies at ground level contribute to 24/7 supervision of the public realm including Te Urunga Hau / the Urban Room.

Comprehensive Development Signage

Comprehensive development signage is proposed as outlined in the Architectural Drawings in **Appendix 9A**. Signage will either involve backlit individual lettering, logos, or backlit box signs. The proposed signage affixed to the façades of each tower and podium and will involve tenant naming signage. The size and location of the proposed signage zones are detailed in the proposed elevations.

Summary of Activities

Overall, the development will comprise of approximately 127,500m² in GFA, with 86,970m² GFA in office space, 37,300 m² GFA in residential space (14,100 m² GFA in visitor accommodation space/200 hotel guest rooms and 23,200m² GFA in dwellings/160 apartments), 1,180m² GFA in retail and food and beverage and 3,450m² GFA in civic space for the public.

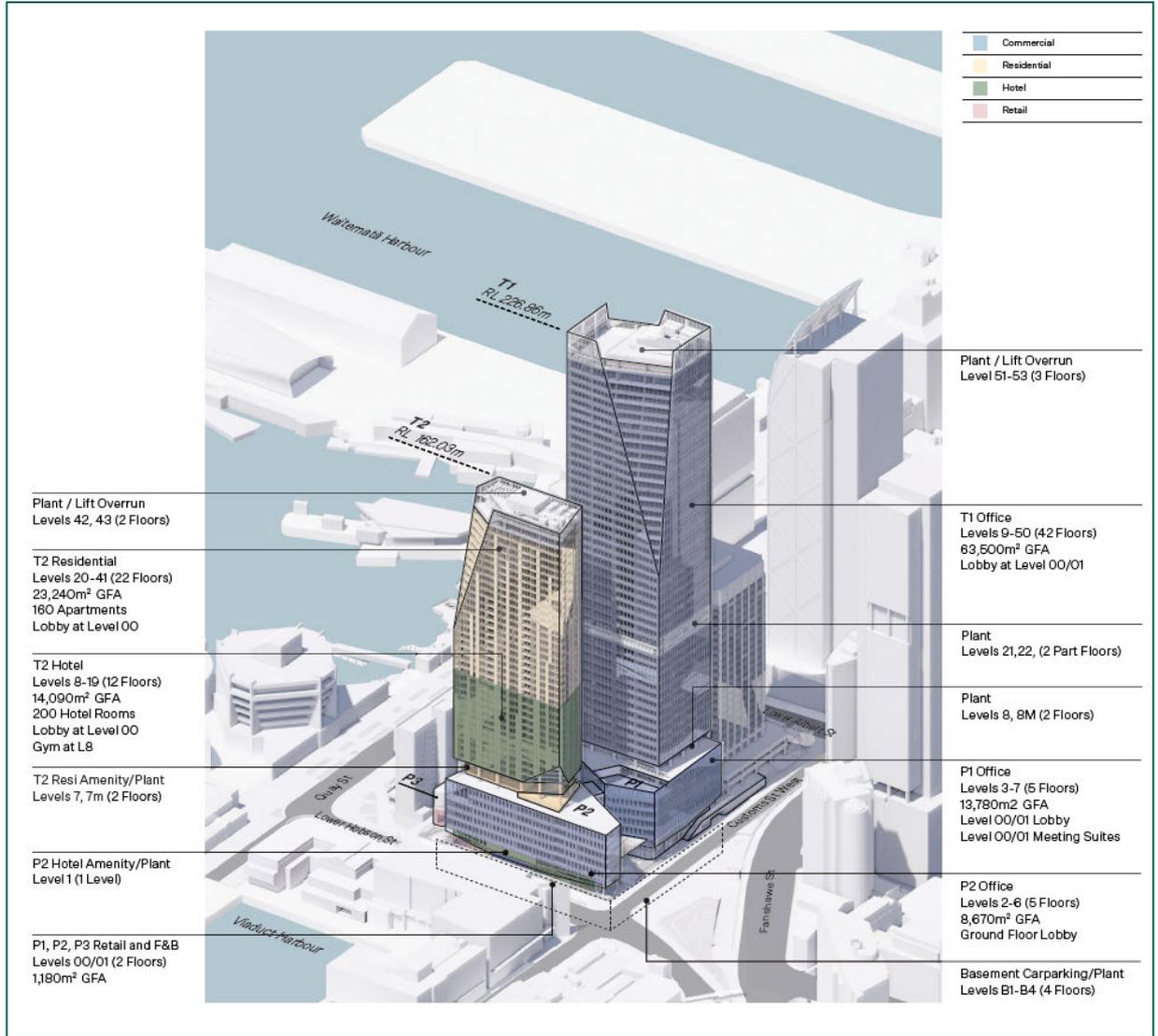


Figure 6. Scheme Composition. (WAM)



Figure 7. Perspective of Skyline. WAM

6.2.1 Landscape Design and Outdoor Features

The landscaping plan includes details of proposed hard surface treatment, outdoor structures and planting throughout the Site with specific focus on Te Urunga Hau / the Urban Room. The intent of the landscape concept for the Proposal focuses on ensuring that the development will provide a functional public space with a pleasant experience when travelling through the Site.

The proposed landscaping is comprehensively described in the Landscape Drawings by WAM (**Appendix 9B**) the Urban Design Assessment by McIndoe Urban Design (**Appendix 11**) and the Landscape and Visual Assessment by Isthmus Group (**Appendix 12**). Key points are summarised as below:

- Landscaping at ground level and within Te Urunga Hau / the Urban Room seeks to contribute to the amenity of the area providing for occupation space within the public realm. A mixture of garden beds, planters and native specimen trees are provided throughout this space
- In addition to landscaping, Te Urunga Hau / the Urban Room will feature informal seating, a stage and gathering point, seating terraces and steps, play nooks and cycle hoops.
- A variety of pavement treatment is proposed to differentiate the type of spaces provided within the Te Urunga Hau / the Urban Room. These include sett paving, stack bond pavers, timber deck, step pavers and timber batten bleachers.



Figure 8. Proposed indicative Landscape Plan. (WAM)



Figure 9. Te Urunga Hau / the Urban Room. (WAM)

6.3 Access, Parking and Loading

The access, parking and loading arrangements are detailed in Operational Integrated Transport Assessment in **Appendix 13**. A summary is provided by Flow as follows:

- *Vehicle access will be provided as follows*
 - *Vehicle access will be provided through the existing service lane, which in turn has vehicle access onto Quay Street and Customs Street West. The service lane accessway will be upgraded to accommodate two-way vehicle movement*
 - *The Quay Street vehicle crossing from the service lane will be retained and modified*
 - *The design of the Customs Street West vehicle crossing will be retained and modified*
 - *The Hotel drop-off on Customs Street West will provide two vehicle crossings, one inbound and one outbound, with parking spaces for 2 vehicles, including a lane for vehicles to pass through the drop-off area if the 2 spaces are occupied*
 - *Cars and vans can access via both the Quay Street and Customs Street West crossings. As a result of vertical clearance limitation (resulting from the Development's podium design over part of the service lane) all truck access to the Development is required to be through the Quay Street crossing*
 - *The existing vehicle crossings serving the Downtown Carpark onto Customs Street West and Fanshawe Street will no longer be required and will be removed.*
- *463 parking spaces, accessed from the service lane, will be provided across 4 levels of basement parking. We note that the architectural plans show 454 spaces. We have assessed*

the provision of 9 additional parking spaces. These additional spaces could be provided in place of water tanks. This is subject to finalising a wastewater solution with Watercare, which is addressed in the infrastructure assessment

- *The parking spaces will be allocated as follows*
 - *Up to 121 spaces will be allocated to the adjacent M Social site, and are off-site parking spaces*
 - *160 spaces for residents*
 - *170 spaces for offices, or hotel valet parking*
 - *1 carwash space for residential use*
 - *2 facility management spaces*
 - *9 casual spaces for residential and office activities*
 - *21 tandem/ stacked parking spaces will be provided, which will be allocated to the same residential unit or office tenancy*
 - *21 accessible parking spaces will be provided*
- *The main parking basement area will be accessed via an entrance from the service lane. The facility management parking spaces will be accessed from the loading entrance off the service lane.*
- *5 loading spaces, designed to accommodate 8.3 m trucks, are provided in a separate loading area. Access to this area is via the service lane and a servicing access, which is separate from the primary basement entrance servicing the car parking provision*
- *The Development provides 594 secure bicycle parking spaces and 94 visitor bicycle parking stands. These will be supported by 38 showers and 388 lockers to provide end-of-trip facilities*
- *A network of pedestrian connections within the Site connecting Lower Hobson Street and Customs Street West.*

6.4 Demolition and Construction Activities

Considering the large scale of this Project, the demolition of the existing carpark building and construction of the new buildings and associated enabling works will be coordinated and constructed in a progressive manner with an indicative total timeframe of approximately 5.5 years.

While a detailed programme has not been finalised and a contractor has not been appointed, RCP and Pier Property Corporation have prepared a draft Construction Management Plan (“CMP”) which is enclosed as **Appendix 14**. The draft CMP outlines indicative methodologies and timeframes for the enabling works and construction of the Proposal. Once a contractor is appointed, that the construction methodology will be further defined and developed. This will be undertaken within the scope of the resource consent conditions which will be in place to manage the environmental effects of construction activities.

The management plans will be further finalised and informed by conditions of consent to ensure that all mitigation measures are implemented as required.

6.4.1 Indicative Programme Summary

Item	Duration (approx.)
Pre-demolition Enabling Works (prior to demolition)	3 months
Demolition	8.5 to 10 months
Retention and Excavation Works (excavation and Retention)	10 to 12 months
Basement Structure (B5-Ground Floor)	10.5 to 12 months
Podium and Towers Completion Tower 1 and 2 Completion – Structure, Fitout, and Commissioning (nett)	24 to 27 months
Project Completion (Gross)	56 to 64 months

Table 2. Indicative Demolition and Construction Timeframes. RCP

6.4.2 Construction Hours (including Demolition)

It is anticipated that construction hours will generally be between 7am – 6pm, Monday to Friday (excl. public holidays) and 8am – 5pm, Saturdays.

Construction hours (hereafter including demolition, unless otherwise stated) may be extended to Monday to Friday 6.30am – 10.30pm (excl. public holidays) and Saturdays 7am – 11pm and public holidays to enable activities/ works to occur outside of sensitive hours of neighbouring building where these comply with noise limits. Large concrete pours are also anticipated to start at 3am.

6.4.3 Pre Demolition Works

Prior to the commencement of demolition works, the following pre demolition works are required:

- Provision of an incoming power supply solution for both AON and HSBC.
- Installation of a new fire egress route for AON, ensuring safe evacuation during the construction period.
- Management of all affected building services, including the necessary relocation or protection of services as required.
- Execution of dilapidation and asbestos surveys on the existing carpark infrastructure to establish baseline conditions.

6.4.4 Demolition Methodology

As part of enabling works for the development of the Site, the demolition of the Downtown Carpark building, the vehicle ramp connecting to Fanshawe Street and the pedestrian bridge over Lower Hobson Street is proposed. The demolition of the Downtown Carpark building and associated structure will take approximately –8.5-10 months to complete.

A summary of the key components of the demolition is as follows:

- Demolition of the existing stair and colonnade adjacent to Lower Hobson Street.
- Demolition of the existing pedestrian footbridge over Lower Hobson Street.
- Demolition of the Downtown Carpark.
- Demolition of the vehicle ramp connecting to Fanshawe Street running over Customs Street.

The carpark building will be demolished commencing at the top floor and proceeding down the building floor by floor with the following sequence of works:

- Mobile crane to lift excavators and skid steers onto roof of the carpark, noting that it is not foreseen that a tower crane will be required for the demolition phase of works.
- Slab structure to be mechanically demolished commencing from the south and working towards the north before the machines walk themselves down to the floor below and commence cutting and processing the structural steel framework (for the top two floors).
- Skid steer (bobcats to be used to progressively clear the demolished rubble from the floor and transfer the rubble to the designated drop-zones).
- Upon clearing the demolition debris, excavators to demolish columns and re-commence slab demolition and repeat the process.
- The entire building perimeter will be fully scaffolded, and floors will be cleared before demolition to ensure safe practice.

Post the demolition of the building, a series of “make good” works are proposed at the former Auckland Harbour Board Workshops and along Fanshawe Street, including retaining wall, landscaping and pavements which will be developed in consultation with Auckland Transport. This is discussed further below in section 6.6.

A full breakdown of the demolition schematic by WAM is enclosed as **Appendix 9D**.

6.4.5 Construction Methodology

As noted in Table 2 above, the main construction will consist of the following activities once the demolition is undertaken.

6.4.5.1 Retention and Excavation Works

Following demotion, an enabling works phase will involve removal of ground floor slabs and foundations to enable excavation and construction. The ground floor slabs and foundations will be removed in a progressive manner as piling works move across the Site.

The key components of the excavation comprise the following:

- The primary excavation method will utilise rock-ripping machinery and excavators to load out spoil.
- Where site constraints require, excavator-mounted rock saws and hammers will be used to break up hard or inaccessible material, including buried obstructions.
- All excavated spoil will be placed directly into trucks and removed from site via ramps and/or long-arm load-out machinery.

- Spoil removal will occur via Lower Hobson Street, in accordance with the approved Construction Traffic Management Plan ("CTMP").
- Rock anchors will be installed progressively as excavation advances.
- Dewatering measures will be implemented concurrently with excavation to manage groundwater and maintain safe working conditions.

The extent and method of dewatering will be further refined in the final CMP, following the appointment of the main contractor and completion of detailed design.

6.4.5.2 Basement Construction Methodology

The key components of the basement construction comprise the following:

Piling

The basement 4 Level includes for a series of 2.4m diameter piles below the core rafts, 1.2m piles at the column grid and 600mm tension piles off the column grid. The following sequence of works has been assumed:

- Establish rig for 2.4m piling works and then undertake the Tower 1 core raft piling works (this enables commencement of the Tower 1 core raft Hydrostatic Slab) followed by the Tower 2 core raft piling works.
- Concurrently with the above piling works, establish a 1.2m piling rig for the column grid piling and when complete, undertake the 600mm piles.

Hydrostatic Slabs (Including Core Rafts)

- As piling progresses, establish the Tower 1 core raft, followed by the Tower 2 core raft, to advance the critical tower core areas.
- Completion of core raft piles will enable inground services installation across the remainder of the Site.
- Install a 100 mm topping slab and waterproofing system prior to hydrostatic slab placement.
- Basement 4 hydrostatic slabs are designed as 900 mm thick reinforced concrete slabs.
- Slabs will be poured in sequential pours of approximately 480–500 m³ each, in accordance with the Hydrostatic Slab Sequencing Plan.
- The core structures have a large plan area and are designed with increased wall thicknesses to resist wind and lateral loads associated with the tower height.

Basement Slabs

- Basement slabs will progress across the entire Site footprint, from Basement 4 to Ground Floor.
- Structural design incorporates precast T-beam planks with an in-situ topping slab supported by cast in-situ columns.
- Slabs include openings and voids for vehicle ramps, lift pits, and the loading dock area.

Construction will proceed in phased sections, following completion of piling, core raft, and hydrostatic slab works

6.4.5.3 Podium and Towers Completion Tower 1 and 2 Completion

The above ground works will comprise the implementation of a core raft foundations to support the two tower cranes to be used for the above ground construction. In summary, these will involve:

Podium Slabs

Podium 1:

Works in the Podium 1 area will commence immediately following completion of the ground-floor slab. The structure will comprise steel columns supporting T-Beams, forming the primary podium framing system. Concrete topping slabs will then be poured in accordance with the defined sequencing plan.

Podium 2:

Construction of Podium 2 will utilise an in-situ reinforced concrete frame with T-Beams to support the suspended slabs. Pour sequencing will proceed in accordance with the detailed Podium 2 pour layout diagram, ensuring structural continuity with the adjacent podium areas.

Podium 3:

Works to Podium 3 will be delayed initially to allow this area to function as a construction lay-down and logistics zone for ongoing superstructure activities. Podium 3 will be completed once the major tower and podium construction phases have progressed sufficiently to release the area for structural works.

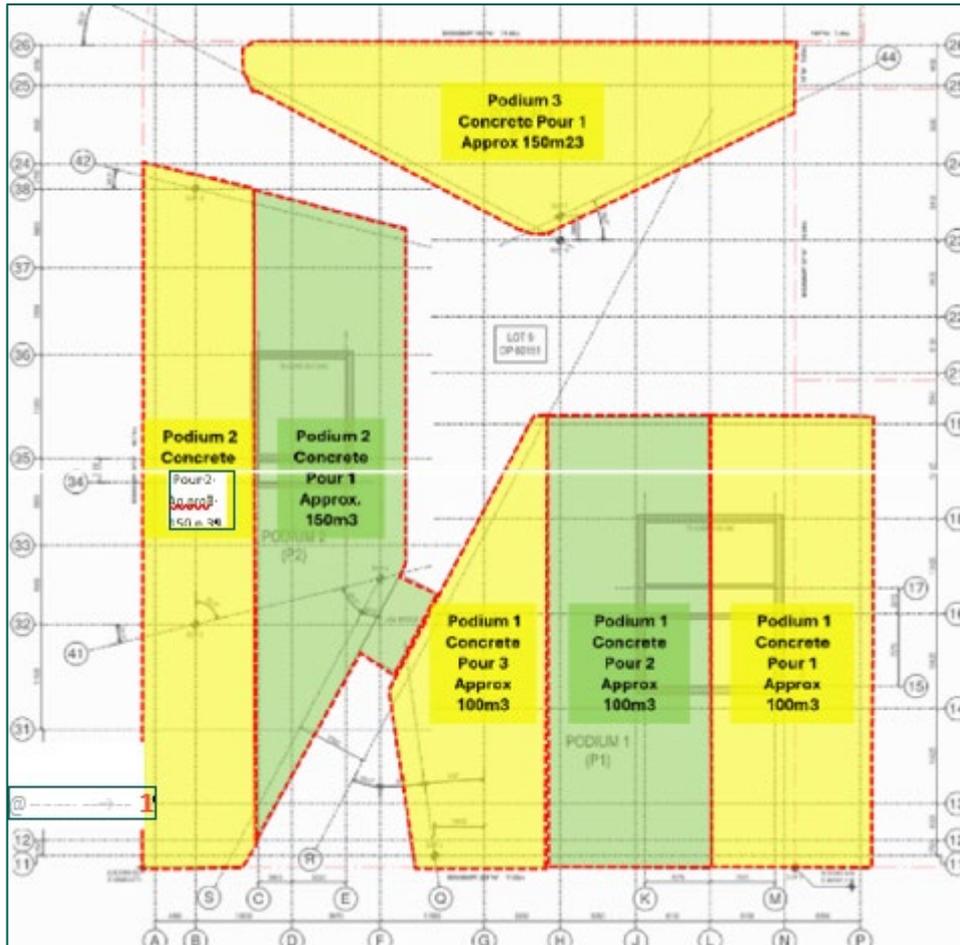


Figure 10. Podium Pour Areas

Tower 1

Tower 1 is a structural steel frame with a slip form concrete core and ComFlor permanent formwork. In addition to this, an outrigger belt truss system is implemented at Levels 21, 22 and 51.

The structure sequence is therefore proposed as follows:

- Erect four floors of columns from 1st slab in sequence.
- Install horizontal steel for the four floors.
- Pour highest floor in the sequence (enabling next sequence to commence).
- Infill other floors following completion of highest floor.

Tower 2

The structural system for Tower 2 is a conventional Post Tensioned slab and we have assumed a Table form system would be the most efficient for these works. Outriggers have been designed for this tower at Level 20.

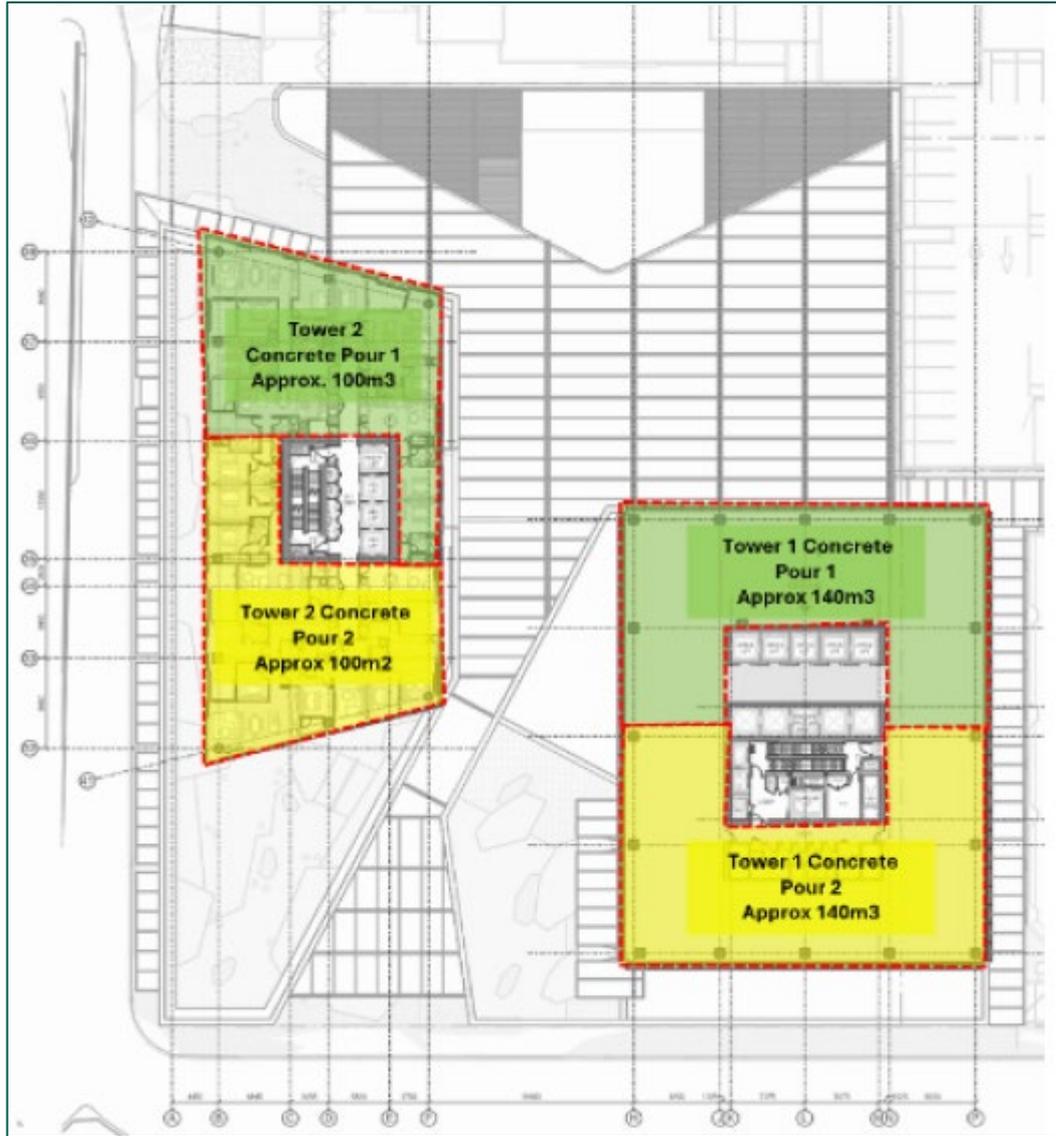


Figure 11. Proposed Pour Areas for Tower 1 and Tower 2

6.4.6 Site Works

It is proposed to remove the existing buildings and foundations on Site and undertake excavations to provide for the basement levels. These works are detailed further in the draft CMP included as **Appendix 14**.

6.4.6.1 Earthworks

T+T have prepared earthworks cut-fill and sediment and erosion control plans (see drawings C220-C242 of **Appendix 19**). In summary, the earthworks proposed involve:

- Approximately 100,000m³ of volume (to an RL of -12.4m) over an area of 6,442m²
- Localised excavation for water tanks and/ or lift pits to depths of level of RL -16.1; and
- Erosion and sediment controls including silt fencing/hoarding, perimeter bund, wheel wash areas, treatment devices for dewatering and dosing tanks.

The earthworks are anticipated to be undertaken in approximately 10-12 months of the total construction works. Any cut to waste material will be removed from the Site to a licensed landfill. All sediment control devices will remain in place until the contribution catchment is fully stabilised. A geotechnical engineer will ensure stability of the works and safety of the surrounding land, buildings, and structures.

It is proposed that an updated detailed CMP will be prepared once a contractor is appointed, and the CMP will be submitted to the Council for approval prior to commencement of works. The CMP will address the timing and number of vehicle movements and any mitigation requirements. The works will be carried out in accordance with Auckland Council's Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region GD2016/005 (GD05).

A Geotechnical and Groundwater Assessment has been undertaken by T+T enclosed as **Appendix 33** which determined that the modelled groundwater level is approximately RL 1.4 m at design static groundwater level and RL 2.5m at elevated groundwater level.

Due to previous Hazardous Activities and Industries List ("HAIL") activities that have occurred/are occurring at the Site, a Preliminary Detailed Site Investigation ("PSI") has been undertaken by T+T to assess ground contamination conditions at **Appendix 16** Management procedures are set out in the Contamination Site Management Plan ("CSMP") at **Appendix 17**. It is noted that a Detailed Site Investigation ("DSI") will be completed prior to the commencement of excavation work.

6.4.6.2 Tree Works

There are number of trees that are located on the Site and in the road reserve along Lower Hobson Street, Sturdee Street, and Customs Street West that are affected by the demolition and construction works. Removal of the vegetation within the Site is permitted under the AUP(OP) but removal of street trees requires resource consent. The following tree groups in the street have been identified:

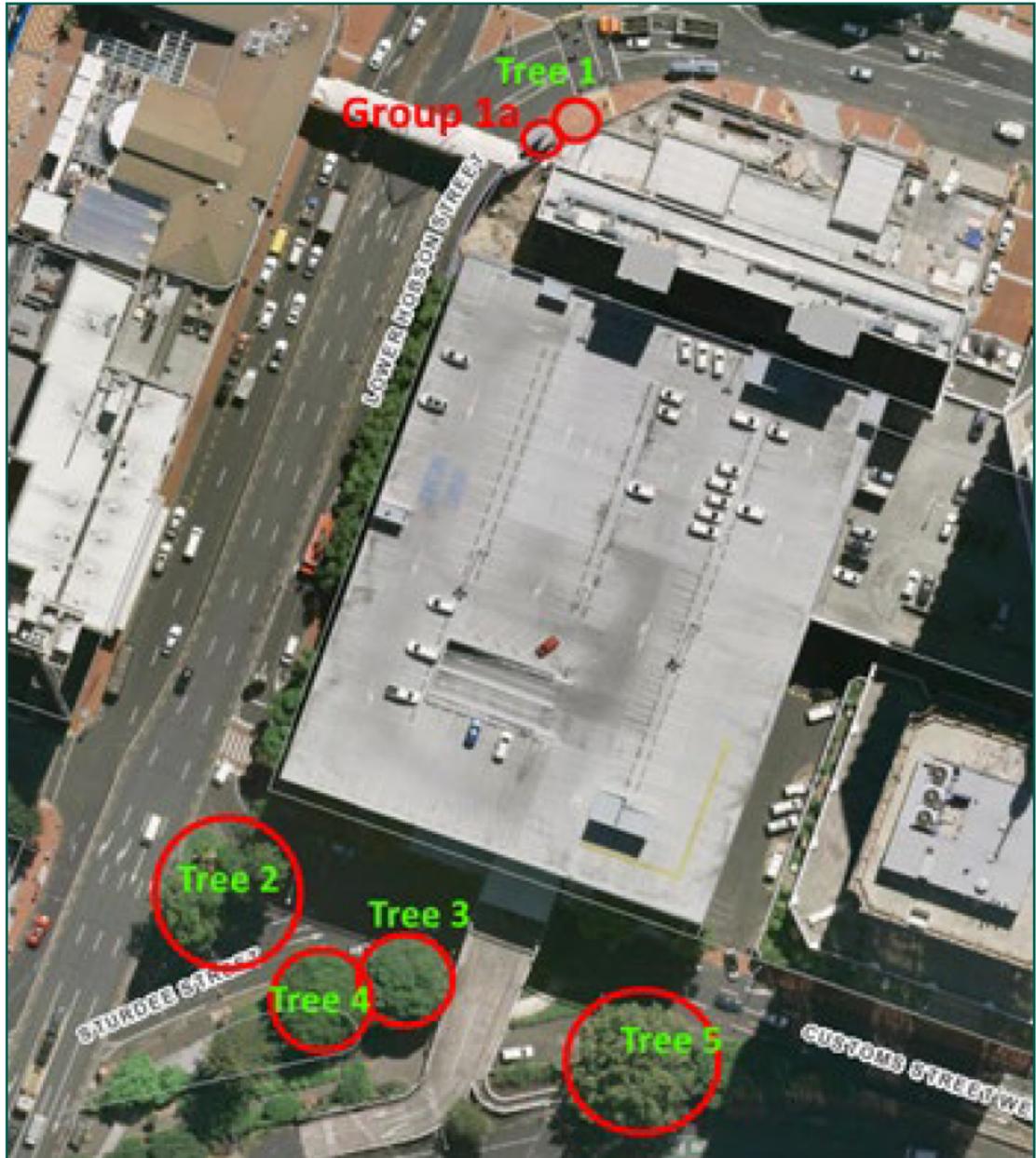


Figure 12. Tree Location Plan. Source Peers Brown Miller.

Vegetation Group	Description of works
Tree 1	<p>Tree 1 is identified as a recently relocated Pohutukawa (<i>Metrosideros excelsa</i>) growing immediately to the north of the Lower Hobson Street Air Bridge.</p> <p>This tree can be retained and will not be affected by the demolition plans, with adequate space around the stair structures and air bridge to undertake the demolition works.</p> <p>Works are technically to be required within the Protected Root Zone (PRZ) of the subject to demolish the above ground structure (based on</p>

Vegetation Group	Description of works
	<p>the AUP defined canopy radius measurement). However no physical works (earthworks or excavation) is required.</p>
Group 1a –	<p>Group 1a is identified as an area of low vegetation coupled with one (1) Lancewood (<i>Pseudopanax crassifolius</i>). This vegetation is growing in a formal street garden.</p> <p>As part of the proposed works, this garden area is proposed for removal, to enable an alternative entrance to the adjoining M Social Building (196/200 Quay Street).</p>
Tree 2	<p>Tree 2 is identified as a Chinese Poplar (<i>Populus chinensis</i>) tree growing on Sturdee Street to the southwest of the existing carpark building.</p> <p>A large limb has recently been removed by Auckland Council growing towards the building, which has provided adequate clearances for the demolition works.</p>
Tree 3	<p>Tree 3 is a mature Queensland Box (<i>Lophostemon conferta</i>) tree growing immediately west of the Fanshawe Street Vehicle exit ramp, on Sturdee Street.</p> <p>This tree can be retained through the demolition works and will not be affected provided the existing bridge can be demolished and loaded onto trucks located to the west. Clearance pruning is anticipated, with a clearance of up to approximately 3.0m possible when considering no more than 20 per cent of live growth may be removed in any one calendar year, as a permitted activity under Standard E17.6.1 of the Auckland Unitary Plan. Branch severance must be limited to limbs no larger than 100mm in diameter.</p> <p>Works will also be proposed within the tree protection zone (TPZ) of this tree as part of the removal of the existing ramp foundation.</p>
Tree 4	<p>Tree 4 is growing immediately west of Tree 3 and is identified as a Pin Oak (<i>Quercus palustris</i>). While not directly impacted by the demolition works, it is possible that some crown lifting of the tree's canopy would be required for over height machinery along with loading and unloading of demolition trucks. All pruning cuts are to be limited to branches no larger than 50mm in diameter, with canopy removal limited to no greater than 15%.</p>
Tree 5	<p>Tree 5 is a She Oak (<i>Casuarina cunninghamiana</i>) tree growing on Fanshawe Street to the east of the Vehicle Ramp.</p> <p>Works are possible to the west of the tree as part of the demolition of the pedestrian bridge exit, which is located to the southwest of the tree, near the Fanshawe street carriageway. No pruning or earthworks are</p>

Vegetation Group	Description of works
	anticipated beyond the removal of the ramp structure, as the existing footpath will remain, with the existing concrete piles uplifted and re-surfacing then undertaken.

It is noted that the vegetation alterations proposed are permitted under Rule E17.6.1 and tree owner asset approval from Auckland Council will be sought prior to the demolition works.

The Arboricultural Assessment by Peers Brown Miller (PBM) is enclosed as **Appendix 18**.

6.5 Servicing

The proposed servicing strategy for the Site is set out in the Infrastructure Concept Design Report at **Appendix 19**, prepared by T+T. A summary is provided follows:

6.5.1 Stormwater

A summary provided by T+T is:

It is proposed to split the stormwater flows from the site into four discharge locations as shown in Figure 2.3 [of Infrastructure Concept Design Report and below in figure 13] and the design drawings in Appendix A [of the Infrastructure Concept Design Report]. This design is subject to final confirmation of pipe capacities from Auckland Council and a survey of existing manhole invert levels and pipe gradients which will be undertaken at developed or detailed design.

The proposed design involves connecting into the existing 900 mm diameter stormwater line on the corner of Lower Hobson Street and Quay Street. A new 300 / 375 mm diameter stormwater line will run adjacent to the site from Customs Street West to Lower Hobson Street, connecting to an existing manhole before discharging into the existing 900 mm diameter stormwater line, refer to Figure 2.3 below. This design avoids having to replace the existing 300 mm stormwater connection that has been identified as having insufficient capacity to take the existing flows.

This design is subject to Auckland Council final confirmation that the existing 900 mm diameter pipe has sufficient capacity, and a topographical survey of existing manhole invert levels and pipe gradients. If the 900 mm diameter pipe does not have sufficient capacity it may need to be upgraded to a 1050 mm diameter pipe, over a length of approximately 20 m length. Note that this proposed alignment has also been chosen as it will not be affected by any future demolition works associated with the Lower Hobson Street ramp. Refer to drawings 1016043.2000-4100 & 4101 in Appendix A [of the Infrastructure Concept Design Report].

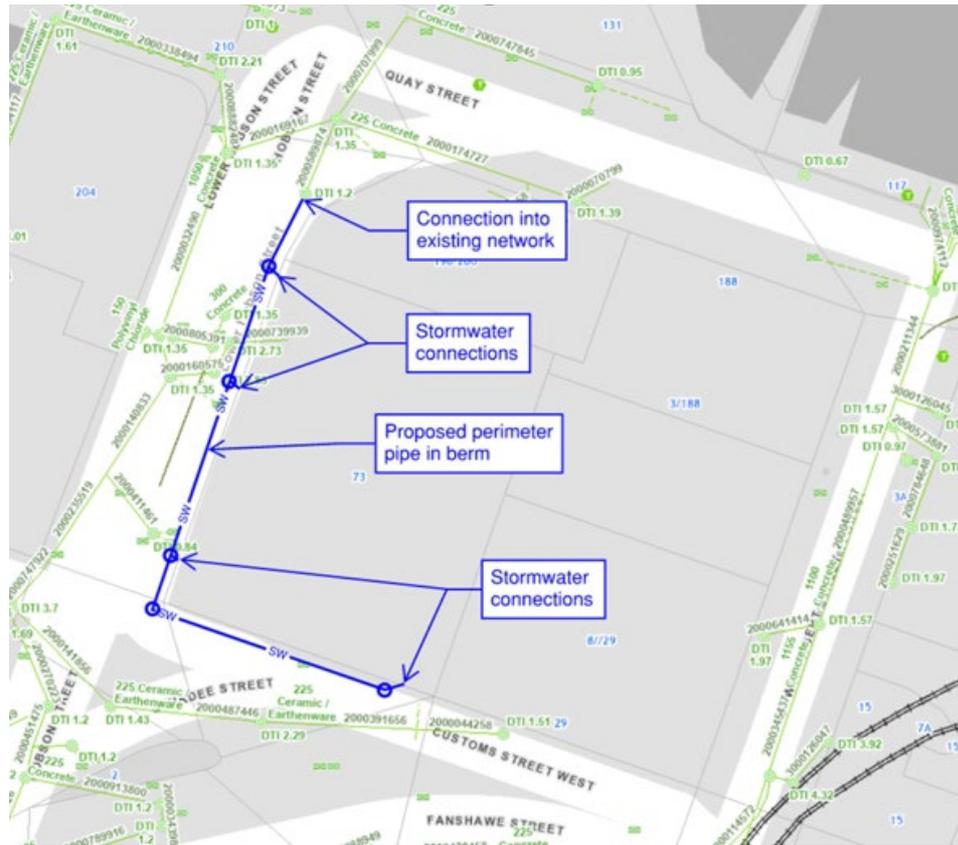


Figure 13. Proposed Stormwater connections

6.5.2 Wastewater

The proposed Project will result in a substantial increase in wastewater discharge from the Site. Capacity assessments of the downstream network identify several pipe sections likely to exceed capacity, with Watercare’s modelling confirming increased surcharging along Lower Hobson Street and Quay Street, exacerbated by tidal ingress during high tides.

In consultation with Watercare, it was agreed that the consenting stage would focus on identifying feasible wastewater management options rather than a finalised design. Five options were developed and presented to Watercare, with Options 3, 4, and 5 considered viable solutions for servicing wastewater disposal from the project summarised in below.

Option description	Option summary
Option 3: On-Site Storage / Off-Peak Pumping	<ul style="list-style-type: none"> • Considered a viable option that does not add any peak flows to the existing wastewater network • May provide an interim solution until wider network upgrades/capacity is available

<p>Option 4(a): New PS to Nelson Street / Orakei Truck / Main Sewer</p> <p>Option 4(b): New Pump Station to Wellesley Street West / Orakei Truck / Main Sewer</p>	<ul style="list-style-type: none"> • Provides a feasible option for discharging wastewater from DTW • Provides a collective solution for wastewater discharge from other proposed developments in the area • Potentially high capital costs; however, these may be shared • Can be constructed in conjunction with the proposed AT Sturdee Street urban upgrade works
<p>Option 5: Private line through PCT Land</p>	<ul style="list-style-type: none"> • Provides a feasible option for discharging wastewater from DTW • Requires AT granting an easement over Lower Albert Street for a private rising main (or alternatively the rising main could run over the existing pedestrian overbridge)

The final wastewater discharge solution will be confirmed at detailed design stage and with ongoing consultation with Watercare through the Engineering Plan Approval process.

6.5.3 Water

A summary provided by T+T is:

Two separate connections are proposed for the potable domestic connection, and the commercial and fire supply connections. The domestic connection will branch off the existing 250 mm diameter CLS watermain located on the eastern side of Lower Hobson Street, whereas the commercial and fire supply connection will branch off the existing 175 CI pipe on the northern side of Customs St West.

The location of the connection is subject to change and will be confirmed during detailed design. Refer to Figure 4.2 [and below in Figure 14] . Both the domestic, and commercial and fire supply connections are likely to be DN150 mm diameter pipes..

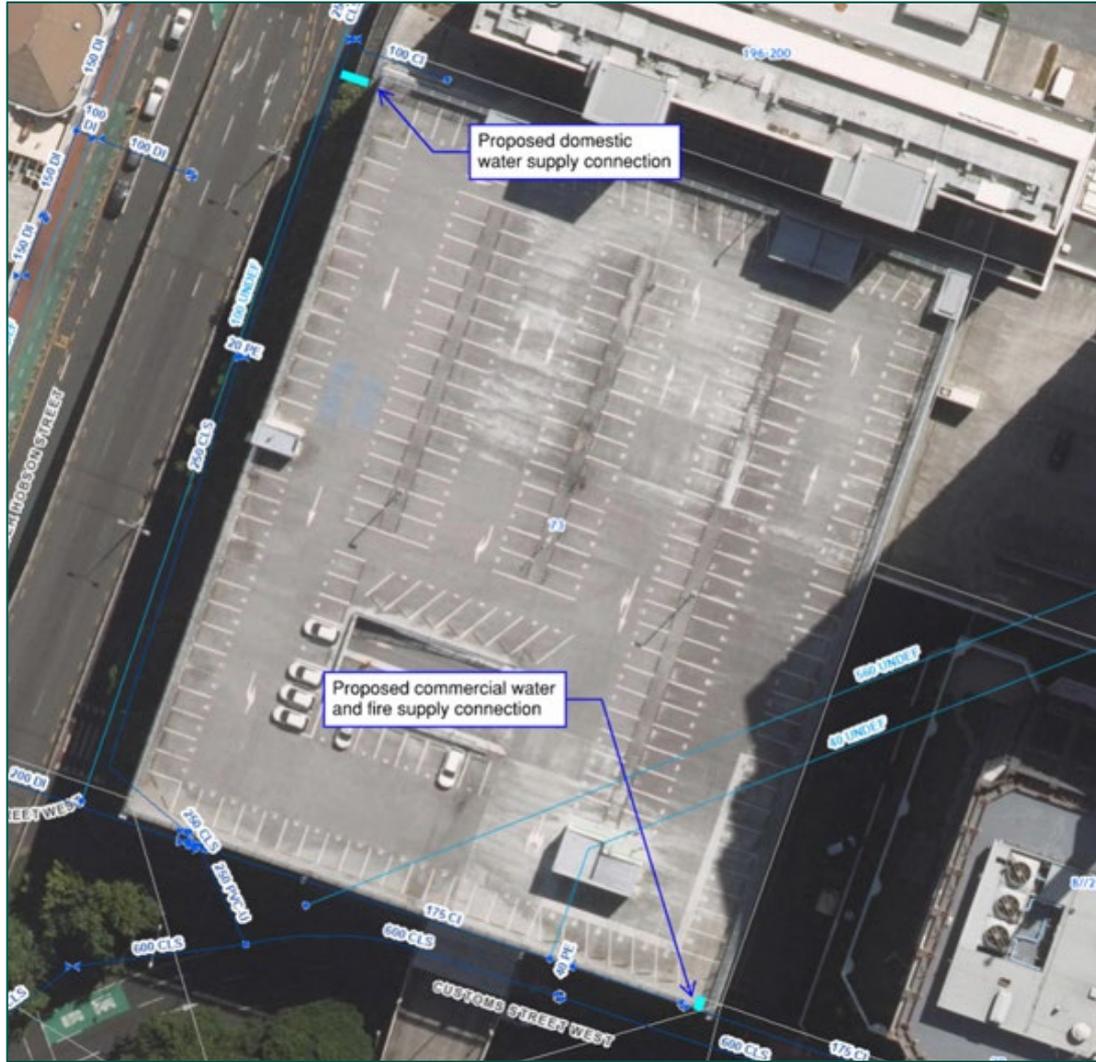


Figure 14. Proposed water supply connections

6.5.4 Utilities

Power and telecommunications will be connected from the existing supply services available in the general locality of the Site. Agreements will be sought from Vector and Chorus to undertake the proposed development.

It is noted that a 20,300 L diesel storage capacity will be provided within the basement via two large tanks and five day tanks connected to the generator sets. These tanks will supply the main back-up power generation facility servicing the buildings.

6.5.5 Refuse and Recycling

The development will be serviced by private collections to both the commercial and residential components. A refuse and recycling room has been accommodated in the basement levels. A draft Operational Waste Management Plan for the Proposal has been undertaken by WSP and is included as **Appendix 20**.

6.6 Remediation and Make Good Works

6.6.1 Auckland Harbour Board Workshops (former)

While the Proposal does not seek to demolish any elements of the former Auckland Harbour Board Workshops, the footbridge connecting to the Downtown Carpark building is proposed to be removed. As such the following modifications are proposed to be undertaken to the façade of the heritage building:

- Demolish the existing pedestrian footbridge and any fixings relating to this structure from the existing façade.
- Demolish existing glass doors including any egress controls.
- Demolish overlight infill above the existing concrete ledge and make good to sill profile and opening to accept new window.
- Infill opening to lower sill height, create new sill and opening to accept new window and finish to match existing wall (to be defined in future scope of work).
- Reinstate decorative plasterwork frieze and concrete window head to match existing along façade.
- Install new steel window and overlight to match existing façade.

The proposed remediation works to the former Auckland Harbour Board Workshops are included within the Existing and Demolition Drawings by WAM enclosed as **Appendix 9D**.

6.6.2 Fanshawe Street Remedial Works

There are connecting structures and bridges that are for the purpose of access to and from the Downtown Carpark at Fanshawe Street, which are proposed to be removed as a part of this application. As such the following modifications to Fanshawe Street are proposed to be undertaken as part of the “make good works”:

- Demolish the existing vehicle overbridge including enclosure/screening elements and any support structure to existing ground level – (confirmed by a future structural report).
- Demolish existing masonry block work and metal balustrading down to top of existing retaining wall.
- Remediate top surface of existing retaining wall to accept new balustrade/pier elements.
- Install new in situ main and secondary pier elements and finish to match existing (structure and detail to be defined in future scope of work).
- Install new balustrade infill panels and capping elements to match existing (structure and detail to be defined in future scope of work).
- Make good locally to existing footpath and planting where overbridge/roadway removed.

These proposed works and the detailed streetscape design for Fanshawe Street will be agreed with Auckland Transport.

7.0 Consultation Undertaken

This section of the application is provided in accordance with section 11 and 29 of the FTAA. Under Section 29 of the FTAA, before lodging a substantive application for a Listed Project, the authorised person for the project must consult the persons and groups referred to in Section 11.

An overview of the consultation undertaken with the persons and groups referred to in section 11(1) is provided below with further details and meeting minutes of that consultation provided in the Consultation Summary Report in **Appendix 21**.

Persons or Group	Consultation Undertaken
(a) Relevant local authorities	A series of pre-application meetings with Auckland Council have occurred in relation to this Project. This includes discussions on the Project from a broad level to more focussed discussion on particular subject matters including transport, landscape/urban design, noise and vibration, civil, natural hazards and wind. Separate meetings were also held with representatives from Auckland Transport and Watercare. Meeting minutes from those meetings are enclosed with the Consultation Summary Report.
(b) Relevant iwi authorities, hapu and Treaty settlement entities, including: <ul style="list-style-type: none"> (i) iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements; and (ii) the tangata whenua of any area within the project area that is a taiāpure-local fishery, a mātaimai reserve, or an area that is subject to bylaws or regulations made under part 9 of the Fisheries Act 1996. 	<p>There are no Treaty Settlement Statutory Acknowledgement Areas identified on Auckland Council's GeoMaps for the Site or any adjacent properties.</p> <p>This does not apply because there are no relevant Mana Whakahono ā Rohe agreements that apply in the Project area.</p> <p>This does not apply because the Project is for a mixed use development on land and therefore does not involve taiāpure-local fishery, a mātaimai reserve, or an area that is subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996.</p> <p>Notwithstanding the above, consultation has been undertaken with relevant iwi authorities identified by Auckland Council with an interest in the area, as discussed below.</p>
(c) any relevant applicant groups with applications for customary marine title under the Marine and Coastal Area (Takutai Moana) Act 2011.	This does not apply because the Project is for a mixed use development on land and does not involve any activities within the coastal marine area.
(d) Ngā hapū o Ngāti Porou, if the project area is within or adjacent to, or the project	This does not apply because the Project area is not located within or adjacent to and will not

would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou.	directly affect ngā rohe moana o ngā hapū o Ngāti Porou.
(e) The relevant administering agencies.	<p>A record of engagement with the Ministry for the Environment (“MfE”) has been included in the Consultation Summary Report included as Appendix 21. A letter from the MfE was received on 21 October 2025 outlining that the substantive application will need to provide an assessment of the Project against any relevant national policy statement, national environmental standards and if relevant the New Zealand Coastal Policy Statement. This assessment is included in Section 10.0 below.</p> <p>A draft copy of the application’s archaeological report was provided to the Heritage New Zealand Pouhere Taonga (“HNZPT”) for comment on 14 October 2025, with a meeting held on 28 October 2025. At the meeting, feedback was received from HNZPT in relation to the proposed conditions and this has informed the lodged documents. A copy of the meeting minutes has been included in the Consultation Summary Report included as Appendix 21.</p>
(f) if the proposed approvals for the project are to include an approval described in section 42(4)(f) (land exchange), the holder of an interest in the land that is to be exchanged by the Crown.	This does not apply to the Project.

Clause 6(1)(e)-(f) of Schedule 5 of the FTAA requires that an assessment of environmental effects under the FTAA must include the following information:

- Identification of persons who may be affected by the activity and any response to the views of any persons consulted, including the views of iwi or hapū that have been consulted in relation to the proposal; and
- If iwi or hapū elect not to respond when consulted on the proposal, any reasons that they have specified for that decision

Engagement has been undertaken with relevant iwi authorities identified by Auckland Council with an interest in the area. The iwi approached by Precinct are Ngāti Tamaterā, Ngāti Te Ata, Ngāti Whanaunga, Te Patukirikiri, Ngāi Tai ki Tāmaki, Ngāti Maru, Ngāti Pāoa, Ngāti Tamaoho, Ngāti Whātua o Kaipara, Te Ahiwaru – Waiohua, Te Kawerau ā Maki, Te Rūnanga o Ngāti Whātua, and Waikato - Tainui. Ngāti Whātua Ōrākei has been specifically consulted but in the context of being project partner/ design partner with Precinct. As discussed in section 6.2 above, the design of the proposal has been guided by cultural narratives developed in collaboration with design partners, Haumi. Consultation also included the Authority to modify.

Consultation has also been undertaken with property owners of neighbouring sites, including the Sebel, Docklands Management Limited, Kyndryl Tower and Millennium & Copthorne Hotels, as well as body corporate representatives of nearby commercial and residential buildings. Information on the Project has been circulated through letter drops, email communications to tenants, and direct stakeholder meetings to inform them of the Project and provide opportunities for feedback.

A summary of the consultation undertaken, and correspondence received, is included in **Appendix 21**. Further, the applicant is committed to ongoing mana whenua engagement beyond the regulatory process.

PART B – RESOURCE CONSENT APPROVALS (UNDER SECTION 42(4)(a))

8.0 Planning Framework

8.1 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. If such matters are identified, the applicant will, as a matter of urgency, provide to the EPA an assessment of any relevant adverse effects that are different to, additional to, or cumulative upon those discussed in this report, which would be generated by the Project as a result of the additional matters.

The Site is zoned Business - City Centre Zone under the AUP (OP) and is subject to Downtown West, sub-precinct B, 204 Quay Street (Former Auckland Harbour Board Workshops) is subject to the Viaduct Harbour, sub-precinct A, and is subject to the following controls and overlays:

- City Centre Port Noise Overlay [rcp/dp] - 58db
- City Centre Port Noise Overlay [rcp/dp] - 60db
- Coastal Inundation 1 per cent AEP Plus 1m Control - 1m sea level rise
- Macroinvertebrate Community Index - Urban
- 204 Quay Street is subject to the Historic Heritage and Special Character Overlay : Historic Heritage Overlay Extent of Place [rcp/dp] - 1969, Auckland Harbour Board Workshops (former).

The Site is a contaminated site and contains overland flow paths, flood plain, coastal inundation, and a recorded archaeological site.

The Proposal requires approvals for the matters as outlined below.

A detailed rules assessment against the applicable AUP(OP) and NES-CS provisions is attached in **Appendix 22**.

8.2 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

The NESCS regulates activities on land which are safe for human health and provides national consistency for the assessment and management of soil which may be contaminated as a result of current or past uses.

Resource consent is required under the NESCS regulations as follows:

- A Detailed Site Investigation is not provided as part of this application (but will be provided prior to the works being undertaken). This is a **discretionary activity** under Regulation 11.

8.3 Other National Environmental Standards

The Proposal does not require resource consent under any other National Environmental Standards, including:

- National Environmental Standards for Air Quality
- National Environmental Standards for Commercial Forestry
- National Environmental Standards for Electricity Transmission Activities
- National Environmental Standards for Freshwater
- National Environmental Standards for Greenhouse Gas Emissions from Industrial Process Heat
- National Environmental Standards for Marine Aquaculture
- National Environmental Standards for Sources of Human Drinking Water
- National Environmental Standards for Storing Tyres Outdoors
- National Environmental Standards for Telecommunication Facilities

8.4 Auckland Unitary Plan (Operative in Part)

Reasons for consent under the AUP(OP), including under Plan Change 79 (PC79) and Plan Change 120 (PC120) are as follows:

D17 Historic Heritage Overlay

- The Proposal involves modifications to the existing Auckland Harbour Board Workshops (former) (Category B) at 204 Quay Street, including demolishing the existing pedestrian bridge over Lower Hobson Street and fixings related to the existing façade and is a **restricted discretionary activity** under rule D17.4.1(A9).

E7 Taking, using, damming and diversion of water and drilling

- The diversion of groundwater caused by any excavation that does not meet the permitted activity standards or not otherwise listed is a **restricted discretionary activity** under rule E7.4.1(A28).

E11 Land disturbance - Regional

- The Proposal involves earthworks over an area of 6,442m² where part of the earthworks area is within Sediment Control Protection Area. Earthworks greater than 2,500m² within the Sediment Control Protection area is a **restricted discretionary activity** under rule E11.4.1(A9).

E12 Land disturbance – District

- The Proposal requires earthworks of approximately 100,000m³ across an area of 6,442m² to facilitate the proposed development. Earthworks greater than 2,500m² and 2,500m³ are a **restricted discretionary activity** under rule E12.4.1(A6) and (A10).
- Subject to Plan Change 120 the proposal involves earthworks within a flood prone area not complying with Standard E12.6.2(11). This is a subject to C1.9.(2) and is classified as a **restricted discretionary activity**.

E23 Signs

- The Proposal involves comprehensive development signage in association with the proposed development and is a **restricted discretionary activity** under rule E23.4.2(A53).

E25 Noise and vibration

- The Proposal involves construction activities that may exceed the maximum 75 dB LAeq and 90 dB LAFmax long-term construction noise limits (Monday to Friday 6.30am – 10.30pm) under E25.6.28.2 as follows:
 - 191 – 200 Quay Street (M Social):
 - Up to 80dBA during concrete;
 - Up to 79dBA during D wall / bored piling;
 - 29 Customs Street West (Aon Building – Tower)
 - Up to 85dBA during sheet piling;
 - Up to 76 dBA during D wall / bored piling;
 - 29 Customs Street West (Aon Building – Podium)
 - Up to 90dBA during sheet piling;
 - Up to 79dBA during D wall / bored piling;
 - 188 Quay Street (HSBC Tower):
 - Up to 80dBA during sheet piling;
 - 85 Customs Street West (Sebel Apartments):
 - Up to 80dBA during sheet piling

Activities that do not comply with the permitted activity standards are a **restricted discretionary activity** under rule E25.4.1(A2).

- Standard E25.6.10(3)(f) requires the mechanical systems to be controlled to a level of 35 dB LAeq. This will not be achieved for living areas within the apartments as mechanical services

noise is controlled at a level of 40 dB LAeq. Activities that do not comply with the permitted activity standards are a **restricted discretionary activity** under rule E25.4.1(A2).

E27 Transport

- The Proposal involves accessory parking and access that does not meet the following parking and access standards and is a **restricted discretionary activity** under rule E27.4.1(A2):
 - Four smaller carparking spaces are proposed which do not meet Standard E27.6.3.1 and Table E27.6.3.1.1 as these spaces have a 2.4m width and a length of 4.7m.
 - 21 accessible parking spaces are proposed where a minimum of 55 spaces is required combined for all activities proposed.
 - 21 tandem spaces are proposed which are allocated to the office activity, whereas only residential is permitted.
 - The vertical clearance of the service lane between the entrance to the basement carparking and Quay Street is 3.6m with 3.8m required for loading spaces.
 - The vertical clearance for accessible parking will not have 2.5m of full vertical clearance.
 - The Site has about 80m of road frontage to Customs Street West and the proposal provides for three vehicle crossings where two vehicle crossings are permitted.
 - The width of the Quay Street service lane vehicle crossing exceeds 6m with 7.6m proposed.
 - The width of the hotel pick-up and drop-off area vehicle crossing exceeds 3.5m with 4.1m proposed for the western vehicle crossing and 4.6m proposed for the eastern vehicle crossing.
- The use of a vehicle crossing where a Vehicle Access Restriction applies under Standards E27.6.4.1(2) or E27.6.4.1(3). This is a **restricted discretionary activity** under rule E27.4.1(A5).
- The use of an existing vehicle crossing (Quay Street) where a Vehicle Access Restriction applies under Standard E27.6.4.1(1) to service the establishment of a new activity or a building is constructed that is not permitted in Table H8.4.1. This is a **restricted discretionary activity** under rule E27.4.1(A6).
- The proposal involves up to 121 off-site parking spaces associated with M Social. This is a **discretionary activity** under rule E27.4.1(A16).

E30 Contaminated land

- The Proposal involves discharges of contaminants into air, or into water, or onto or into land not meeting controlled activity Standard E30.6.2.1 as a Detailed Site Investigation is not provided. This is a **discretionary activity** under rule E30.4.1(A7).

E31 Hazardous substances

- The Proposal will include the storage of hazardous substances above the thresholds for controlled and restricted discretionary activities in the activity table or are otherwise not provided for. This is a **discretionary activity** under E31.4.1(A7).

E36 Natural hazards and flooding

- AUP (OP) E36 Natural Hazard provisions are identified as follows:
 - The Proposal involves basement parking in part of the Site affected by 1% AEP floodplain. This is a **restricted discretionary activity** under rule E36.4.1(A26).
 - The Proposal involves flood mitigation works such as flood barriers in the 1% AEP floodplain. This is a **restricted discretionary activity** under rule E36.4.1(A33).
 - The Proposal involves new buildings within 1% AEP floodplain. This is a **restricted discretionary activity** under rule E36.4.1(A37).
 - The Proposal involves the use of new building to accommodate more vulnerable activities (residential) located within the 1% AEP floodplain. This is a **restricted discretionary activity** under rule E36.4.1(A38).
- Subject to Plan Change 120 the proposal involves the development of mixed-use activities which are identified as ‘Activities sensitive to natural hazards’ (both group A (hotel accommodation) and group B (hazardous facilities)) ‘Activities potentially sensitive to natural hazard’ (being retail, office and commercial uses) and Activities less sensitive to natural hazards (parking and loading areas). The proposal is exposed to flood hazard areas classified as medium and low associated with overland flow and flood prone areas on the Site. Floodplain areas and overland flowpaths have been identified within the road corridor (beyond the Site) and have, for completeness, been assessed as low and moderate (refer to **Appendix 23**, Flood Hazard and Risk Assessment). Subject to Policy E36.3(1B)(b) the default risk level associated with activities included as components of the proposal are identified as ‘potentially Tolerable’ and ‘acceptable’. The following matters for consent are identified:
 - The Proposal involves ‘activities sensitive to natural hazards’ (both group A (hotel accommodation) and group B (hazardous facilities)) and ‘activities potentially sensitive to natural hazard’ (being retail, office and commercial uses) which with a default risk classification of ‘potentially tolerable’. Where located within the Low Flood Hazard Area they are classified under E36.4.1A (A79) as a **restricted discretionary activity**.
 - The Proposal involves surface parking and above ground parking areas (including vehicle entry and exit points) in flood hazard areas, subject to E36.4.1A (A81) where parking areas area and entry and exist points are subject to moderate flood hazards they are classified as a **restricted discretionary activity**.
 - The Proposal involves below ground parking (including vehicle entry and exit points) in flood hazard areas subject to E36.4.1A (A82), within low and moderate flood hazard areas this is classified as a **restricted discretionary activity**.
 - The Proposal involves the storage of hazardous substances in flood hazard areas, noting this is only identified as a ‘residual risk’ with due to proposed mitigation measures, subject to E36.4.1A (A84) this is classified as a **restricted discretionary activity**.
 - The Proposal involves the development of accessways located within flood hazard areas, primarily the internal laneway access, subject to E36.4.1A (A88) accessways in flood hazard areas are classified as a **restricted discretionary activity**.
 - The Proposal involves the development of flood barriers associated with flood prone and overland flow paths interacting with the site subject to E36.4.1A(A92) the construction of

- stormwater management devices or flood mitigation works in the 1 per cent annual exceedance probability ("AEP") floodplain and flood prone areas is classified as a **restricted discretionary activity**.
- The proposal involves the development of new buildings and structures, being the development of the Site subject to E36.4.1A(A98) All other structures and buildings (including retaining walls) in the 1 per cent AEP floodplain and flood prone areas are classified as a **restricted discretionary activity**.
 - The proposal includes the use of flood protection barriers which would have the potential to divert overland flows from entering areas of the Site, the laneway and basement parking areas. Subject to E36.4.1A (A102) diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path is classified as a **restricted discretionary activity**.
 - Subject to Plan Change 120 the Proposal involves the development of mixed-use activities which includes 'Activities sensitive to natural hazards' (both Group A (hotel accommodation) and Group B (hazardous facilities)) 'Activities potentially sensitive to natural hazard' (including retail, office and commercial uses) and 'Activities less sensitive to natural hazards' (parking and loading areas) a portion of the Site has been identified as located within the coastal hazard area 3 (coastal inundation) (refer to **Appendix 44**, Coastal Hazard and Risk Assessment. Resource consent classifications are as follows:
 - The proposal involves 'activities sensitive to natural hazards' (both group A (hotel accommodation) and group B (hazardous facilities)) and 'activities potentially sensitive to natural hazard' (being retail, office and commercial uses) which subject to E36.4.1A (A58) Coastal Hazard Area 3 (1.0 – 1.5 m RSLR) is classified as 'potentially tolerable' is a **restricted discretionary activity**.
 - The proposal involves the development of below ground parking where the Site and associated entry and exit points are located within the Coastal Hazard Area 3 (1.0 – 1.5 m RSLR) which subject to E36.4.1A (A61) is classified a **restricted discretionary activity**.
 - The proposal involves the development of accessways within the Coastal Hazard Area 3 (1.0 – 1.5 m RSLR) which subject to E36.4.1A (A69) is classified a **restricted discretionary activity**.
 - The proposal involves the development of new buildings and structures in the Coastal Hazard Area 3 (1.0 – 1.5 m RSLR) which subject to E36.4.1A (A77) is classified a **restricted discretionary activity**.
 - Subject to Plan Change 120 the Proposal involves the use of coastal hazard flood protection in the form of flood protection doors and barriers which is subject to E36.4.1D (A142) classified as **discretionary activity**.
 - The proposal involves activities which may infringe aspects of the Permitted activity standards E36.6.1. applicable to development within coastal and flood hazard areas. Including in relation to vehicle entry and exit points associated with parking activities and the storage of hazardous substances in relation to the coastal hazard area 3, considering future relative sea level rise scenarios of up to 1.5m. This is subject to C1.9.(2) and is a **restricted discretionary activity**.

E40 Temporary activities

- The Proposal involves the temporary activities for construction for more than 24 months as provided or in E40.4.1(A20). These temporary activities include the construction of the proposed buildings and associated landscaping and is anticipated to last approximately 5.5 years and is therefore a **restricted discretionary activity** under rule E40.4.1(A24).

H8 Business – City Centre Zone

- The Proposal involves the construction of a new building comprising of three podiums and two towers. This is a **restricted discretionary activity** under rule H8.4.1(A32).
- The Proposal involves demolition of the existing carpark building. This is a **controlled activity** under rule H8.4.1(A32A).
- The Proposal involves the alterations and additions to buildings not otherwise provided for associated with the alterations to existing podia of Aon and HSBC building. This is a **restricted discretionary activity** under rule H8.4.1(A36).
- The Proposal does not comply with Standard H8.6.3 Admission of sunlight to public places (St Patricks Square). This is a **non-complying activity** under rule H8.4.1.(A40).
- The Proposal exceeds the Standard H8.6.5 Harbour edge height control plane (40m above the centre line of Quay Street at a tilted plane at 45 degrees) by the following extents:
 - T1: maximum 88.8m along the northern façade reducing to 44m along the southern façade over a depth of 44.1m.
 - T2: maximum 49.2m along the northern façade reducing to nothing along the southern façade over a depth of 49.2m.

This is a **restricted discretionary activity** under rule H8.4.1(A42).

- The Proposal fails to meet the following standards and is a **restricted discretionary activity** under rule C1.9(2):
 - H8.6.24 Maximum tower dimension, setback from the street and tower separation: Infringes as follows:
 - H8.6.24.(1)(a). A maximum tower dimension above 28m must not exceed an average of 55m: T1 has a maximum tower dimension of 57.81m exceeding the standard by 2.81m.
 - H8.6.24.(1)(b). A 6m setback from Customs Street West for the parts of a building above 28m: T1 provides no setback from 28m to 33m-34.3m with a setback of 5.5m from 33m-34.3m above.
 - H8.6.24.(1)(b). A 6m setback Lower Hobson Street for the parts of a building above 28m: T2 provides no setback from 28m to 30.7m-31m with a setback of 4.5m from 30.7m-31m above.
 - H8.6.24.(3). Where there is more than one tower on a site, a tower separation distance of at least 12m must be provided between the parts of the buildings above 28m: the tower separation distance between T1 and Aon House is 11.2m, 0.8m below the minimum tower separation distance.

- H8.6.24A.(1)(a). Maximum east-west tower dimension must not exceed 45m for that part of the building above 28m: Parts of P1 podium above 28m have an east-west dimension of 53.48m, exceeding the maximum dimension by 8.48m.
- H8.6.25 Building frontage alignment and height: Infringes as follows:
 - H8.6.25.(1)(a)(ii). For frontages identified as '19m', the building must have minimum contiguous height of 19m for a minimum depth of 6m from the frontage: P3 is approximately 15.3m in height, 3.7m below the minimum frontage height.
 - H8.6.25.(2)(a). For frontages identified as "28m", the maximum frontage height must not exceed 28m for a minimum depth of 6m from the frontage:
 - The maximum frontage height of T1 exceeds 28m, with no setback along Customs Street West provided from 28m to 33m-34.3m with a setback of 5.5m from above 33m-34.3m.
 - The maximum frontage height of T2 exceeds 28m, with no setback provided along Lower Hobson Street from 28m to 30.7m-31m with a setback of 4.5m from above 30.7m-31m.
- H8.6.26 Verandahs. A new building, external alteration or substantial internal alteration to an existing building, excluding minor cosmetic alterations or repairs which do not change its design and appearance, must provide a continuous verandah along the full width of its building frontage:
 - No verandah is provided along the Customs Street West frontage.
 - A 1.8m wide verandah is provided (with a setback of 700-800mm from the edge of the road carriageway) where 3m is required that has a 3.5m height clearance from the footpath immediately below the Lower Hobson Street frontage.
- H8.6.27 Minimum floor to floor height: The ground floor has a minimum floor to floor height of 4.2m with 4.5m required.
- H8.6.28 Wind: Infringes for the following locations as outlined in the Environmental Winds Report prepared by Holmes (refer to **Appendix 28**).
 - Location 9: Gust speed of 26m/s and therefore exceeding the 25m/s threshold.
 - Location 8, 9 and 42 (Lower Hobson Street): Category D conditions where Category C conditions required.
 - Location 18 (Urban Room): Category D conditions where Category C conditions required.
 - Location 26 (Customs Street West): Category D conditions where Category C conditions required.
- H8.6.33 Minimum dwelling size: Infringes for the following T2 apartments (30 in total) where a minimum of 50m² of net internal area is required for one-bedroom dwellings and the following is provided:
 - Apartments 20.01-31.01 and 22.09-31.09 – 45m²
 - Apartments 32.01-39.01 – 48m²

I205 Downtown West Precinct

- The Proposal involves the construction of a new building comprising of three podiums and two towers. This is a **restricted discretionary activity** under rule I205.4.2(A4).
- The Proposal involves new open space. This is a **restricted discretionary activity** under rule I205.4.2(A5).
- The Proposal involves new vehicle, cycle and pedestrian access. This is a **restricted discretionary activity** under rule I205.4.2(A6).
- The proposed pedestrian connection within the development does not comply with Standard I205.6.2 as follows:
 - I205.6.2(3): The proposed north-south connection is not at-grade and not generally aligned with Federal Street.

This is a **restricted discretionary activity** under rule I205.4.2(A7).

8.5 Information Requirements

8.5.1 Clause 5 of Schedule 5 of the Act

Clauses 5 of Schedule 5 of the FTAA sets out specific information to be submitted to the Panel. These are addressed throughout the consent application and supporting technical documents. A checklist is included at **Appendix 3** which sets out how and where this information has been provided.

8.5.2 Auckland Unitary Plan – Special Information Requirements

The following Special Information is required under the AUP (OP) in relation to the Proposal:

Special Information Requirements	Assessment
<i>D17.9(1): An application for resource consent for works affecting scheduled historic heritage places must be accompanied by a heritage impact assessment that is commensurate to the effects of the proposed works on the overall significance of a historic heritage place, and taking into account whether the works affect a primary, non-primary, non-contributing or excluded site or feature.</i>	A heritage impact assessment is provided in Section 9.2.2 of this report meeting the special information requirements under E17.9.(1).

<p>E27.9 (1) Parking plans submitted to Council must show:</p> <p>(a) the locations and dimensions of any pillars and/or other structures that may restrict parking space, or inhibit access and manoeuvring, as well as clearances between parking spaces and vehicle tracking curves and those pillars and/or other structures; and</p> <p>(b) the proposed gradients of parking, manoeuvring and access areas</p> <p>New Zealand Standard for Off-Street Parking - Parking Facilities Part 1: OffStreet Car Parking (AS/NZS 2890.1 2004) may assist applicants in designing parking areas.</p> <p>the application.</p>	<p>The access, parking and loading arrangements are detailed in the Architectural Drawings (Appendix 9A) and the Operational Integrated Transport Assessment (Appendix 13) meeting the special information requirements under E27.9.(1)</p>
<p>E27.9 (2) Travel plan:</p> <p>(a) a travel plan may be required as part of an assessment of environmental effects where a proposal exceeds the trip generation threshold or provides more parking than the maximums specified. A travel plan will not be required where the infringement of the parking maximums is minor in relation to the scale of the activity and associated parking proposed.</p>	<p>Not applicable to the Proposal as there are no infringements to maximum parking standards.</p>
<p>E27.9 (3) Applications for off-site parking must include information to demonstrate that:</p> <p>(a) the proposal provides off-site parking which is related exclusively to the parking associated with activities located on other donor site(s) in the area;</p> <p>(b) the off-site parking arrangements will be formalised on the land titles of all sites involved, including extinguishing the ability to provide accessory parking on the donor site(s); and</p> <p>(c) the parking has been transferred from the donor site(s) and the donor site(s) are permitted by the parking standards of this Plan to provide the number of parking spaces proposed.</p>	<p>The access, parking and loading arrangements are detailed in the Architectural Drawings (Appendix 9A) and the Operational Integrated Transport Assessment (Appendix 13) meeting the special information requirements under E27.9.(3)</p>
<p>E27.9 (4) The Council may require applications which affect the transport network, including proposals which exceed the trip generation threshold, to include a transport assessment prepared by suitably qualified transport planner or traffic engineer.</p>	<p>The access, parking and loading arrangements are detailed in the Architectural Drawings (Appendix 9A) and the Operational Integrated Transport Assessment (Appendix 13) meeting the special information requirements under E27.9.(4)</p>

<p>E27.9 (5) Any new activity or change to an existing activity, which is not specifically provided for in the activity tables in the applicable zone or is a non-complying land use activity, and which will generate 100 vehicles or more (any hour) may need to include an Integrated Transport Assessment prepared in accordance with the Auckland Transport Integrated Transport Assessment Guidelines in force at the time of application.</p>	<p>The access, parking and loading arrangements are detailed in the Architectural-Drawings (Appendix 9A) and the Operational Integrated Transport Assessment (Appendix 13) meeting the special information requirements under E27.9.(5)</p>
<p>E36.9.(1): A hazard risk assessment must be undertaken when subdivision, use or development requiring resource consent is proposed to be undertaken on land which may be subject to any one or more of the following:</p> <ul style="list-style-type: none"> • coastal erosion; • 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; • the 1 per cent annual exceedance probability (AEP) floodplain; • overland flow paths; or • land instability. <p>The level of information required to be provided should be proportionate to the hazard risk, the nature of the hazard. It should also be appropriate to the scale, nature and location of the development and reflective of the scale of the activity proposed. For coastal hazards this should include a consideration of the effects of climate change over at least a 100 year timeframe.</p>	<p>A Flood Hazard and Risk Assessment required under the operative AUP (OP) and PC120 has been prepared by T+T and is enclosed as Appendix 23.</p>
<p>E36.9.(3) A landslide hazard risk assessment 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.</p>	<p>A Landslide hazard risk assessment required under the operative AUP (OP) and PC120 has been prepared by T+T in accordance with Appendix 24 and is enclosed as Appendix 46.</p>
<p>E36.9.(4) Geotechnical reports 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</p>	<p>A geotechnical report required under the operative AUP (OP) and PC120 has been prepared by T+T and is enclosed as Appendix 33.</p>

<p>subdivision, use or development of land within a landslide hazard area.</p>	
<p>H8.10.1.(1) Alterations and additions to buildings identified as historic heritage and special character.</p> <p>For scheduled historic heritage buildings, the applicant must prepare a conservation plan (or update an existing conservation plan where one already exists) and demonstrate that a programme of works will be undertaken including a maintenance plan to guide ongoing regular maintenance and cleaning.</p> <p>This information shall be provided where the application is for:</p> <p>(a) substantial demolition or destruction;</p> <p>(b) relocation within the scheduled extent of place; or</p> <p>(c) significant restoration or modification works.</p>	<p>The remedial works outlined in Section 6.6 in relation to the make good works at the façade of the Auckland Harbour Board Workshops (former) are not considered to be:</p> <ul style="list-style-type: none"> • substantial demolition or destruction; • relocation within the scheduled extent of place; or • significant restoration or modification works. <p>Therefore no conservation plan is required.</p>

There are no other special information requirements relevant to the reasons for consent that are required under the AUP(OP).

8.6 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.

8.7 Other Resource Management Act 1991 Approvals

This section is provided in accordance with clause 5(1)(f) of Schedule 5 of the FTAA.

Designation 1550 has recently been removed from the AUP (OP) and therefore is no longer relevant to the Site.

8.8 Sections 5, 6, and 7 of the Resource Management Act 1991

Clause 5(1)(g) requires an assessment of the activity against sections 5, 6, and 7 of the RMA. These sections are contained within Part 2 of the RMA. An assessment of the Proposal against Part 2 of the RMA is provided in section 12.4 below.

8.9 Assessment of the Proposal Against Relevant Statutory considerations

Clause 5(1)(h) requires an assessment against any relevant provisions in any of the documents listed in Section 5(2) of Schedule 5. An assessment of the Proposal against these relevant statutory considerations is provided within section 10.0 below.

8.10 Treaty Settlement Provisions and Redress

Clause 5(1)(i) of Schedule 5 of the Act requires the provision of information about any Treaty Settlements that apply in the project area, including:

- The identification of the relevant provisions in those Treaty settlements; and
- A summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area.

There are no Treaty Settlement Statutory Acknowledgement Areas identified on Auckland Council's GeoMaps for the Site or any adjacent properties.

All other iwi settlement Acts and Deeds have been reviewed and there are no other statutory acknowledgement areas, cultural redress properties or deeds of recognition that affect the Site.

8.11 Customary Marine Title Groups

Clause 5(1)(j) of Schedule 5 of the Act as it applies to the Project, requires a list of any relevant customary marine title groups, protected customary rights groups or applicants under the Marine and Coastal Area (Takutai Moana) Act 2011.

Clause 5(5)(b) of Schedule 5 of the Act requires that if an activity is to occur in an area that is within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011 or the environmental covenant prepared by ngā hapū o Ngāti Porou under section 19 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, an assessment of the activity against any resource management matters set out in that document must be provided.

This does not apply because the Project is for the development of the Downtown Carpark building to a mixed use development on land and does not involve any activities within the coastal marine area.

8.12 Proposed Consent Conditions

This section of the application is provided in accordance with clauses 5(1)(k) and 18 of Schedule 5 of the FTAA. These clauses require that an application provide conditions of consent. With specific reference to clause 18 of Schedule 5, conditions have been drafted with reference to Section 108, which relate to Part 6 and 10 of the RMA. The proposed conditions of consent relating to necessary mitigation and monitoring, as identified within the technical assessments, are appended to this AEE at **Appendix 24**.

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 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 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 required approvals subject to the conditions in accordance with Section 81(1)(a) of the FTAA.

8.13 Notice Under Section 30

In accordance with clause 5(1)(l) of Schedule 5 of the FTAA, the applicant has received a notice from Auckland Council, as the consent authority under section 30(3)(b). The notice was received within the time frame specified in section 30(6)(b) and confirms that there are no relevant consents under section 30 (refer **Appendix 7**).

8.14 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 of the RMA 1991.

8.14.1 Auckland Unitary Plan Operative in Part

Permitted Activity under AUP OP	Permitted activity comment
D25 City Centre Port Noise Overlay	
<ul style="list-style-type: none"> Buildings accommodating activities sensitive to noise within the overlay must be insulated to achieve an internal noise level appropriate to the activity in accordance with Standard D25.6.1 - this is a permitted activity. 	<p>This is discussed in Section 3.5 of the Acoustic Assessment of Effects prepared by Marshall Day Acoustics ("MDA") at Appendix 38.</p> <p>The proposal will be appropriately insulated so that the internal noise levels are in accordance with Standard D25.6.1.</p>
E8 Stormwater – Discharge and diversion	
<ul style="list-style-type: none"> Contamination Diversion of stormwater runoff from lawfully established impervious areas directed into an authorised stormwater network or a combined sewer network that complies with Standard E8.6.2.1 is a permitted activity pursuant to E8.4.1(A1). 	<p>There is no increase in impervious areas as part of this application and the proposal will be discharging to existing public stormwater networks.</p> <p>Regardless, stormwater management will be addressed in the NDC requirements as outlined in the Infrastructure Concept Design Report prepared by T + T (Appendix 19).</p>
E14 Air quality	
<ul style="list-style-type: none"> The discharges to air from the proposed demolition and construction activities are assessed as being compliant with standards E14.6.1.1(1-5) and are therefore is a permitted activity pursuant to E14.4.1.(A1). 	<p>This is discussed in detail in the Air Quality Assessment by T+T (Appendix 25).</p>
E17 Trees in Roads	
<ul style="list-style-type: none"> The proposed pruning of Tree 3 to enable suitable clearance for the demolition of the vehicle exit bridge structure in accordance with Standard E17.6 is a permitted activity pursuant to E17.4.1(A5). 	<p>This is discussed in section 5 of the Arboricultural Assessment by PBM (Appendix 18).</p>

<ul style="list-style-type: none"> • The proposed Works within the protected root zone of Trees 1 & 3 as part of the demolition works in accordance with Standard E17.6.3 is a permitted activity pursuant to E17.4.1 (A7). • The proposed removal of one (1) Lancewood trees (Group 1a) as part of the demolition works is a permitted activity pursuant to E17.4.1(A9). 	
<p>H8 Business – City Centre Zone</p>	
<ul style="list-style-type: none"> • Dwellings are a permitted activity pursuant to H8.4.1(A3). • Visitor Accommodations (hotel) are a permitted activity pursuant to H8.4.1(A6). • Offices are a permitted activity pursuant to H8.4.1(A9). • Retail activities are a permitted activity pursuant to H8.4.1(A10). • Conference activities are a permitted activity pursuant to H8.4.1(A11). • Public Amenities (The Urban Room) are a permitted activity pursuant to H8.4.1(A16). 	<p>The proposal is a mixed-use development which includes the activities outlined in H8.4.1(A3, A6, A9, A10, A11, and A16) that are anticipated and permitted in the City Centre Zone. The proposal is consistent with the zones description which seeks to:</p> <p><i>“to ensure the city centre is an international centre for business and learning, innovation, entertainment, culture and urban living”</i></p>

8.15 Mitigation and Monitoring Measures

Clause 6(1)(d) of Schedule 5 of the FTAA 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 effect of the activity.

A number of mitigation measures are proposed to ensure that the Proposal will comply with the permitted activity standards of the AUP(OP), to address actual and potential effects on the environment relative to specific subject matters, but are not strictly limited to:

Subject Matter	Mitigation and Condition Response
<p>Enabling Works and Construction</p>	<ul style="list-style-type: none"> • A draft CMP is enclosed as Appendix 14 to mitigate any adverse effects that relate to the demolition of the existing carpark building and construction of the podia and towers. • A draft CTMP is enclosed as Appendix 26 to mitigate any traffic effects arising for the demolition of the existing carpark building and construction of the podia and towers. • A draft Construction Noise and Vibration Management Plan ("CNVMP") is enclosed as Appendix 27 to mitigate any adverse noise and vibration effects that relate to the demolition of the existing carpark building and construction of the podia and towers.

	<ul style="list-style-type: none"> • A draft Erosion and Sediment Control Management Plan ("ESCMP") is contained within the Erosion Control Sediment Report enclosed as Appendix 15. • A draft Dust Management Plan ("DMP") is provided in Appendix 25 and the implementation of final required as a consent condition. <p>The draft management plans referenced here and below in this table will be finalised prior to works being undertaken.</p>
Urban Design and Landscape	<ul style="list-style-type: none"> • Architectural drawings are provided in Appendix 9A and final architectural design details are required as consent conditions. • Landscape plans are provided in the Architecture Landscape Report in Appendix 9 and final landscape plans are required as consent conditions. • Concept signage details are provided in the Architectural drawings in Appendix 9A and final signage details are to be provided prior to installation, required as a consent condition. • Wind environment mitigation is addressed in Appendix x.
Operational matters	<ul style="list-style-type: none"> • A draft Operational Waste Management Plan is enclosed as Appendix 20. • A draft Servicing and Loading Management Plan is enclosed as Appendix 29. • A draft Hotel Pick-Up and Drop-Off Management Plan is enclosed as Appendix 30. • A draft Managed Access Service Arrangement Plan is enclosed as Appendix 31. • A draft Hazardous Substances Management Plan is enclosed as Appendix 32. • Acoustic design certification for noise sensitive activities is required as a consent condition.
Contamination	<ul style="list-style-type: none"> • Handling of contaminated land must be undertaken in accordance with the CSMP enclosed as Appendix 17. <p>The draft management plans will be finalised prior to works being undertaken.</p>
Servicing and Infrastructure	<ul style="list-style-type: none"> • The installation of local three waters infrastructure is outlined in the Infrastructure Concept Design Report enclosed as Appendix 19.
Groundwater	<ul style="list-style-type: none"> • A draft Groundwater and Settlement Monitoring and Contingency Plan is contained within Geotechnical Report enclosed as Appendix 33.
Geotechnical	<ul style="list-style-type: none"> • Earthworks are to be undertaken in accordance with the recommendations in the Geotechnical and Groundwater Assessment, and as required as consent conditions (refer Appendix 33).

	<ul style="list-style-type: none"> • A method statement and certification is to be provided by a qualified engineer confirming the works are in accordance with recommendations in the Geotechnical Report, as required by the consent conditions.
Archaeology	<ul style="list-style-type: none"> • A draft Archaeological Management Plan enclosed as Appendix 35. • The Project archaeologist is required to monitor and record any information (if discovered), as required by the consent conditions.

Clause 6(1)(g) of Schedule 5 of the FTAA also requires that if the scale and significance of the activity’s effects are such that monitoring is required, an assessment of effects includes a description of how the effects will be monitored and by whom, if the activity is approved.

The monitoring that is proposed is also documented in the proposed draft consent conditions and technical assessments appended to this AEE.

8.16 In accordance with clause 6(1)(d) of Schedule 5 of the FTAA, Protected Customary Rights

Clause 6(1)(h) of Schedule 5 of the Act requires an application to include an assessment of any effects of the activity on the exercise of a protected customary right.

There are no protected customary rights that relate to the site and as such an assessment under Clause 6(1)(h) of Schedule 5 is not required.

9.0 Assessment of 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 8** identifies the owners and occupiers of the land adjacent to the Project area. The persons identified in **Appendix 8** 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 below relative to the respective disciplines or topics identified.

The actual and potential effects of these matters on people in the neighbourhood and, where relevant, the wider community, as well as on the environment more generally, are assessed below and in the supporting technical reports submitted with this application. Having regard to the above, the scope of the application and consents required, it is considered that effects on the environment in relation to the following matters are relevant:

- Significant benefits to address matters within Clause 7(a);
- Built Environment to address matters within Clauses 7(a) and 7(b);
- Landscape and Visual Amenity to address matters within Clauses 7(a) and 7(b);
- On-Site Residential and Hotel Amenity to address matters within Clause 7(a);

- Public Safety to address matters within Clause 7(a);
- Traffic, Access and Parking to address matters within Clause 7(a);
- Noise and Vibration to address matters within Clauses 7(a) and 7(f);
- Construction Related Effects to address matters within Clauses 7(a), 7(e) and 7(f);
- Excavation and Bulk Earthworks to address matters within Clauses 7(a), 7(e) and 7(f);
- Servicing and Infrastructure to address matters within Clause 7(a);
- Natural Hazards to address matters within Clause 7(g);
- Use and Storage of Hazardous Substances to address matters within Clause 7(g);
- Social Effects to address matters within Clause 7(a); and
- Economic Effects to address matters within Clause 7(a).

These matters are set out and discussed below.

9.1 Significant Benefits

The Proposal will result in significant benefits including:

- The project will deliver a substantial economic injection of approximately \$1.64 billion in direct capital expenditure (excluding land) and generate around 11,914 full-time equivalent (FTE) years of employment over the eight-year development period. Approximately \$650 million will be contributed to regional household incomes, alongside significant indirect and induced activity across construction, professional services, and retail sectors.
- Beyond this direct investment there are also several long-term qualitative benefits, including:
 - Increased retail, commercial, residential, and hotel capacity in the city centre.
 - Improved development feasibility for surrounding land, catalysing further regeneration and investment.
 - Enhanced efficiency of infrastructure use through intensification in a highly serviced, transit-oriented location.
 - Greater economic density and agglomeration effects, supporting innovation, competition, and productivity.
 - Expanded employment opportunities and a more diverse, resilient urban economy.
 - Increased visitor expenditure and tourism potential through the introduction of a premium international hotel.

Strengthened vitality, amenity, and liveability of the city centre through new public spaces and 24-hour activation.

- The Proposal will deliver a comprehensive, integrated, and design-led development of a significant site which will transform what is currently a run-down, earthquake-prone, and underutilised carpark building into a high-quality, and sustainable mixed-use development. The development represents a significant urban regeneration replacing the carpark with a

development that defines the western edge of Auckland's city centre and strengthens its connection with the harbour's edge.

- By introducing a mix of residential, commercial, hotel, and public uses within an architecturally cohesive design, it will deliver world-class living, working, and placemaking outcomes, setting new global benchmarks for sustainable urban design and city-making in Tāmaki Makaurau.
- The design of the project proudly represents tangata whenua and being a whakaaro-led design project guided by Haumi and Ngāti Whātua Ōrākei, ensuring that tangata whenua values are woven throughout the built form and landscape. The development occupies a living threshold between land and sea — a place of encounter where whenua, wai, and tangata are brought into renewed relationship. The architecture and layout of the proposal takes inspiration from whakairo rākau (carving traditions), expressed through the sculpted façades, tower massing, and laneway the shaping forces of Tāmaki Makaurau's cultural and natural histories.
- The Proposal will also establish a new gateway to the city centre, supporting low-carbon, transit-oriented growth through its proximity to the Lower Albert Street bus interchange, Waitemātā Station with the connection to City Rail Link (CRL) and the ferry terminals.
- The Proposal will provide approximately up to 160 residential apartments of varying typologies and sizes. The Project is targeting the 6 Star Home Star requirement for the majority of the residential apartments setting a new standard of city centre living. The development will be transformative, providing for the city centre to become an internationally significant centre for business while meeting growing desire for sustainable city centre living. The Proposal provides premium office space for businesses, and the hotel activity is supported by a range of amenities, public spaces and laneways that activate and connect the precinct with the wider city unlocking the potential and connectivity of the public realm and delivering a new civic gateway and public destination.
- The Proposal delivers on Auckland's City Centre Masterplan laneway outcomes through the provision of a new public 24/7 link running east-west through the entire city block. This connects Lower Albert and Lower Hobson Streets, and connects through to Commercial Bay to the east to the Auckland Viaduct to the west maximising pedestrian connectivity to the city's wider vital business, education, entertainment and retail areas offerings in a previously inaccessible part of the city.
- Te Uranga Hau / the Urban Room provides a new, dynamic civic space that offers diversity and choice by creating high quality public realm that contributes to the social and cultural well-being for the users.
- In addition to the enhanced connectivity provided by internal laneways, the Proposal provides enhanced streetscapes along Lower Hobson and Customs Streets which feature generously set back building frontages at the ground floor and provide covered/colonnaded connections. This approach will positively support the pedestrian numbers and connectivity envisaged.
- The proposed remediation to the façade of the Auckland Harbour Board Workshops (former) including the removal of the pedestrian foot bridge will promote the appreciation of the heritage values of the building.

- The Proposal provides excellent support for active modes of transport with the provision of high levels of cycle parking to support the residential, commercial, and retail functions located on site.
- The Proposal will also provide a 200 guest hotel and associated amenities that support commercial, and retail functions of the proposal as well as the wider Auckland CBD area.

Overall, the proposed development will deliver a significant improvement to the public realm and enhance the visual amenity and urban quality of the Auckland city centre. The Project will make a substantial contribution to the economic and social well-being of local communities through increased employment, investment, and urban activation. In addition, the development is expected to achieve notable transport efficiencies and greenhouse gas emissions given the proximity to key public transport hubs including the major Waitematā station, supporting Auckland's transition to a more sustainable and connected city.

9.2 Built Environment

9.2.1 Urban Design

The policy direction in the AUP (OP) enables the greatest building heights and density in Auckland to occur in the City Centre core. The Project seeks to redefine, connect, and transform the western edge of Tāmaki Makaurau's city centre and its relationship with the waterfront through the creation of an integrated mixed-use precinct, a gateway to unlock the potential as prescribed in Auckland's City Centre Masterplan.

The external appearance of the building presents a contemporary design which will significantly enhance the quality of the public realm and the streetscape in this part of the City Centre. The building height and massing has been designed to visually integrate the proposed development in the surrounding environment. The façade strategy for the development has been designed to achieve high quality design and utilises high quality materials. The proposed materials are considered to provide a high-quality and visually interesting building facade and appropriately complement the central city location and differentiate between the commercial and residential activities. The development signage zones have been designed to integrate sympathetically with the building design and will avoid impact on traffic safety and amenity of adjacent occupiers.

In terms of streetscape amenity, the ground floor has been designed with an urban form addressing the street frontages and includes activated edge treatment such as entrance ways, lobby spaces and retail/food and beverage outlets. The main entrances will be double height with canopy cover making these entrances legible.

A significant new public realm will be provided within the development including an extensive new laneway network and civic space – Te Urunga Hau / the Urban Room - which will provide activation to the area. This aspect of the Project will have a significant positive effect on the quality of the public realm, particularly when compared with the existing environment dominated by the carpark building. Careful consideration has been given to the amenity of Te Urunga Hau / the Urban Room to ensure that it receives sunlight for much of the year and daylight access at all times of the year.

In terms of shading effects, the assessment confirms that the proposal will not cast shadow over key public open spaces, including Te Komititanga/Queen Elizabeth Square and Fryberg Place, during the times of day and year identified in the Auckland Unitary Plan (Operative in Part).

For St Patrick's Square, the shading studies indicate only minor, localised patches of mid-winter shadow along the Swanson Street entry points, limited to short durations within the assessed periods. This additional shade is limited to the edge of the space and is for at most three minutes during mid-winter between 12pm-2pm. This will be barely perceptible and will occur over parts of the space predominantly used for movement rather than gathering. This is confirmed by the public use audit undertaken for St Patrick's Square included as **Appendix 37**. Overall, the shading effects are considered negligible and will not adversely affect the use or amenity of the space.

An urban design assessment has been prepared McIndoe Urban and included as **Appendix 11** in which the following conclusions are made:

9.2.1.3 Urban and built form

Architectural concept and design

1. *The composition of a pair of towers on a sculpted podium base is aesthetically coherent, architecturally well-resolved, and fits well into this part of the city centre.*
2. *Appropriate visual interest is integrated within a concept-driven approach which ensures the aesthetic coherence of each building separately, and of the proposed complex as a whole. The symbolism of cultural narratives that are a fundamental aesthetic driver will further engage the intellect of the viewer and enrich the experience of viewing and considering this building complex.*
3. *Expression of height and subtle compositional difference between T1 and T2 moderates the bulk of the building complex as a whole and contributes visual interest including variation in the city centre skyline.*
4. *The extension of glazed façade elements to form a crown, including recognition of the chamfers that carve into the body of the towers below, provides an expressive sculptural top to both towers. These tops are both distinctive and aesthetically well resolved.*

Relation to the harbour edge height control plane

5. *Notwithstanding departure from the 40m + 45° HEHCP, transition in height from the core central business district to the harbour is achieved within the block as T2 and T1 are set back from and rise above existing high-rise buildings at the edge of Quay Street, stepping back and up. This continues to provide an overt height transition, but to a lesser degree than described by the standard.*
6. *The transition down from tall buildings enabled by the Operative Unitary Plan in that part of the Special Height area to the south across Customs Street is significant, and notwithstanding its height, reinforces that this proposal maintains a step down towards the harbour.*
7. *Maximisation of views between the harbour and city centre in relation to achieving the purpose of the HEHCP is achieved predominantly by the gaps between the towers and also other buildings on the site and is reinforced by the plan offset of T1 from T2. These attributes combine to avoid any 'wall effect' in views from both the harbour to the city and the city centre to the harbour.*
8. *The proposal satisfies the Unitary Plan H8.8.2 Assessment Criteria for exception to the HEHCP. These relate to appropriate outcomes in relation to 'visual profile', 'waterfront amenity', 'streetscape and street corners', 'effects on surrounding properties', and the 'design of upper parts of structures'.*

Maximum tower dimension and setback of towers from the street

9. *Minor departures from other built form standards are mitigated by the combination of the articulation of form of the towers to reduce apparent and actual bulk, the chiselling of the tower forms for cultural and sculptural effect and to reinforce slenderness, and openness elsewhere to allow views through.*
10. *The siting, variation in height and façade treatment means that the towers avoid coalescing into a single, visually dominant compound mass in any of the multiple views examined.*
11. *The proposed placement of T1 and T2 relative to street edges maintains suitable street definition and amenity. It also maintains the quality of the existing Sturdee Reserve and allows the proposed mid-block public open space of Te Urunga Hau to be developed with the intended scale and quality.*

Podium form and design

12. *The podium is carved out to create internal lanes and the proposed Urban Room, elements that will significantly enhance the opportunities for and quality of public experience of this part of the city.*
13. *The podium is aesthetically coherent and appropriately differentiated from, but with a family relationship to, the towers above.*
14. *The podium height gives an appropriate level of spatial definition to the street, and its formal composition contributes suitable visual interest and a sense of human scale at the street edge.*

9.2.1.4 Shading effects

City centre shading assessment

1. *Most of the shade from the proposed buildings is subsumed into existing shade within a heavily built -up city centre, and most additional shading effects are localised and fleeting.*
2. *The effects of additional shading vary. They are at most 'moderate' but are generally rated 'low' or 'negligible' for the majority of times through the year. No shading effects rated as being of high significance were found.*

Shading to nearby public open spaces

3. *The proposal does not cast shade on Te Komititanga/Queen Elizabeth Square at the times of day and year identified by the Unitary Plan.*
4. *The proposal casts additional shade on St Patricks Square at the times of day and year identified by the Unitary Plan for sunlight control. Detailed analysis of the extent and duration of this additional shade and the public use of that part of the space on which it falls shows the additional shade will be barely perceptible and the effects of this infringement will be 'negligible'.*
5. *Shading effects on the waterfront are 'negligible' and limited to midsummer at early morning and late afternoon.*

Shading to surrounding street network

6. *Shading effects on streets are limited and localised and, in the worst cases of when they occur, are at most of 'low' significance. Adequate sunlight is therefore maintained to the surrounding street network.*

Shading on nearby buildings

7. *Additional shade is cast over groups of existing buildings. This is localised, limited in extent and fleeting. Effects range from 'negligible' to at most 'moderate'.*

Shading on apartment buildings

8. *The effects of additional shading on apartment buildings are at most 'moderate' and this rating applies to the two apartment buildings which are located relatively close and to the south of the proposal. (Dunningham House at 20 Wolfe Street and Nautilus at 18 Hobson Street). In all other cases because most additional shading effects on apartments are experienced close to sunrise, are restricted in duration to the point of being fleeting, and are limited to specific times of year, their effects range from 'low' to negligible'.*

Sun and daylight to the Urban Room

9. *The combination of very good sunlight for much of the year and sky exposure for excellent daylight at all times of year will contribute to the Urban Room being a comfortable, attractive and high amenity space.*

Summary Unitary Plan assessment

10. *The proposal meets Unitary Plan requirements by avoiding, with minor and fleeting exception, shade on St Patricks Square between the identified times, and ensures adequate sunlight and daylight continues to be received by streets, public places and nearby sites.*

9.2.1.5 Urban structure and public realm design

Relation to the street and wider public realm

1. *The proposal responds in a positive way to CCMP aspirations for intensification and linkage to public transport in this part of the city.*
2. *Multiple entries, shopfronts and edge activation contribute to a high quality and suitably activated edges to surrounding streets and the lanes and public realm within the development.*
3. *The proposed edge conditions are of high quality in their own right, and a significant enhancement of the existing situation.*
4. *Shelter along street edges and at the hotel drop-off area is architecturally well-integrated and contributes to good quality street edge conditions.*

Integration with future public realm outcomes

5. *The proposal has been designed with cognisance of and will coordinate seamlessly with potential future public realm enhancements on Lower Hobson Street and Customs Street West.*

Lanes and circulation structure

6. *Providing for both north-south and east-west connections, the proposed lanes are generously scaled, legible and suitably edge activated, and given memorability by their connection into and through the Urban Room.*
7. *Due to the circumstance of working with existing buildings and levels, the lane network is not fully at grade and therefore departs from the through block at-grade connections signalled by the Unitary Plan. The lane system works with existing constraints and provides a choice of routes that relates well to all directions of approach, at-grade access into both levels of this network and the choice of lifts and wide stairs at key changes of level.*

The 'Urban Room'

8. *The Urban Room has a dramatic and memorable spatial quality, distinguished by a combination of shelter, openness and spatial generosity. It will enhance the local character, distinctiveness and activity in this part of the city centre.*
9. *The design of the Urban Room integrates the functionality of building lobbies and shopfronts with expression of multiple cultural narratives.*
10. *The lane entrances extend a public invitation and the Urban Room provides a setting for formal and informal public events that will attract and retain people.*
11. *Maximising the potential of this as a public space requires a supporting activity curation and 'placemaking' approach.*
12. *Connection of existing lanes to and public movement through this mid-block space will contribute positively to its use, occupation and activation.*

Parking, servicing and access

13. *Parking and service areas are suitably accessed from an existing lane, integrated within and /or concealed in basements under the building.*
14. *Hotel pick-up and drop-off does not provide for long-term parking, is appropriately located at the edge of Customs Street West, contributes to activation at the street edge and is integrated in a way that maintains amenity for pedestrians here.*
15. *All plant and servicing that is located above ground is located to either not be visible or has otherwise successfully integrated into the planning and aesthetic design of the buildings.*

9.2.1.6 Signage zones

1. *The signage zones proposed at all levels are suitably scaled and located, are architecturally integrated and are consistent with the relevant Unitary Plan assessment criteria.*
2. *The form and type of signs within these zones (including any illumination) should be subject to further review prior to installation, and this might be addressed by condition of consent.*
3. *In signalling the occupation of and activity within the buildings, signage within the proposed zones will have a beneficial legibility and wayfinding function.*

9.2.1.7 Conclusion

In overall summary, from an urban design perspective, the proposed development will present a high-quality, contemporary architectural and landscape design that successfully achieves visual interest, fits in comfortably with the surrounding environment and provides an activated frontage

to both Lower Hobson Street and Customs Street West. In doing so, the Project responds positively to the policy direction of the AUP (OP).

9.2.2 Built Heritage (Heritage Impact Assessment)

Under the AUP (OP) part of the Site (204 Quay Street) is within the scheduled extent of place of a Category B Historic Heritage Place, consequentially, modifications to this building requires a Heritage Impact Assessment. This assessment has been prepared with reference to the requirements at Clause D17.9 of the AUP (OP).

9.2.2.8 Historic Heritage Values

The site is within the extent of place of the Auckland Harbour Board Workshops, a Category B scheduled historic heritage place, recognised for its historic, physical attributes, and aesthetic.

As described in the Heritage New Zealand Pouhere Taonga (“HNZPT”) listing:

The Auckland Harbour Board workshops (completed in 1944) provided modern centralised accommodation for staff which had previously maintained the port's property, plant and equipment from temporary and scattered premises.... Dredges, tugs, launches, cranes and all types of cargo handling plant were surveyed, overhauled, and repaired at the premises. Separate workshops were provided for the different trades.[t]he workshops continued to serve the purpose for which they were built until late in 1989. Since that time they have provided predominantly studio space for a variety of designers involved in the visual arts and media. The workshops were an exciting performance venue for Inside Out Theatre's production of Thomas Mann's The Holy Sinner in October 1990.²

9.2.2.9 Proposal

For the full Proposal, refer to Section 6.6. In summary, remediation to the façade of the former Auckland Harbour Board Workshops is proposed once the foot bridge is removed from the Downtown Carpark Building.

9.2.2.10 Assessment and Conclusions

The remediation works to the façade of the former Auckland Harbour Board Workshops maintains the building’s heritage values and fabric. The proposed modifications match the existing windows that are original and involves replacing non-original fabric with more appropriate fabric and reinstating lost elements demonstrated in the original plans for the building.

Overall, the proposed works demonstrate a commitment to respecting and maintaining the historic heritage former Auckland Harbour Board Workshops, and the wider urban context. They will not compromise the ability to interpret the historic heritage values and provide a positive and appropriate outcome. Consultation with HNZPT is underway for these proposed works and initial correspondence with HNZPT indicates support of the Proposal.

9.2.3 Wind

Wind tunnel investigations have been undertaken by Holmes for the Proposal and the results are presented in the report in **Appendix 28**. In summary, the wind tunnel results confirm that most of the locations are suitable for their intended use apart from a small number of identified locations as shown in **Figure 15** below in which Category D wind conditions are expected following

² [https://www.heritage.org.nz/list-details/2649/Auckland%20Harbour%20Board%20Workshops%20\(Former\)#details](https://www.heritage.org.nz/list-details/2649/Auckland%20Harbour%20Board%20Workshops%20(Former)#details)

mitigation. There is also one minor exceedance with the safety criteria in one of the locations. Having regard to the investigations undertaken by Holmes, the following comments are made:

- Location 9: In terms of safety criteria, gust speed was found to be 26m/s and therefore marginally above the 25m/s threshold. However, this is similar to the existing conditions (ie without the Project) except a slight shift of the area of peak gustiness further south (closer to Podium 2) as a result of the proposed development.
- Location 8, 9 and 42 (Lower Hobson Street): Conditions remain in Category D which is windier than the Category C conditions normally required for a footpath. However, these conditions are similar or calmer than existing conditions, in particular slightly further north of these locations.
- Location 18 (Urban Room): Category D conditions occur in this area under the bridge between T1 and T2. This condition is local only and occurs in a walking transitional area (i.e., not for gathering). In addition, it is noted that conditions are only marginally windier than the Category C conditions normally needed for a walking area.
- Location 26 (Customs Street West): Category D conditions occur in this area due to a local airflow acceleration between the block to the north and the trees to the south. It is noted that these conditions remain local only.

Overall, it is considered that adverse wind velocity and turbulence effects in the surrounding pedestrian spaces can be avoided to the extent that an acceptable level of comfort and usability can be maintained for these spaces.

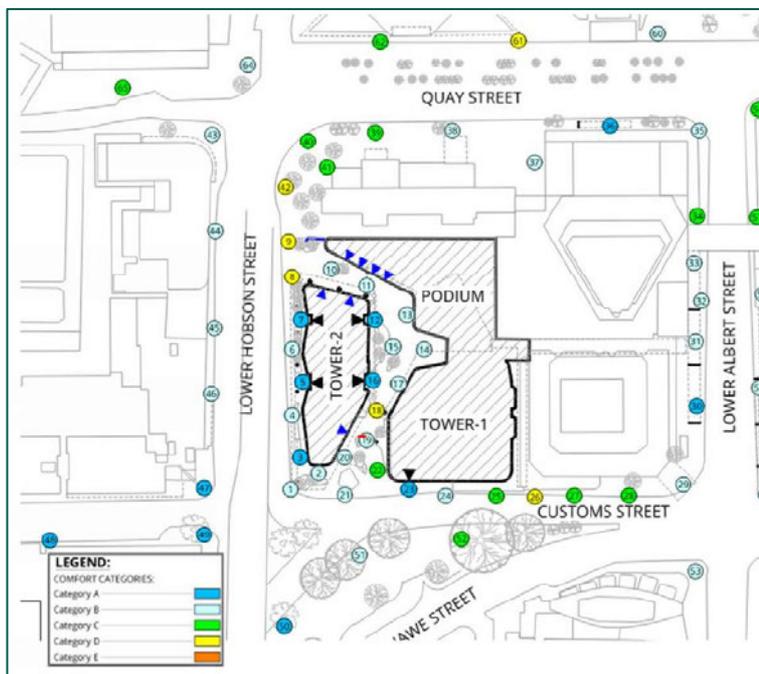


Figure 15 Wind conditions on Ground Level with Mitigation (Holmes).

9.2.4 Trees

As described in section 6.4.6.2 above and outlined in the Arboricultural Assessment at **Appendix 18**, prepared by Peers Brown Miller, the proposed vegetation alterations and removal of two Lancewood trees are permitted under AUP (OP). Tree owner asset approval from Auckland Council will be sought prior to the demolition works.

Appropriate tree protection measures such as protective fencing will be employed during vegetation alteration works. This is to ensure that adverse effects on the trees being retained within the project area are minimised.

9.3 Landscape and Visual Amenities

An extensive visual catchment is anticipated given the proposed height of the towers and the location of the Site in close proximity to the harbour.

The Site is located within a Special Height Area where the greatest building heights are enabled. Building massing is limited by the AUP (OP) St Patrick's Sunlight Admission Control, and moderated by the Harbour Edge Height Control Plane. As discussed above in section 9.2.1, the proposal infringes both the Harbour Edge Height Control and the St Patrick's Square Admission Control standards; however, the design establishes a clear and deliberate transition in building height towards the harbour to the north and west. Shading assessments confirm that resulting effects are limited to minor, localised patches of mid-winter shadow, consistent with the anticipated outcomes for development within this strategic growth area.

Isthmus Group Limited (Isthmus) has prepared a Landscape and Visual Assessment (**Appendix 12**) from a number of viewpoints. By way of summary and as illustrated in **Figure 16**, the following is concluded by Isthmus:

Summary of Streetscape

The proposal will revitalise and transform this part of downtown Auckland. It will replace the car parking building with an attractive and architecturally cohesive development. The design presents a significant improvement to the streetscape environment and would have moderate – high positive effects through enhancement and activation of the streetscape environment, contributing positively to the Auckland city's downtown.

It provides a mix of activities to the street and within the Te Urunga Hau (Urban Room) which will also activate the street and site, proximate to the waterfront, providing pedestrian connections into and through the site's lanes which supports movement between the city centre and the waterfront.

Any potential adverse effects on the streetscape environment in relation to dominance will at most be low-moderate. This is due to the proposal's setback from Quay Street, the form and façade treatment of the proposal which differentiates the podium and upper tower levels, and the human scale to the street and qualities which provide visual interest.

The removal of the Lower Hobson Street flyover would further help to fully realise the positive effects of the proposal on streetscape amenity, activation, and pedestrian circulation. However, even if the flyover is retained (which is the basis on which this assessment has been carried out), the proposal will present a significant improvement to the streetscape environment.

Assessment from the broader cityscape summary

In summary, the proposed development will provide a significant and positive contribution to the cityscape and skyline of Auckland from locations both near and in the broader landscape. Any potential adverse effects on the wider cityscape have been addressed through the design of the respective buildings and how they sit as part of the city. The towers will define the northern end of the development pattern along Federal Street ridgeline and the western end of the central city. The siting and height of the towers will also integrate positively into the composition and arrangement of buildings in the city.

The form of the towers and their façade composition provides visually interesting buildings which have been designed to reflect a strong mana whenua and cultural narrative and read as a pair or 'siblings' through their similarities, yet subtle differences.

The site (and therefore the towers) is also setback from the harbour edge, with the Viaduct (west) and development fronting Quay Street (north) providing a buffer. Notwithstanding, the proposed towers will provide tall buildings of an appropriate scale which will add to the visual profile of the city, and the aforementioned development pattern aligned with the Federal Street ridge.

The slender form, the chamfered edges and the stepped nature between the two towers provide an obvious and sound transition in height toward the waterfront and harbour edge.

Appropriateness and the effects of the proposal in its urban landscape context

From a landscape assessment perspective, the site is appropriate for the proposed mixed-use development.

The site is strategically located proximate to the waterfront which can provide connection between the central city and harbour edge, including the Viaduct Harbour (and Wynyard Quarter beyond). The proposal will help transform and rejuvenate this part of lower downtown Auckland.

The site and these connections are currently hindered by the current drawbacks of the use of the site which includes the poor streetscape amenity, poor activation at the street level, the lack of internal connections and the undistinguished architecture. For these reasons, it is a blighted part of the city. However, the proposed design will resolve these shortcomings and will provide a positive transformation of the site and this part of downtown Auckland. The reasons for this have been discussed earlier in relation to the assessment of the streetscape effects.

The proposal will contribute a mix of activities onto a site that has access and proximity to all of the facilities of the central city as well as those of the Viaduct Harbour and Wynyard Quarter. It is also located in the midst of the downtown public transport facilities.

For the reasons outlined above in relation to the broader cityscape, the proposed design will provide a positive contribution to the Auckland city skyline. The site is an appropriate location for development of this type in relation to the underlying topography, and the city's urban form. The towers will 'bookend' this corner of the city, providing an appropriate transition to the harbour edge whilst located within the city block which is to reinforce the alignment of tall buildings along the 'Quay Street east west connection'.



Figure 16. Viewpoint 7 – Proposed. Isthmus Group.

When having regard to the City Centre context of the site, the height transition, scale and massing of the proposed development has been designed to result in a built form on the site that can sit comfortably in its neighbourhood and surrounding public open space including the harbour and wider urban landscape setting.

9.4 On-Site Residential and Visitor Accommodation Amenity

Consideration has been given to Site planning to ensure that an appropriate level of residential and visitor accommodation amenity is provided for the future residents of the apartments and guests of the hotel. The following assessment is provided in this regard:

- The development will accommodate up to 160 apartments within T2 comprising a mix of one-, two- and three-bedroom units which range in size from 45m² to 181m² (with two apartments being approximately 300m²). This will provide for different housing needs for the community.
- Most of the apartments and hotel rooms are single-aspect. However, the majority have good orientation to the north, east and west such that they will receive good solar access.
- All of the apartments and hotel rooms will have outlook either to the north, west or east with the upper-level units having views towards the harbour and CBD.
- The apartment units have generous floor to height of at least 3.3m for living rooms and bedrooms and the windows are large enough such that apartments offer a spacious-feeling and will receive a good degree of natural light.
- While most the apartment units have no dedicated private outdoor living space, common areas are provided including a residents' lounge and dining room, an indoor pool and gym. Occupants will also have access to Te Urunga Hau / the Urban Room. There are also a number of public open spaces including Te Wānanga, Te Komititanga Plaza, Takutai Square and St Patricks Square) within the vicinity that are within 1 minute to 10 minute walking distance to the site which will provide generous outdoor amenity.

- The units have functional apartment layout with enough room for circulation including a space for individual laundries within units. Dedicated cycle parking and storage facilities within the basement remove the need for storage space within the units.
- Privacy will be maintained for occupants through clear delineation from the commercial development through separate entrances including separate lobbies and lift cores to be provided. The towers are separated by at least 15m, which will ensure appropriate outlook for occupants.
- Noise from port activities and commercial activities to the apartments and hotel rooms will be mitigated through façade and roof design construction. This is discussed in detail in Section 5 of the Acoustic Assessment of Effects by Marshall Day Acoustics ("MDA") (**Appendix 38**). Overall, MDA concludes that suitable internal acoustic amenity can be achieved for the proposed apartments.
- Additionally, the apartments and hotel will be subject to a no complaints covenant in favour of Ports of Auckland Limited.

Overall, it is considered that the orientation, outlook, daylight access and communal amenities will provide good-quality living environments for future residents and users of the hotel, in conjunction with the development's location with respect to local amenities and public transport.

9.5 Public Safety

Consideration has been given to public safety and the principles of crime prevention through environmental design (CPTED). A CPTED review of the proposal has been undertaken by Barker & Associates. Having regard to the CPTED principles and the review undertaken, the following is concluded:

- *Extensive ground- and first-floor glazing maximises natural surveillance and transparency.*
- *Multiple building entrances and a wide mix of uses positioned across the site encourages continuous activity that enhances natural surveillance throughout the day and night.*
- *Chamfered and splayed building corners, in combination with generous laneway widths, and highly glazed façades eliminate concealment spots and support intuitive wayfinding through the site.*
- *Ground-floor setbacks, glazed façades and the removal of existing overbridges on Lower Hobson Street and Customs Street West significantly improve openness, pedestrian comfort, and perceived safety.*
- *Laneway alignments strengthen connections between key city-centre streets, integrating with existing desire lines.*
- *The Urban Room serves as a central node of activity that will help to draw people through the site and along the laneway network, increasing visibility and providing multiple route options for pedestrians.*
- *The use high-quality materials and architectural consistency displays a strong sense of quality and ownership.*

Overall, it is considered that appropriate regard has been had to CPTED principles and that the proposed development will provide a safe environment.

9.6 Traffic, Access, and Parking

Transportation effects, including traffic, access and parking matters associated with demolition, construction and operation, have been considered in the Demolition and Construction Transport Assessment (**Appendix 40**) and Operational Integrated Transport Assessment, both prepared by Flow (**Appendix 13**). Transport-related effects are assessed below.

9.6.1 Construction traffic including demolition and excavation

A summary of their assessment on construction effects is provided in the conclusion of the Flow report as follows:

Our assessment of the works to enable the demolition of the Downtown Carpark building to take place and construction of the development project, concludes that, subject to implementation of a range of measures including a CTMP (with a draft being provided with the application, and a final CTMP to be prepared and implemented by a contractor once appointed), the transport effects resulting from the demolition and construction can be safely and efficiently managed and mitigated. In particular:

- *Construction vehicle loading can be safely provided on Lower Hobson Street, with the closure to general traffic of the existing southbound slip lane located adjacent to the Site. Construction vehicles will enter from Nelson Street or Fanshawe Street from the west, enter the Site from underneath the flyover, and exit through the Customs Street West end. There will be further construction vehicle access points in and out of the site, once inside the Lower Hobson Street construction zone.*
- *Short term full closures of Lower Hobson Street and Customs Street West will be required to facilitate the removal of the pedestrian overbridge and the Downtown Carpark ramp. With these works full road closures are unavoidable, but can be undertaken during a school holiday or public holiday weekend. This will require some bus routes to be temporarily diverted, and also require temporary alternative routes to be provided for vehicles, pedestrians and cyclists.*
- *Footpaths along the site frontages can be retained throughout the primary demolition and construction phases with the provision of Class B hoardings. The Customs Street West footpath will always be kept open, while the Lower Hobson Street footpath will be kept open when possible. There will be gated access points for construction vehicles in and out of the site along the footpaths to safely manage interactions between pedestrians and construction vehicles.*
- *Heavy construction vehicle movements can be accommodated during weekday peak periods, up to the 48 truck movements per hour. This can apply during any phase of construction or demolition as an upper limit. We have assessed that these construction vehicle movements will not have a noticeable impact on the local intersections around the site, or bus routes in the area.*
- *Throughout the primary demolition and construction phases, the impacts on the network are not expected to be noticeable. Our traffic modelling assessment predicts average vehicle journey times will increase by only 3 seconds. The majority of bus routes will not have any noticeable changes to travel times during these phases.*

Given that the demolition and construction activities are temporary and with appropriate measures in place, it is considered that the effects can be effectively mitigated from a transportation perspective. In terms of construction traffic management, a draft CTMP has been provided, and a condition is proposed by the applicant. Based on experience of construction planning and traffic management associated with similar developments of this scale and bearing in mind capacity within the existing road network; with the appropriate CTMP in place, it is considered that construction activities can be managed such that the effects of the associated access, parking and traffic will be appropriate.

9.6.2 Operational Traffic

A summary of the Flow assessment on operational traffic effects is provided in the conclusion of their report as follows:

In summary, we consider that the Proposal will operate safely and efficiently from a transport perspective, as

- *The Site has good walkable access to rapid and frequent public transport services, high-quality walking and cycling paths, and complementary land uses*
- *The proposed use of the vehicle accesses will not result in adverse effects on the surrounding road network nor internal site traffic, including*
- *The vehicle traffic generated by the proposed activities can be readily accommodated by the capacity of the adjacent road network*
- *The infringements to the transport standards of the Unitary Plan do not generate adverse off-site effects, and any on-site effects can all be managed*
- *Demolition and construction traffic can be suitably managed consistent with standard practice.*

Overall, we consider the operational transport effects of the Proposal to be acceptable. The development provides a well-integrated transport arrangement that aligns with relevant planning provisions, meets technical design expectations, and supports a safe and accessible urban environment. There are no traffic engineering or transport planning reasons to preclude consent from being granted, subject to the conditions recommended.

In terms of the hotel pick-up and drop-off area for the hotel activity located along the Customs Street West frontage, this has been designed to provide a safe and efficient short-stay access facility to support the functional requirements of the hotel. The need for a pick-up and drop-off/porte cochere is addressed in the THSA Hotel Advisors Report included as **Appendix 41**. A draft Hotel Pick-Up and Drop-Off Management Plan is included as **Appendix 30** which outlines measures to manage the use of the hotel pick-up and drop-off area for exclusive use by the hotel activity and prevent queuing onto the road network.

Given the assessment and conclusion from Flow's reporting and based on the recommended mitigation measures, the proposed trip generation and access and parking arrangements are considered appropriate for the development such that the proposal will not compromise the function, capacity or safety of the roading network. Overall, it is considered that any adverse effects with respect to operational traffic, access and parking related matters will be appropriate.

9.7 Noise and Vibration

Potential adverse effects associated with construction activities (including demolition) and noise emission from the proposed activities (operational) have been considered in the Assessment of Acoustic Assessment of Effects prepared by MDA (**Appendix 38**).

9.7.1 Construction noise and vibration including demolition and excavation

A summary of the MDA assessment is provided in the conclusion of their report as follows as it relates to demolition and construction.

- *Construction noise effects are predicted to be reasonable if good practice mitigation and management measures are implemented*
- *Demolition and D-wall piling is predicted to infringe the noise limits, by 5 decibels for up to 3.5 months, at the neighbouring M Social building to the north, with measures proposed to manage associated effects*
- *Sheet piling is predicted to infringe the noise limits at four neighbouring buildings, by up to 15 decibels for up to 2 weeks, with measures proposed to manage associated effects*
- *Construction vibration is predicted to comply with the cosmetic damage and amenity limits at all neighbouring buildings*

With respect to construction noise, the Acoustic report includes a range of mitigation measures to be included in the construction methodology such as screening or noise barriers where possible, concrete cutting enclosures, specific equipment selection, restricted working hours and monitoring. This ensures that any potential adverse noise and vibration effects on the environment are minimised to the best practicable level, whilst providing for temporary construction works to facilitate a level of development anticipated by the zone. The proposed methods have been carefully considered to ensure unnecessary noise and vibration to neighbouring properties are minimised but as with other projects throughout Auckland, construction effects are unavoidable and are necessary to facilitate ongoing development.

A final CNVMP will be implemented in order to manage construction activities on site and to meet the requirements of s16 of the RMA. A draft CNVMP is enclosed **Appendix 27**. This includes the identification of the sensitive receivers, the performance standards that must be complied with, noise and vibration monitoring, mitigation consideration including contingency measures and best-practice measures, and communication, consultation and complaints response protocols.

It is important to note that the Site is located in a high noise environment. This is reflected in the noise levels permitted in the City Centre Zone which is generally higher than other zones.

Overall, when having regard to the city centre environment, the proposed mitigation and the implementation of a CNVMP, adverse effects on the environment and neighbours can be managed. The construction noise and vibration effects associated with the development will not be significant and considered appropriate for the scale and nature of the development and the site's location within a high noise environment.

9.7.2 Operational Noise and Vibration

As a mixed-use development containing a number of activities such as residential, hotel, food and beverage, retail and offices, noise will be generated by occupants and visitors with people and

vehicles arriving and departing at the Site and general noise from activities occurring within the Site. The uses are not considered to involve noisy activities that would generate a level of noise that would cause nuisance effects or generate an unreasonable emission of noise, especially given the central city location.

With respect to the retail activities, in particular food and beverage, there is potential for the individual retail tenancies to involve the use of amplified music. Any such amplification of music is expected to be of a low level only and would generally be internal to the building at a background level only. It is not expected to be discernible to any people or property beyond the Site itself or to cause any nuisance effects. The operators may need to moderate the level of music noise at night to ensure compliance.

Section 5 of the acoustic report prepared by MDA provides an assessment of the operational noise of the proposed development. Overall, MDA concludes that:

- *Operational noise emission is predicted to comply with the relevant criteria at all times*
- *Building envelope and internal sound insulation for apartments and hotel rooms will be designed to comply with appropriate criteria*

Based on this advice and having regard to the considerations above, it is considered that operational noise arising from the mixed-use development will be within permitted limits and that an appropriate acoustic environment will be maintained.

9.8 Other Construction Related Effects

The City Centre Zone anticipates the demolition of buildings in preparation of development of city centre sites, specifically in this case for the development of the Site with a comprehensive mixed used tower development.

The demolition of the building is a temporary activity, and suitable measures have been included within the draft CTMP (**Appendix 26**), and a draft CMP (**Appendix 14**) to mitigate effects on pedestrian safety and the amenity of surrounding properties and the transport network. While the demolition of the building and subsequently the construction of the development will result in temporary changes to the public realm, notably road closures, clear alternative routes will be provided so that adverse effects relating to the surrounding transport network are mitigated so that pedestrian and vehicle movements are still safe and efficient.

Further a draft Dust Management Plan is included as Appendix A to **Appendix 25** and Asbestos Management Plan included as **Appendix 42** is proposed to ensure that the amenity and safety of the pedestrians and road users and surrounding properties are maintained throughout the demolition and construction process.

The Site is intended to be developed soon after demolition and is not envisioned to be used for temporary or permanent carparking. Where possible, the demolished materials are to be repurposed and reused or recycled.

Considering the large scale of this Project, the actual construction of the Project will be coordinated and constructed progressively. At this stage, a contractor to undertake the physical construction activities associated with the Proposal is yet to be appointed. However, it is expected that the appointed contractor will prepare a final CMP. This will outline the final construction staging, construction laydown areas, any temporary hoarding required for health and safety purposes and series of best practicable options to be implemented on Site which will be

appropriate for avoiding adverse effects on the adjacent and wider environment. To support the resource consent application, a draft CMP is provided included as **Appendix 14** which details the principles, practices, and procedures to be implemented to manage, remedy, and mitigate potential adverse effects during construction.

Overall, having regard to the above and noting that finalised management plans are provided, certified by the Council and adhered to, it is considered that any potential adverse effects arising from demolition and construction activities will be appropriately avoided and mitigated.

9.9 Excavation and Bulk Earthworks

As set out above, bulk earthworks are required for the construction of the Project, principally involving the basement excavation but also in surrounding roads, associated with demolition. Effects arising from these excavations are assessed below.

9.9.1 Sedimentation

A draft erosion sediment control management plan has been prepared by T+T and included as **Appendix 15**. This report outlines the extent of earthworks proposed, indicative earthworks methodology, earthworks programme and erosion and sediment control measures in accordance with GD05 to be implemented on site over the demolition, earthworks and construction phase, and these are also illustrated on the preliminary erosion and sediment control plans. A finalised set of erosion and sediment control plans will be further developed by the appointed contractor.

It is expected that sediment generation will be minimal during the demolition and construction stages. The bulk earthworks phase is anticipated to take at least 10 to 12 months to complete. While the timing of this depends on the appointed contractor's construction methodologies, this will occur during earthworks season (1st October to 30th April) as far as practicable. However, should bulk earthworks occur during the winter months, additional erosion and sediment control measures will be implemented.

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 effects of sediment generation will be minimised.

9.9.2 Geotechnical and Site Stability

The proposed site is located on land reclaimed in stages between 1850 and 1920 by the Auckland Harbour Board. The site is generally flat in topography and the history of stability, settlement and ground conditions is detailed in the Geotechnical and Groundwater Assessment provided at **Appendix 33**. For the purposes of chapter E36 Natural Hazards as modified by Plan Change 120 (having immediate legal effect) the Geotechnical and Groundwater Assessment and the Landslide Hazard Risk Assessment in **Appendix 46** are relied upon to provide a comprehensive assessment of the site, risk and the proposed mitigation inherent in the proposal. The Geotechnical Assessment and Landslide Hazard Risk Assessment do not identify any evidence of past landslides or is predicted to be susceptible to shallow landslides and/or large-scale landslides, taking into account the relative potential likelihood of a landslide occurring in the future, compared with surrounding areas. The geotechnical report also considers risk associated with seismic events, liquefaction and the potential for adverse effects on neighbouring properties.

The Geotechnical Assessment overall concludes that there are no significant geotechnical hazards and by implementing the recommendations contained within the T+T report, the development is unlikely to be affected by significant geotechnical hazards nor will the development worsen, accelerate or result in material damage.

Earthworks and excavations across the Project Area are proposed to facilitate the basement excavation including the installation of civil infrastructure. The geotechnical report by T+T in Error! Reference source not found. provides a detailed analysis of subsurface conditions beneath the site and a suite of recommendations for the detailed design of retaining walls, foundation design options and settlement monitoring together with recommended methodologies during basement excavation to ensure that land and slope stability is maintained. These recommendations are endorsed by the applicant.

In reliance on this advice from T+T and noting that the suite of mitigation measures recommended are endorsed by the applicant, it is considered that any adverse geotechnical and land instability effects will be avoided or mitigated to achieve acceptable level of risk.

9.9.3 Groundwater

As identified in the AUP, groundwater diversion has the potential to impact the groundwater regimes, surface water bodies, neighbouring structures and services and on people and communities.

Having regard to the groundwater drawdown assessment undertaken by T+T included as **Appendix 33** and when taking into account ground deformations on the surrounding land, buildings and underground services, it is considered that any potential drawdown and settlement effects are within the acceptance criteria for both structures and infrastructure. A draft Groundwater and Settlement Monitoring and Contingency Plan (GSMCP) is provided in **Appendix B** of the T+T report (refer to **Appendix 33**) to provide monitoring of the basement excavation works and surrounding areas to assess if the ground and groundwater conditions are consistent with the design analyses and the response of structures are within design tolerances. The GSMCP also includes actions where wall deflection or settlement of monitoring points exceeds proposed alert and alarm limits.

It is acknowledged that potential groundwater drawdown may have an effect on Mana Whenua values. Relevant iwi authorities have been consulted in relation to this project in particular the proposed groundwater drawdown. Out of the 11 iwi groups consulted, representatives of Ngāti Whanaunga had responded and requested an on-site hui. Consultation with iwi is ongoing, and the applicant is committed to the obligation to ensure that these cultural effects are identified, understood, and appropriately addressed.

Overall, and subject to the GSMCP being implemented, it is considered that any adverse drawdown and settlement effects associated with the basement excavation are appropriately mitigated.

9.9.4 Contamination

A Preliminary Detailed Site Investigation (preliminary DSI) by T+T has been prepared for the proposal and this is enclosed **Appendix 16**. Due to access constraints, current building foundations, and the fact that the existing carpark building remains operational, soil and groundwater sampling to support a Detailed Site Investigation (DSI) has not been completed and will be provided as a condition of consent.

The Site is on reclaimed land and has been used for a wide range of commercial purposes including port activities which indicates that Hazardous Activities and Industries List (HAIL) activities have been undertaken on this piece of land. While a DSI has not been completed, T+T has reviewed site investigation data from surrounding area and results from sampled reclamation fill extents indicated that reclamation fill was generally found to contain low concentrations of metals and Polycyclic aromatic hydrocarbons (PAH) which typically comply with the relevant acceptance criteria for the protection of both human health and the environment. Encountered fill containing industrial and demolition waste on the other hand has been found to contain elevated concentrations of metals and PAHs, and in some cases included total petroleum hydrocarbons (TPH) and/or the presence of asbestos. However, underlying natural soils are expected to yield concentrations within natural background ranges, i.e. uncontaminated.

Groundwater samples recently collected to west of the Site typically reported concentrations of contaminants that complied with the ANZECC Guidelines for the protection of aquatic ecosystems, at the 80% level of protection. The occasional exceedances of these criteria were considered unlikely to present a significant risk to the environment given the dilution available within the receiving environment (harbour).

As a DSI has not been completed, a preliminary CSMP (refer to **Appendix 17**) has been prepared which outlines procedures to manage potential ground contamination effects on human health and the environment during ground disturbance activities associated with the proposed site development works and include requirements for pre-works sampling and testing prior to earthworks commencing.

On this basis and by implementing the measures contained within the CSMP during the earthworks phase, it is our overall conclusion that any adverse effects on human health and the environment will be avoided, remedied or mitigated.

9.9.5 Archaeology

Clough & Associates has undertaken archaeological investigations across the site and an Archaeological Assessment for the proposal is enclosed as **Appendix 34**.

In summary, and in reference to Figure 28 of the archaeological report, there is one recorded archaeological site in the Project Area, R11/3458, associated with the Auckland Graving Dock. Clough & Associates notes that there is also potential for both 19th and early 20th century remains such as seawalls, building foundations, historic artefacts, drainage pipes and other features within the Project Area.

In relation to R11/3458 Auckland Graving Dock, Clough & Associates note the following with regards to its archaeological value and significance:

The archaeological value of sites relates mainly to their information potential, that is, the extent to which they can provide evidence relating to local, regional and national history using archaeological investigation techniques, and the research questions to which the site could contribute. The surviving extent, complexity and condition of sites are the main factors in their ability to provide information through archaeological investigation. For example, generally pā are more complex sites and have higher information potential than small midden (unless of early date). Archaeological value also includes contextual (heritage landscape) value. Archaeological sites may also have other historic heritage values including historical, architectural, technological, cultural, aesthetic, scientific, social, spiritual, traditional and amenity values.

Overall, site R11/3458 is considered to have moderate archaeological/historic heritage value based on the criteria discussed, as it was designed by a well-known and renowned engineer, William Errington and was the first graving dock constructed in Auckland. As the dock was demolished, and in terms of information potential there are detailed historical records available on its design and specified construction materials, the overall significance is lowered, although any extant remains will have some value.

Due to the depth of excavation proposed to facilitate the basement, the proposed works will effectively destroy the recorded archaeological site R11/3458 and any other unrecorded archaeological/historic heritage remains that may be present within the Project Area. It is proposed to mitigate the effects of the proposed works on archaeological and other historic heritage values through the recording of any surviving remains of the archaeological site (R11/3458) along with additional information to be gained through the recording and sampling of reclamation fill to provide information on late 19th century and early 20th century activities associated with the Auckland waterfront. An Archaeological Authority to Modify will be obtained from Heritage New Zealand Pouhere Taonga prior to any earthworks commencing within the extent of R11/3458. The Authority to Modify Application under the FTAA is addressed in Part C of this report.

Based on the assessment and conclusions in the archaeological report, the potential adverse effects on archaeological values are mitigated and overall acceptable given the nature of the recorded archaeological site and archaeological monitoring and recording proposed.

9.10 Servicing and Infrastructure

The provision of infrastructure to service the development has been considered in the documentation prepared by T+T and as set out in section 5.4 of this report. The T+T Infrastructure Concept Design Report included as **Appendix 19** confirms that the development can be adequately serviced in terms of stormwater, wastewater, water supply and other utilities and telecommunications. It is noted that the total impervious area of the land subject to this application will decrease due to the proposed landscaping within the development.

9.11 Use and Storage of Hazardous Substances

The use and storage of hazardous substances is primarily associated with the back-up power generation system. The development proposes a total diesel storage capacity of approximately 20,300 litres, comprising two bulk storage tanks located on Basement Level 4 and five smaller day tanks on Basement Level 1 and Level 1. The tanks will be double-skinned, four-hour fire-rated units equipped with leak detection systems and secondary containment to ensure full compliance with the Health and Safety at Work (Hazardous Substances) Regulations 2017. Minor quantities of hazardous substances such as biocides, scale inhibitors, corrosion inhibitors, and anti-foaming agents will also be stored and used for building maintenance purposes.

Potential hazards identified include the risks of fire or explosion, spillage or leakage during refuelling or transfer, contamination of stormwater or marine environments, and cumulative risks from nearby facilities. Each of these hazards has been comprehensively assessed, with mitigation measures incorporated into the design and operation of the facility.

The risk of fire or explosion is considered low due to the non-volatile nature of diesel, its high flash point, and the use of double-skinned bunded tanks located within enclosed basement plant rooms. The installation of fire suppression equipment, spill kits, and emergency response systems will

further minimise residual risk. Spill or leakage risks will be managed through the use of overfill protection valves, dry-break couplings, and bunded storage areas providing 100% secondary containment capacity. Spill response procedures and trained personnel will ensure any accidental discharges are contained and remediated promptly.

In terms of potential risks from flooding and coastal inundation, the site design incorporates floor levels above the 1% AEP flood level, watertight tank enclosures, and flood barrier systems at all access points. Even under extreme events, the diesel tanks will remain sealed and contained, preventing any discharge to the environment. In terms of ecotoxicity, diesel is classified as hazardous to aquatic life (9.1B). However, with the bunded containment, indoor storage, and comprehensive stormwater protection measures in place, the potential for contaminants entering the Waitematā Harbour is negligible.

All management and operational procedures are defined in the draft Hazardous Substances Management Plan ("HSMP") (refer **Appendix 32**), which includes detailed spill response procedures, staff training protocols, maintenance schedules, and signage requirements in accordance with GHS 7 standards. The HSMP also integrates with the site's broader Emergency Response and Management Plans, ensuring an effective and coordinated approach to incident management.

Overall, implementing the proposed mitigation and operational measures and plans will ensure that the diesel storage tanks avoids or adequately mitigates adverse effects, including risks, to people, property

9.12 Natural Hazards

Natural hazard risk has been considered in relation to coastal hazards, flood hazards and landslide susceptibility. A comprehensive risk assessment has been undertaken in the specialist reports provided by T+T as included at **Appendices 23, 33, 44 and 46**. Overall, these assessment conclude that potential adverse effects associated with coastal inundation, landslide risk and flooding effects for the development and arising from the development on adjoining properties will be appropriately mitigated and achieve acceptable levels. With adaptive options available to continue to manage risk to acceptable levels beyond 2100.

Risk to people within the site, property and uses beyond the site and residual risk are addressed in further detail in section 9.12.1 to 9.12.3 below and as a component of 9.9.2 'geotechnical and site stability' above.

9.12.1 Flood hazards

Flood hazards applicable to the proposal have been identified with respect to; those located within the site area; and those present immediately adjacent to the site within the road corridor which are identified in relation to proposed access and egress from the site in several locations.

The nature and extent of flood hazards are detailed in the Flood Hazard and Risk Assessment appended at **Appendix 23**. This assessment concludes that flood risks people within the site are, subject to the mitigations inherent in the proposal, acceptable. The proposal does not exacerbate or worsen flood impacts on adjoining sites or uses (including the road corridor) and flood mitigation measures provide for management of risk to hazardous substances and critical building functions.

The Flood Hazard and Risk Assessment, which includes a comprehensive risk assessment, concludes that risk to people within the site is acceptable. This overall risk assessment identifies the flood mitigation measures inherent in the design (such as elevated flood levels) and those proposed to manage flood flows in extreme events (including the provisions of flood barriers) and raising of ground floor levels will appropriately manage risk to people within the property in flood events. For residents or patrons of the site safe refuge can be provided within the property; and access and egress of the property can be provided in a flood hazard event (utilising the Customs Street West access). Finished floor levels and the location of hazard sensitive uses above flood levels mitigates incursion of flood flows into habitable areas.

The Flood Hazard and Risk Assessment identified the utilisation of flood barriers to prevent flood waters from entering the service lane and basement levels of the development. On the southern side of the site (to Custom Street West) flood barriers may not be required should land recontouring options allow vehicular access and egress under extreme flood scenarios. This would provide for additional vehicular access to and from the site in a flood event. Flood barriers on the northern side of the site provide a mitigation for flood flows entering the laneway from the north.

Recommendations for emergency management planning for the site will be put in place at the appropriate time to ensure the identified behavioural and operational flood mitigation are implemented to manage risk.

The Flood Hazard and Risk Assessment identified that the development of the site will not result in the acceleration, exacerbating or new flood effects on other properties, through the maintenance of the hydraulic functions of the site where the site in its entirety is impervious. Overland flow entry and exit points (not shown in GeoMaps) through the Service Lane will remain unchanged between the pre- and post-development scenarios. When flood barriers are up, flow will be prevented from passing through this flow path, this has been considered in the flood assessment and modelling has demonstrated that there are no adverse flooding effects resulting from the operation of the flood barriers including the function of the road network for public users and emergency service vehicles.

9.12.2 Coastal hazards

Coastal hazards have been assessed in relation to the Proposal. The proposed development is situated within a coastal inundation hazard area subject to future coastal inundation exposure (in a 1% AEP event) with sea level rise of between 1.0 and 1.5 m. Coastal erosion hazard areas are not identified for the site due to the location of the site within the armoured and reclaimed area of the central city. Land stability and geotechnical considerations are addressed in section 9.12.3 below.

With respect to future coastal inundation hazards the proposal is identified as mitigating significant coastal inundation risk through floor level elevation for the ground floor and a flood barrier applicable to the northern access for the Service Lane and basement carparking area. Coastal inundation hazards are located within the northern area of the site and are not identified as impacting access to Lower Hobson Street or Customs Street West under the 1.5m relative sea level rise scenario.

The risk to people on the site has been considered in the coastal hazard flood assessment. Safe refuge and safe egress can be provided in a coastal inundation event, including up to 1.5m of RSLR.

As such risk is considered to be managed to an acceptable level in response to future coastal hazard exposure.

The potential for the proposal to exacerbate or worsen hazard impacts on neighbouring sites and uses has been addressed in the coastal flood hazard risk report. The building design and flood barrier mitigation will not adversely affect neighbours' exposure to coastal inundation flood impacts.

Risks to basement parking, critical building infrastructure and storage of hazardous substances are considered to be insignificant to low as water would not enter the basement, assuming the barrier is suitably designed, maintained, and deployed during any event. Recommendations for emergency management planning for the site will be adopted ensuring the identified behavioural and operational coastal flood mitigation are implemented to manage risk.

9.12.3 Residual risk

Residual risk has been identified in both Coastal and Flood hazard Assessments as a relevant consideration for the management of risk to basement uses including the storage of hazardous substances, critical building plant and basement parking use. The primary risk treatment for flood risk is the utilisation of flood barriers to prevent flood flows from entering the basement area. In flood events that exceed the design parameters, floodwaters could overtop the proposed flood barriers, leading to inundation of the Service Lane and basement. Opportunities to reduce the consequences of inundation in such circumstances include the use of flood management plan/emergency response protocols including the removing or relocation of assets. Where coastal flood risk may increase with relative sea level rise, (2100 and beyond) further adaptive actions can be considered, enabling the continued safe function of the building, management of risk to hazardous substances and assets within basement areas. Residual risk is therefore considered to be appropriately managed to acceptable levels.

9.13 Social Effects

Social benefits are addressed in section 9.1 above. Potential effects relating to construction and amenity will be addressed through mitigation proposed in relation to those matters (refer to assessment in sections 9.2 to 9.9).

9.14 Economic Effects

Economic benefits are addressed in section 9.1 above however further comments are provided below.

The Economic Impact Assessment (**Appendix 36**) identifies a broad range of qualitative and quantitative economic benefits associated with the development of the existing Downtown Carpark site into a high-quality, mixed-use development. The report concludes that the proposal will yield significant positive net economic effects for Auckland and the wider region, with only minor, temporary economic costs during construction.

The project will deliver a substantial economic injection of approximately \$1.64 billion in direct capital expenditure (excluding land) and generate around 11,914 full-time equivalent (FTE) years of employment over the eight-year development period. Approximately \$650 million will be contributed to regional household incomes, alongside significant indirect and induced activity across construction, professional services, and retail sectors.

Beyond this direct investment, the report identifies several long-term qualitative benefits, including:

- Increased retail, commercial, residential, and hotel capacity in the city centre.
- Improved development feasibility for surrounding land, catalysing further regeneration and investment.
- Enhanced efficiency of infrastructure use through intensification in a highly serviced, transit-oriented location.
- Greater economic density and agglomeration effects, supporting innovation, competition, and productivity.
- Expanded employment opportunities and a more diverse, resilient urban economy.
- Increased visitor expenditure and tourism potential through the introduction of a premium international hotel.
- Strengthened vitality, amenity, and liveability of the city centre through new public spaces and 24-hour activation.

These outcomes collectively reinforce Auckland's competitiveness as an international business and visitor destination, aligning with the Auckland Unitary Plan (H8 City Centre Zone objectives) and NPS-UD goals for compact, efficient growth.

The report identifies limited economic costs, which are temporary and transitional in nature:

- A net reduction in on-site public carparking;
- Short-term disruption to nearby businesses and access during demolition and construction phases;
- Potential generation of adverse environmental effects (relative to no additional activities at the site)
- Potential construction-related inconvenience to pedestrians and vehicle movements, to be mitigated through the draft Construction Management Plan (CMP).

No lasting or material negative economic impacts were identified. The development optimises existing infrastructure, minimises public cost exposure, and supports a shift toward sustainable, high-productivity urban land use.

Overall, there are no anticipated long term economic adverse effects associated with this proposal. The proposal represents a significant investment in Auckland's resulting in benefits for the regional economy and community. It will drive regional growth, employment, and productivity, while delivering urban regeneration and efficiency gains that far outweigh any short-term costs.

9.15 Summary of Effects

The above assessment identifies the potential and actual effects on the environment relating to the Proposal. Subject to the imposition of conditions, all effects) from the Project will be avoided, remedied or mitigated to an acceptable level.

10.0 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.

10.1 Objectives and Policies Approach

A summary of the key objectives and policies is provided in the sections that follow.

10.2 National Environmental Standards

This section of the application is provided in accordance with Clause 5(2)(a) of schedule 5.

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

The intent 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 are contained to ensure the land is safe for human use.

The proposed ground disturbance is essential to enabling and facilitating the development of the Site. While a DSI has not been completed given the existing use, T+T has reviewed Site investigation data from surrounding area and results from sampled reclamation fill extents indicated that reclamation fill was generally found to contain low concentrations of metals and PAHs which typically comply with the relevant acceptance criteria for the protection of both human health and the environment. Encountered fill containing industrial and demolition waste on the other hand has been found to contain elevated concentrations of metals and PAHs, and in some cases included TPH and/or the presence of asbestos. However, underlying natural soils are expected to yield concentrations within natural background ranges, i.e. uncontaminated. As such, to address any potential contamination, a preliminary CSMP (**Appendix 17**) has been prepared which outlines procedures to manage potential ground contamination effects on human health and the environment during ground disturbance activities associated with the proposed site development works and include requirements for pre-works sampling and testing prior to earthworks commencing. In doing so, the overarching purpose and objective of the NESCS to protect human health will be achieved.

10.2.2 Other National Environmental Standards

The Proposal does not require resource consent under any of the other National Environmental Standards (listed in Section 8.3), and therefore an assessment against the intent of these is not required.

10.3 Other Regulations Made Under the Resource Management Act 1991

This section of the application is provided in accordance with Clause 5(2)(b) of schedule 5.

The Proposal does not require resource consent under any other regulations made under the RMA.

10.4 National Policy Statements

This section of the application is provided in accordance with Clause 5(2)(c) of schedule 5.

10.4.1 National Policy Statement on Urban Development 2020

The National Policy Statement on Urban Development ("NPS-UD") aims to ensure New Zealand's towns and cities are well-functioning urban environments that meet the changing needs of our diverse communities. It enables the development of land and infrastructure for urban land uses while recognising the national significance of well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing. For the reasons below in particular, the project aligns with the NPS-UD:

- The Project is a comprehensive development within the Auckland city centre located in an area of very high transport accessibility and overlooking the Auckland waterfront and Viaduct Harbour area which will contribute to achieving a well-functioning urban environment. The Project will enhance and complement the existing Auckland city centre and waterfront area which will in turn contribute to meeting the needs of the growing community within the surrounding areas as well as the wider city (in accordance with Objective 1).
- The development of the Site will integrate well with the existing transport infrastructure noting the significant funding for the City Rail Link as it connects to the Waitematā Station in the Auckland CBD (in accordance with Objective 6).
- The Project will support a reduction in greenhouse gas emissions through the reduction in the carpark numbers and by locating employment opportunities and other amenities in close proximity to surrounding residential land uses and public transport again noting the Waitematā Station along with the City Rail Link (in accordance with Objective 8).

Overall, the Proposal will contribute to a well-functioning urban environment, particularly with respect to its contribution to the scale and diversity of commercial and office activity within the city centre, which is highly accessible by public transport and contains a range of services. The Proposal will also support the competitive operation of the office development market in Auckland by providing additional supply. For the same reason, the Proposal would make a significant contribution to realising development capacity for business land in the city centre.

10.4.2 Other National Policy Statements

The following comments are made in respect to other national policy statements:

- National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat 2023 (NPS-GGE) – This NPS provides nationally consistent policies and requirements for reducing greenhouse gas emissions from industries using process heat. The proposal does not include industrial process that general heat/ greenhouse gas emissions and therefore the NPSHPL does not apply. Therefore, an assessment of this NPS is not required
- National Policy Statement on Highly Productive Land 2022 (NPS-HPL) – 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 Zone and HPS-HPL does not apply. Therefore, an assessment of this NPS is not required
- National Policy Statement for Freshwater Management 2020 (NPS-FM) – This NPS provides local authorities with updated national direction on how they should manage freshwater under the RMA. The Proposal does not include removal or alteration of any natural freshwater wetlands. Therefore, an assessment of this NPS is not required
- National Policy Statement for Indigenous Biodiversity 2023 (NPS-IB) – this NPS provides direction to local authorities to protect, maintain and restore indigenous biodiversity requiring at least no further reduction in indigenous biodiversity nationally. The Proposal does not include removal or alteration of indigenous biodiversity. Therefore, an assessment of this NPS is not required.
- 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.
- National Policy Statement on Electricity Generation – this NPS sets out the objectives and policies for managing the electricity transmission network. There are no electricity transmission lines or transmission network structures within the Site, and therefore an assessment of this NPS is not required.

10.5 New Zealand Coastal Policy Statement

This section of the application is provided in accordance with Clause 5(2)(d) of schedule 5.

The purpose of the NZCPS is to state policies in order to achieve the purpose of the RMA in relation to the coastal environment of New Zealand.

The NZCPS sets out the relevant issues that are applicable to the coastal environment of New Zealand. Importantly, formulation of policy documents such as regional policy statements and coastal provisions must give effect to the NZCPS provisions. The AUP and ARP: C provisions have been prepared in accordance with the NZCPS and as the consent status of structures and activities within the Coastal Marine Area (“**CMA**”) are either permitted, restricted discretionary or discretionary activities, it is considered that they would be consistent with the objectives and policies of the NZCPS.

The purpose of the NZCPS is to set out a high-level policy framework that achieves the purpose of the RMA in relation to New Zealand’s coastal environment. The formulation of policy documents such as regional policy statements and coastal provisions must give effect to the NZCPS provisions.

While the proposal does not involve works within the CMA, the NZCPS is still relevant to this application because the Site is located 100 metres from the inner Waitemata Harbour coastal environment and more generally because the CMA is the receiving environment for eventual stormwater discharges from the Site. Policies 6, 13 and 18 are directly relevant to the Proposal, as stormwater will drain to the existing coastal outlets. The following comments are provided with regard to the above-mentioned policies:

- Policy 6: Activities in the coastal environment
 - The development proposal seeks to discharge stormwater through the public reticulated system, and while the stormwater from the site does not directly discharge into the CMA, it is acknowledged that this will eventuate in the coastal environments. As outlined in the Infrastructure Concept Design Report (**Appendix 19**), best stormwater management practices will be adopted. Further it is noted that the proposal removes all above grounds carparking and as such high contaminant generating activities are minimised from the stormwater discharges from the site. As such, it is considered that adverse effects from the stormwater activities on the coastal environment are appropriately mitigated.
- Policy 13: Preservation of natural character
 - The proposal sits within a highly modified part of the coastal environment and is appropriate in that context. However, it has avoided physical changes to the coastal environment by setting all buildings away from the coastline preserving the coastal environment.
- Policy 18: Public open space
 - The proposal provides for the social and cultural wellbeing of the community by providing enhanced public open space in an area of the coastline that is currently private. The Te Uranga Hau / the Urban Room promotes improved connections between the CBD and the waterfront and contributes to Auckland's sense of place through the connection of public places with the Waitematā Harbour.

Overall, given the city centre context of the Site, the natural character of the coastline will be generally preserved noting the proposed buildings are located outside of the CMA and Te Uranga Hau / the Urban Room will provide a public open space and lanes will provide access from the south to the inner Waitematā Harbour and through the Site from the east to the Viaduct Harbour.

10.6 Auckland Unitary Plan (Operative in Part) 2016

This section of the application is provided in accordance with Clause 5(2)(e) and 5(2)(f) of schedule 5.

The AUP(OP) comprises Auckland's Regional Policy Statement (RPS), and regional and district plans. The AUP(OP) 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.

An assessment of the proposal against the relevant objectives and policies of the AUP(OP), including PC79 and PC120, is provided below:

10.6.1 Objectives and Policies of the Auckland Unitary Plan (Operative in Part)

10.6.1.11 Regional Policy Statement

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 Downtown Carpark Site within the Auckland city centre will include high-quality mixed-use buildings with a significant new public realm including an extensive new laneway network and civic space – Te Urunga Hau / the Urban Room.

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 Waitemata (Britomart) 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, retail, and office), high density residential use and public open spaces will enable social and economic vitality. Cultural vitality is provided through the integration of Te Aranga Design Principles along with input from Haumi and Ngāti Whātua Ōrākei input to the proposal developing Tikanga Māori Cultural narrative. 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 to a commercial building will create increased employment and commercial opportunities for future demand consistent with objective B2.5.1.(1) and (2), including concentrating additional commercial growth in the city.

Objectives B2.7.1(1) and (2) will also be given effect to with the creation Te Urunga Hau / the Urban Room which will be publicly accessible and generously sized to meet recreational needs of people and communities. This will connect and complement the existing open spaces along the Waitemata coastline ensuring public access is enhanced to Auckland’s Waterfront.

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 reference to objective B3.2.(1), the development and upgrading of infrastructure (as necessary) is enabled, which in this case includes the necessary reticulation system to service the Proposal and achieving the necessary connections to existing bulk infrastructure.

While the Proposal does not include any land use and development that would give rise to reverse sensitivity effects on the existing infrastructure, the site could be subject to noise from port activities and commercial activities. Internal acoustic insulation and ventilation is provided for all residential units including the hotel rooms and no balconies or private outdoor spaces are proposed for the majority of the apartments so the noise effects of commercial and port activities are avoided or mitigated to further reduce any reverse sensitivity effects in line with policy B3.2.1(6).

With respect to transport objective B3.3.1(1), the Proposal is consistent with this objective as the proposal provides laneways through the Project site to a standard that can safely support the

movement of people, goods and services in an efficient and effective manner. This is anticipated by the Downtown West Precinct and the removal of the carparking building will inherently decrease the vehicular traffic movement across the Site thereby creating a safer traffic environment and will foster the potential uptake of public transport noting the site's close proximity to Waitemata Station.

B5 – Historic heritage and special character

Historic heritage places contribute to Auckland's distinctiveness as a visitor destination and to its economic vitality. Part of the Site (204 Quay Street) is within the scheduled extent of place of a Category B Historic Heritage Place relating to the former Auckland Harbour Board Workshops (Historic Heritage and Special Character: Historic Heritage Overlay Extent of Place [rcp/dp] - 1969, Auckland Harbour Board Workshops (former)), which is currently occupied by a number of office, food and beverage and retail activities.

As part of the demolition, the pedestrian footbridge is proposed to be removed with the connection to the heritage building to be disestablished. This will restore the façade of the former Auckland Harbour Workshop Building, and the proposed building on the Site will provide clear distinction for the heritage building. This aligns with Objectives B5.2.1.(1) and (2) and Policies B5.2.2.(8) and (9) which seeks that historic heritage places are protected from inappropriate use and development and provide for restoration where this will not detract from the historic heritage value of the place.

B6 – Mana Whenua

The Project is considered consistent with objectives B6.2.1(1) and (2) and policy B6.2.2(1) through involvement of Ngāti Whātua Ōrākei in the Project and the consultation and engagement with Mana Whenua groups that have occurred to date. The applicant is committed to consult with the iwi representatives and engage with the interested iwi groups on an ongoing basis. This process is also consistent with 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.

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 potentially 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 overland flow paths and flood plain so that the risk to people and property is avoided or otherwise managed. These management approaches will meet policy B10.2.2(7), (8), and (10).

While the site is subject to Coastal Inundation (1 per cent AEP Plus 1m Control - 1m sea level rise), the buildings within the extent of the inundation have been designed (through the proposed freeboards) in a way that mitigates the adverse effects of the coastal hazard taking into consideration the next 100 years thereby meeting policy B10.2.2(13).

The proposed diesel storage system for back up energy generation incorporates secondary containment, leak detection, and fire protection, supported by a certified Hazardous Substances Management Plan covering inspection, maintenance, and emergency procedures. This ensures that hazardous substances are safely stored, used, and managed within a fully enclosed, flood-

protected basement plant area. As such, the hazardous substances associated with the proposal are effectively managed thereby meeting Objectives B10.3.1.(1-2) and policies B10.3.2.(1-3). With respect to contaminated land, the implementation of the CSMP (**Appendix 17**) 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.

10.6.1.12 Regional and District Plan Provisions

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 reinforce the objectives and 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. The policies also enable the tallest building and greatest intensity of developments to occur in the core central business district. A full assessment of each relevant objective and policy is enclosed as **Appendix 45** and a high-level summary 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.
- The proposed development will replace a carparking building and provide additional commercial and residential floor space and publicly accessible lanes and spaces in the city centre that will provide an attractive place to work, live and gather.
- The location of the proposed development has good connections to public transport (notably Waitemata 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.
- The Proposal includes an extensive new laneway network and civic space – Te Urunga Hau / the Urban Room, a significant new addition to the public realm providing a key pedestrian linkage to the western side of the Auckland Viaduct.
- 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.
- The Proposals responds to Policy 29 where the greatest building heights and greatest density is enabled in the core of the city centre.

- Policy 30 seeks to manage the adverse effects associated by building height and form by transitioning height to the waterfront, protecting sunlight to identified public open spaces, requiring the height, form and design of new building to be complementary to existing and planned built form and character and avoiding adverse dominance and/or amenity effects on streets and public open space. 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. In particular:
 - A height transition down from the core of the city centre towards the waterfront (including Viaduct Harbour Precinct to the west) is provided. In particular, the step down in height from T1 to T2 and the location of T2 closer to Quay Street contributes to the transition. The chamfers on both towers also contribute to this height transition.
 - The shading assessment undertaken by McIndoe Urban confirms that the proposal does not cast shade onto Te Komititanga/Queen Elizabeth Square at the times of day and year identified by the AUP(OP). In relation to shading of St Patrick's Square the shading studies identify minor patches of mid-winter shade on the Swanson Street edge entry points of the space during the identified times however the adverse effects arising from this infringement are assessed as negligible and well within the anticipated environmental outcomes for the city centre. Shading analysis in the Urban Design Assessment also addresses shading on streets and other public spaces. No identified viewshafts are affected.
 - The towers will be seen in the context of the emerging built form (both existing and consented development) within this part of the city.
 - The scale, form and design of the podiums are well designed and delivers human scale at the street edge with the scale, form and design of the towers above being elegant and slender. Adverse effects of dominance and amenity effects on streets and public open space will be avoided through, in particular the set back of the towers and the design of the podia.

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

I205 Downtown West Precinct

The Downtown West Precinct is located within the heart of the city centre waterfront, between the established Viaduct Harbour Precinct and regenerating Britomart Precinct. These provisions guide the form and qualities of development within the precinct and, in containing specific provisions within the AUP for the site and locality, in our view are important to the consideration of this application. An assessment of each relevant objective and policy is provided below.

The proposed buildings will include a mix of uses ranging from the retail on the ground floors, and commercial, hotel and residential activities on the upper levels contained within two towers. The proposed built form and scale will be well integrated into the Auckland city centre and adjoining Viaduct Harbour and achieves objective I205.2.(1) and policy I205.3.(1). The inclusion of Te Urunga Hau / the Urban Room, a new high quality public space between the towers, along with new pedestrian access points along Lower Hobson Street to the west and Custom Street to the south, will enhance the pedestrian connectivity to the Auckland CBD and the waterfront to meet objective I205.2.(2) and policy I205.3.(2) & (3).

Further, the new pedestrian accesses along both Lower Hobson Street and Customs Street provide excellent pedestrian connectivity and accessibility through the site as well as improved access to

Waitematā Station. The new pedestrian accesses further support the functionality of the area's transport interchange to meet objective I205.2.(3) and policy I205.3. (2).

Overall, for the reasons given above, we consider the proposal will give effect to the objectives and policies of the Downtown West Precinct.

D17 Historic Heritage Overlay

The objectives and policies for Historic Heritage Overlay seek to protect, maintain, restore and conserve scheduled historic heritage places. Through the objectives, the places are also sought to be protected from inappropriate use and development, including inappropriate modification, demolition or destruction.

The policy provisions (D17.3(8) to (11)) clearly “enable”, “support” and “provide for” modifications and development to scheduled historic heritage places where they will contribute to ongoing maintenance and enhancement of the values of the place; does not compromise the ability to interpret the place; and secures the long-term viability and retention of the place.

The remediation works to the façade of the former Auckland Harbour Board Workshops enhances the building’s heritage values and fabric. The proposed modifications match the existing windows that are original and involves replacing non-original fabric with more appropriate fabric and reinstating lost elements demonstrated in the original plans for the building.

Overall, it is considered that the Proposal is consistent with the policy direction for modifications to a scheduled historic heritage place and will give effect to the objectives to protect, maintain and enhance the values of the place.

E7 Taking, using, damming and diversion of water and drilling

The policy relating to groundwater that is considered to be most relevant to this proposal is set out in section E2.3(23) and is to require 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.

Having regard to the assessment provided by T+T, it is considered that any potential drawdown and settlement effects related to groundwater diversion will be acceptable, such that it is considered that the proposal is in accordance with this policy.

E11 (Regional) & E12(District) Land disturbance

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(1)).
- The Council’s Geomaps viewer confirms that there is no Mana Whenua cultural heritage within the site itself or in close vicinity.

- An Archaeological Authority to Modify will be obtained from Heritage New Zealand prior to any earthworks commencing within the extent of R11/3458.
- The geotechnical report in the application material confirms the Site is not subject to instability and provides a suite of recommendations that are accepted by applicant to ensure the stability and safety of surrounding land, buildings and structures, thereby giving effect to Policy E11.3(6) and Policy E12.3(6).
- The implementation of a suite of erosion and sediment control measures in line with GD05 will ensure that sediment runoff or discharge will be suitably mitigated and minimised (Objective E11.2.(3)).

Overall, the relevant Land Disturbance (Regional and District) objectives and policies will be met.

E23 Signs

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

The proposed signage is considered to be consistent with these desired outcomes. The elevation drawings demonstrate that the signs on the exterior of the buildings do not visually dominate the façade on which they are located. Content for this signage is yet to be developed and is expected to be designed in collaboration with future tenants. However, given that the Project includes office, hotel, retail and food and beverage activities, it is a reasonable expectation that this will feature the name or logo (or both) of the retailer and company occupying part of the building and a style of design that reflects their particular branding. 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.

E25 Noise and vibration

The objectives and policies seek to manage the levels of noise and vibration created by activities to limit adverse effects of noise and vibration on amenity values, human health and to protect existing noisy activities from reverse sensitivity effects.

It is anticipated that both the commercial and residential aspects of the project will not exceed maximum noise limits in the AUP (OP). It is noted that the site is located in the core of Auckland city centre, which has higher ambient background noise levels than areas outside of the city centre. As such, noise from commercial activities and port activities are reasonably expected. However, to mitigate any reverse sensitivity effects, the residential apartment units and hotel rooms, specific façade and internal acoustic design ensure that suitable internal acoustic amenity are provided and occupants are protected from unreasonable levels of noise and vibration. In addition, no balconies or outdoor spaces are provided for most the apartments so that the noise effects of commercial activities are avoided to further reduce any reverse sensitivity effects. For these reasons, the proposal accords with objectives E25.2(1) and (3) and policies E25.3(1) to (3).

Construction noise is an inherent part of development in any environment and this is not considered to be an unacceptable outcome. The Assessment of Noise and Vibration Effects by MDA predicts that noise and vibration from construction will generally comply with limits set out in the Chapter E25 although there will be some instances where the construction noise levels are exceeded to some adjacent properties. The Acoustic Assessment concludes that effects of the development will be acceptable in this environment subject to mitigation measures such as use of quieter equipment, installation of noise barriers and preparation of a final CNVMP. This accords with policy E25.3(10) which allows for mitigation of the adverse effects of noise and vibration from construction, maintenance and demolition activities. Provided that these measures are secured via conditions of consent, it is considered that the proposal will meet the objectives and policies of protecting people from unreasonable noise and managing adverse effects.

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 are managed in a manner that supports 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 road network and connectivity to the Waitemata Station noting the extension of the rail network through the City Rail Link.

The proposed hotel pick-up and drop-off area/porte-cochère aligns with E27 Objectives E27.2(1)–(4) and Policies E27.3(1)–(4) by providing a safe, efficient, and actively managed short-stay access facility that supports the functional requirements of the hotel activity while maintaining network efficiency, pedestrian priority, and compact urban form. Through measures outlined in the draft Hotel Pick-Up and Drop-Off Management Plan (**Appendix 30**), the vehicular entry and exit for the hotel manages any on-street effects in the surrounding transport networks.

A significant new public realm will be provided within the development including an extensive new laneway network and civic space which will provide improved pedestrian connection and activation within the area. Further, the proposed development will significantly reduce the number of carparks which ultimately will reduce the traffic movements from the Site and increase traffic safety which accords with objectives E27.2(3) and policies E27.3(4) and (17).

Overall, the relevant transport objectives and policies will be met.

E30 Contaminated land

The objectives 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 and will be managed to protect the environment and human health via the measures outlined in the CSMP.

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

E31 Hazardous Substances

The E31 Hazardous Substances chapter manages the use, storage and disposal of hazardous substances on land and in the coastal marine area that can present a specific risk to human or ecological health and property. The sites where activities take place are defined as hazardous facilities. Risks are influenced by the nature of the hazardous substance, its quantity, what parts of the environment may be affected by an adverse event, the likelihood of an event, and the degree of effect.

The proposal is considered to be consistent with these provisions for the following reasons:

- The risks of the storage and use of hazardous substances within the diesel storage tanks to people, property and the environment are avoided as they are located within a fully enclosed basement area, separated from public access and sensitive activities. The use of bunding, signage, and restricted access ensures the risk profile is appropriate to the urban context.
- The proposed diesel and minor chemical storage is fully contained within double-skinned, fire-rated tanks equipped with leak detection and overfill protection. Spill kits, bunding, and emergency procedures ensure any incident is contained and remediated on site. Risks to public safety and the environment are therefore minimised.
- There will be restricted access to the tanks for authorised personnel only with no public access. Only certified site workers who have undergone induction and training on the use, management, and safety protocols for hazardous substances will be permitted on-site. This ensures that any risks to human health are avoided and or minimised; and
- The HSMP establishes clear procedures for inspection, maintenance, training, emergency response, and record keeping. Implementation of the HSMP will ensure long-term compliance and continual risk reduction.

Overall, it is considered that the proposal accords with the objectives and policies of the provisions for hazardous substances.

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 is achieved through the provision of safe refuge from existing and future flood scenarios (including the effects of sea level rise up to 1.5m). And provisions for safe egress from the site, to the Custom Street West and via elevated accessways, during an extreme flood event. Vehicle access to Custom Street West may also be achievable, although is not required to achieve acceptable risk levels, subject to detailed design. Management of risk and residual risk to uses within basement levels is identified as acceptable. Noting the

potential for future adaptation actions (in 2100 and beyond) to respond to increasing inundation hazard risk.

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. Assessment in relation to land stability, seismic risk and associated liquefaction risk have been considered and required design standards and parameters achieved.

The proposal is considered consistent with and to meet the objectives and policies of chapter E36 (including those introduced through Plan Change 120).

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. 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 and mitigated with best practicable measures and will be minimised as far as practicable.
- 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 the removal of structures where full road closures are anticipated will be undertaken outside business hours as far as practicable to minimise disruption.
- A series of management plans in relation to construction management, construction traffic and noise (both demolition 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.
- While being carried out over a 56-64 month period, the demolition and construction activities are over a large area and will not impact on specific adjoining properties for the full duration.

Overall, the relevant Temporary Activities objectives and policies will be met.

10.7 Relevant Rules and Assessment Criteria of the Auckland Unitary Plan (Operative in Part)

The AUP (OP) specifies standards, matters of discretion and assessment criteria to be considered in assessing applications for specific consent matters. These provisions largely cover the same matters that have been discussed and assessed in the above report, pertaining to environmental effects and the objectives and policies of the Plan. The matters of discretion and assessment criteria provides relevant matters to be considered. Additional assessment is provided below.

With respect to the Business – City Centre Zone and Downtown West Precinct standards, the proposal requires consent for the following:

- Construction of new buildings and alterations and additions to buildings not otherwise provided for
- Demolition of buildings

- Non-compliance with Admission of sunlight to public places (St Patricks Square) standard
- Non-compliance with Harbour Edge Height Control Plane
- Infringements to standards:
 - Maximum tower dimension, setback from the street and tower separation in special height area;
 - Maximum east-west tower dimension;
 - Building frontage alignment and height
 - Verandahs;
 - Minimum floor to floor height;
 - Wind; and
 - Minimum dwelling size;
- Downtown West Precinct
 - New buildings and alterations and additions to buildings;
 - Open space;
 - Vehicle, cycle and pedestrian connections; and
 - Development that does not comply with Pedestrian connections standard.

10.7.1.13 New buildings and alterations and additions to buildings not otherwise provided for in the City Centre Zone and Downtown West Precinct

Matters of discretion and criteria for assessing new buildings and alterations and additions to buildings not otherwise provided for in the City Centre Zone and Downtown West Precinct are set out in Standards H8.8.1(1), H8.8.2(1), I205.8.1(1) and I205.8.2(1). These include design and external appearance; form and design of buildings adjoining historic heritage place; design of parking, access and servicing; design and layout of dwellings; and functional requirements. The purpose of controlling new buildings and alterations and additions in the City Centre zone is to manage the scale of development and ensure new buildings successfully integrate with the city centre's existing and planned built form and public realm to create an attractive and recognisable skyline.

These matters are addressed comprehensively in the relevant effects assessment above and the Urban Design Assessment prepared by McIndoe Urban. We concur with and adopt the assessment of the matters of discretion and assessment criteria in the Urban Design Assessment prepared by McIndoe Urban. The following additional comments are made:

- The building design and external appearance of the podium buildings provides human scale and an activated street edge. Together with Te Urunga Hau / the Urban Room, the development will significantly enhance the local streetscape at this part of the city, contributing to a sense of place.
- The towers above the podium buildings are designed to be slender with chamfers at the top of the towers to provide a tapered form which will contribute to the city centre's skyline.

- The podium buildings have clearly defined entrances with separate commercial, hotel and residential lobbies provided as well as separate entrances to retail tenancies. The ground floor of the building is slightly above the street level at Lower Hobson Street due to flood constraints. However, the key entry points have been designed to be legible and inviting thereby creating a positive frontage notwithstanding the level difference.
- The modifications to the HSBC and Aon podia are considered to be an improvement and will enhance the visual amenity at Lower Albert Street and corner of Lower Albert Street and Customs Street West through the reconfiguration of the stairs and new canopy.
- Blank walls are avoided on all levels of building frontages to streets and public open space by locating servicing and plant rooms within the Site, away from public view. Where walls are fronting streets or other public open space, hard and soft landscape elements are proposed along the façade to create visual interest.
- Visual interest is achieved through varying form, material and finishes and subtle colour variation proposed.
- Cantilevered balconies are avoided and apartments are accessed from internal corridors as opposed to external breezeways.
- The proposed signage zones are designed as an integrated part of the building façade.
- The Project is guided by cultural narratives developed in collaboration with design partners, Haumi and Ngāti Whātua Ōrākei. This is discussed in more detail in the Architectural and Landscape Report and the Cultural Design Report included as **Appendix 9B** and **Appendix 10** respectively.
- The Project has provision for vehicle accesses from both Quay Street and Customs Street West with loading provided on Site to recognise the functional requirements of the activities proposed.
- The podium buildings are designed to achieve human scale with T1 setback 5.5m from Custom Street West and T2 setback 4.5m from the street to minimise dominance effects to 204 Quay Street.
- No at grade parking spaces are provided with all parking spaces located internally and screened from public view. Separate vehicle and pedestrian accesses are provided.
- Suitable provision is made for on-site rubbish and recycling storage is provided within the basement to service the development. The provision of a Waste Management Plan is proposed to be a condition of consent.
- As detailed in the Infrastructure Concept Design Report and Operational Integrated Transport Assessment included in **Appendix 19** and **Appendix 13** respectively, the Project is able to adequately served by wastewater and transport infrastructure.
- The dwellings have been orientated to maximise outlook and daylight access. This, together with the communal amenities provided will provide good-quality living environments for future residents, in conjunction with the development's location with respect to local amenities and public transport.

Based on the assessment provided above and noting majority support at the final TAG confirmation, it is considered that the proposed development is a of high quality urban design that

accords with the relevant assessment criteria for new buildings and alterations and additions not otherwise provided for in the City Centre Zone and Downtown West Precinct.

10.7.2 Demolition of buildings

Matters of control and criteria for assessing the demolition of buildings provided for in the City Centre Zone are included in Standards H8.7.1(1) and H8.7.2(1). Having regard to the relevant matters of control and assessment criteria, the following comments are made:

- The demolition of the building is a temporary activity, and suitable measures have been included within the draft CMP (**Appendix 14**) and CTMP (**Appendix 14**) to mitigate effects on pedestrian safety and the amenity of surrounding properties including the transport network. While the demolition of the building will result in some temporary changes to the public realm, notably road closures, clear alternative routes will be provided so that adverse effects relating to the surrounding transport network are mitigated so that pedestrian and vehicle movements are still safe and efficient.
- Where possible the demolished materials are to be repurposed and reused or recycled.
- The Site is intended to be developed soon after demolition, and is not envisioned to be used for temporary or permanent carparking.

Based on the assessment provided, it is considered that the demolition of the existing Downtown Carpark building accords with the relevant assessment criteria provided for in the City Centre Zone.

10.7.3 Admission of sunlight to public places

The purpose of the Standard H8.6.3 Admission of sunlight to public places is to manage the scale of development around identified public open spaces to ensure they receive adequate sunlight when those spaces are most used.

As described in section 9.3 above, the proposal marginally exceeds the sunlight admission standard due to minor shading cast on the northern (Swanson Street) edge of St Patrick's Square.

The shading diagrams (refer to **Appendix 9E**) demonstrate that the additional shading is extremely limited in area and duration, occurring for no more than three minutes at mid-winter between 12pm and 2pm. To support this assessment, a public space audit was undertaken for St Patrick's Square to understand how St Patrick's Square was used by people (refer to **Appendix 37**)

The largest shadow cast extends only 0.484m into the north-west corner of the St Patrick's Square, affecting an area of 0.62m², while a secondary minor shadow affects 21.3m² near the north-east entry stairs for a similar duration. It is noted that the shading occurs solely over entry and circulation areas, not within the primary seating or gathering zones, which are already shaded by existing buildings during winter.

Having regard to the purpose of the rule, the relevant assessment criteria and AUP (OP) objectives and policies and the comprehensive assessment undertaken by McIndoe Urban and Isthmus, the following comments are made in relation to this infringement:

- The affected areas are circulation areas rather than spaces intended for passive recreation or extended occupancy. This is supported by the public use audit undertaken for St Patrick's Square.

- The duration and timing of shading are fleeting and occur only within the already shaded winter period when the Square receives limited sun due to surrounding existing buildings.
- The additional shading would be barely perceptible to users and does not materially alter the level of amenity or usability of St Patrick's Square throughout the year.

While the proposal infringes Standard H8.6.3, the extent and effects of the shading are minimal and short-lived, confined to non-sensitive edge areas of St Patrick's Square. The infringement is therefore minor in scale and impact, and the proposal remains consistent with the intent of the standard and relevant objectives and policies of the City Centre Zone.

10.7.4 Harbour Edge Height Control Plane

The purpose of the Harbour Edge Height Control Plane ("HEHCP") in Standard H8.6.5 is to:

manage the scale of buildings at the western end of Quay Street to:

- *to provide a transition in building height from the core central business district to the waterfront;*
- *maximise views between the harbour and the city centre; and*
- *reinforce the Quay Street east west connection running from the corner of The Strand and Quay Street to the east and Jellicoe Street in Wynyard Precinct to the west by the alignment of tall building frontages.*

The policy direction in the AUP (OP) enables the greatest building heights and density in Auckland to occur in the City Centre core. The Site is located within a Special Height Area where the greatest building heights are enabled. Building height is managed by the AUP (OP) St Patrick's Sunlight Admission Control, and moderated by the HEHCP.

The proposal infringes the HEHCP standard given both towers extend beyond the 40m + 45° plane from the centreline of Quay Street. The extent of the infringement is detailed in section 8.4 and the rules assessment (**Appendix 22**). The matters of discretion and assessment criteria contained in Standards H8.8.1(8A) and H8.8.2(8A) for assessing infringements to the HEHCP standard.

Having regard to the purpose of the rule, the relevant assessment criteria and AUP (OP) objectives and policies and the comprehensive assessment undertaken by McIndoe Urban and Isthmus, the following comments are made in relation to the HEHCP:

- The towers have been designed to achieve a height transition from the core of the city centre towards the waterfront. In particular, the stepdown in height from T1 to T2 and the location of T2 closer to Quay Street contributes to the transition. The chamfers on both towers also contribute to this height transition.
- Views between the harbour and city centre core will be retained despite the infringement through the gaps between the towers. The towers are separated by approximately 15m with a setback of at least 10m from HSBC and Aon buildings. While the AUP(OP) acknowledges that it is not the intention of the HEHCP to protect views from private property to the harbour, the separation provided between the towers and existing development contributes to north south views across the Site.
- The upper parts of the tower have been carefully designed and will provide a positive contribution to the Auckland skyline. The extension of the glazed façade elements to form the

crown together with the chamfers proposed avoids abrupt or arbitrary truncation of the upper parts of the building.

- As assessed in detail in the Landscape Assessment undertaken by Isthmus, the proposed towers will be of scale, bulk and appearance which represents a visually compatible addition to the city centre.
- The shading assessment undertaken by McIndoe Urban confirms that additional shading to the waterfront will be minimal. The setback of the towers from the waterfront will minimise any perceived dominance effects associated with the building bulk penetrating the HEHCP.
- The podium buildings have been designed to provide human scale with the towers above setback from the street frontage to ensure the development is consistent with the scale, visual harmony and form of the existing streetscape.
- The buildings have been designed to ensure adequate light, space and generally amenity is achieved around the development through the tower separation provided.
- It is not considered that there are particular Site development characteristics which have constrained the form of development proposed.

Based on the assessment provided above, it is considered that the infringement to the HEHCP accords with the purpose of the Standard and relevant assessment criteria as it relates to the exception.

10.7.5 City Centre Standard Infringements

As identified above, resource consent sought for infringements to maximum tower dimension, setback from the street, verandahs, minimum floor to floor height, wind, outlook space and minimum dwelling size are sought. The extent of the infringement is detailed in section 8.4 and in the rules assessment (**Appendix 22**). The relevant matters of discretion and assessment criteria for assessing these infringements are contained in Standard C1.9(3), H8.8.1(6), H8.8.2(6), H8.8.1(9), H8.8.2(9), H8.8.1(10), H8.8.2(10), H8.8.1(11), H8.8.2(11), H8.8.1(15) and H8.8.2(15).

These matters are addressed comprehensively in the relevant effects assessment above and the Urban Design Assessment prepared by McIndoe Urban and the **Landscape and Visual Assessment by Isthmus Group**. We concur with and adopt the assessment of the matters of discretion and assessment criteria in the Urban Design Assessment and **Landscape and Visual Assessment**. The following additional comments are made:

- **Maximum tower dimension, and setback from the street and tower separation in special height area:** The purpose of this standard in H8.6.24 is to “*ensure that high rise buildings are not overly bulky and are slender in appearance; provide adequate sunlight and daylight access to streets and public spaces; provide a consistent human-scaled edge to the street; provide adequate sunlight, daylight and outlook around buildings; enable views visual connections through the city centre; and mitigate adverse wind effects*”. The infringements relating to the maximum tower dimension, and setback from the street and tower separation standard are assessed in section 2.4 of the Urban Design Assessment. Having regard to the Urban Design Assessment, it is considered that the proposed infringement is appropriate when having regard to chamfers at the tops of both towers which give a sculpted quality, add visual interest, reduce bulk and contribute to visual slenderness. The podiums are designed to create a sense of human scale at the street edge. In addition, the plan configuration

contributes to suitable views across the site and allows for daylight, sunlight and outlook between the towers.

- **Maximum east-west tower dimension:** The purpose of this standard in H8.6.24A is to *ensure that high-rise buildings provide adequate physical, cultural and visual connections with, and visual permeability to, the Waitematā Harbour*. Only the top of P1 infringes this standard. Having regard to the Urban Design Assessment, it is considered that the proposed infringement is appropriate considering the north-south view that might otherwise be screened by this podium infringement is already blocked by M Social to the north. Furthermore, adequate physical connections with the harbour are achieved at ground and Level 01 through Te Urunga Hau / the Urban Room.
- **Building frontage alignment and height:** The purpose of this standard in H8.6.25 is to *ensure streets are well defined by human-scaled buildings and provide a sense of enclosure to enhance pedestrian amenity, while still providing adequate sunlight and daylight access to streets*. Having regard to the Urban Design Assessment, it is considered that the proposed infringements are appropriate as the podiums provide street edge definition that is in scale with the street while strongly defining the corner of Lower Hobson Street and Customs Street West. While P3 infringes the minimum height along the frontage, it reads as part of the Urban Room entry and therefore does not compromise street edge definition. The infringements to the maximum frontage height will ensure street pedestrian amenity is maintained include providing for adequate sunlight and daylight access to streets through podium design and layout.
- **Verandahs:** The purpose of this standard in H8.6.26 is to *“provide pedestrians with weather protection on main streets”*. A verandah is provided along Lower Hobson Street however no verandah is provided along Custom Street West. Notwithstanding the absence of a verandah provided along the Customs Street West frontage, weather protection is provided within the development through the podium cantilever and canopy over the entry to Te Urunga Hau / the Urban Room from Customs Street West.
- **Minimum floor to floor height:** The purpose of this standard in H8.6.27 is to *“ensure the commercial buildings are adaptable to a wide variety of uses over time; and adequate sunlight and/or daylight is provided into the interior spaces of commercial buildings”*. The ground floor retail tenancies have been designed with a 4.2m floor to floor height to accommodate and attract a wide range of activities over time.
- **Wind:** The purpose of this standard in H8.6.28 is to *“mitigate adverse wind effects generated by high-rise buildings”*. Wind tunnel investigations have been undertaken by Holmes for the proposal. In summary, the wind tunnel results confirm that most of the locations are suitable for their intended use apart from locations 338, 9, 18, 26, 7 & 42 in which Category D wind conditions are expected on the surrounding streets. Having regard to the investigations undertaken by Holmes, the following comments are made:
 - Location 9: In terms of safety criteria, gust speed was found to be 26m/s and therefore marginally above the 25m/s threshold. However, this is similar to the existing conditions (ie without the Project) except a slight shift of the area of peak gustiness further south (closer to Podium 2) as a result of the proposed development.
 - Location 8, 9 and 42 (Lower Hobson Street): Conditions remain in Category D which is windier than the Category C conditions normally required for a footpath. However, these

conditions are similar or calmer than existing conditions, in particular slightly further north of these locations.

- Location 18 (Urban Room): Category D conditions occur in this area under the bridge between T1 and T2. This condition localised to location 18 and occurs in a walking transitional area (i.e., not for gathering). In addition, it is noted that conditions are only marginally windier than the Category C conditions normally needed for a walking area.
- Location 26 (Customs Street West): Category D conditions occur in this area due to a local airflow acceleration between the block to the north and the trees to the south. It is noted that these conditions remain local only.

Overall, it is considered that adverse wind velocity and turbulence effects in the surrounding pedestrian spaces can be avoided to the extent that an acceptable level of comfort and usability can be maintained for these spaces.

- **Minimum dwelling size:** 30 of the one-bedroom units within T2 do not achieve the minimum 50m², with 45m²-48m² provided. The following comments are made in this regard:
 - The units have a generous floor to ceiling of 3.3m and a functional apartment layout with enough room for circulation including a space for individual laundries within units.
 - The provision of a communal residents lounge and dining room will provide for guests and groups that would otherwise be cramped within the smaller apartments.
 - Dedicated cycle parking and storage facilities within the basement remove the need for storage space within the units.

Overall, it is considered that the proposal accords with the assessment criteria for infringements of development standards.

10.7.6 Downtown West Precinct

Matters of discretion and criteria for assessing the provision of open spaces, vehicle, cycle and pedestrian access and circulation, and infringing the pedestrian connection standard are contained in Standards I205.8.1(2), I205.8.2(2), I205.8.1(3), I205.8.2(3), I205.8.1(4), and I205.8.2(4). Having regard to the relevant assessment criteria, the following comments are made:

- Te Urunga Hau / the Urban Room (with part of it to be provided as a public open space bonus floor area) will be a significant new addition to the public realm providing key pedestrian laneway and civic space for people to gather. It will also provide amenity for the future occupants of the site.
- An integrated and efficient vehicular access through the utilisation of the existing service lane is provided as part of the development.
- A safe and legible hotel pick-up and drop-off/porte cochere is provided on the Customs Street West frontage.
- The pedestrian connection provided within Te Urunga Hau / the Urban Room has been designed to be of high quality, safe and legible. It will provide a key pedestrian linkage to the western side of the Auckland Viaduct and will be an extension to the existing laneway network within Commercial Bay to the east. Te Urunga Hau / the Urban Room will also provide north

south connection from Federal Street (although not generally aligned due to constraints associated with existing HSBC and Aon buildings) through to the harbour.

Overall, it is considered that the Proposal accords with the assessment criteria contained within the Downtown West Precinct.

10.8 Planning Document Recognised by a Relevant Iwi Authority

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

Of the 11 relevant Iwi authorities engaged as part of this application, we have identified the following iwi management plans in Table 1 below. No other Iwi have currently Iwi Management Plans that could be located as far as practicable.

Iwi	Relevant Iwi Management Plan
Ngāti Rehua Ngati Wai ki Aotea	Ngāti Regua Ngātiwai ki Aotea: Hapū Management Plan (2013)
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
Waikato – Tainui	Tainui Environmental Plan 2013
Ngaati Whanaunga	Ngaati Whanaunga: Environmental Management Plan 2019
Ngāti Tamaterā	Ngāti Tamaterā: Environmental Management Plan 2019

Table 3. Relevant Iwi Management Plans

It is noted that the RMA does not detail specific matters for consideration for an Iwi Management Plan or standard plan layout. 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.

10.8.1 Ngāti Whātua Ōrākei

Te Pou O Kāhu Pōkere Iwi Management Plan for Ngāti Whātua Ōrākei 2018

The Ngāti Whātua Ōrākei Management Plan 2018 (Te Pou O Kāhu Pōkere) is a document which outlines the interests and values of Ngāti Whātua Ōrākei in resource management matters through policy and implementation. Iwi consultation has been undertaken with Ngāti Whātua Ōrākei, as well as it being a partner for the development.

A letter of support for the project from Ngāti Whātua Ōrākei is included as **Appendix 2**.

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

- The applicant has committed to delivering a development that is a minimum of a 5 Green Star rating, and aiming to achieve a 5 Green Star outcome for commercial aspects of the proposal and 6 star Homestar for the majority of the residential apartments. This includes a variety of energy efficient design elements, including roof gardens, as well as long-term planning for resource recovery and circular economy opportunities.
- The development also has aspirations to be of national significance that creates a world-class development distinctive to Auckland. The mixed-use approach to this development will enable people to live within the city centre, reducing the need for vehicles, and increasing the accessibility to local transport networks, namely the Auckland City Rail Link.
- The Proposal will result in the removal of over 2,000 carparks and replacement with approximately 454 carparks, bicycle parking and end of trip facilities. It is anticipated that this will reduce adverse effects significantly on the adjacent road network and provides for more sustainable, active transport modes within the CBD.
- As Ngāti Whātua Ōrākei is a project partner for the development, there are agreements in place for intergenerational prosperity by providing for meaningful employment and business opportunities across a long-term horizon, as well as opportunities for contractors.
- The design of the building has incorporated an approach to addressing any natural hazards and by accommodating parking at the lower levels (below ground).
- An archaeological authority is sought in application in order to modify recorded archaeological feature R11/3458, the standard discovery protocol will also be utilized and recommended as a condition as part of this application.

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 Ōrākei in Te Pou O Kāhu Pōkere.

10.8.2 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.

An assessment against the resource management interests against the resource management statement are as follows:

- As mentioned above, an archaeological authority is being sought for modifications to a recorded archaeological feature, and previous engagement has been had with HNZPT. The accidental discovery protocol is proposed as a condition of consent for any unidentified or unexpected discovery.
- The development will implement comprehensive landscaping and urban design features to ensure a very high-quality building façade and civic space (Te Uranga Hau) integrating Te Aranga Design Principles, and a strong Tikanga Māori Cultural narrative through ongoing input from Haumi as part of the architectural design.
- The Site has previously undergone significant development and modification of the natural environment. The Proposal seeks to incorporate a higher degree of landscape visual appearance through high quality urban design and landscape outcomes.

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 Te Kawerau ā Maki Resource Management Statement 1995.

10.8.3 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:

- Crown Agencies / Territorial Authorities with Ngai Tai ki Tamaki fulfil their responsibilities regarding the sustainable management of natural and physical resource in a way that actively recognises and supports the Kaitiaki rights (including decision making) and responsibilities of Ngāi Tai ki Tāmaki guaranteed by the Treaty of Waitangi;
- To enhance on-going practical expression of Kaitiakitanga through the establishment of contracts restoring damaged ecosystems and through ongoing education, training, research, monitoring and enforcement programmes between Ngāi Tai ki Tamaki and Crown Agencies / Territorial Authorities.
- Ngāi Tai ki Tāmaki principles and policies assist in their resource management role, to ensure Ngāi Tai ki Tāmaki is consistent in responses to policy and planning input and in its responses to resource consent applications in the rohe in terms of water quality, wastewater, stormwater, waterway planting, sedimentation and erosion control, flood prevention measures, bulk water and industrial supply and archaeological sites

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

- The Proposal represents the sustainable management of natural and physical resources in a way that recognises and supports kaitiaki rights and responsibilities. Notably through the integration of Te Aranga Design Principles, and ongoing input from Haumi for the architectural design of the proposal providing Tikanga Māori Cultural narrative.
- The Proposal also outlines a comprehensive landscaping approach which will enable native and indigenous flora and fauna to be planted and sustained throughout the Site both horizontally and vertically.
- The Proposal includes necessary connections to the public wastewater network so that direct discharge of wastewater into the coastal marine area will be avoided.
- The Proposal contains no ground level carparking so that no high contaminant generating activities will occur on site. Therefore, the Proposal will result in a substantial reduction in contaminant concentration and load before discharge into the public stormwater network.
- 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 and its associated features important to Iwi.
- All earthworks for the Proposal are outside the coastal environment. This will prevent the destruction and modification to interfere with the Mauri of the Wāhi Tapu, noting the significant historic land modification. Where there is an accidental discovery on the Site, works will follow the appropriate protocols and Iwi shall be notified.

10.8.4 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 that all resource management agencies, including the Minister for the Environment, shall recognise and provide for the fact that only Ngāti Te Ata Waiohua has the right to determine what is significant in terms of the Treaty of Waitangi in respect of natural and physical resources and other taonga within its tribal territories.

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

- The Proposal includes an archaeological authority for the works near a recorded archaeological site, and this will be supported further through the accidental discovery protocol as proposed in conditions of consent.
- The proposed landscape planting scheme as mentioned previously, will support the enhancement of indigenous flora and fauna within the CBD area and increase the areas of permeability on Site for rainwater reuse.
- The Project will not adversely affect any sensitive features of the environment, or implicate the provision of kai for future generations.

10.8.5 Waikato – Tainui

The Waikato-Tainui Environmental Plan seeks to provide a pathway that will result in the environmental restoration of the Waikato-Tainui rohe. This plan seeks to achieve a consistent approach to environmental management across the Waikato-Tainui rohe.

The plan identifies 19 key issues and objectives, policies and methods for addressing these of which the following are relevant:

- Valuable historical items, highly prized sites, sites of significance: Site management protocols exist to ensure a precautionary approach to Site works to manage the potential for wāhi tapu and taonga tuku iho discovery.
- Natural hazards: Land use and the construction of structures occurs in a way that does not increase the risk or magnitude of a natural hazard event, and that does not increase the risk or effects on human life or activity in the event that a natural hazard event occurs
- Land: The life supporting capacity of land and soils effectively manages soil nutrient loss and water quality so there is minimal impact on nutrient loss to waterways.
- Land use planning: Development principles are applied to land use and development (urban and rural) and, in particular, development in new growth cells, that enhance the environment
- Infrastructure: Infrastructure development, upgrade, and maintenance manages economic, social, cultural, spiritual, and environmental effects.

The Proposal has been assessed against the Environmental Plan, and the following comments are made:

- With the exception of the Auckland Graving Dock remnants archaeological site, there are no historic heritage sites or sites of significance within the Project area. Notwithstanding, an accidental discovery protocol is proposed as a condition of consent, recognising that there is the potential for sensitive material to be uncovered during bulk earthworks.
- The Proposal will not contribute to exacerbating the effects of the natural hazards that have been identified on the Site, and have been included in the design of the buildings so as to not have any effects on the Proposal or surrounding properties.
- Erosion and sediment control measures will be implemented to manage sediment loss across the Site and maintain water quality. Contaminated land will be remediated.
- The Project is considered to deliver significant mixed-use development in a highly urban area and no known waterways or wetlands within the Site, and any groundwater diversion will be appropriately managed.

It is proposed that the development can be constructed and operated in a manner that is consistent with the environmental and resource management outcomes identified by Waikato-Tainui.

10.8.6 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

Subject to any updated or contrary findings in the Ngāti Whanaunga CVA, 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 and its associated features important to Iwi.
- The development includes energy-efficient design and construction and includes landscaping to incorporate native trees and vegetation into the landscaping elements.

10.8.7 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, waste water 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:

- There will be no discharge consents required to support the Proposal. All stormwater will be dealt with through discharge to the public network, which has confirmed capacity. Wastewater will also be connected into the public network and there are no capacity constraints.
- The Proposal will be striving for a 6 Star Green Star accreditation which will result in contributions to reducing carbon emissions, and sustainable development practices through construction and operation.
- The landscaping palette will include indigenous species that will support for 'greening' of the CBD area.
- The potential natural hazard risk has been considered and appropriately mitigated through the proposed design of the site.

10.8.8 Ngāti Rehua Ngāti Wai ki Aotea

Ngāti Rehua Ngātiwai ki Aotea Trust prepared a Hapū Management Plan (2013) which demonstrates the interests and values relating to resource management on Aotea/Great Barrier Island. This management plan is not applicable to the project, as the interests and values have been developed in the scope of Aotea/Great Barrier Island which is outside the project area and the likely influence of the development.

10.8.9 Summary

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

10.9 Other Plans

10.9.1 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.
- 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 a new laneway network and civic space will contribute to this growth and investment within the city centre.

10.9.2 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. 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 the 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 new significant new public realm including an extensive new laneway network and civic space – Te Urunga Hau / the Urban Room - which will provide a place for people to gather. 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 objectives and policies, which are assessed above.

10.9.3 Auckland's City Centre Masterplan 2012

Auckland's City Centre Masterplan ("CCMP") 2012, which was refreshed in 2020, sets out at a high level the strategic direction for the city centre. The City Centre Masterplan identifies some specific transport, movement, and public realm outcomes for the 'Downtown West' area. It notes that the transformation of the area remains key to integrating the city centre downtown core with the Viaduct Harbour and Wynyard Quarter waterfront neighbourhoods to the west.

An assessment is provided in the Urban Design Assessment (**Appendix 11**) and Landscape and Visual Effects Assessment (**Appendix 12**) against the outcomes of the CCMP. Having regard to these assessments, the following is highlighted.

The CCMP envisages the comprehensive development of the Downtown Carpark site to enhance the quality and experience of this part of Auckland's city waterfront. One of the key objectives of the CCMP is to create pedestrian links north/south between Federal Street and the waterfront, and east/west between Commercial Bay and Viaduct Harbour. This is provided for as part of the development through Te Urunga Hau / the Urban Room. In addition, the proposal unlocks

transformational move 8: Harbour Edge, where the city centre and waterfront will be untied through the development of a new mixed-use destination including public realm improvements.

A core concept of the refreshed CCMP is Access for Everyone (or A4E). The Project is consistent with the objectives of A4E by enabling a decisive mode shift away from private vehicles and aims to make better use of finite city centre space and improve the quality of the environment.

Overall, the removal of the carpark and its development into a mixed-use precinct will have a significant positive effect on the public realm and will realise the CCMP outcomes for this part of the City Centre

10.10 Planning Instrument Considerations Summary

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

11.0 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 of the Act, which includes applying the specific decision-making clauses in Schedule 5.

11.1 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:

- (a) the purpose of the Fast-track Approvals Act;*
- (b) the provisions of Parts 2, 3, 6 and 8 to 10 of the Resource Management Act 1991 that direct decision making on an application for a resource consent (but excluding s104D); and*
- (c) the relevant provisions of any other legislation that directs decision making under the Resource Management Act 1991.*

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. Any provision in Parts 2, 3, 6 and 8 to 10 that would require a decision-maker to decline an application for resource consent under the RMA, “but must not treat the provision as requiring the Panel to decline the application”.

Consideration of Section 104(1)(c) of the RMA must include consideration of any mana whakahono a rohe or joint management agreements. This application has been prepared on the basis that Treaty settlements (as defined by the FTAA) and iwi planning documents lodged with the Council, would also be matters considered under this section.

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.

11.2 Declining an Approval under Section 85

The Panel must decline an approval if one or more of the situations in Section 85(1) and (2) of the FTAA occur. 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.

A Panel may also 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 under section 81(2) that weighs against granting the approval.

12.0 Assessment of the Proposal Against the Fast-track Approvals Act Decision-making Framework

12.1.1 Information Considered

This AEE, and Section 8.0 in particular, has been prepared considering the information referred to in s81(2)(a) of the FTAA to the extent it is currently available. Specifically:

- All of the technical reports supporting the application;
- Information from MfE relating to the Schedule 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 MfE's feedback on the Schedule application; and
- Feedback received from engagement.

12.2 Situations Where the Panel Must Decline an Approval

None of the situations 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 8.10. As such, granting the approvals sought would not breach Section 7 of the FTAA;
- 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; and
- The adverse impacts of the Proposal are not sufficiently significant to be out of proportion to the Project's regional or national benefits.

12.3 The Purpose of the Fast-track Approvals Act

Assessment of the proposal against the purpose of the FTAA is undertaken first because it is relevant to all of the approvals sought in this application, and is to be given the most weight by the Panel in its decisions on all approvals.

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 Downtown Carpark Site Development, and the specific approvals sought to enable the Project, is considered to meet the purpose of the Act for the following reasons:

- The economic impact assessment estimates a \$1.64 billion direct economic contribution into the Auckland economy, with 11,914 FTE-years of employment generated over the eight-year development period. The project is expected to contribute approximately \$650 million to regional household incomes and 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 Auckland's city centre, replacing the existing carpark with a high-quality, architecturally designed mixed-use development. It introduces a new network of laneways, which will improve connectivity between the city centre and waterfront while activating the street edges with retail, hospitality, and civic uses. The development will create a vibrant, pedestrian-oriented environment, significantly enhancing the public realm, legibility, and safety of the city centre.
- The project contributes positively to Auckland's skyline and urban environment. The two slender towers and articulated podiums form a coherent composition that provides a visually distinctive and culturally resonant landmark with strong mana whenua narratives 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 office, residential (apartment and hotel), retail, and civic spaces—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 inclusion of Te Urunga Hau (Urban Room) as a major new public space provides a memorable, inclusive, and culturally layered gathering place. The design expresses mana whenua values and Te Aranga Design Principles, integrating Māori narratives and identity within the built environment. This contributes to a stronger sense of place, belonging, and cultural recognition for Tāmaki Makaurau’s residents and visitors.
- The Proposal 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. Furthermore, the development of a significant mixed-use development contributes to the regional economy and reinforces Auckland’s infrastructure resilience in the city centre.
- The Proposal contributes to climate change mitigation through low-carbon, transit-oriented design. 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 project’s energy-efficient building systems and sustainable infrastructure further reduce the development’s carbon footprint, aligning with Auckland’s climate action goals and supporting broader national efforts to reduce greenhouse gas emissions.
- A notable reason for seeking approvals for the proposal under the FTAA is to deliver a comprehensive and significant project for the region within a short time frame. It will enable Precinct to proceed with post-approvals phases of delivery with confidence, and provide the significant benefits to the region that are set out in this report and supporting assessments.

12.4 Resource Consent 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.

12.4.1 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.

RMA Section	Assessment
5	<p>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.</p> <p>It is considered that the proposed development is complementary to these objectives. The overall Proposal involves high-quality mixed-use development</p>

	<p>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 for 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.</p>
<p>6</p>	<p>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 not considered that the Proposal gives rise to any issues with respect to matters of national importance, in particular sections 6(b), (c), (d) and (g) as there are no outstanding natural features or landscapes, no indigenous vegetation or habitats, no coastal public access and no identified protected customary rights.</p> <p>In terms of section 6(a), the site is in a highly modified environment and subsequently has little to no abiotic or biotic aspects, and while its location is proximate to but set back from the harbour edge and thus experiential attributes of the coast, the Proposal is considered appropriate in its city centre context. The relationship of Maori with ancestral land, sites and other taonga under section 6(e) is addressed through partnership with Ngati Whatua Ōrākei and ongoing engagement with tangata whenua. The restoration of the former Auckland Harbour Board Workshops façade where the foot bridge was connected will enhance the public’s appreciation of the heritage values of the building, and thus address section 6(f).</p>
<p>7</p>	<p>Section 7 identifies a number of “other matters” to be given particular regard to 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 precinct 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.</p>
<p>8</p>	<p>Section 8 requires Council to take into account the principles of the Treaty of Waitangi. The Project is guided by cultural narratives developed in collaboration with design partners, Haumi and Ngāti Whātua Ōrākei. Comprehensive engagement with iwi has been undertaken via the Auckland</p>

<p>Urban Development Office (formerly Eke Panuku) Mana Whenua Governance Forum and the relevant iwi groups have been consulted as part of the preparation of the resource consent application, and this will be an ongoing process.</p>

Overall, as the effects of the proposal are considered to be acceptable, and the proposal accords with the relevant AUP (OP) and NPS-UD objectives and policies, it is considered that the proposal represents the sustainable management of the natural and physical resources of the Site in its city centre location and is consistent with the resource management principles set out in Part 2 of the Act.

12.4.2 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 (for land use consents), 14 (for water use consents) and 15 (for discharge consents) of the RMA;
- Construction noise and vibration effects have been assessed (**Appendix 38**). The specific properties where exceedances are anticipated will be covered by the CNVMP, and the draft CNVMP provided demonstrates that there are a range of specific methods available for managing noise and vibration on those properties. 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 proposal 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 (**Appendix 24**). As a result, it is considered that Section 17 of the RMA has been complied with.

12.4.3 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 the application is Section 104 of the RMA. A comprehensive assessment against 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
- 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, Precinct, is not a natural person and 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 16**. The discharge due to constraints accessing the site, site investigations across the entire site have been deferred until access is available and there are no possible alternative methods of discharge.
- Under section 106A of the Act, a consent authority may refuse to grant a 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 and Groundwater Assessment by T+T attached as **Appendix 33** confirms that the proposed development is suitable for the site provided the geotechnical recommendations outlined within the report are adopted. The Flood Hazard, Coastal Hazard and Landslide Hazard Reports by T+T attached as **Appendix 23, Appendix 44** and **Appendix 46** confirms that the development can be carried out in such a way that appropriately avoids and mitigates any flood, coastal inundation and landslide 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 specific 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, erosion and sediment control and adaptive management 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 DMP (**Appendix 25**) to ensure dust emissions are minimised.

12.4.4 Part 8 of the RMA

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

12.4.5 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.

12.4.6 Part 10 of the RMA

Part 10 of the RMA relates to subdivision and reclamations. It is considered that Part 10 of the RMA is not relevant to this proposal.

12.4.7 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.

12.4.8 Conclusion

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

12.5 Decision Whether to Grant the Approvals Sought in the Application

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 declining an approval in 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 are far outweighed by the extensive significant benefits that will be generated by the Project.

13.0 Proposed 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 24**.

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 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 Act and that the Panel may grant the resource consent subject to the conditions in accordance with Section 81(1)(a) of the FTAA.

PART C – ARCHAEOLOGICAL AUTHORITY (UNDER SECTION 42(4)(i))

14.0 Approval Framework

14.1 Overview

An archaeological authority that would otherwise be sought under the Heritage New Zealand Pouhere Taonga Act 2014 is sought under Section 42(4)(i) of the FTAA.

The Proposal seeks archaeological authority under the Heritage New Zealand Pouhere Taonga Act (HNZPTA) as the proposed development will affect the recorded archaeological site R11/3458 Auckland Graving Dock and a small area of 19th century reclamation.

An Archaeological assessment addressing the required information for an approval described in section 43(3)(i) (archaeological authority) clause 2(1) has been prepared by Clough & Associates in accordance with clause 2(1) of Schedule 8 of the Act (refer **Appendix 34**). This section of the application provides a summary of the information set out within **Appendix 34**.

The application also seeks the approval of a person nominated to undertake the activity under the Archaeological Authority. In this case, the Project Archaeologist is proposed to be Ellen Cameron of Clough & Associates.

For completeness, it is confirmed that the application complies with section 46(2)(a), (b), and (d) of the FTAA.

14.2 Description of land

Clause 2(1)(a) of Schedule 8 of the FTAA requires the application to specify a legal description of the land or, if one is not available, a description that is sufficient to identify the land to which the application relates.

An Archaeological Assessment has been prepared by Clough & Associates, included in **Appendix 34**. The Archaeological Assessment sufficiently describes the site, addition to the site description outlined in Section 5.1 of this Substantive Application. Additional comments are provided below in the context of the archaeological features of the site.

The site of the existing Downtown Carpark, located at 2 Lower Hobson Street, Auckland CBD occupies a reclaimed area of Auckland's waterfront between Lower Hobson Street to the west and Customs Street West to the south, and Lower Albert Street on the east.

The archaeological assessment confirms that this land contains the former Auckland Graving Dock (archaeological site R11/3458) — constructed in 1878–79 and infilled in 1915 — together with surrounding areas of 19th- and early 20th-century reclamation. The boundaries of the dock extended roughly 50 feet (15.24 m) west and south beyond the dock basin, with reclamation to the east undertaken contemporaneously.

These reclamation areas were formed progressively from the 1850s to 1915, involving material sourced from the demolition of Point Britomart and other nearby coastal headlands. The site therefore includes historic reclamation fills, basalt seawall remains, and possibly early 20th-century structural foundations, including remnants of the Gunson Building and maritime infrastructure.

14.3 Owner of relevant land and proof of consent

Clause 2(1)(b) and 2(1)(c) of Schedule 8 of the FTAA requires the application to specify the name of the owner of the relevant land, if the applicant is not the owner of the land; and proof of consent, if the owner has consented to the proposed activity.

The owner of the relevant land is the applicant and is set out in Section 5.4 above.

14.4 Description of each archaeological site

Clause 2(1)(e) of Schedule 8 of the FTAA requires a description of each archaeological site to which the application relates and the location of each site.

The Site is subject to the following recorded archaeological site within the development area:

- R11/3458 – Auckland Graving Dock
- Unrecorded Reclamation Deposits (19th & Early 20th Century)

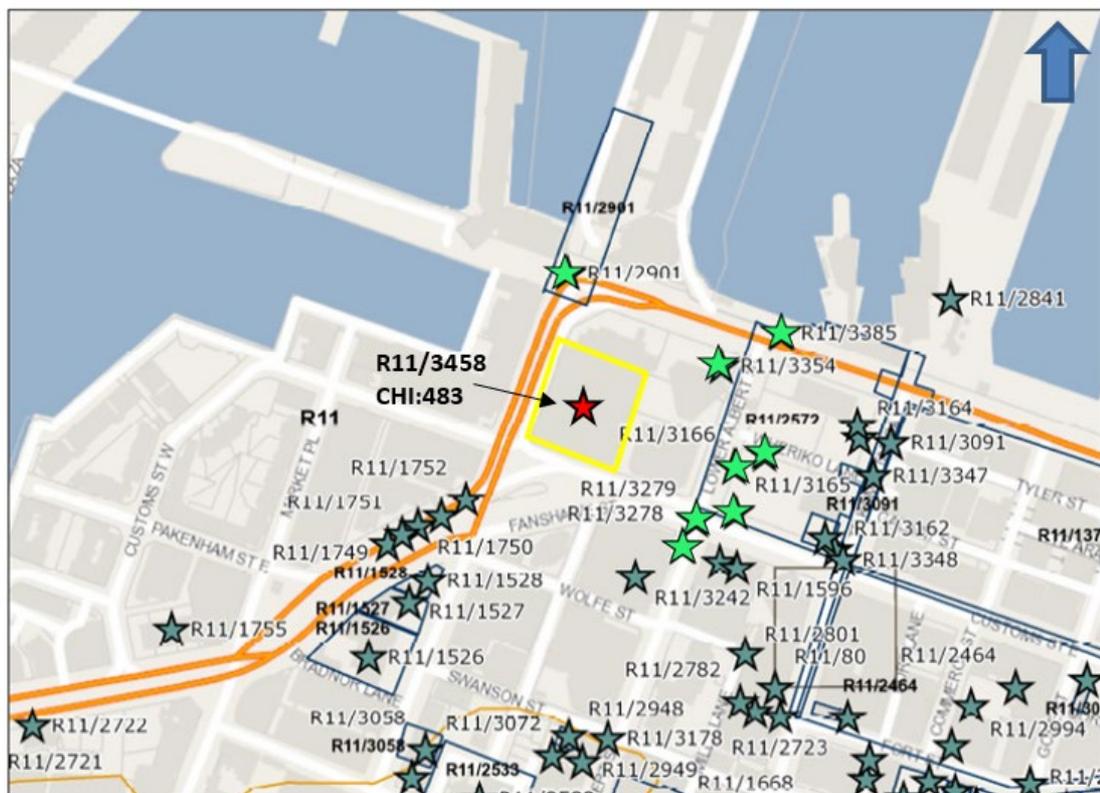


Figure 17. Map showing the recorded archaeological sites in proximity to the Project Area (outlined in yellow) with sites described in the text of this report indicated by green stars and newly recorded site R11/3458 (The Auckland Graving Dock) represented by red star (source: NZAA ArchSite Website)

14.4.1 R11/3458 – Auckland Graving Dock

The site comprises the remains of the former Auckland Graving Dock, a large masonry dry dock built to service shipping in the late 19th century. It included stone and concrete dock walls, a pump house and engine house complex, caisson gate, culverts, and associated drainage and conduit systems. The dock extended approximately 15 m west and south beyond its coping and was flanked by reclamation formed from excavated material and imported fill.

Although demolished in 1915, archaeological evidence (foundations, culverts, machinery bases, etc.) was identified during 2000 investigations on the adjacent AMP Tower site. And so considered likely that some features will have survived, as the graving dock was a structure that continued to substantial depth from the reclamation ground surface, estimated to be more than c.3m.

14.4.2 Unrecorded Reclamation Deposits (19th & Early 20th Century)

The site and wider area are subject to successive reclamations over the 19th and early 20th Century, and therefore there are likely 1unrecorded Reclamation Deposits.

Likely features of the unrecovered reclamation deposits are the remnants of timber seawalls, stone revetments, drainage pipes, early building foundations (e.g., Gunson Building c. 1900), and possibly sections of the 1915 seawall constructed after the dock closure. Materials include basalt rubble, scoria, demolition debris from Point Britomart, and domestic and industrial artefacts,

14.5 Description of the activity and how the proposed activity will modify or destroy each archaeological site

This section is provided in accordance with clauses 2(1)(f) and 2(1)(g) of Schedule 8 of the FTAA.

The excavations and piling at approximately 16m in depth is proposed to accommodate the four level basement and the subbasement level for the Downtown Carpark development. While the full extent of Auckland Graving Dock (R11/3458) remain as unknown, given that previous investigation suggests that archaeological artifacts at 3m, it is likely that the excavations and piling will destroy the subsurface remains of the Auckland Graving Dock (R11/3458) and associated reclamation deposits.

The proposed works will also require the removal (demolition) of the existing pedestrian overbridge over Lower Hobson Street and the vehicle ramp connecting the existing carpark to Fanshawe Street and 204 Quay Street. The Project area also includes the properties at 29 Customs Street (Aon House) and 188 Quay Street (HSBC Tower), although subsurface disturbance is not proposed at these properties.

All surviving archaeological evidence will be destroyed or heavily modified, but the impact will be mitigated through comprehensive archaeological investigation, recording, and integration of the findings into heritage interpretation for the new development

14.6 Assessment of the archaeological, Māori, and other relevant values

This section is provided in accordance with subclauses 2(1)(h)(i) and 2(1)(h)(ii) of Schedule 8 of the FTAA, and those matters contained in Clause 4 of Schedule 8.

14.7 Archaeological Values

In relation to archaeological site R11/3458, Clough & Associates conclude the following:

Overall, site R11/3458 is considered to have moderate archaeological/historic heritage value based on the criteria discussed, as it was designed by a well-known and renowned engineer, William Errington and was the first graving dock constructed in Auckland. As the dock was demolished, and in terms of information potential there are detailed historical records available on its design and specified construction materials, the overall significance is lowered, although any extant remains will have some value.

Due to the depth of the excavation, which is estimated to be around 16m, the proposed works will likely destroy the recorded archaeological site R11/3458 and any other unrecorded archaeological/historic heritage remains present within the proposed area of works.

As stated in **Appendix 34**, the Auckland Graving Dock has been evaluated as having moderate archaeological values relating to historical, knowledge, technological and contextual values. However, its overall heritage value is reduced because the dock was partially demolished in 1915, and the Calliope Graving Dock in Devonport (constructed 1885–88 by the same engineer) remains as an intact example of a late-19th-century graving dock in Auckland.

Accordingly, the effects of the proposed works on archaeological and historic heritage values can be appropriately mitigated through a preservation-by-record approach with the Systematic recording of any surviving remains of R11/3458 prior to demolition, and sampling and documentation of reclamation fills to recover information about late-19th- and early-20th-century waterfront activities.

Given the Site's moderate value and the impracticality of in-situ preservation, preservation by record is considered proportionate and appropriate. Prior to demolition, the Project Archaeologist will undertake detailed recording, and archaeological monitoring will occur during all earthworks within and adjacent to the recorded and potential site areas. Monitoring will ensure that any archaeological material encountered is investigated, recorded, and documented in detail in accordance with the draft Archaeological Management Plan ("AMP") prepared by Clough & Associates (**Appendix 35**). Adherence to the AMP during works will be a condition of the Archaeological Authority and included in the conditions in Section 17 below. Undertaking the works in accordance with the AMP is considered to sufficiently mitigate adverse effects on archaeological values at the time of construction.

The vehicle ramp to Fanshawe Street and the pedestrian overbridge over Lower Hobson Street will both be demolished as part of the proposed works. Demolition of the ramp will be undertaken to ground level only, with no subsurface disturbance expected during this stage. Post-demolition, streetscape remediation will be completed, including the installation of new kerbs, footpaths, planting, and landscaping. The pedestrian overbridge will likewise be removed to pavement level (Figure 34), and it is anticipated that there will be no impact below the existing surface.

Although the works relating to the vehicle ramp and pedestrian overbridge are relatively limited in extent, they occur within an area of late-19th-century reclamation adjacent to the original Auckland shoreline. As such, there is potential for disturbance of historic or archaeological deposits, including reclamation fills, structural remains, or artefacts associated with early waterfront development.

Similar to the approach taken to the excavation and piling works for the basement level, any effects on archaeological and historic heritage values can be appropriately mitigated through the recording and sampling of reclamation fills to recover information. The potential for any unrecorded archaeological sites to be covered by earthworks, including these within the extent of the Authority will ensure that there are agreed protocols across the contractor, project archaeologist, HNZPT and mana whenua in the event that any unrecorded sites are uncovered.

Based on the above assessment and conclusions of the Archaeological Assessment included in **Appendix 34**, the potential adverse effects on archaeological values are considered to be less than minor and overall acceptable given the nature of the recorded archaeological site and archaeological monitoring and recording proposed.

14.8 Mana Whenua Values

The archaeological assessment by Clough & Associates does not include an assessment of effects on Māori cultural values. However, it acknowledges that such assessments should only be made by the tangata whenua. Māori cultural concerns may encompass a wider range of values than those associated with archaeological sites. The historical association of the general area with the tangata whenua is evident from the recorded sites, traditional histories and known Māori place names.

Consultation has been undertaken with the relevant iwi authorities who have historic and territorial rights in Tāmaki Makaurau, Auckland. A summary of the consultation is included in the Overview Report and **Appendix 21**. No concerns have been raised regarding the archaeological values of the site.

The Applicant is committed to working with the iwi authorities constructively and will continue to meet with its representatives to discuss the lodged application and recommended conditions.

14.9 Consultation

Clause 2(1)(i)(i) of Schedule 8 of the FTAA requires proof and details of all consultation, including with hapū or iwi, the owner of the relevant land (if the applicant is not the owner), or any other person likely to be affected

As set out in section 6.2 above and within the Consultation Summary Report (refer Error! Reference source not found.), consultation has been undertaken with all relevant parties. Including:

- Relevant iwi and hapū;
- Heritage New Zealand Pouhere Taonga;
- Adjacent persons;
- Auckland Council;
- The Environmental Protection Agency; and
- The Ministry for the Environment.

15.0 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 8. These are each discussed in turn below.

An Archaeological Authority granted under the FTAA has the same force and effect as an Authority granted under the HNZPT Act and, for purposes of the HNZPT Act, must be treated as if it were an authority under that Act (Schedule 8 Section 9 (a) and (b)).

15.1 Approvals relating to Heritage New Zealand Pouhere Taonga Act 2014 – Schedule 8

Clause 2 of Schedule 8 of the Act relates to information that is required for an application for an archaeological authority. This information has been provided within the memorandum prepared

by Clough & Associates included as Error! Reference source not found. and throughout this AEE, in particular in section 14.0 above.

Clause 4 of Schedule 8 outlines that for the purpose of the Panel's decision under Section 81, the Panel must take into account:

- (a) The purpose of the FTAA;
- (b) the matters set out in section 59(1)(a) of the HNZPT Act;
- (c) the matters set out in section 47(1)(a)(ii) and (5) of the HNZPT Act; and
- (d) a relevant statement of general policy confirmed or adopted under the HNZPT Act.

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

Clause 5 of Schedule 8 relates to imposition of conditions for an archaeological authorities.

15.2 Declining an Approval under Section 85

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

- The approval is for an ineligible activity; and
- The Panel considers that granting the approval would breach obligations relating to treaty settlements and recognised customary rights.

A Panel may also 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 under section 81(2) that weighs against granting the approval.

16.0 Assessment of the Proposal Against the Fast-track Approvals Act Decision-making Framework

16.1.1 Information Considered

This AEE, and Part C in particular, has been prepared considering the information referred to in s81(2)(a) of the FTAA to the extent it is currently available. Specifically:

- All of the technical reports supporting the application;
- Information from HNZPT relating to the schedule application in response to engagement undertaken as the substantive application was prepared; and

- Feedback received from engagement.

16.2 Situations Where the Panel Must Decline an Approval

None of the situations 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; and
- There are no Treaty settlements that apply to the site as identified in Section 8.10. As such, granting the approvals sought would not breach Section 7 of the FTAA.

16.3 The Purpose of the Fast-track Approvals Act

Assessment of the proposal against the purpose of the FTAA is undertaken first because it is relevant to all of the approvals sought in this application, and is to be given the most weight by the Panel in its decision on all approvals.

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”

For the reasons set out in Section 12.3 above and highlighted below, the Proposal, and the specific approvals sought to enable its development, is considered to meet the purpose of the Act.

16.4 Archaeological authority Sought Under the HNZPT Act

This section has been provided in accordance with subclauses 4(1) and 4(2) of Schedule 8.

The Proposal is considered to accord with the purpose and principles of the HNZPT Act as follows.

16.5 Section 59(1)(a)

- Section 59(a)(i): The Archaeological Assessment identifies that the archaeological values of the site are moderate however, its overall heritage value is reduced because the dock was partially demolished in 1915, and the Calliope Graving Dock in Devonport (constructed 1885–88 by the same engineer) remains as an intact example of a late-19th-century graving dock in Auckland. Given this, the historical and cultural heritage value of the archaeological can be protected through the AMP.
- Section 59(1)(a)(ii): The authority to modify or destroy will have conditions relating to appropriate procedures in the event that additional archaeological sites are encountered during works. In any case, the Archaeological Assessment provided by Clough Associates and assessment considers that any adverse effects on archaeological values resulting from the proposed development can be appropriately mitigated through the implementation of the recommendations provided within the AMP. As such, it is considered that the Proposal will be consistent with the purpose and principles of the HNZPT Act.
- Section 59(1)(a)(iii): The full extent of Auckland Graving Dock (R11/3458) remain as unknown however the previous investigations to date, suggest archaeological artifacts may be located at 3m, and it is likely that the excavations and piling will destroy the subsurface remains of

the Auckland Graving Dock (R11/3458) and associated reclamation deposits. On this basis, it is not practical to preserve the remanent of the Auckland Graving Dock.

- Section 59(1)(a)(iv): No persons are directly affected by the decision of Heritage New Zealand Pouhere Taonga.
- Section 59(1)(a)(v): There are no statutory acknowledgement areas applying to the site.
- Section 59(1)(a)(vi): the applicant has engaged with the relevant iwi authorities who have historic and territorial rights in Tāmaki Makaurau, Auckland. Representatives of Ngati Whanaunga stated that their interest in the project and regarding preparation of a Maori Values Assessment. No concerns have been raised regarding the archaeological values of the site. Both iwi authorities have recommended accidental discovery protocols form a condition of consent. Accidental discovery protocols have been adopted within the AMP.

16.6 Section 47(1)(a)(ii) and (5): Effects

An assessment of effects has been undertaken in section 14.7 of this AEE. In summary, the potential adverse effects on archaeological values are considered to be minor and overall acceptable given the nature of the recorded archaeological site and archaeological monitoring and recording proposed.

16.7 Relevant Statements of General Policy Confirmed or Adopted

The statement identified as relevant to the Project is ‘The Administration of the Archaeological Provisions’. It is considered that the Archaeological Assessment provided by Clough Associates has provided information and assessment which accords with the general policy, and that appropriate consultation with relevant iwi authorities and HNZPT has been undertaken. Given this, it is considered that the proposal is in accordance with this statement of general policy.

16.8 Decision Whether to Grant the Approvals Sought in the Application

As set out in Section 15.2 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 FTAA supports a decision to grant the approvals sought in the application.

The Project provides several benefits of regional significance are assessed in Section 9.1 and 12.3 above.

In addition, the potential archaeological adverse impacts of the Proposal have been appropriately avoided, remedied or mitigated as outlined in Section 14.6 and conditions of consent are proposed in Section 17 below. Overall, the Proposal is generally in accordance with the relevant planning documents.

The relevant test for declining an approval in 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 are far outweighed by the extensive significant benefits that will be generated by the Project.

17.0 Proposed Conditions

This section of the application is provided in accordance with clause 5 of Schedule 8 of the FTAA. These clauses provide that a panel may set any conditions on archaeological authorities that the panel considers necessary to manage the effects of the activity on historical and cultural heritage. The proposed conditions of consent relating to the archaeological authority sought are as follows:

1. *The authority holder must ensure that all contractors working on the project are briefed on site by the s45 approved person, who may appoint a person to carry out the briefing on their behalf, prior to any works commencing on the possibility of encountering archaeological evidence, how to identify possible archaeological sites during works, the archaeological work required by the conditions of this authority, and contractors' responsibilities with regard to notification of the discovery of archaeological evidence to ensure that the authority conditions are complied with.*
2. *Prior to the start of any on-site archaeological work, the authority holder must ensure that Heritage New Zealand Pouhere Taonga is advised of the date when work will begin. This advice must be provided at least 2 working days before the work starts. The authority holder must also ensure that Heritage New Zealand Pouhere Taonga is advised of the completion of on-site archaeological work, within 5 working days of completion.*
3. *The authority must be exercised in accordance with the Archaeological Management Plan (Cameron October 2025) attached to the authority application. Any changes to the plan require the prior written agreement of Heritage New Zealand Pouhere Taonga.*
4. *Works that may affect any archaeological sites must be monitored by the s45 approved person. The approved person may appoint a person to carry out monitoring on their behalf.*
5. *Any archaeological evidence encountered during the exercise of this authority must be investigated, recorded and analysed in accordance with archaeological practice.*
6. *[Placeholder for iwi information]*
7. *Within 20 working days of the completion of the on-site archaeological work associated with this authority, the authority holder shall ensure that:*
 - a. *an interim report completed to the satisfaction of Heritage New Zealand Pouhere Taonga and following the Archaeological Report Guideline (AGS12 2023) is submitted to Heritage New Zealand Pouhere Taonga for inclusion in the Heritage New Zealand Pouhere Taonga Archaeological Reports Digital Library; and*
 - b. *Site record forms are updated or submitted to the NZAA Site Recording Scheme.*

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 Act and

that the Panel may grant the approval subject to the conditions in accordance with Section 81(1)(a) of the Fast-track Approvals Act 2024.

PART D – CONCLUSIONS

18.0 Conclusions

The proposal involves the development of the Site to provide for a mixed-use precinct providing for commercial, residential, hotel, retail, food and beverage and civic uses. The development involves three podium buildings, two towers and four levels of shared basement in addition to a subbasement floor, including new public spaces and a new laneway network to provide connectivity within the city centre. In addition, the proposed development involves modifications to the podia of existing adjacent buildings (HSBC and AON) to facilitate the new and enhanced laneway network.

As part of the enabling works, the demolition of the existing Downtown Carpark building (together with the Lower Hobson Street pedestrian bridge attached to 204 Quay Street and Customs Street West vehicle ramp located within part of the road reserve) and land disturbance (approximately 100,00m³ over 6442m²) is included in this application. Based on the above report, it is considered that:

- The Proposal will result in significant benefits as it seeks to redefine, connect, and transform the western edge of Tāmaki Makaurau’s city centre and its relationship with the waterfront through the creation of an integrated mixed-use precinct, a gateway to unlock the potential as prescribed in CCMP;
- The Proposal is considered to be consistent with Parts 2, 3, 6 and 8 to 10 of the RMA;
- Appropriate consultation and engagement has been undertaken with Auckland Council, Ministry for Environment, Heritage New Zealand Pouhere Taonga, mana whenua and adjacent landowners;
- Consideration of planning documents recognised by relevant iwi authorities and lodged with Auckland Council has been undertaken;
- Having considered the actual and potential effects of the Proposal, the Proposal will appropriately manage any adverse effects on the environment and subject to appropriate conditions of resource consent, potential adverse effects will be avoided, remedied or mitigated;
- The Proposal accords with relevant AUP(OP) objectives, policies and assessment criteria;
- The Proposal meets the requirements of the NESCS;
- The Proposal accords with the NPS-UD and NZCPS;
- The Proposal will give effect to the outcomes of the FDS, CCMP and AUP-OP; and
- The Proposal is considered to be consistent with the purpose of the HNZPTA; and
- The Proposal has provided all the relevant information and requirements in relation to the resource consents and archaeological authorities sought.

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.