

19 January 2026

**Attention:** Alex [REDACTED] Application Lead, Fast-track Applications, Environmental Protection Authority [REDACTED]

Dear Alex,

**FTAA-2512-1158 - Auckland Council response to consultation regarding a substantive application.**

Application number(s):	FTAA-2512-1158
Auckland Council Ref:	BUN60460864 (LUC60460865, DIS60460866, WAT60460867)
Applicant:	Precinct Properties New Zealand Limited
Address:	2 Lower Hobson Street, Auckland Central 29 Customs Street West, Auckland Central 188 Quay Street, Auckland Central 204 Quay Street, Auckland Central Road – Lower Hobson Street, Fanshawe Street, Sturdee Street
Proposed activity(s):	Demolition of the existing Downtown Carpark building, and development of the Downtown Carpark site into an integrated mixed-use commercial and residential (including hotel) precinct comprising 2 towers, 3 podium buildings, and a laneway network, including residential space, retail and hospitality, a new civic space, and a 5-level basement for carparking.

Thank you for your consultation letter regarding a substantive application under the Fast-track Approvals Act 2024, dated 7 January 2026. We have made an initial check of the documents.

We consider that the lodged documentation for RMA approvals as provided by the applicant may not comply with all of the requirements of section 42 and 43 the Act as it does not appear to provide sufficient detail to satisfy the purpose for which it is required in accordance with section 44 of the Act. We note the following:

**Information to satisfy the requirements of clause 5(1)(d) of Schedule 5**

This list appears to have been reasonably prepared.

## Information to satisfy the requirements of clause 5(1)(h) of Schedule 5

Clause 5(1)(h) requires an assessment of the activity against any relevant provisions in any of the documents listed in subclause (2). Of particular relevance, the documents in subclause (2) where insufficient information appears to have been provided relates to:

- (d) a New Zealand coastal policy statement (NZCPS) – noting changes in force from 15 January 2026
- (e) proposal regional policy statement
- (f) proposed plan

With respect to (2)(d), the AEE references the former (2010) NZCPS.

With respect to (2)(f), a detailed assessment of the objectives and policies does not appear to have been provided with respect of Proposed Plan Change 79 (Transport) Decision Version to the AUP (PC79).

With respect to 2(e) and (f), an assessment of Proposed Plan Change 120 (Housing Intensification and Resilience) to the Auckland Unitary Plan (PC120) does not appear to be provided within the AEE. In particular:

- Assessment against the proposed PC120 Regional policy statement provisions do not appear to have been provided.
- Relevant PC120 Chapter E36 assessment criteria, objectives and policies (with immediate legal effect) have not been assessed.

## Information to satisfy the requirements of clause 5(4) of Schedule 5

Clause 5(4) states that a consent application must include an assessment of the activity's effects on the environment that –

- (a) includes the information required by clause 6; and
- (b) covers the matters specified in clause 7.

Clause 6(1)(e) seeks the identification of persons who may be affected by the activity. Noting that Kindercare are identified under clause 5(1)(d) of Schedule 5 but are not specifically identified as persons who may be affected by the activity. The AEE on page 22 states: "*It is noted that Kindercare will vacate their tenancy prior to the start of demolition of the Downtown Carpark Building*".

Clause 7(a) must cover any effect on the people in the neighbourhood.

Kindercare are listed as a current tenant of 29 Custom Street West - Aon building), but effects on them have not been assessed. In particular, the following technical assessment reports (noise and vibration and dust / air quality) do not consider the effects on the childcare use (which is particularly sensitive).

Further to the above, with respect of clause 5(4)(a) and information required by clause 6(1)(d), measures appear to be missing from the lodged documentation and the proposed conditions do not appear to address these requirements in sufficient detail, including:

- 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 (Clause 6(1)(d)); and
- Identification of persons who may be affected by the activity and any response to the views of any persons consulted (Clause 6(1)(e)).

Examples are set out in the table below:

Activity / Effect	Deficiency
<p>The Flood Hazard Risk Assessment (Appendix 23 of the lodged application) (which states is to be read in conjunction with the T+T Coastal hazard risk assessment) recommends that adaptation measures to mitigate flood risk should include an emergency response protocol to be provided within a Flood and Coastal Inundation Management Plan.</p> <p>Section 4.4 of the Flood Hazard and Risk Assessment states: <i>“The flood barriers will require regular maintenance throughout their operational life to ensure readiness in the event of the extreme flooding scenario considered. Operation of the flood barriers must be factored into an emergency response plan of the property in the event of flooding.”</i></p>	<p>No Flood (and Coastal Inundation) Management Plan including Emergency Response Plan / Protocol appears to have been provided.</p> <p>The risk assessment recommends that <i>“The emergency response protocol for the property should be aligned with advice provided by the Auckland Emergency Management/Civil Defence departments.”</i></p> <p>The AEE refers to <i>“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.”</i></p> <p>Whilst proposed condition 79 requires construction of the proposed flood barrier, condition 112 refers to overland flow path certification, and condition 113 seeks certification of flood protection requirements that are installed, no conditions relating to Flood Management, emergency protocols, nor ongoing operation and maintenance of devices appear to be proposed.</p>
<p>As noted above, the AEE does not appear to cover effects on adjoining persons at Kindercare within the assessment of effects.</p>	<p>Currently Kindercare form part of the receiving environment but does not appear to be assessed (for example, within the Air Quality Assessment, Noise and Vibration Assessment). Furthermore, conditions requiring their tenancy to have been vacated prior to commencement of demolition works do not appear to be proposed.</p>
<p>Persons who may be affected by the activity.</p>	<p>The Panel’s attention is drawn to Section 9.0 of the AEE which states:</p> <p><i>“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</i></p>

	<p><i>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.”</i></p> <p>This FTAA proposal follows a similar resource consent application under the Resource Management Act 1991, that was previously publicly notified (but the application subsequently withdrawn). This is outlined in section 3.3 of the AEE. It is noted that a number of submissions were received (in respect of the previous RMA consent) from beyond the identified properties as listed in Appendix 8 of the FTAA lodged application documentation.</p> <p>This matter is brought to the Panel's attention for information and completeness purposes only.</p>
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Further to the above, and for completeness, the following table includes examples of information that appears to be missing or not clear within the lodged application documents:

<b>Document</b>	<b>Comments</b>
Records of Title and Interests (Appendix 1)	A summary of the relevant interests on the records of title does not appear to be provided, nor a description of how/whether the proposal impacts the interests/s, or vice versa.
Draft Erosion and Sediment Control Management Plan (Appendix 15)	<ul style="list-style-type: none"> <li>• Page 33 appears to have errors on it (images not displaying).</li> <li>• Page 34 appears blank.</li> <li>• Page 39 (Cut / fill plan) does not appear to display the plans (only some labelling shown).</li> </ul>
Consultation Summary (Appendix 21)	<ul style="list-style-type: none"> <li>• An example of a Mana Whenua consultation letter to Ngāti Whanaunga is provided in Attachment 3; and e-mail correspondence with Waikato – Tainui is provided in Attachment 4. Whilst section 3.0 provides a summary of iwi engagement undertaken for the proposal, evidence may be required that all relevant mana whenua authorities identified in Auckland Council’s register have been consulted (as is referred has occurred on 16 October 2025), regardless of whether a response was provided or not.</li> <li>• The summary of iwi engagement (Table 1) states: <i>"Email correspondence was sent to Ngāti Whanaunga on 16 October 2025. Confirmation that <b>Ngāti Whanaunga</b></i></li> </ul>

	<p><i>would like to be involved in the project was received on 22 October 2025, including advice that a CVA would be Prepared... A draft CVA has been received and the final CVA will be filed with the EPA upon receipt."</i></p> <ul style="list-style-type: none"> <li>• Waikato Tainui confirmed on 20 October 2025 that they would like to be informed of the progress of the project.</li> <li>• Section 2.1.1 states: "A copy of the minutes shared at this pre-application meeting are included in Attachment 1." These meeting minutes have not been reviewed by Council prior to lodgement.</li> </ul>
Air Quality Assessment + Draft Dust Management Plan (Appendix 25)	Appendix A Dust inspection log does not appear to be included.
Draft Hazardous Substances Management Plan (Appendix 32)	Appendix A Site Plan appears to be missing.
Demolition + Construction Transport Assessment (Appendix 40)	<p>Appendix A Saturn and Sidra Model Results</p> <ul style="list-style-type: none"> <li>• Pages 89-93 does not appear complete / missing information.</li> </ul>
	<p>Appendix B Vehicle Tracking Diagrams – Demolition</p> <ul style="list-style-type: none"> <li>• Pg 182 appears missing / incomplete.</li> <li>• Pg 196 appears missing / incomplete.</li> <li>• Some labels on other pages - text not displaying, e.g. page 193.</li> </ul>
	<p>Appendix D Vehicle Tracking Diagrams – M Social Service Lane</p> <ul style="list-style-type: none"> <li>• Pg 202-203 appears missing / incomplete.</li> </ul>
	<p>Appendix E Alternative Bus Route Solutions</p> <ul style="list-style-type: none"> <li>• Pg 205 appears to contain an error / does not display correctly.</li> </ul>
	<p>Appendix F Vehicle tracking of Bus Diversion Routes</p> <ul style="list-style-type: none"> <li>• Pg 213-215 appears missing / incomplete.</li> </ul>
Hazardous Substances Assessment (Appendix 43)	<ul style="list-style-type: none"> <li>• Appendix A appears to be missing</li> <li>• Appendix B is located at Appendix 32 of the AEE</li> </ul>

### Other matters

Whilst not considered a matter specifically relating to the completeness check, we consider it appropriate to draw the Panel's attention to the following as it may affect the listed consent matters being applied for and the associated assessments of effects:

- Auckland Unitary Plan (Operative in Part), Chapter H8: Business – City Centre Zone: Building height standard H8.6.2 (2)<sup>1</sup> outlines the following:

<sup>1</sup> H8 Business - City Centre Zone.pdf

- (1) The height of a building must not exceed the limits shown on Map H8.11.3.
- (2) Where height limits shown on Map H8.11.3 and Map H8.11.4 overlap, the lowest height limit applies as the first level of control.

The Rules Assessment (Appendix 22) lodged as part of this FTAA application considers H8.6.2(1).

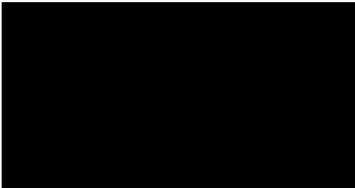
However H8.6.2(2) does not appear to be considered. In particular, this clause refers the reader to Map H8.11.4 which sets the lower height limit for this site by the Quay Street Harbour Edge (Height Control Plane) and also by the Sunlight Admission Control (St Patricks Square); we consider this may have implications for the assessment of effects, for example the Landscape Assessment.

**Specific questions relating to this application in accordance with section 30 of the Act.**

Regarding the specific question relating to this application in accordance with section 30 of the Act, I can confirm that the written notice prepared by Council dated 3 November 2025 and titled "*PRR00043070 - Response to Notification under Section 30 of the Fast-track Approvals Act 2024*" - remains accurate and final at the time of receiving this s46 consultation letter dated 7 January 2026 in respect of FTAA-2512-1158.

If you have any queries, please contact me on [REDACTED]  
or by phone on: [REDACTED] and quote the application number above.

Yours sincerely,



**Adonica Giborees**  
**Principal Project Lead, Premium Consents, Auckland Council**