

IN THE MATTER

of the Fast-track Approvals Act 2024 (“**FTAA**”)

AND

IN THE MATTER

of an application for approvals by Westhaven Residential Limited Partnership for a residential-led mixed-use urban development at 188 Beaumont Street, Auckland Central, comprising three buildings containing 210 residential apartments, ground-floor retail activities, associated car parking, earthworks, infrastructure works, landscaping, public-realm improvements, and subdivision (boundary adjustment and unit title) – Project FTAA-2604-1205 – 188 Beaumont Street.

**MEMORANDUM OF STRATEGIC AND PLANNING MATTERS
FOR AUCKLAND COUNCIL**

Dated: 28 July 2026

SECTION A: INTRODUCTION

1. This Planning Memorandum (**Memorandum**) is provided on behalf of Auckland Council (**Council**), in its capacity as the relevant local authority, in response to the invitation issued by the Expert Consenting Panel (Panel) under section 53(2) of the Fast-track Approvals Act 2024 (**FTAA**). The invitation relates to comments on the substantive application for the 188 Beaumont Street development (**Application**) lodged by Westhaven Residential Limited Partnership (**Applicant**).
2. Section 53 does not prescribe the form of a local authority's comments. In this instance, the Council's comments on the Application comprise:
 - (a) this Memorandum, prepared by Auckland Council Principal Project Lead, Russell Butchers, and Auckland Council Intermediate Planner Lewis So, and informed by the specialist assessments referred to in this Memorandum. The Memorandum sets out Council's regulatory planning assessment of the Application and is intended to assist the Panel in its consideration of the Application;
 - (b) comments from Council specialists, Council-controlled organisations, and other parts of Council with an asset-owner or infrastructure-provider interest, listed at Paragraph 6 below; and
 - (c) comments from the Waitematā Local Board, included as **Annexure 21**.

3. This Memorandum, is structured as follows:
- **Section A:** Introduction
 - **Section B:** Plan and Policy Context
 - **Section C:** Statutory Planning Assessment
 - **Section D:** Summary of Assessment Outcomes and Proportionality Conclusions.
4. Following the filing of the Application, the Panel issued Minute 2 dated 29 June 2026, which invited comments from Auckland Council and sought responses to a number of specific questions relating to the Application. In addition to the assessment contained within this Memorandum, Auckland Council has provided a consolidated response to those questions in **Annexure 22** (Response to Expert Panel Minute 2 Questions). That Annexure should be read alongside this Memorandum and the specialist assessments referred to herein.
5. The assessment has been based on the Application material as lodged, together with the additional information provided by the Applicant during the course of the Council's review. This includes material submitted on 3, 7 and 15 July 2026 in response to the matters identified in the Council's final section 67 (information gaps) correspondence dated 24 June 2026 (**Annexure 23**), following the Council's initial review of the Application.
6. There are 23 accompanying annexures, as follows, which are referred to throughout this memorandum:
- Annexure 1 – Economics Memo (Dr Shane Martin, MR Cagney Ltd)
 - Annexure 2 – Policy Planning Memo (Lee Ann Lucas, Auckland Council)
 - Annexure 3 – Urban Design Memo
(Michelle Chan and Sheerin Samsudeen, Auckland Council)
 - Annexure 4 – Landscape Memo (Gabrielle Howdle, Auckland Council)
 - Annexure 5 – Parks Planning Memo (Dr Roja Tafaraji, Auckland Council)
 - Annexure 6 – Wind Effects Memo (Nick Locke, WSP)
 - Annexure 7 – Operational Noise & Vibration Memo
(Duffy Visser, Auckland Council)
 - Annexure 8 – Contamination & Hazardous Facility Risk Memo
(Ruben Naidoo, Auckland Council)
 - Annexure 9 – Lighting Memo (Jared Osman, Auckland Council)

Annexure 10 – Regional Earthworks Memo (Matthew Byrne, Auckland Council)

Annexure 11 – Development Engineering Memo (Inthan Azoor, Auckland Council)

Annexure 12 – Geotechnical Memo (Mladen Sigurnjak, Soil & Rock Consultants)

Annexure 13 – Groundwater Memo (Richard Simonds, Fraser Thomas Ltd)

Annexure 14 – Construction Noise & Vibration Memo
(Duffy Visser, Auckland Council)

Annexure 15 – Watercare Services Limited Memo (Chloe Jacobs, Watercare)

Annexure 16 – Healthy Waters & Flood Resilience Memo
(Hillary Johnston, Auckland Council)

Annexure 17 – Coastal Memo (Dr Tola Omidiji, Auckland Council)

Annexure 18 – Waste Management (Jan Burbery, Auckland Council)

Annexure 19 – Auckland Transport Memo (Vaishali Sankar, Auckland Transport)

Annexure 20 – Traffic Memo (Honwin Shen, Auckland Council)

Annexure 20A – Traffic Memo Addendum (Michael Kwok, Auckland Council)

Annexure 21 – Waitematā Local Board Comments

Annexure 22 – Auckland Council Response to Expert Panel Minute 2 Questions

Annexure 23 – Auckland Council s67 request to Applicant

Qualifications, Experience and Code of Code Conduct

7. Russell Butchers is a Principal Project Lead in the Planning and Resource Consent Department at Auckland Council. He holds a Bachelor of Planning from the University of Auckland and is an intermediate member of the New Zealand Planning Institute (**NZPI**). Russell has 18 years of planning practice experience and has worked across a broad spectrum of statutory planning matters under the Resource Management Act 1991 (**RMA**) and the FTAA. His experience includes fast-track consenting processes, large-scale infrastructure projects, and bundled resource consent applications for residential, commercial, and industrial developments. Russell has completed the Making Good Decisions Programme and is an accredited commissioner under the RMA.
8. Lewis So is an Intermediate Planner in the Planning and Resource Consent Department at Auckland Council. He holds a Bachelor of Resource and Environmental Planning from Massey University and is an intermediate member of the NZPI. Lewis has seven years of planning practice experience and has worked across a wide range of RMA matters, including land-use and subdivision consents, as well as discharge permits for residential, commercial, and industrial activities.
9. Russell and Lewis confirm that they have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses (**Code**) and have complied with it in the

preparation of this memorandum. They also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. They confirm that the opinions expressed are within their area of expertise and are their own, except where they have stated that they are relying on the work or evidence of others, which they have specified.

10. Russell undertook a site visit on 14 June 2026 and Lewis undertook a site visit on 1 July 2026.

SECTION B: PLAN AND POLICY CONTEXT

11. **Section B** addresses the plan and policy context for the Application.

Wynyard Precinct Provisions

12. The Application site is located within the Wynyard Precinct, the largest brownfield area within the city centre. It is subject to both Wynyard Sub-precinct C, which occupies the western portion adjoining the coastal marine area, and Sub-precinct E, which covers the central and eastern parts of the site adjoining Beaumont Street and Jellicoe Street. Sub-precinct C is intended to accommodate marine and fishing related industries, while Sub-precinct E enables higher intensity residential and commercial activities.
13. The Application site is subject to activity controls that restrict development below 18m in height (approximately three storeys) to marine and port-related activities and marine retail activities. In terms of built form, the Wynyard Precinct anticipates a varied building height profile across the site, with maximum building heights ranging from approximately 18.5m along the coastal edge, increasing to 62m at the centre of the site where one of the Wynyard Precinct's five identified marker building locations is located, and reducing to 31m at the eastern end of the site.
14. The Wynyard Precinct as a whole is intended to deliver a high-quality environment and visitor experience, providing access to open spaces and the waterfront while promoting safe movement for pedestrians and other road users. It enables a mix of residential, commercial, and industrial activities, while managing potential conflicts such as reverse sensitivity effects between these uses. Buildings are expected to integrate with the existing urban context, reflect the Precinct's marine character, and respect the waterfront setting and wider skyline.
15. We consider the above context to be of importance in considering the Application, its supporting material, and the assessment provided by the experts for Council.

Applicant's assessment of the Wynyard Precinct Provisions

16. The Applicant's assessment, provided in their AEE (pages 86–87), concludes that the proposal is consistent with the relevant objectives and policies of the Wynyard Precinct, including those specific to Sub-precincts C and E. The Applicant considers that the development will achieve a high amenity mixed-use outcome supported by quality street frontage design, and that it will contribute positively to views toward the skyline and waterfront, notwithstanding the proposed building height exceedance.

17. The AEE (page 61) also refers to the Economic Impact Assessment (EIA), which concludes that the amount of existing marine related floorspace within the Wynyard Precinct is sufficient to accommodate industry needs over the next 15 years (until 2041). This EIA states that this conclusion is informed by observed industry trends, including a shift away from prioritising convenient waterfront access toward requiring larger floor areas, lower land cost environments, and other operational efficiencies.

Council's Assessment of the Wynyard Precinct Provisions

18. The following outlines the key areas where the proposed development is considered to depart from the operative planning framework for the Wynard Precinct, as identified through the Council specialists' review:

Policy Planning

19. The Council's policy planner, Lee-Ann Lucas, has reviewed the proposal (**Annexure 1**) against the Wynyard Precinct provisions and has provided her assessment, including background commentary explaining the policy intent relating to the required provision of marine and port-related floorspace and the maximum height anticipated for this marker site. Her key findings are summarised below.
20. The requirement for marine and port-related floorspace is reinforced by:

I214.2 Objectives

(1) Wynyard precinct is redeveloped while managing potential conflicts between different uses to achieve:

(b) maintenance and enhancement of the regionally significant economic function of the marine, fishing and other industries and maritime passenger operations to the Hauraki Gulf islands;

I214.3. Policies

(11) Enabling a diverse range of activities, high quality visitor experiences, entertainment, events and development to occur, while recognising and maintaining the economic importance of the marine and fishing industry, the bulk liquid industry and Hauraki Gulf Islands maritime passenger operations to the Auckland Region.

(12) Recognise the significant local and regional socio-economic benefits associated with providing high-quality waterfront public open space and events activity while also providing for the operational and access requirements of the marine and fishing industries, other industrial activities and maritime passenger operations.

(13) Ensure that sufficient and suitably located land, wharf, waterspace and appropriate, convenient and adequate navigation and berthing facilities are provided to accommodate the current and future operation and growth of the marine and fishing

industries and maritime passenger operations, including Sub-precinct C, North Wharf, the southern face of the Western Viaduct Wharf and the western face of the Halsey Street Extension Wharf together with the adjacent waterspace for use primarily by the fishing industry.

(29) Provide for the continued efficient operation of existing and future marine, fishing and other industries, including maritime passenger operations.

21. Ms Lucas notes that the portion of the site within Sub-precinct C provides for marine retail activities as a restricted discretionary activity, with marine and port activities provided for as a controlled activity. In contrast, other retail activities (up to 1,000m²) are non-complying, consistent with Policy I214.3(13). For the central and eastern parts of the site within Sub-precinct E, Precinct Plan 7 requires that ground floor space up to 18m height be limited to marine and port activities and/or marine retail uses.
22. Plan Change 78 (Intensification) reviewed the Wynyard Precinct and confirmed the retention of marine related activities within Sub-precinct C and on the ground floor of Sub-precinct E, while enabling additional intensification to support these activities and allow them to co-exist with a broader mix of uses (such as residential on upper floors).
23. The Council's Policy, Planning and Development Committee endorsed the preparation of a further plan change for the Wynyard Precinct on 2 July 2026¹. The proposed plan change would include a review of the requirements for industry and marine-retail activities, informed by updated market analysis. However, as this work remains in development and has not progressed to a statutory stage it cannot be afforded weight in the assessment of this proposal.
24. In this context, Ms Lucas concludes that the proposal, by introducing ground floor food and beverage activities with residential use above, seeks to capitalise on its city centre location and proximity to Silo Park. However, this development approach is contrary to the relevant objectives and policies of the Wynyard Precinct, which seek to retain and prioritise marine and port-related activities and marine retail uses within Sub-precincts C and E, particularly within the lower levels of development where marine activity controls apply.

Economics

25. Relevant sections of the Wynyard Precinct chapter of the AUP include:

Objective I214.2(1)(b) – *"maintenance and enhancement of the regionally significant economic function of the marine, fishing and other industries..."*

Policy I214.3(11) – *"Enabling a diverse range of activities... while recognising and maintaining the economic importance of the marine and fishing industry..."*

Policy I214.3(12) – *"Recognise the significant local and regional socio-economic*

¹ A copy of the presentation and the resolution to proceed with preparations for the Wynyard Precinct Plan Change can be found on the Council's website at: [Resolve Policy, Planning And Development Committee](https://shorturl.at/RNdT0) (<https://shorturl.at/RNdT0>).

benefits associated with providing high-quality waterfront public open space and events activity while also providing for the operational and access requirements of the marine and fishing industries, other industrial activities and maritime passenger operations."

Policy I214.3(13) – *"Ensure that sufficient and suitably located land... is provided to accommodate the current and future operation and growth of the marine and fishing industries..."*

26. The Precinct's economic objectives and policies are directed not only towards enabling development and economic activity but also maintaining the regionally significant economic role of the marine and fishing industries. In particular, Objective I214.2(1)(b) and Policies I214.3(11)-(13) seek to recognise the economic importance of those industries and ensure that sufficient and suitably located land is retained to accommodate their future operation and growth.
27. In this context, the key economic issue is not simply whether the proposal generates economic activity, but whether the benefits associated with the proposed residential development outweigh any opportunity costs arising from the loss of marine and port-related development capacity anticipated by the Precinct provisions.
28. The Council's consultant economist, Dr Shane Martin (**Annexure 2**), has reviewed both the Economic Impact Assessment (**EIA**) and the Market Economics report on the Wider Regional and National Economic Benefits Assessment (**ME Report**). He notes that the economic assessment does not provide a sufficiently robust evaluation of the proposal's overall benefits and costs.
29. The EIA primarily focuses on construction related benefits such as GDP contribution and job creation, but considers only the costs required to deliver the development rather than the broader benefits generated. The ME Report offers more useful insight, particularly in explaining how the accommodation component supports the Orams Marine operations at 164 Beaumont Street, thereby enhancing the economic function anticipated within Sub-precinct C.
30. Dr Martin acknowledges that the proposal may generate wider economic benefits. However, given the Precinct's emphasis on maintaining marine industry capacity and ensuring sufficient land remains available for its future growth, he considers it important to understand whether the benefits associated with the proposed residential development outweigh any opportunity costs arising from the loss of marine and port-related development capacity.
31. In this regard, Dr Martin considers that a cost-benefit analysis (**CBA**) would provide a more complete understanding of the proposal's net economic value, noting that larger scale developments do not necessarily generate proportionately greater net benefits. We generally agree that further exploration of the proposal's wider costs and benefits would assist in understanding its contribution at both the regional and national level.
32. The economist identifies several areas where costs and benefits could be more fully assessed, including environmental effects, visual amenity outcomes, and other externalities. In this context, the omission of such analysis creates uncertainty regarding

the extent to which the proposal advances the economic outcomes anticipated by the Wynyard Precinct and whether the claimed benefits outweigh the associated environmental and economic costs.

Built form, Pedestrian access, street quality and safety

Relevant Objectives and Policies

I214.2. Objectives

(1) An integrated urban environment is created which:

- (a) exhibits high-quality and diverse built form and urban design which reflects the marine attributes of the precinct;*
- (b) has appropriate building heights that enhance its prominent waterfront location and which complements the central area and wider city landforms, skyline and views;*

(10) A safe, convenient and interesting environment, which optimises pedestrian and cycling use and improves connectivity within the precinct and to adjacent areas of the City.

I214.3. Policies

(1) Encourage the location, bulk, outlook, access to, and servicing of buildings to be planned and designed on a comprehensive and integrated basis rather than on an ad hoc individual building basis.

(2) Encourage the integration of built form with the existing and proposed public open space network on a comprehensive land area basis, rather than a site by site basis, to create a sound framework for a well-designed and high-quality environment.

(3) Ensure that maximum building height:

- a. is appropriate in scale to the street network and the prominent waterfront location;*
- b. provides a transition between the core of the precinct and the coastal edge with site-specific opportunities for taller buildings located and designed to reinforce key public open space and waterfront connections while avoiding intrusion of public views into and through Wynyard Precinct;*
- c. complements development in the Viaduct Harbour Precinct; and*
- d. provides a transition in height between the core central business district and the harbour.*

(5) Promote excellence and diversity in architecture and urban design that enhances the relationship of buildings with public open space, and reflects the coastal, topographical, and historical qualities of the precinct.

(21) Encourage an integrated network of streets and lanes to increase pedestrian permeability and accessibility through the precinct.

33. The Council's policy planner, Ms Lucas, notes that the maximum building height applying to this marker building site was recently reviewed through Plan Change 78 and increased from 10m to 18m within Sub-precinct C and from 52m to 62m within the central portion of Sub-precinct E. The Independent Hearings Panel concluded that these revised heights were appropriate having regard to the role of the site as a marker building location and the broader height framework established for Wynyard Quarter.
34. In Ms Lucas's view, the recent review undertaken through Plan Change 78 provides a strong indication of the building heights considered appropriate for the site. She therefore considers that the additional height sought by the proposal departs from the intended transition in building height between the city centre and the Waitematā Harbour. Ms Lucas also notes that marker buildings are not defined solely by their height. Rather, their landmark quality is derived from a combination of height, form and architectural expression. She cites the ASB North Wharf building as an example where the building's roof form and material treatment contribute significantly to its marker building function. Ms Lucas defers consideration of the detailed built form and design implications of the proposal to the Council's urban design specialist.
35. The Council's urban design specialists (Ms Samsudeen and Ms Chan, **Annexure 3**) and landscape specialist (Ms Gabrielle Howdle, **Annexure 4**), have reviewed the proposal and conclude that, while it incorporates a number of positive urban design elements, it departs from the built form outcomes anticipated by the Wynyard Precinct in relation to building height, scale, bulk and skyline integration. In particular, the specialists express concern that the Tower Building does not adequately complement the waterfront setting or the intended transition in building height from the city centre to the Waitematā Harbour.
36. The Council's urban design specialists consider that the proposal responds positively to a number of site-specific urban design considerations. In particular, the development addresses the pedestrian-oriented character of Jellicoe Street and provides good street activation and passive surveillance at the Jellicoe Street/Beaumont Street corner, together with legible pedestrian connections towards the waterfront.
37. Notwithstanding these positive attributes, the specialists identify opportunities for improvement. These include extending the verandah across the full width of the pedestrian path (approximately 4 to 4.5 metres) to provide more effective weather protection given the site's exposed waterfront location and its relationship with adjoining public open space. More fundamentally, concerns remain regarding the scale, height and visual dominance of the Tower Building and whether its design sufficiently mitigates the effects associated with the proposed height and bulk exceedances.

Parks Planning (Public Open Space)

Relevant Objectives and Policies

I214.2. Objectives

(3) Individual buildings or collections of buildings are designed to achieve an appropriate form and scale in relation to:

(a) existing and proposed public open spaces

(6) A significant area of waterfront public park space is provided for the benefit of the Auckland Region with a complementary hierarchy of interconnected, high quality, public open space for current and future residential and commercial occupants and visitors.

38. The Wynyard Precinct provisions for public open space seek to deliver a high-quality waterfront park for current and future users. The Council's Senior Parks Planner, Dr Roja Tafaroji (**Annexure 5**), considers that the proposal, particularly its height and bulk, will reduce late afternoon and early evening sunlight access to the playground and adjacent active recreation areas. This reduction is expected to adversely affect user comfort, the attractiveness of the space, and the duration and quality of recreational use, ultimately diminishing the overall quality of the public open space.
39. Dr Tafaroji notes that access to sunlight is an important contributor to user comfort, amenity and the overall attractiveness of waterfront open spaces. While the Applicant's assessment concludes that shading effects are limited due to their duration, Council's parks assessment considers that the available information is insufficient to determine the extent of the additional shading attributable to the proposed height and bulk exceedances and the resulting effect on public open space amenity.
40. The proposal incorporates a number of positive design features at ground level, including active frontages, retail activity and improved engagement with the park edge. However, these measures do not address the potential daylight and sunlight effects arising from the scale of the Tower Building, nor do they resolve the uncertainty regarding the extent of those effects on the quality and enjoyment of adjoining public open space.

Transport

Relevant Objectives and Policies

I214.2. Objectives

(11) The safety and capacity of the transport network is maintained and, where appropriate, enhanced.

I214.3. Policies

(34) Constrain and manage private vehicle travel in and out of Wynyard Precinct, particularly during peak travel periods.

(35) Encourage walking, cycling and the provision of passenger transport services and facilities compatible with the character and amenity of the area.

(38) Protect the safe and efficient operation of Fanshawe Street as a key arterial route connecting the central city area with wider Auckland and an important element of Auckland's frequent and rapid transit network.

41. Auckland Transport (AT) (**Annexure 19**) has reviewed the proposal and generally supports it subject to a range of conditions relating to pedestrian safety, vehicle access design, Travel Management Plan monitoring and construction traffic management. AT accepts that the additional traffic generated by the proposal can be accommodated within the surrounding transport network. However, it notes that the proposal provides more than one parking space per dwelling on average, which does not sit comfortably with Policies I214.3(34) and (35), which seek to constrain private vehicle travel and encourage walking, cycling and public transport use within the precinct.
42. The Council's traffic specialists (Mr Honwin Shen **Annexure 20** and Mr Mchiahel Kwok **Annexure 20A**) similarly conclude that the proposal is unlikely to result in significant adverse effects on the operation of the wider transport network or on Fanshawe Street. However, they identify shortcomings in the visitor bicycle parking provision and loading arrangements. In their view, the proposal does not fully support the cycling outcomes anticipated by Policy I214.3(35), and the constrained loading area may compromise the efficient servicing of the development. While these issues are relatively localised and operational in nature, they are not fully aligned with the transport outcomes anticipated by Objective I214.2(11) and Policies I214.3(34), (35) and (38) of the Wynyard Precinct.

Business – City Centre Zone Provision

43. Apart from the Wynyard Precinct requirements relating to maximum building height, the restrictions on marine retail and marine/port activity uses, and the amenity considerations outlined above, the zone level matters associated with these issues will be addressed in further detail below:

H8.2. Objectives

(1) A strong network of centres that are attractive environments and attract ongoing investment, promote commercial activity, and provide employment, housing and goods and services, all at a variety of scales.

(2) Development is of a form, scale and design quality so that centres are reinforced as focal points for the community.

(3) Development positively contributes towards planned future form and quality, creating a well-functioning urban environment and a sense of place.

(4) Business activity is distributed in locations, and is of a scale and form, that

(a) provides for the community's social and economic needs;

(b) improves community access to goods, services, community facilities and opportunities for social interaction

(c) manages adverse effects on the environment, including effects on infrastructure and residential amenity; and

(d) accommodates qualifying matters

Business – City Centre Zone objectives

(7) The city centre is an attractive place to live, learn, work and visit with 24-hour vibrant and vital business, education, entertainment and retail areas.

(8) Development in the city centre is managed to accommodate growth and the greatest intensity of development in Auckland and New Zealand while respecting its existing and planned built form and character and waterfront setting.

(11) The city centre is accessible by a range of transport modes with an increasing percentage of residents, visitors, students and workers choosing walking, cycling and public transport.

(12) Development maintains and enhances the city's physical, cultural and visual connections with the waterfront as a public space and with the Waitematā Harbour and maunga.

(13) Building heights are enabled to realise as much development capacity as possible, unless qualifying matters apply which modify the relevant building height and/or density of urban form.

H8.3. Policies

(11) Require development to avoid, remedy or mitigate adverse wind and glare effects on public open spaces, including streets, and shading effects on open space zoned land.

(12) Recognise the functional and operational requirements of activities and development.

Business – City Centre Zone policies

(19) Provide for a wide range of activities along the waterfront, while continuing to provide for those activities requiring a harbour location.

(21) Enable the efficient use and development of the Port of Auckland and identified marine and port activity areas.

(23) Identify and encourage specific outcomes in areas of the city centre that relate to:

(b) a concentration of particular activities

(25) Limit activities that would have reverse sensitivity effects on established and future marine and port activities.

(30) Manage adverse effects associated with building height and form by:

(a) transitioning building height and development densities down to neighbourhoods adjoining the city centre and to the harbour edge;

(b) protecting sunlight to identified public open spaces and view shafts;

(c) requiring the height, form, and design of new buildings to be complementary to existing and planned built form and character of the zone and precincts; and

(d) managing the scale, form and design of buildings to:

(i) avoid adverse dominance and/or amenity effects on streets and public open space; and

(ii) encourage well-designed, human scale podiums with slender towers above with adequate separation between towers; or on sites where towers are not possible, encourage well-designed buildings which complement the streetscape and skyline.

(31) Ensure adequate sunlight, daylight, and outlook around buildings.

(31A) Ensure adequate separation between buildings to avoid adverse effects on the physical, cultural and visual connections between the city centre and the Waitematā Harbour and maunga.

(38) Ensure adequate sunlight and daylight to public open spaces and streets.

44. The City Centre Zone provisions are broadly aligned with those of the Wynyard Precinct, but provide more detailed direction on residential amenity and the effects of development on public spaces, including dominance, wind, glare, shading, sunlight, and daylight. In relation to building height, the zone seeks to enable development capacity to be realised as much as possible, while encouraging a more slender tower form.

Applicant's City Centre Zone Assessment

45. The Applicant's AEE (pages 85–86) concludes that the proposal is consistent with the relevant objectives and policies of the Business – City Centre Zone. The Applicant considers that the development represents a more efficient use of the site compared with its current function as a car park and that it provides an appropriate location for residential activity, given its high level of accessibility to public transport, services, and

city centre amenities. The Applicant further states that amenity effects including wind, shading, and visual impacts have been assessed and are considered to be low.

Council's City Centre Zone Assessment

46. The following outlines the key areas where the proposed development is considered to generate adverse effects under the operative planning framework for the City Centre Zone, as identified through the Council specialists' reviews. While comments on building height have been addressed in the Wynyard Precinct section above, the zone provisions introduce additional considerations relating to built form, and design quality with the public realm.

Wind

47. The Council's wind specialist (Mr Nick Locke, **Annexure 6**) concludes that, although the wider area already experiences wind exposed conditions with some locations unsafe for pedestrians, the proposed development performs well from a wind effects perspective once the Applicant's design stage mitigation measures are incorporated. The refined building form results in most pedestrian-level wind conditions achieving Category C is acceptable for walking and general transit, and all gust speeds meeting AUP safety thresholds, with the exception of location 85, which remains unsafe but is consistent with existing conditions rather than an effect introduced by the proposal.

Glare

48. The Applicant proposes a consent condition requiring a finalised Architectural Design Plan – Materials and Finishes to demonstrate compliance with Standard H8.6.29, Glare. This condition is intended to ensure that any potential adverse glare effects on pedestrians and motorists are avoided. Subject to the inclusion of this condition, no further assessment is considered necessary in the consideration of this Application.

Sunlight and daylight - public

49. The City Centre Zone provisions are more explicit in ensuring that development maintains adequate sunlight and daylight access to public open spaces and streets. As outlined in the Wynyard Precinct section above, the Council's Parks Planning specialist has raised concerns regarding reduced sunlight in the late afternoon and early evening (from approximately 5 pm onward during the Spring Equinox, and from around 4:30 pm during the Summer Solstice), as well as additional shading effects on Beaumont Street and Jellicoe Street. Daylight effects have not been assessed by either the Applicant or the Council's Parks specialist.
50. The Council's urban design specialists have identified this as an information gap, noting that an understanding of potential daylight loss is necessary to fully evaluate the proposal's impacts. In addition, both Parks Planning and urban design specialists have requested further shading analysis comparing compliant and non-compliant built form scenarios. This comparison is not intended to suggest that a compliant scenario would automatically achieve adequate sunlight levels; rather, it would assist in understanding

the extent of additional shading effects arising from the proposed height and floor plate non-compliances.

Natural hazards and flooding (Operative and Plan Change 120) provision

51. The proposed development is located within the 1 per cent annual exceedance probability (**AEP**) floodplain under the operative plan, and within low, medium, and high flood hazard areas, flood prone areas, and Coastal Hazard Areas 2 and 3 under the proposed Plan Change 120. The planning framework anticipates that risks to people, property, infrastructure, and the environment are to be avoided where significant natural hazard risk is identified for sensitive activities, and that development should only occur where the level of risk is assessed as tolerable or acceptable. In this context, the relevant objectives and policies have been identified and are outlined below:

E36.2. Objectives

(3A) The risk from natural hazards to people, property, infrastructure and the environment resulting from existing use and development across the region is reduced over time to a tolerable or acceptable level.

(3B) New subdivision, use and development avoids significant risk and only occurs when the risk from natural hazards to people, property, infrastructure and the environment is assessed as being tolerable or acceptable.

(4) Where infrastructure has a functional or operational need to locate in a natural hazard area, avoid the creation or exacerbation of risks from natural hazards to people, property, and the environment or, if avoidance is not able to be achieved, the residual effects are otherwise mitigated to the extent practicable.

(7) All natural hazard risk assessments and management measures take into account the potential long term effects of climate change.

E36.3. Policies

(5A) Avoid new subdivision, use, and development in coastal hazard areas that would require raising the level of the land and/or coastal protection structures including nature-based solutions, within a 100-year timeframe, unless it is demonstrated that there is no practicable alternative, and the purpose of the subdivision, use and development is to:

(a) provide significant regional or national benefit; or

(e) conforms to a Council approved strategic plan to manage or adapt to natural hazard risk in a particular location.

(5E) Manage accessways, including private roads and roads intended to be vested in coastal hazard areas, and parking areas so that safe egress is provided where possible, and coastal hazard risks are reduced to as low as reasonably practicable.

(5I) Manage new subdivision, use and development in existing urbanised areas that gives rise to potentially tolerable coastal hazard risk in accordance with Table E36.3.1B.1 so that risk is maintained at a tolerable level by:

(a) providing appropriate safe refuge and safe egress for activities sensitive to natural hazards [A], unless it can be demonstrated that safe egress is not necessary to manage risk to life; and

(b) minimising all other risks to as low as reasonably practicable.

(5K) Where specified, ensure that appropriate safe egress is provided from the site during a 1 per cent AEP inundation event, taking into account 1.5m relative sea level rise, requiring such routes to:

(a) be free from inundation wherever possible or have inundation depths that do not pose a risk to life, including for vulnerable people; and

(b) connect continuously to a safe public place, where assistance can be rendered; and

(c) remain safely traversable throughout the event; and

(d) be a usual route to and from the building/site and not be reliant on traversing neighbouring properties; and

(e) not be subject to hazardous residual risk.

(5L) Where specified, ensure that appropriate safe refuge is provided during a 1 per cent AEP inundation event, taking into account 1.5m relative sea level rise, by either:

(b) when locating buildings within an inundation hazard area that:

(i) floodwaters will not enter habitable areas of the building and sufficient freeboard is provided; and

(ii) the building is designed and certified to resist hydrostatic and hydrodynamic forces, debris impacts and geotechnical effects, including scour and erosion; and

(iii) any residual risk does not pose a risk to life, injury or significant property damage; and

(iv) the building can sustain basic human needs for the expected duration of inundation event, including wet-proofed electricity and sewerage systems; and

(v) those occupying the building will be aware that the building is a safe refuge.

Applicant's Natural Hazards Assessment

52. The Applicant's AEE (page 84) concludes that the proposal is consistent with the relevant objectives and policies of this chapter. The Applicant considers that the natural hazard risks associated with the development can be managed to a tolerable or acceptable level. This position is supported by the accompanying geotechnical and hazard mitigation/adaptation assessments prepared by their specialists.

Council's Natural Hazards Assessment

53. The proposal and the Applicant's proposed conditions have been reviewed by the Council's Development Engineer (**Annexure 11**), coastal specialist (**Annexure 17**), geotechnical (**Annexure 12**) specialist, Healthy Waters and Flood Resilience (**Annexure 16**), and Auckland Transport (**Annexure 19**). None of these specialists object to the proposal, provided the recommended consent conditions are imposed.
54. Auckland Transport and the Development Engineer have, however, identified a residual information gap regarding the proposed long-term management of coastal inundation risk and the Applicant's reliance on a safe refuge approach under Plan Change 120 (PC120). The development has been designed so that habitable areas are located above the identified hazard levels and incorporates a safe refuge approach to manage future coastal inundation risks.
55. However, further justification is required to demonstrate why safe egress is not necessary and why reliance on safe refuge represents an appropriate long-term response to coastal inundation risk at this location. Accordingly, some uncertainty remains regarding whether the proposed approach fully satisfies the intent of the PC120 provisions relating to safe egress and safe refuge.

Higher Order Statutory Documents

56. At a high level, the proposal generally aligns with the intent of the National Policy Statement on Urban Development 2020 (NPS-UD) and the Auckland Unitary Plan Regional Policy Statement (RPS), which seek the efficient use of urban land within centre zones that benefit from convenient access to employment, public and active transport, and existing infrastructure.

National Policy Statement on Urban Development 2020 (NPS-UD)

Applicant's Assessment

57. The Applicant's AEE (pages 75–76) concludes that the proposal is consistent with the NPS-UD objectives and policies. The Applicant considers that the site is located within a well-functioning urban environment, with strong access to public transport and opportunities for active modes that support reduced greenhouse gas emissions. They further state that the proposal will deliver housing in a high demand area and maximise development capacity on the site, and therefore meets Objectives 1, 2, 4, and 8 of the NPS-UD.

Council's Assessment

58. The proposal is considered generally consistent with the NPS-UD, having regard to the Applicant's assessment, as the site benefits from excellent access to a wide range of employment opportunities, services, amenities and public transport. These attributes support the suitability of the proposed residential-led mixed-use development and its contribution to broader community outcomes. The proposal has also been designed to respond to current and future climate change effects, including coastal inundation. While some uncertainty remains regarding the proposed long-term management of coastal inundation risk, we consider that this does not alter the proposal's general consistency with the NPS-UD. On this basis, the proposal is considered consistent with Objectives 1, 3 and 8, and Policy 1 of the NPS-UD

National Policy Statement for Natural Hazards 2025 (NPS-NH)

Applicant's Assessment

59. The Applicant's AEE (pages 77–78) concludes that the proposal is consistent with the NPS-NH objectives and policies. The Applicant considers that the proposed adaptation and mitigation measures result in a low level of risk from coastal inundation and flooding over the next 100 years, both in terms of building damage and life safety. The risk associated with a maximum credible tsunami is assessed as medium for property damage, although the risk to people is considered low.

Council's Assessment

60. Flooding and coastal inundation effects have also been assessed by the relevant Council specialists, as outlined earlier under the operative and proposed Plan Change 120 frameworks. While those reviews generally support the Applicant's coastal and flood hazard risk assessment, Auckland Transport and the Development Engineer have identified a residual information gap regarding the proposed reliance on a safe refuge approach as the long-term response to coastal inundation risk. We therefore consider that further justification regarding that aspect of the proposal would assist in confirming consistency with the natural hazard management outcomes of the planning framework.

Auckland Unitary Plan Regional Policy Statement

Applicant's Assessment

61. The Applicant's AEE (pages 79–81) concludes that the proposal is consistent with the relevant chapters of the Regional Policy Statement, including Chapter 2 (Urban Growth and Form), Chapter 3 (Infrastructure), Chapter 6 (Mana Whenua), and Chapter 10 (Environmental Risk). The assessment emphasises that the proposal seeks to deliver a high quality urban environment, with residential and retail activities that support growth in a city centre location with strong access to public transport.
62. The development is designed to integrate effectively with surrounding land uses to

ensure efficient use of the site. The Applicant also notes that active engagement with Mana Whenua has occurred since the referral stage, with further detail provided in Appendix 27 (Consultation Summary Report). In relation to environmental risk, the proposal incorporates design responses to address flooding and coastal inundation hazards, as outlined earlier. Finally, effects on human health and the environment during earthworks are expected to be appropriately mitigated through the implementation of the SMP.

Council's Assessment

63. The proposal is also considered broadly consistent with the relevant provisions of RPS Chapter 2 for the reasons outlined above, aligning with Objectives B2.2.1(1A), 1, 4 and 5; Policy B2.2.2(5); and Objectives B2.4.1(1) and (3). However, some inconsistency arises in relation to the quality built environment provisions in B2.3, the commercial and industrial growth provisions in B2.5, and the open-space and recreation-facility provisions in B2.7, due to the identified infringements.
64. In this context, the proposal may not fully respond to the intrinsic qualities and physical characteristics of the site and its setting (Objective B2.3.1-1A); may not adequately recognise the specific locational requirements of certain industrial activities (Objective B2.5.1-3(d)); and may not avoid, remedy, or mitigate significant adverse effects on open spaces and recreation facilities (Policy B2.7.2(7)).
65. Apart from Chapter 2, we generally agree with the Applicant's assessment that the matters relating to Chapters 3 and 6 have been adequately addressed. In relation to Chapter 10 (Environmental Risk), the information provided generally demonstrates consistency with the relevant provisions. However, as discussed above, Auckland Transport and the Council's Development Engineer have identified a residual information gap regarding the proposed reliance on a safe refuge approach as the long-term response to coastal inundation risk. While this issue does not alter our overall assessment, further justification would assist in confirming consistency with the relevant environmental risk outcomes.

Conclusion on Higher Order Policy Alignment

66. The proposal is broadly consistent with the NPS-UD, NPS-NH and the RPS in enabling residential and commercial activities within a centre zone location, thereby supporting the benefits of urban intensification. However, the adverse effects on the physical and built environment arising from the proposed building bulk and height, the reduction in opportunities for marine and port activities and marine retail within Sub-precinct C, and the loss of open space amenity at Silo Park create areas of tension with the policy framework.

Conclusion on Section B – Plan and Policy Context

67. In summary, while the proposal generally reflects the types of residential and general retail activities anticipated within the Wynyard Precinct, the proposed built form and height, together with the loss of marine and port activities and marine retail opportunities,

will generate adverse impacts. These include impacts on the economic role of the marine and fishing industry, and the amenity of public open spaces. These concerns are substantiated through the specialist reviews relating to economics, urban design and landscape, and Parks Planning. This requires careful consideration and analysis, which is provided in **Section C** below. .

68. We emphasise, in terms of section 85(4) of the FTAA, that our assessment in this memorandum, and our recommendation in Section D, is not based on inconsistency with planning documents alone. Our assessment identifies a number of adverse impacts arising from the Application, alongside benefits and other relevant considerations that inform our overall recommendation.

SECTION C: STATUTORY PLANNING ASSESSMENT

69. The following section outlines the statutory planning assessment drawing on the various specialist inputs provided by the Council's experts who have reviewed the Application documents. To provide context, a brief summary of the assessment provided by the Applicant is also included.

SECTION C.1 ECONOMIC AND SOCIAL IMPACTS

Applicant's Assessment

70. The Applicant has provided both an Economic Impact Assessment (EIA) and a Wider Regional and National Economic Benefits Assessment (Market Economics) in support of the proposal. The EIA concludes that the proposal will generate significant regional economic benefits, including approximately \$416 million in direct development expenditure, between \$369 million and \$459 million in regional economic output (depending on the discount rate applied), and approximately 3,400 FTE years of employment during the development period.
71. The EIA also identifies a number of non-monetised benefits, including the provision of 210 apartments in a highly accessible city-centre location, increased housing choice, more efficient use of urban land and infrastructure, support for city centre intensification, and activation of the Wynyard Quarter precinct.
72. In relation to the reduction of marine industry land, the Applicant relies on the Market Economics report, which concludes that existing marine floorspace within Wynyard Quarter already exceeds projected demand over the next 15 years and therefore that the proposed non-provision of marine retail is acceptable.
73. The Applicant also submits that the marine sector is increasingly influenced by operational and commercial considerations rather than solely waterfront location requirements and that the proposal will continue to support the long-term viability and competitiveness of the adjacent Orams Marine operation.
74. The Market Economics assessment concludes that the residential development forms part of Orams Marine's long-term business strategy and will assist Orams to remain

competitive in the international superyacht refit market. The assessment identifies substantial long-term regional and national economic benefits associated with maintaining and growing the superyacht industry in Auckland, estimating regional GDP contributions of between \$1.2 billion and \$1.5 billion and household income benefits of between \$663 million and \$835 million over a 25-year period.

Council Economist's Assessment Summary (Annexure 1)

75. Council's consultant economist, Dr Shane Martin, has reviewed the proposal and concludes that the economic benefits of the proposal are likely to be positive overall, and ultimately provides his tentative support for the Application.
76. However, Dr Martin is critical of aspects of the Property Economics assessment, noting that it largely measures economic activity rather than economic benefit. In particular, he observes that measures such as GDP generation and employment creation are indicators of economic activity but do not themselves demonstrate net economic benefit. He considers that the most compelling aspects of the Applicant's assessment are the non-monetised benefits, including the provision of additional housing supply, increased housing choice, improved land-use efficiency and support for city-centre intensification.
77. Dr Martin notes that the proposal would provide approximately 210 apartments at a time when apartment development within the city centre has slowed significantly and considers this to be a significant regional benefit.
78. Dr Martin also considers that the assessment does not fully evaluate the costs associated with the proposal. In particular, he notes that potential environmental, visual amenity, public realm and other externality effects have not been assessed in economic terms and that a more robust benefits and costs framework would assist the Panel in understanding the extent of any net economic benefit. Nevertheless, his overall opinion remains that the benefits of the proposal are likely to outweigh the costs and that the proposal is likely to deliver positive economic outcomes.

Council Policy Planner's Assessment Summary (Annexure 2)

79. Council's Policy Planner, Ms Lee-Ann Lucas, raises concerns regarding the loss of marine and port-related floorspace anticipated by the Wynyard Precinct provisions. Ms Lucas notes that the site occupies a strategic position within the marine precinct and considers that the proposal does not sufficiently justify the removal of marine and port-related activities from the site. In her view, the site remains well suited to marine and port-related activities due to its location adjacent to the working waterfront and within a broader cluster of marine industry activities.
80. While the Applicant relies on market evidence indicating that existing marine floorspace within Wynyard Quarter exceeds projected demand and that aspects of the marine industry are increasingly relocating to other industrial locations, Ms Lucas considers that this does not adequately justify departing from the longstanding planning framework for the site. Accordingly, she concludes that the proposal is inconsistent with the objectives and policies which seek to maintain and support marine and port-related activities within

this part of the Wynyard Precinct.

Conclusion on economic and social effects

81. Having reviewed the Applicant's AEE, EIA, Market Economics report, and the Council's specialist reviews, we are satisfied that the proposal will generate substantial regional economic and social benefits. In particular, the proposal will provide 210 new dwellings within a highly accessible city-centre location, contribute to housing supply and housing choice, support intensification objectives, and facilitate the redevelopment of a site currently utilised as surface car parking.
82. We also acknowledge the concerns raised by Dr Martin and Ms Lucas regarding the extent to which the Applicant has assessed the economic costs associated with the proposal, including the loss of marine and port-related development opportunities anticipated by the Wynyard Precinct provisions. We also accept that some of the wider environmental and amenity costs identified by Dr Martin have not been expressly considered within the Applicant's economic assessments. While these matters do not alter our overall conclusion on the social and economic benefits of the proposal, they are relevant considerations that require further consideration in the overall proportionality assessment.
83. On balance, we consider that the proposal will generate significant social and regional economic benefits. The extent to which those benefits might outweigh the identified adverse impacts is considered further in Section D of this report.

SECTION C.2 URBAN DESIGN, LANDSCAPE AND PUBLIC REALM

Applicant's Assessment

84. The Applicant has provided a Landscape Statement prepared by Boffa Miskell outlining the landscape strategy and pedestrian movement assessment around the proposed development. This includes an illustration of hard and softscape elements, level changes relative to street level, and the interface with the surrounding public realm. In addition, an Urban Design and Landscape Assessment (**UDLA**) has been submitted, also prepared by Boffa Miskell, describing how the Marina, Tower, and Beaumont buildings have been designed to respond to their waterfront context, Te Ara Tukutuku, and the wider environment, supported by a range of viewpoint analyses.
85. The UDLA notes that the site is not subject to any maunga viewshaft height controls, providing an opportunity for taller built form within the Wynyard Precinct without affecting protected maunga views when approaching the city from the North Shore. A precinct wide review has also been undertaken, identifying that several existing or consented (but not yet constructed) buildings already exceed the applicable height standards. This pattern of development is considered to diminish the legibility of this site as a potential marker building location.
86. The UDLA identifies several adverse effects on urban amenity and landscape character. These effects are partially mitigated through a suite of design strategies, including a

distinctive and site specific built form, stepped and angled massing, articulated façades, a reduced tower floorplate, and the use of concrete on the tower façade and solid brick materiality at the base of the Beaumont Street building to reflect the marine industrial character of the precinct.

87. The UDLA states that collectively, these measures contribute to a bespoke and visually attractive landmark response appropriate to the project's waterfront location. However, due to the site's position and the scale of the proposed buildings, the existing apartments at 155 Beaumont Street will experience visual obstruction to their north-westerly outlook and short duration shading during the winter period. Shading effects on Silo Park during the spring and summer months, as identified by the Council's Senior Parks Planner (see Section B), are noted. These effects occur during the late afternoon and early evening periods and are illustrated in the Applicant's shading analysis (Appendix 5). The Applicant's AEE considers the adverse shading effects to be low, noting that the duration of shading is limited.
88. In terms of landscape effects, the UDLA acknowledges that changes to the urban landscape particularly the introduction of taller, larger-scale buildings with greater footprints are reasonably anticipated, noting the established and consented developments already present within the precinct. The Wynyard Precinct is a regeneration area transitioning from a low-scale, heavy-industrial "tank farm" and marine industry environment to an urban mixed-use neighbourhood characterised by medium to high density development, mid to high rise buildings, and a high-quality public realm with strong pedestrian amenity. The Application site is not affected by protected maunga viewshafts, enabling a building of greater scale while limiting adverse landscape effects due to its two street frontages, its position south of Silo Park (thereby reducing potential shading), the marina water space to the west, and the Orams Marine sheds and yard to the south.
89. The site also benefits from generous separation to existing residential neighbours across Beaumont Street, maintained by intervening street blocks and the road corridor. In these respects, the site is well located within the precinct to accommodate development of a greater landscape scale, including acting as an anchor at the western end of the Waterfront axis. The height of the tower reflects the precinct's city centre context and is not out of scale relative to the primacy and existing height of the wider urban core. Overall, the proposal is considered to generate positive landscape effects by enhancing the character and amenity of both the precinct and the waterfront, with no significant adverse landscape effects anticipated.
90. The UDLA identifies that the proposed frontage design will create a positive interface with Silo Park, with complementary food and beverage activities and residential lobbies providing 24/7 activation. These elements are expected to enhance safety and passive surveillance within the adjacent public realm. The site is also well supported by public transport and is located within a highly walkable part of the city centre, with convenient access to amenities, making it a desirable location for urban residential living. In addition, the Marina building is set further back from the water's edge, enabling publicly

accessible open space complemented by native coastal planting.

91. Overall, the Applicant's view is that the proposal is considered capable of achieving a high-quality built outcome, with a bespoke landmark tower that will positively contribute to the identity of Wynyard Quarter and the western precinct of the City Centre.

Council's Urban Design Assessment (Annexure 3)

92. Council's urban design specialists, Michelle Chan and Sheerin Samsudeen, support a number of aspects of the proposal, including the overall site layout, activation of street frontages, public access to the western waterfront edge, and the design and architectural treatment of the Marina and Beaumont Buildings. The specialists consider that these components respond appropriately to the surrounding context and generally achieve the urban design outcomes anticipated by the Wynyard Precinct.
93. However, the specialists do not support the proposed Tower Building in its current form. They consider that while a marker building is anticipated on the site, the proposed height, bulk and massing of the Tower Building, combined with the significant exceedances of height, floorplate and site intensity controls will result in adverse impacts on the adjacent public realm. In particular, concerns are raised regarding the lack of architectural depth, modulation and visual relief on the western and southern elevations, the flat roof profile, the perceived bulk of the tower when viewed from the south, and its contribution to the city skyline. The specialists conclude that the Tower Building does not adequately achieve the built form outcomes anticipated by the City Centre Zone and Wynyard Precinct and recommend further design refinement before urban design support could be provided.
94. The specialists also identify information gaps relating to daylight and shading effects, and visual effects from Te Ara Tukutuku. Concerns are also raised regarding the adequacy of the proposed verandah provision along Jellicoe Street, including the lack of continuous weather protection and the potential adverse effects on pedestrian amenity arising from the exposed waterfront location of the site. In relation to wind effects, the urban design specialists defer to the conclusions of Council's wind specialist.

Council's Landscape Assessment (Annexure 4)

95. Council's landscape architect, Gabrielle Howdle, reaches a similar conclusion. Ms Howdle supports the design and scale of the Marina and Beaumont Buildings and accepts that these elements have been appropriately designed to respond to the surrounding landscape and urban context. She also supports the proposed western waterfront space and landscape treatment, noting that the publicly accessible waterfront edge represents a positive landscape outcome.
96. However, Ms Howdle concludes that the Tower Building results in moderate to moderate-high adverse landscape and visual amenity effects. While she accepts that the northern elevation has been carefully designed, she considers that the western and particularly southern elevations remain bulky, visually dominant and insufficiently articulated. In her view, the Tower Building does not adequately respond to the anticipated transition of

building height towards the harbour edge and does not exhibit the design quality expected of a prominent marker building within the city skyline. Ms Howdle considers that further design refinement, including increased modulation, variation in materiality and a reduction in perceived bulk, is required before the adverse landscape and visual effects can be supported.

97. Ms Howdle also concludes that residents within the upper western-facing apartments of 155 Beaumont Street will experience moderate adverse visual amenity effects as a result of the proposed development.

Public Realm / Parks Planning (Annexure 5)

98. Council's Parks Planner, Roja Tafaraji, advises that the proposal is generally well served by the existing and planned open space network within Wynyard Quarter and raises no concerns regarding open space provision, accessibility or network capacity. The specialist also supports the provision of publicly accessible space along the western waterfront edge, subject to appropriate legal mechanisms securing ongoing public access.
99. However, Parks does not support the proposal in its current form due to the effects of the proposed building heights on Silo Park. The specialist concludes that additional building height results in adverse shading effects during late afternoon and evening periods, including shading of the playground and active recreation areas during periods of peak use. The proposal is also considered to result in increased enclosure and dominance effects along the park edge. While the active ground floor uses and building setbacks are recognised as positive design responses, the specialist does not consider these measures sufficiently offset the adverse amenity impacts on Silo Park.

Conclusion on Urban Design, Landscape and Public Realm Effects

Built Form, Urban Design and Visual Amenity

100. There is agreement between the Applicant and Council specialists that the proposal will activate a currently underutilised site, provide a publicly accessible waterfront edge, enhance pedestrian activity at ground level, and contribute positively to the ongoing regeneration of Wynyard Quarter. There is also broad agreement that the Marina and Beaumont Buildings are generally appropriate responses to their urban and waterfront context.
101. The principal area of disagreement relates to the scale, bulk and design of the Tower Building. Both the urban design and landscape specialists conclude that the proposed Tower Building remains visually dominant and insufficiently resolved in its current form, particularly when viewed from the south, south-west and south-east. The specialists consider that the western and southern elevations lack sufficient modulation and architectural articulation and that the building does not adequately achieve the built form outcomes anticipated by the City Centre Zone and Wynyard Precinct. As a result, they conclude that the proposal will result in moderate to moderate-high adverse urban design, landscape, visual amenity and neighbouring amenity effects.

102. We acknowledge that the proposal will deliver several positive urban design and public realm outcomes, including activation of the site, enhancement of the waterfront interface, and improved public access. However, we also place significant weight on the concerns raised by Council's urban design and landscape specialists regarding the scale, visual dominance and overall design resolution of the Tower Building. In our view, these built form and visual amenity effects are among the most significant adverse effects identified through the technical review process and weigh against the proposal in the overall proportionality assessment.
103. We also acknowledge that the proposal will result in adverse visual amenity effects for some neighbouring occupiers, particularly residents within the upper western-facing apartments at 155 Beaumont Street. While some change in outlook and visual amenity is reasonably anticipated within an intensifying city-centre environment, we accept the landscape architect's conclusion that the scale and prominence of the Tower Building will result in moderate adverse visual amenity effects for those residents. In our view, these effects are a relevant consideration but are secondary to the broader built form, landscape and public realm concerns arising from the Tower Building's height, bulk and visual dominance.

Daylight, Sunlight and Shading Effects

104. We also note the concerns raised by Council's urban design specialists and parks planner regarding the absence of a comprehensive and comparative daylight, sunlight and shading assessment. While the Applicant has assessed some shading effects, particularly in relation to Silo Park and 30 Madden Street, Council's specialists consider that the information currently before the Panel does not adequately quantify the full extent of the proposal's effects on surrounding streets, public spaces and neighbouring development. This includes potential effects on Beaumont Street, Jellicoe Street, Daldy Street Linear Park, neighbouring development sites, and the wider public realm surrounding the site.
105. In particular, a comparative assessment demonstrating the difference between an AUP-enabled development scenario and the proposed development has not been provided. Without that analysis, it is difficult to determine the extent to which the identified effects arise from the proposal's substantial height, floorplate and site intensity exceedances, as opposed to development otherwise anticipated by the planning framework. Council's specialists consider that the effects on Silo Park, Daldy Street Linear Park, surrounding streets, neighbouring sites and daylight access more generally remain insufficiently quantified. The specialists also note that the effects on the neighbouring 37–55 Madden Street site have not been adequately assessed.
106. Given the site's prominent location within Wynyard Quarter, the significance of Silo Park, Daldy Street Linear Park, the surrounding street network, and the wider public realm, and the substantial public investment in open space and pedestrian amenity within this part of the city centre, we consider that a comprehensive and comparative daylight, sunlight and shading assessment is critical to a full understanding of the proposal's effects. In our view, the current information does not enable a complete assessment of those effects and creates a degree of uncertainty regarding the extent of adverse

amenity outcomes that may arise.

107. Accordingly, we consider that the Expert Panel should give consideration to exercising its powers under section 67 of the FTAA to request further daylight, sunlight and shading information. Until that information is provided, the extent of the proposal's daylight and sunlight effects remains unquantified, limiting the ability to undertake a fully informed proportionality assessment of the proposal's built form effects.

SECTION C.3 AMENITY EFFECTS

Wind

Applicant's Assessment

108. The Applicant has provided a Wind Tunnel Investigation Report prepared by FidelicFlow Limited in support of the Application. The assessment concludes that the site's waterfront location is already subject to relatively windy conditions and that, without mitigation, the proposed development would generate adverse wind effects in a number of locations due to corner acceleration, downwash and flow separation effects. The Applicant therefore incorporated a range of wind mitigation measures into the design, including a 1.2m high glass balustrade along the western deck edge, a 3m high solid wall at the western corner of the building, a 2.6m-wide awning, additional trees and landscape planting, and other design refinements.
109. The wind tunnel testing concluded that, with the recommended mitigation measures in place, all publicly accessible locations meet the Auckland Unitary Plan wind comfort criteria for their intended use and achieve acceptable wind safety outcomes. The report concludes that pedestrian wind conditions will generally be Category B or C, which are suitable for pedestrian movement and general public use, and that the proposal will comply with the relevant AUP wind standards.

Council Wind Effects Assessment (Annexure 6)

110. Council's consultant wind specialist, Nick Locke, has reviewed the Applicant's wind assessment and generally agrees with its findings and conclusions. The specialist considers that the wind tunnel investigation has been undertaken in accordance with accepted wind engineering practice and is of an appropriate standard. While noting that the measurement locations do not extend sufficiently far from the site to fully quantify the broader wind environment, he concludes that this limitation is unlikely to materially affect the overall findings regarding AUP compliance.
111. The specialist notes that the proposed development is located within an exposed waterfront environment where existing wind conditions already range from Category A to Category D and include some unsafe conditions. He concludes that, following incorporation of the proposed wind mitigation measures and taking into account the approved development at 164 Beaumont Street, the proposal performs remarkably well for a development of this scale and location. Wind conditions are generally expected to achieve Category C outcomes, which are suitable for pedestrian transit, and all publicly

accessible areas are predicted to satisfy the relevant wind safety criteria.

112. The specialist also notes that wind outcomes are highly sensitive to relatively small changes in building form and mitigation design. Accordingly, he recommends that the approved wind mitigation measures be faithfully implemented and that any future design changes be subject to further wind testing to confirm that the predicted wind conditions are maintained.

Conclusion on wind effects

113. Based on the specialist evidence, we are satisfied that the proposal is capable of achieving acceptable wind conditions for pedestrians and other users of the public realm. Subject to the implementation of the proposed wind mitigation measures, all publicly accessible areas are expected to comply with the relevant wind safety criteria and generally achieve conditions suitable for pedestrian movement and use.
114. While the proposal introduces a substantial built form within an exposed waterfront environment, the Council's wind specialist concludes that the resulting wind effects are acceptable and do not give rise to significant adverse effects. We therefore consider that wind effects do not present a material constraint to the development, provided the approved mitigation measures are implemented and any future design changes are subject to further wind assessment.

Operational Noise

Applicant's Assessment

115. The Applicant's acoustic assessment, prepared by Marshall Day Acoustics, concludes that operational noise effects from the proposed mixed-use development are expected to be acceptable and capable of complying with the relevant AUP Wynyard Precinct noise standards. The assessment considered noise from mechanical services plant associated with the residential towers, together with ground-floor retail and food and beverage activities.
116. The report states that preliminary plant selections indicate compliance with the applicable operational noise limits can be achieved, including for outdoor units located on levels 1–3 and the roof. Retail and food and beverage activities are also anticipated to readily comply with the precinct noise limits, although operators may need to manage music levels during night-time periods.
117. The Applicant concludes that operational noise emissions can be designed to comply with the relevant standards at all times and that the proposed development can achieve the required internal acoustic amenity standards through appropriate façade design, sound insulation and mechanical ventilation.

Council's Operational Noise Assessment (Annexure 7)

118. Council's noise specialist, Duffy Visser, has reviewed the Applicant's acoustic

assessment and agrees with its conclusions regarding operational noise effects. The specialist notes that the development is located within the Wynyard Precinct (Noise Area 1) and that the acoustic assessment demonstrates compliance with the applicable AUP operational noise requirements.

119. The specialist concludes that operational noise from building services and retail activities is not expected to generate unreasonable noise effects on surrounding properties and that the development will provide an acceptable level of amenity for future occupants. The specialist further notes that the building will incorporate suitable façade sound insulation, mechanical ventilation and building design measures to achieve the required internal noise criteria, including controls for noise transfer between tenancies.
120. On that basis, the specialist considers the proposal to meet AUP operational noise requirements and confirms that, from an operational noise perspective, the activity would comply with the permitted activity standards, subject to implementation of the acoustic design measures and conditions recommended in the acoustic report.

Conclusion on Operational Noise Effects

121. Operational noise generated by the proposed development is expected to comply with all relevant AUP Wynyard Precinct noise standards. Both the Applicant's acoustic assessment and Council's specialist review conclude that noise from mechanical services plant, retail activities and food and beverage tenancies can be appropriately managed through detailed design measures and operational controls.
122. The recommended conditions requiring compliance with specified internal noise criteria, façade sound insulation requirements and mechanical ventilation standards will provide an additional level of assurance that future residents are protected from unreasonable noise effects and that a suitable level of internal acoustic amenity is achieved. Given the urban context of the Wynyard Precinct and the range of activities anticipated within the surrounding Business – City Centre environment, these measures are considered appropriate and proportionate.
123. Accordingly, we consider that the proposal will not result in any significant adverse operational noise effects on surrounding properties or future occupants, and there are no significant residual operational noise effects on amenity that require a proportionality assessment.

Hazardous Facilities Risk

Applicant's Assessment

124. The Applicant has provided a Hazardous Facilities Risk Assessment and Draft Ammonia Emergency Response and Evacuation Plan prepared by Tonkin & Taylor Limited in support of the Application. The assessment considers the site's proximity to the Sanford fish processing facility, which uses anhydrous ammonia as a refrigerant and represents the only remaining hazardous facility within the Wynyard Precinct.

125. The assessment concludes that the site is located well outside the relevant individual injury and fatality risk contours associated with a potential ammonia release, and that future residents and occupants of the development will not be exposed to unacceptable levels of risk. As a result, no specific mitigation measures are considered necessary. However, the Applicant has prepared a Draft Ammonia Emergency Response and Evacuation Plan to satisfy the Wynyard Precinct requirements relating to risk-sensitive activities.

Council's Hazardous Facilities Risk Assessment (Annexure 8)

126. Council's contamination and hazardous substances specialist, Ruben Naidoo, has reviewed the Applicant's hazardous facilities risk assessment and agrees with its conclusions. The specialist concurs that the proposed residential activities are not subject to unacceptable levels of risk from ammonia use at the Sanford fish processing facility and that no additional mitigation measures are required. The specialist supports implementation of the proposed Ammonia Emergency Response and Evacuation Plan and considers this sufficient to address the relevant Wynyard Precinct requirements.

Conclusions on Hazardous Facilities Risk

127. The Applicant and Council's specialist agree that the proposed residential development is not exposed to unacceptable levels of risk from the nearby Sanford fish processing facility. The proposed Ammonia Emergency Response and Evacuation Plan provides an appropriate response framework should an ammonia-related incident occur within the Wynyard Precinct.
128. Accordingly, we consider that the proposal will not result in significant adverse hazardous facilities risk effects, and there are no significant residual hazardous facilities risk effects that require proportionality assessment.

Artificial Lighting

Applicant's Assessment

129. The Applicant has assessed artificial lighting effects within the AEE and concludes that external lighting associated with the development will comply with the relevant Auckland Unitary Plan lighting standards. The AEE notes that any external lighting will be designed to comply with the general lighting standards of Chapter E24, including controls relating to light spill and glare, and that compliance will be secured through proposed consent conditions requiring a Lighting Plan.

Council's Artificial Lighting Assessment (Annexure 9)

130. Council's lighting specialist, Jared Osman, has reviewed the Application and is satisfied that the proposal is acceptable from an artificial lighting perspective. The specialist notes that while no detailed lighting assessment has been provided, a Lighting Plan is proposed by way of consent condition and is supported. The specialist considers that the proposed conditions will ensure that adequate lighting is provided for safety and

visibility while also demonstrating compliance with the relevant E24.6.1 cross-boundary lighting standards.

Conclusion on lighting effects

131. The Applicant and Council's specialist are satisfied that lighting effects can be appropriately managed through preparation and implementation of a Lighting Plan demonstrating compliance with the relevant AUP standards. Accordingly, we consider that the proposal will not result in significant adverse lighting effects, and there are no significant residual lighting effects that require proportionality assessment.

SECTION C.4 CONSTRUCTION EFFECTS

Earthworks (sediment and erosion)

Applicant's Assessment

132. The Applicant has provided an Erosion and Sediment Control Plan prepared by Tonkin & Taylor Limited in support of the Application. The report assesses the erosion and sediment control measures associated with approximately 20,550m³ of earthworks across a 0.52ha site, including bulk excavation, piling, foundation works, service trenching and associated civil infrastructure required for the proposed residential-led mixed-use development
133. The Applicant's assessment identifies sediment discharges to the adjacent coastal marine area of St Marys Bay and the Waitematā Harbour as the primary earthworks-related risk. To manage these effects, a draft Erosion and Sediment Control Plan (ESCP) has been prepared in accordance with Auckland Council Guideline Document 05 (GD05) and industry best practice. The ESCP proposes a comprehensive suite of erosion and sediment controls, including perimeter bunding, stabilised construction entrances, stormwater inlet protection, dewatering and settlement systems, monitoring and maintenance procedures, dust management measures, and contingency responses for winter and extreme weather conditions.
134. The Applicant concludes that, with implementation of the ESCP, a Construction Management Plan and the proposed consent conditions, adverse earthworks and sediment-related effects will be appropriately managed and will be no more than minor.

*Council's Earthworks Assessments (**Annexures 10 and 11**)*

135. Council's Earthworks and Erosion and Sediment Control specialist, Matthew Byrne, has reviewed the Applicant's assessment and generally agrees with its conclusions. The specialist notes that the principal environmental risk associated with the proposal is the potential for sediment-laden runoff from exposed earthworks areas to discharge to the coastal marine area and wider Waitematā Harbour receiving environment.
136. The specialist considers that the Applicant has appropriately identified these risks and has proposed erosion and sediment control measures consistent with GD05 and

recognised industry best practice. The specialist supports the proposed approach of requiring a final ESCP prior to commencement of earthworks to allow for refinement once a contractor and detailed methodology have been confirmed. The specialist also supports the proposed perimeter bunding, dewatering systems, sediment treatment devices, stormwater protection measures, road sweeping, monitoring, maintenance and contingency measures, including continuation of works outside the traditional earthworks season.

137. However, the specialist recommends two additional consent conditions requiring preparation and implementation of a Pumping and Dewatering Management Plan (PDMP) and a Chemical Treatment Management Plan (ChTMP) to ensure sediment-laden water generated during excavations is managed in accordance with GD05 and best-practice construction water treatment methodologies.
138. Subject to these additional measures, the specialist concludes that sediment and erosion effects can be appropriately managed and that overall earthworks-related effects will be less than minor.
139. The Development Engineer noted that the proposal involves substantial earthworks and excavation associated with the construction of building foundations, basement levels and underground infrastructure. The Development Engineer considered that the principal engineering issue relates to the management and coordination of construction activities and associated earthworks during implementation of the development.
140. The Applicant has provided a Construction Management Plan framework to manage construction activities, including earthworks and site operations. The Development Engineer concluded that, subject to implementation of the proposed Construction Site Management Plan conditions, the earthworks and construction-related effects can be appropriately managed. The Development Engineer did not recommend any additional conditions beyond support for the Applicant's proposed Construction Site Management Plan conditions.

Conclusions on Earthworks Effects

141. The Applicant has proposed a comprehensive suite of erosion and sediment control measures to manage the potential effects associated with approximately 20,550m³ of earthworks on the site. Council's Earthworks and Erosion and Sediment Control specialist agrees that the proposed measures are consistent with GD05 and industry best practice, and concludes that earthworks-related effects can be appropriately managed through implementation of the recommended conditions, including a final Erosion and Sediment Control Plan, Pumping and Dewatering Management Plan, and Chemical Treatment Management Plan.
142. The Council's Development Engineer also reviewed the proposal and concluded that the principal engineering issues associated with the earthworks relate to the management and coordination of construction activities, including excavation works required for building foundations, basement levels and underground infrastructure. The Development Engineer is satisfied that these construction-related effects can be

appropriately managed through implementation of the proposed Construction Site Management Plan framework and associated conditions.

143. Having regard to both specialist assessments, we are satisfied that the potential earthworks, erosion and sediment control, and construction management effects associated with the proposal can be appropriately avoided, remedied or mitigated through the proposed management plans and consent conditions. Accordingly, we consider that the proposal will result in no more than minor adverse earthworks and construction-related effects on the receiving environment, and there are no significant residual effects that require proportionality assessment.

Geotechnical and Land Stability

Applicant's Assessment

144. The Applicant has provided a Geotechnical Assessment Report prepared by Initia Limited in support of the Application. The report concludes that the site is suitable for the proposed development, subject to detailed geotechnical design and construction-stage verification. The assessment identifies that the site comprises reclamation fill, hydraulic deposits, Takaanini Formation soils and underlying East Coast Bays Formation rock. Key geotechnical considerations include variable fill materials, liquefaction susceptibility, groundwater influences and excavation management.
145. The report concludes that these matters can be appropriately managed through a foundation solution comprising bored piles socketed into underlying weak rock, together with suitable excavation support, groundwater management measures and detailed geotechnical design. While acknowledging that further investigation and design refinement will be required as the project progresses, the Applicant considers that there are no geotechnical constraints that would prevent the development proceeding.

Council's Geotechnical Assessment (Annexure 12)

146. Council's consultant geotechnical specialist, Mladen Sigurnjak, has reviewed the Applicant's Geotechnical Assessment Report and considers it generally suitable to support a Fast-track Approvals Act application. The specialist agrees that the conceptual ground model, liquefaction assessment methodology and proposed piled foundation solution are appropriate for the site and consistent with current geotechnical practice and NZGS guidance.
147. The specialist notes that the current level of investigation is acceptable for this stage of the project, although some uncertainty remains regarding the lateral variability of reclamation fill and liquefiable deposits, the behaviour of transitional soils, groundwater conditions (including tidal influences), and aspects of detailed foundation performance.
148. The specialist considers these uncertainties to be typical at this stage and concludes that they can be appropriately addressed through additional site investigations, refined liquefaction assessment, detailed foundation and groundwater design, construction monitoring and certification by a Chartered Professional Engineer (Geotechnical).

Subject to these matters being secured through consent conditions, the specialist concludes that no geotechnical constraints have been identified that would preclude the granting of consent.

Conclusions on Geotechnical and Land Stability Effects

149. The Applicant and Council's geotechnical specialists both conclude that the site is suitable for the proposed development and that the identified geotechnical risks can be appropriately managed through further investigation, detailed design, construction monitoring and certification. The recommended conditions requiring additional geotechnical investigations, refined liquefaction assessments, detailed foundation and groundwater design, and construction monitoring provide an appropriate framework to address the remaining uncertainties identified at this stage.
150. Council's specialist supports the findings and recommendations of the Applicant's geotechnical assessment. With the implementation of the recommended consent conditions requiring professional supervision and certification, it is concluded that the geotechnical and stability risks associated with the development can be appropriately managed.
151. Accordingly, we consider that the proposed development will not result in significant adverse geotechnical effects, and there are no significant residual geotechnical effects that require proportionality assessment.

Groundwater

Applicant's Assessment

152. The Applicant's assessment identifies that temporary groundwater take and diversion will be required to facilitate construction of the two deep core excavations associated with the proposed development. Temporary cut-off walls and dewatering systems are proposed to manage groundwater inflows and minimise groundwater drawdown beyond the excavation areas.
153. The Applicant concludes that groundwater drawdown and associated settlement effects will be negligible and that groundwater take and diversion effects can be appropriately managed through the proposed design and consent conditions.

*Council's Groundwater Specialist Assessment (**Annexure 13**)*

154. Council's groundwater specialist, Richard Simonds, reviewed the Applicant's assessment and concurs that temporary groundwater take and diversion will be required for the two deep core excavations. The specialist is satisfied that sufficient investigation information has been provided to assess groundwater and settlement effects.
155. The specialist agrees that temporary cut-off walls and dewatering systems will appropriately manage groundwater inflows and limit groundwater drawdown beyond the excavation areas. The specialist considers that adverse groundwater and settlement

effects on neighbouring buildings, structures and services will be negligible.

156. The specialist does not consider that a Groundwater Settlement Monitoring and Contingency Plan is required but recommends conditions requiring visual inspections of surrounding land and structures during excavation works together with contingency measures should any damage occur.
157. Subject to the recommended groundwater consent conditions, the specialist concludes that groundwater take, diversion and associated settlement effects will be less than minor and supports the Application.

Groundwater Effects Conclusion

158. We accept the conclusions of the Applicant and Council's groundwater specialists. The proposed dewatering works are limited in extent and duration and will be undertaken using temporary cut-off walls and controlled dewatering systems designed to minimise groundwater drawdown effects.
159. We are satisfied that groundwater take, diversion and associated settlement effects can be appropriately managed through the recommended consent conditions. Accordingly, we consider that the proposal will result in no more than minor adverse groundwater effects and there are no significant residual groundwater effects that require proportionality assessment.

Construction Noise and Vibration

Applicant's Assessment

160. The Applicant has provided an Acoustic Assessment of Effects prepared by Marshall Day Acoustics Limited, which includes an assessment of the construction noise and vibration effects associated with the proposed development. The assessment identifies piling activities, including vibrated casings and sheet piling, as the primary sources of construction noise and vibration.
161. The report concludes that construction noise and vibration can comply with the relevant AUP standards at all receivers except Orams Marine, which is located immediately adjacent to the site. Construction noise levels at Orams Marine are predicted to exceed the permitted daytime construction noise limit during the piling phase, while vibration amenity limits may also be exceeded on occasions.
162. The Applicant notes that written approval has been obtained from Auckland Council and Westhaven Commercial Limited Partnership as the landowners, and Orams Marine as the occupier, of the affected site. The assessment concludes that, subject to implementation of a Construction Noise and Vibration Management Plan (CNVMP) and associated mitigation measures, construction noise and vibration effects will be appropriately managed.

Council's Noise and Vibration Assessment (Annexure 14)

163. Council's noise specialist, Duffy Visser, has reviewed the Applicant's assessment and generally agrees with its findings. The specialist notes that construction noise levels are predicted to exceed the AUP construction noise limits at Orams Marine by up to 25 dB during vibrated casing and sheet piling activities, and accepts that such levels would ordinarily constitute unreasonable noise effects.
164. However, the specialist notes that written approval has been provided by the landowners and occupier of Orams Marine, meaning those adverse effects can be disregarded. The specialist further concludes that construction noise and vibration effects at all other surrounding properties will comply with the relevant AUP standards due to the separation distances from the site.
165. The specialist agrees that a restricted discretionary activity consent is required because the permitted activity standards for construction noise cannot be achieved at Orams Marine, and supports the implementation of a CNVMP and associated management measures to minimise effects during construction.

Conclusions on Construction Noise and Vibration

166. The Applicant and Council's noise specialist agree that construction noise and vibration effects can be appropriately managed through implementation of a Construction Noise and Vibration Management Plan and associated mitigation measures. While construction noise and vibration standards will be exceeded at Orams Marine during parts of the piling phase, written approval has been obtained from the affected landowners and occupier, and those effects can therefore be disregarded. Construction noise and vibration effects at all other surrounding properties are expected to comply with the relevant AUP standards.
167. Accordingly, we consider that the proposal will not result in significant adverse construction noise and vibration effects, and there are no significant residual construction noise and vibration effects that require proportionality assessment.

Contaminated Land

Applicant's Assessment

168. The Applicant has provided a Detailed Site Investigation and Site Management Plan prepared by Williamson Water & Land Advisory Limited in support of the Application. The assessment confirms that the site is contaminated as a result of its historical use as part of the former Mobil Oil Auckland Special Products Terminal and identifies the presence of hydrocarbons, metals, solvents, asbestos and PFAS compounds in soil, groundwater and soil vapour. The assessment identifies the primary contamination risks as exposure to contaminated soils and groundwater during construction, management of surplus spoil, dewatering discharges, and the potential for vapour intrusion into the completed building.
169. The Applicant concludes that these risks can be appropriately managed through

implementation of a Site Management Plan, further vapour investigations and assessment, construction management controls, appropriate disposal and treatment of contaminated materials, and building design mitigation measures where required. The assessment concludes that adverse effects on human health and the environment can be reduced to less than minor.

Council's Contaminated Land Assessment (Annexure 8)

170. Council's contamination and hazardous substances specialist, Ruben Naidoo, has reviewed the Applicant's contamination assessments and generally agrees with their findings. The specialist notes that the site contains residual contamination associated with historic petroleum storage activities but agrees that the proposed development design, including the suspended ground floor slab, the absence of direct soil exposure pathways, and implementation of a Site Management Plan, will appropriately manage risks to human health and the environment.
171. The specialist notes that additional vapour monitoring and assessment will be undertaken prior to construction to confirm whether vapour protection measures are required and supports this approach. The specialist also supports the proposed management of PFAS-affected soils, contaminated groundwater, construction discharges and spoil disposal through the detailed management measures and consent conditions recommended by the Applicant.

Conclusions on Contaminated Land

172. The Applicant and Council's specialist both conclude that contamination risks associated with the site's former industrial use can be appropriately managed through implementation of a Site Management Plan, further vapour investigations and assessment, construction management measures, and the recommended consent conditions. The proposed development design and management framework provide an appropriate basis to ensure that effects on human health and the environment remain less than minor.
173. Accordingly, we consider that the proposal will not result in significant adverse contamination effects, and there are no significant residual contamination effects that require proportionality assessment.

SECTION C.5 INFRASTRUCTURE AND ENVIRONMENTAL EFFECTS

Wastewater and Water Supply

Applicant's Assessment

174. The Applicant has provided a Civil Preliminary Design Report and Engineering Drawings in support of the Application, which assesses the servicing requirements for the proposed 210 residential apartments, ground-floor retail activities and associated infrastructure.

175. The Applicant concludes that the development can be serviced by the existing public water supply and wastewater networks, with detailed servicing arrangements to be confirmed through subsequent engineering design and approvals. The proposal includes connections to the existing reticulated water and wastewater networks and does not identify any infrastructure constraints that would prevent the development from proceeding.

Watercare's Assessment (Annexure 15)

176. Watercare considers that the Project can be serviced by the existing water supply and wastewater networks, subject to further investigation to confirm downstream wastewater capacity. Watercare notes that these matters can be appropriately addressed through consent conditions and detailed design at the Engineering Plan Approval stage.
177. Watercare recommends conditions requiring a CCTV and topographic survey of the downstream wastewater network to confirm the capacity, size and condition of the existing infrastructure. Should the investigations identify insufficient wastewater capacity, Watercare recommends that any necessary network upgrades be designed and constructed by the consent holder in accordance with Watercare requirements.
178. Watercare also recommends conditions requiring operational water supply and wastewater infrastructure with sufficient capacity to service the development prior to occupation, together with detailed engineering design and approvals in accordance with Watercare's Code of Practice.

Conclusions on Wastewater and Water Supply

179. The Applicant and Watercare are satisfied that the proposed development can be serviced by the existing water supply and wastewater networks. While further investigation is required to confirm downstream wastewater capacity, Watercare considers that this matter can be appropriately managed through the recommended consent conditions and detailed design processes.
180. Accordingly, we consider that adequate provision can be made for water supply and wastewater servicing of the development, and that any remaining uncertainty regarding downstream wastewater capacity can be appropriately resolved prior to construction and occupation. There are no significant residual water supply or wastewater servicing effects that require proportionality assessment.

Stormwater

Applicant's Assessment

181. The Applicant has provided a Civil Preliminary Design Report prepared by Tonkin & Taylor Limited in support of the Application. The report assesses the capacity and servicing requirements of the existing public stormwater network and concludes that the proposed development can be adequately serviced. The proposal involves retaining the existing 300mm stormwater connection and establishing a new 300mm connection to

the existing public stormwater network within Jellicoe Street.

182. The report notes that the site is already almost entirely impervious and, as a result, there will be no material increase in impervious area following redevelopment. Post-development stormwater flows are therefore expected to be similar to existing site conditions, with only a minor increase resulting from the Application of the required climate change allowance. The assessment concludes that the existing public stormwater network has sufficient capacity to accommodate the development, including future climate change scenarios.
183. The Applicant further concludes that the proposal complies with the Auckland Council Regionwide Network Discharge Consent (RNDC) requirements for Brownfield Small developments. Stormwater treatment is not required because there are no uncovered high contaminant-generating areas proposed, and stormwater attenuation is not required because there is no material increase in runoff and the site is not located within the SMAF overlay. The Applicant therefore considers that stormwater servicing effects will be less than minor.

Council's Healthy Waters & Flood Resilience Assessment (Annexure 16)

184. Council's Healthy Waters and Flood Resilience specialist, Hillary Johnston, has reviewed the Application and raises no objection to the proposal. The specialist notes that the development has been appropriately classified as a Brownfields Small development under the RNDC and considers that sufficient information has been provided to demonstrate compliance with the relevant performance requirements. Accordingly, the specialist concludes that a Stormwater Management Plan is not required.
185. The specialist further accepts the Applicant's proposed stormwater servicing approach and notes that the redeveloped site area of approximately 4,937m² satisfies the relevant Brownfield Small development criteria. Overall, the specialist is satisfied that the proposal can achieve the applicable stormwater management requirements and does not identify any adverse stormwater effects requiring further mitigation beyond the proposed design and consent conditions.

Conclusions on Stormwater Effects

186. The Applicant and Council's Healthy Waters specialist agree that the proposed development can be adequately serviced by the existing public stormwater network and that the proposal satisfies the relevant stormwater management requirements for a Brownfield Small development. Given the site is already almost entirely impervious, the redevelopment will not result in a material increase in stormwater runoff, and stormwater treatment or attenuation is not required.
187. Accordingly, we consider that the proposed stormwater servicing arrangements are appropriate and that the proposal will not result in significant adverse stormwater effects. There are no significant residual stormwater effects that require proportionality assessment.

Coastal Hazards

Applicant's Assessment

188. The Applicant has provided a Coastal and Flood Hazard Risk Assessment prepared by Tonkin & Taylor Limited in support of the Application. The assessment concludes that the primary long-term coastal hazard affecting the site is coastal inundation associated with sea level rise, rather than coastal erosion. The report notes that the site is located on reclaimed land protected by existing seawalls and engineered coastal protection structures, and that no Areas Susceptible to Coastal Instability and Erosion (ASCIE) lines have been identified for this part of the Auckland waterfront because the shoreline is assumed to be permanently protected by those structures. The Applicant therefore concludes that the proposal will not exacerbate coastal erosion risks or adversely affect neighbouring properties.
189. The assessment identifies that coastal inundation and sea level rise will increasingly affect the surrounding road network over time. To address these risks, the proposed development incorporates a range of mitigation measures, including elevated floor levels, location of residential activities above hazard levels, critical services located at RL 3.9m, provision for future adaptation works, and a Flood Management Plan incorporating safe refuge and emergency management procedures. The assessment concludes that the proposal achieves a low level of risk from coastal inundation over the next 100 years, with a transition from safe egress in the short-to-medium term towards a greater reliance on safe refuge over the longer term as sea levels rise.
190. In response to comments from Auckland Transport regarding future inundation of surrounding roads, the Applicant advised that the assessment has not been undertaken on the assumption that adjacent roads will be raised in the future. Rather, the safety strategy is based primarily on providing safe refuge within the building over the longer term, while recognising that safe egress will remain available in the short-to-medium term. The Applicant further notes that coastal inundation events associated with storm surge are generally of relatively short duration and that essential needs for residents and visitors can be accommodated within the upper levels of the building.

Council's Coastal Specialist's Assessment (Annexure 17)

191. Council's coastal processes specialist, Dr Tola Omidiji, has reviewed the Applicant's assessment and supports the Application from a coastal hazard perspective. The specialist agrees that a site-specific coastal erosion assessment is not required given the site's highly modified reclaimed setting and the presence of substantial engineered coastal protection structures. The specialist notes that the coastal erosion provisions of Plan Change 120 do not apply because ASCIE lines do not extend into this area, reflecting the established and defended nature of the coastal edge. The specialist considers the Applicant's qualitative assessment of coastal erosion effects to be proportionate and appropriate for the site context.
192. The specialist concludes that the shoreline position is effectively fixed by the existing

seawalls and reclamation edge protection structures and that the proposal will not exacerbate coastal erosion or increase hazard exposure on adjoining properties. While acknowledging that residual risks associated with climate change and sea level rise remain over a 100-year planning horizon, the specialist considers that these risks are more appropriately characterised as long-term management issues relating to the maintenance and replacement of existing coastal protection infrastructure rather than coastal erosion processes. The specialist further concludes that the proposed development does not adversely affect public access, coastal processes, landscape values or ecological values and supports the Application without recommending additional conditions.

Auckland Transport (Annexure 19) and Council Development Engineer Assessment (Annexure 11) Regarding Coastal Inundation

193. We also note Auckland Transport's comments regarding the potential for increasing coastal inundation of the surrounding road network over time and its observation that no funded adaptation or road-raising programme currently exists for this part of Wynyard Quarter. Auckland Transport raised concerns regarding assumptions in the original Coastal and Flood Hazard Risk Assessment relating to the future management of access and evacuation routes and sought clarification regarding how the development would function should surrounding roads not be raised in the future.
194. In response, the Applicant clarified that the proposal does not rely on future road-raising works and instead adopts a safe refuge approach under Plan Change 120 once safe egress can no longer be maintained. Auckland Transport acknowledged that Plan Change 120 provides for either safe refuge or safe egress as a risk management response. However, Auckland Transport concluded that further justification is required regarding the proposed reliance on safe refuge. The Council's Development Engineer has reviewed that assessment and similarly identifies a residual information gap regarding whether safe refuge represents an appropriate long-term response to coastal inundation risk and why safe egress is not required.

Coastal Effects Conclusion

195. The Applicant and Council's coastal specialist agree that the site is located within a highly modified and defended coastal environment where coastal erosion risks are effectively managed through existing seawalls and coastal protection structures. The proposal will not exacerbate coastal erosion, adversely affect coastal processes, or increase hazard exposure on neighbouring properties.
196. While coastal inundation associated with sea level rise will increasingly affect the surrounding area over the long term, the proposed development incorporates an adaptive management approach including elevated floor levels, location of sensitive activities above hazard levels, provision for future adaptation measures, and implementation of a Flood and Coastal Inundation Management Plan.
197. The Applicant has confirmed that the proposal does not rely on future road-raising works and instead adopts a safe refuge approach under Plan Change 120. However, we note

Auckland Transport's conclusion, subsequently supported by the Council's Development Engineer, that further justification is required to demonstrate that safe refuge provides an appropriate long-term response to coastal inundation risk and that safe egress is not necessary to manage risks to life.

198. Accordingly, we consider that the proposal will not result in significant adverse coastal erosion effects. However, a residual degree of uncertainty remains regarding the appropriateness of the proposed long-term safe refuge strategy for managing coastal inundation risk.

Waste Management

Applicant's Assessment

199. The Applicant has provided a Waste Management and Minimisation Plan prepared by Rubbish Direct in support of the Application. The Plan assesses the waste management requirements associated with the proposed 210 residential apartments and approximately 624m² of food and beverage activities. The Applicant proposes that the development be serviced by a private waste collection provider, with waste and recycling managed through five refuse management areas providing approximately 98m² of storage space. The Plan calculates that approximately 65.5m² of space is required to accommodate the anticipated waste streams and therefore concludes that sufficient refuse storage capacity is available to service the development.
200. The Plan provides for the separation and collection of refuse, organics, co-mingled recycling, cardboard and glass, together with dedicated refuse management facilities, signage, cleaning and maintenance procedures, waste minimisation measures and education programmes. The Plan also concludes that collection vehicles can access the site via Beaumont Street and service the development from the on-site loading area. Overall, the Applicant concludes that the proposed arrangements will provide an efficient and effective waste management system for the development.

Council's Waste Management Assessment (Annexure 18)

201. Council's Waste Planning specialist considers the Waste Management and Minimisation Plan to be comprehensive and generally sufficient to support the Application. The specialist accepts that adequate refuse storage space has been provided and is satisfied that the proposed waste management arrangements are capable of servicing the development.
202. The specialist identifies several matters for further clarification and refinement, including the operation and management of the proposed waste chutes, confirmation that residential and commercial waste streams will remain clearly separated, and ensuring flexibility is retained for future waste collection providers. The specialist also recommends consideration of additional cardboard and glass recycling capacity, increased organics capacity, and opportunities to reduce collection frequency through the provision of additional bins. The specialist notes that the functionality of the loading and servicing arrangements remains relevant to the efficient collection of waste from the

site.

Conclusion on Waste Management Effects

203. The Applicant has demonstrated that adequate provision can be made for the storage, separation and collection of waste generated by the proposed development. The Waste Management and Minimisation Plan provides a comprehensive framework for waste minimisation, recycling, organics diversion, refuse storage and collection servicing, and Council's Waste Planning specialist is generally satisfied that the development can be adequately serviced. We consider that a finalised Waste Management and Minimisation Plan should be required by condition of consent to ensure the long-term operation of the development accords with the waste management approach assessed as part of this Application.
204. The finalised plan should address the matters identified by Council's Waste Planning specialist, including the operation and management of the proposed waste chutes, confirmation that residential and commercial waste streams will remain clearly separated, retaining flexibility for future waste collection providers, consideration of additional cardboard, glass and organic waste capacity, and confirmation that the final waste servicing arrangements remain compatible with the approved loading and servicing facilities.
205. Subject to these matters being addressed, we consider that the proposal will not result in significant adverse waste management effects, and there are no significant residual waste management effects that require proportionality assessment.

SECTION C.6 TRANSPORT EFFECTS

Applicant's Assessment

206. The Applicant has provided an Integrated Transport Assessment prepared by Parlane & Associates Limited which concludes that the proposal will result in less than minor transport effects. The assessment notes that the site is located within a highly accessible city-centre environment with excellent walking, cycling and public transport connections. Transport modelling undertaken by the Applicant indicates that the proposal is expected to generate approximately 38 two-way vehicle trips during the morning peak and 55 two-way vehicle trips during the evening peak, with negligible impacts on the surrounding transport network. The Applicant concludes that the existing transport infrastructure can accommodate the development without requiring off-site mitigation measures.
207. The Applicant further considers that the proposed parking, loading and bicycle parking arrangements are appropriate in the context of the site and notes that the proposal generally aligns with the strategic intent of intensifying residential development within the City Centre Zone and Wynyard Precinct. While acknowledging several departures from Auckland Unitary Plan transport standards, the Applicant concludes that the associated effects are less than minor.

Auckland Transport's Assessment (Annexure 19)

208. Auckland Transport generally accepts that the site is located within a highly accessible urban environment and acknowledges that the proposal is likely to exhibit travel patterns similar to the wider Wynyard Quarter, where walking, public transport use and working from home are prevalent. Auckland Transport also accepts that the traffic generated by the proposal is unlikely to result in significant adverse effects on the operation of the wider transport network and acknowledges that the site's proximity to public transport and active mode infrastructure supports reduced reliance on private vehicles.
209. However, Auckland Transport identifies several matters requiring further mitigation or refinement. These include:
- the provision of a pedestrian crossing closer to the site, including near the Beaumont Street/Madden Street intersection, to respond to pedestrian desire lines and increased pedestrian activity;
 - safety concerns associated with the basement access arrangement, including reduced visibility between pedestrians and exiting vehicles and the need for additional mitigation measures;
 - ensuring that building openings and other encroachments do not adversely affect pedestrian and cyclist movement within the public realm;
 - the implementation of a detailed and enforceable Travel Management Plan to promote sustainable travel behaviour;
 - concerns regarding construction traffic management, temporary bus stop relocation and impacts on special events within Wynyard Quarter;
 - clarification of long-term access and egress arrangements in response to future coastal inundation risks affecting the surrounding transport network; and
 - concerns that the proposed provision of 261 parking spaces may not appropriately reflect the highly accessible city-centre location or the broader objective of supporting a more transit-oriented urban environment.
210. Auckland Transport considers that additional mitigation measures are required to appropriately manage the proposal's pedestrian, traffic and construction effects. These include provision of a pedestrian crossing, mitigation measures for the basement access, amendments to building interfaces with the public realm, a detailed Travel Management Plan, and further consideration of the proposed parking supply. Auckland Transport's overall position is that, while the proposal is generally compatible with its highly accessible urban context, additional design refinement and mitigation are required to appropriately address these matters.

Council Traffic Engineers' Assessment (Annexures 20 and 20A)

211. Council's traffic engineers, Mr Honwin Shen and Mr Michael Kwok, reach a different conclusion to Auckland Transport and do not support the proposal in its current form. While the traffic engineers agree that the proposal will have less than minor effects on the operation of the surrounding transport network and generally accept the proposed vehicle access arrangements, they identify unresolved issues relating to bicycle parking and loading provision.
212. Following receipt of the Applicant's section 67 response, Council's traffic engineers

accepted that the parking layout and bicycle access arrangements were generally satisfactory. However, concerns remain regarding:

- the shortfall in visitor bicycle parking spaces;
- the provision of fewer loading spaces than required by the Auckland Unitary Plan;
- the lack of evidence demonstrating that heavy vehicles can independently manoeuvre within the loading area; and
- the overall functionality of the servicing arrangements.

213. Accordingly, both Council traffic engineering memoranda conclude that the Application cannot be supported from a traffic engineering perspective until these matters are satisfactorily resolved.

Conclusions on Transport Effects

214. There is substantial agreement between the Applicant, Auckland Transport and Council's traffic engineers that the proposal will not give rise to significant adverse effects on the safety, efficiency or capacity of the wider transport network. In particular, all parties accept that the highly accessible location of the site and the relatively low level of vehicle trip generation mean that network effects are expected to be less than minor.

215. However, we note that Auckland Transport has identified a number of matters requiring further mitigation, including pedestrian crossing provision, safety of the basement access arrangement, public realm interface design, implementation of a robust Travel Management Plan, construction traffic management, and the appropriateness of the proposed parking supply. In particular, Auckland Transport considers that the provision of 261 parking spaces is relatively high for a highly accessible city-centre location and may not be fully aligned with the objective of encouraging more sustainable travel behaviour.

216. We further note that Council's traffic engineers do not support the proposal due to unresolved visitor bicycle parking, loading and servicing deficiencies. While many of the concerns raised by both Auckland Transport and Council's traffic engineers relate to the internal operation and functionality of the development rather than the performance of the wider transport network, they nevertheless represent genuine adverse transport effects and departures from preferred transport outcomes.

217. These matters therefore weigh against the proposal and warrant consideration in the overall proportionality assessment. However, we do not consider that they are of a scale or significance that would, in themselves, justify declining the Application.

SECTION C.7 WAITEMATĀ LOCAL BOARD COMMENTS

218. The Waitematā Local Board has provided comments on the proposal, which are attached as **Annexure 21**. The Local Board raises concerns regarding:

- whether the proposed apartments will meaningfully contribute to housing affordability and increase the permanent residential population within Wynyard Quarter;

- the appropriateness of further residential intensification within an area subject to future flood and coastal inundation risk;
- the extent of the proposed height exceedances and the associated effects on the built environment, shading, wind and surrounding amenity;
- the provision of 261 car parking spaces and the potential inconsistency with the transport objectives of Wynyard Quarter and the City Centre;
- the adequacy of bicycle parking provision;
- the shortfall in loading spaces;
- the shortfall in accessible parking spaces; and
- the absence of more visible sustainability initiatives such as solar energy and green roof design.

219. The Local Board's comments have been considered alongside the technical assessments contained within this report. To the extent that the matters raised relate to urban design, transport, flooding and coastal inundation, these topics are addressed in the relevant sections of this assessment and are discussed further in the proportionality assessment in Section D.

CONCLUSION ON SECTION C STATUTORY PLANNING MATTERS

220. The technical assessments above demonstrate a high degree of agreement between the Applicant and Council's specialists across most subject areas. In particular, the identified effects relating to infrastructure, servicing, geotechnical matters, earthworks, groundwater, coastal processes, stormwater, water supply, wastewater, noise, wind, contamination, hazardous facilities risk, lighting and waste management are generally capable of being appropriately managed through the proposed design measures and recommended consent conditions. These effects are not considered to be significant and do not require further proportionality assessment.

221. However, a number of matters remain either unresolved or subject to differing professional opinion and, accordingly, require further consideration in the overall planning judgement. These matters include:

- a) The built form, visual amenity and public realm effects associated with the scale, height, bulk and visual dominance of the Tower Building, including its effects on urban design outcomes, landscape character and neighbouring amenity.
- b) The daylight, sunlight and shading effects of the proposal, including the current uncertainty arising from the absence of a comprehensive and comparative assessment quantifying the incremental effects of the proposed height and bulk exceedances on adjoining sites and public spaces.
- c) The adverse effects on the amenity of Silo Park identified by Council's Parks specialist, including shading, enclosure and dominance effects.
- d) The unresolved transport matters identified by Auckland Transport, including pedestrian safety and access design, construction traffic management, Travel Management Plan implementation, loading and servicing arrangements, and the appropriateness of the proposed parking supply in a highly accessible city-centre location.

- e) The appropriateness of the proposed long-term coastal inundation risk management approach, including the Applicant's reliance on a safe refuge response under Plan Change 120 and the residual uncertainty identified by Auckland Transport and the Council's Development Engineer regarding whether safe egress is required.
- f) The extent to which the proposal's social and economic benefits outweigh the loss of marine and port-related development opportunities anticipated by the Wynyard Precinct provisions.

222. Accordingly, **Section D** below undertakes a proportionality assessment of these matters, weighing the identified adverse effects against the proposal's housing, social and economic benefits, together with the purpose and principles of the FTAA.

SECTION D: SUMMARY OF ASSESSMENT OUTCOMES AND PROPORTIONALITY CONCLUSIONS

Overview

223. This concluding section provides a brief overview of the outcome of the overall Council assessment of the Application, based on an objective assessment of the Application material as at 28 July 2026.

224. The section is structured as follows:

- **Section 85 adverse impacts / proportionality assessment:** Analysis under section 85(3) of the Fast Track Approvals Act, examining whether adverse impacts are sufficiently significant to be out of proportion to the project's regional or national benefits.
- **Key information gaps:** Identification of residual information deficiencies and their implications for decision-making by the Panel.
- **Proportionality findings:** Again, as at the date of providing these comments, with our recommendation to the Panel.

Section 85 adverse impacts / proportionality assessment

225. Under section 85(3) of the FTAA, the Panel **may** decline an approval where adverse impacts are sufficiently significant to be out of proportion to the project's regional or national benefits.

226. This assessment requires consideration of:

- The nature and significance of adverse impacts identified through the section 81(2) process;
- The project's regional or national benefits as assessed under section 81(4);

- Whether proposed conditions or Applicant modifications could adequately address adverse impacts;
- Whether the proportionality threshold is met even after accounting for mitigation measures, compensation etc.

227. For the avoidance of doubt, the Council's assessment has not identified any reasons why the Application **must** be declined in terms of section 85(1) of the FTAA.

Adverse impacts identified

228. Based on the detailed analysis in **Sections B and C** above, the following adverse impacts have been identified, individually and collectively, as potentially meeting the section 85(3) threshold:

- The loss of marine and port-related development opportunities, including the non-provision of marine retail floor space, anticipated by the Wynyard Precinct Provisions
- Built form, visual amenity, and landscape effects associated with the scale, height and bulk of the Tower Building.
- Public realm impacts, including daylight, sunlight, shading and amenity effects, particularly in relation to Silo Park and surrounding public spaces.
- Transport and active travel modes effects, including parking oversupply, visitor bicycle parking shortfall, loading facilities, servicing arrangements, and pedestrian safety outcomes.

Project benefits summary

229. The Applicant has outlined a range of significant regional and national benefits that will be delivered by the project. These are detailed in the AEE, EIA, and ME assessment in support of the Application. The key benefits identified by the Applicant include:

- a. Economic growth, employment, and city centre economic activity: The Applicant's EIA estimates that the proposal will generate approximately \$416 million in direct expenditure within the Auckland region, or \$369 million when expressed as a Net Present Value over a five-year period with discounting applied. The assessment also identifies an estimated 3,400 FTE years of employment over the development period, comprising direct, indirect, and induced jobs across sectors such as construction, professional services, retail, and transport.

Beyond the construction phase, the Project is expected to generate ongoing economic activity by increasing the residential population within Wynyard Quarter and strengthening demand for local businesses, hospitality activities

and services. The Applicant considers that a larger residential catchment will support employment growth, increase spending within the local economy, contribute to city centre vibrancy and encourage further private investment within Wynyard Quarter and the wider city centre.

- b. Maintain industry competitiveness and contribute the economy: The Applicant submits that the proposal would support the long-term competitiveness of Orams Marine by providing accommodation opportunities that complement its marine servicing activities. The assessment notes that integrated accommodation and marine servicing offerings are increasingly common within leading international superyacht refit destinations and may strengthen Orams Marine's ability to attract and retain high-value customers.

In this context, the proposal is identified as supporting Auckland's position within the global superyacht servicing market, and safeguarding the significant economic contributions the marine precinct delivers to the region and nation.

- c. Increase residential capacity and housing choice: The Project would deliver 210 additional apartments in the City Centre. The Applicant considers this to be a significant contribution relative to recent slowdown in apartment development and the limited availability of large redevelopment sites in the City Centre. The proposal would also expand housing choice by providing a high-density residential offering within a waterfront location supported by commercial activities, public transport and other city centre amenities.
- d. Efficient use of land: The Project would redevelop a site currently underutilised as at grade car parking and replace it with a high-density, residential-led, mixed-use development. The Applicant considers that the proposal represents a substantially more efficient use of a strategically located city centre site and supports a compact urban form by accommodating growth within an existing urban area, rather than the urban periphery.
- e. Efficient use of existing and planned infrastructure: The Project enables more efficient use of existing and planned infrastructure by bringing additional residents into Wynyard Quarter, increasing utilisation of major transport, utility, community facility and public realm investments including recent streetscape, public space and transport corridor upgrades and progress on the City Rail Link. With more people sharing these assets, the marginal cost of infrastructure is reduced, and the increased residential presence strengthens the vibrancy and everyday activity of the City Centre.
- f. City Centre regeneration, intensification and vibrancy: The Project would support the continued regeneration of Wynyard Quarter by introducing a substantial residential population to an underutilised site in a highly accessible city-centre location. The increased resident population is expected to strengthen demand for local businesses, hospitality activities and services, contributing to greater economic activity and supporting the viability of existing

commercial operators.

By increasing the area's critical mass, the Project would help create a more vibrant and active urban environment, encourage further private investment and redevelopment within Wynyard Quarter, and support Auckland Council's broader objectives for city centre intensification and compact urban form. The Applicant also considers that the proposal would reinforce the attractiveness of Wynyard Quarter as a destination for residents, workers and visitors, contributing to the ongoing evolution of the precinct as a mixed-use waterfront neighbourhood.

Council's Project Benefits Assessment

230. The Council's assessment, informed by expert reviews across urban design, landscape, economics, transport, and Parks Planning, acknowledges the regional benefits asserted by the Applicant. However, it considers that the actual benefits attributable to the proposal rather than the broader economic injection require more robust evaluation. In particular, a CBA would be a more appropriate tool to determine whether the identified adverse effects are outweighed by the claimed benefits.
231. The assessment of claimed regional and national benefits has been considered holistically across all adverse impact assessments and informs the tabular proportionality assessment below.
232. This assessment draws on:
- a. The Applicant's Assessment of Environmental Effects and supporting technical reports, including the Applicant's economic assessment;
 - b. The Council's Economics Specialist's input
 - c. The Council's Parks Planning Specialist's input
 - d. The Council's Urban Design Specialist's input
 - e. The Council's Landscape Specialist's input
 - f. The Council's Traffic Specialist's input
 - g. Auckland Transport's Specialist's input

233. In summary, our assessment is that:

Economics

234. Dr Martin generally supports the proposal from an economic perspective and agrees that it would generate significant regional benefits, particularly through the provision of

additional housing supply and intensification within the city centre. However, he considers that the Applicant's economic evidence focuses primarily on economic activity rather than net economic benefit and does not adequately evaluate the costs associated with the proposal, including the opportunity costs associated with the loss of marine and port-related development opportunities and other environmental externalities.

235. The review concludes that a more robust cost-benefit analysis would provide a clearer understanding of the proposal's net economic value and assist the Panel in weighing the proposal's benefits against its adverse effects.

Built form, visual, and landscape effects

236. The Council's landscape specialist concludes that, although the additional scale and height of the Marina and Beaumont Buildings have been appropriately managed through various design techniques, the Tower Building will still result in moderate to moderate-high adverse landscape and visual amenity effects, including moderate adverse visual amenity effects on the lower levels of 155 Beaumont Street. The specialist notes that the proposed design and planting mitigation does not alter this overall assessment.
237. Similar to the landscape specialist's findings, the Council's urban design specialist concludes that although the proposal aside from the Tower Building supports several AUP provisions, including street activation, improved public access to the waterfront edge, and the design quality of the Marina and Beaumont Buildings, the mitigation proposed for the Tower Building is not sufficient to reduce its perceived visual bulk from key viewpoints, particularly from the south, west, and the far north extent of Te Ara Tukutuku. The specialist recommended design changes that could have supported a more favourable position, but these were not adopted, as they would significantly alter the Tower Building's overall design.
238. In our view, the built form, visual amenity and landscape effects are among the most significant adverse impacts identified through the Council's assessment. While the proposal undoubtedly delivers a number of benefits, the extent to which those benefits outweigh the adverse visual and amenity impacts associated with the scale and dominance of the Tower Building remains a key issue in determining whether the proposal's adverse effects are proportionate to its regional and national benefits.

Effects on public realm – amenity, daylight, sunlight and shading

239. The Council's Parks Planning and urban design specialists both raise concerns about adverse daylight, sunlight, shading and associated amenity effects resulting from the bulk and height of the development, noting that these effects have been assessed without clearly distinguishing between what is anticipated and what is proposed.
240. In our view, the absence of a comprehensive comparative daylight and sunlight assessment creates uncertainty regarding the extent of these effects. Until that information is available, the scale of the associated amenity impacts on adjacent sites and the public realm cannot be fully understood, limiting the ability to undertake a

complete proportionality assessment.

Transport effects and active transport

241. Auckland Transport has reviewed the proposal and is generally supportive. AT recommends additional mitigation measures, secured by conditions, to address actual and potential effects on pedestrian safety, access design, traffic performance, and construction related impacts. Despite this supportive position, AT has questioned the rationale for providing more than one parking space per household, noting that both the Wynyard Precinct provisions and City Centre Zone provisions promote and encourage public transport use and other active mode travel.
242. The Council's traffic specialist reaches a different conclusion from Auckland Transport and does not support the proposal due to the shortfall in loading space and visitor bike parking provision. While these shortfalls are not considered to generate more than minor effects on the receiving environment, they remain relevant to the practical operation of loading activities, and the reduced level of visitor bike parking is inconsistent with the Wynyard Precinct and City Centre provisions aimed at reducing vehicle dependency.
243. While Auckland Transport and Council's traffic engineers generally agree that the proposal will not result in significant adverse effects on the operation of the wider transport network, a number of transport-related concerns remain unresolved. These include the appropriateness of the proposed parking supply in a highly accessible city-centre location, the shortfall in visitor bicycle parking, loading and servicing deficiencies, and pedestrian safety and access design matters identified by Auckland Transport.
244. While these effects are generally localised and operational in nature, they are relevant to the overall proportionality assessment as they represent departures from the transport and active mode outcomes anticipated by the Wynyard Precinct and City Centre planning framework.

Council's Conclusion on Project Benefits

245. Having considered the Applicant's evidence and the Council's specialist reviews, we accept that the proposal is capable of delivering substantial regional benefits, particularly in relation to housing supply, economic activity, efficient use of land and infrastructure, city centre intensification, and support for the marine industry. However, we also accept the concerns raised by Dr Martin that the Applicant's assessment does not comprehensively evaluate the costs associated with the proposal and therefore the extent of any net benefit remains uncertain.
246. Notwithstanding that uncertainty, we consider that the project is capable of delivering significant regional benefits. The key question for the Panel under section 85(3) is therefore whether the identified adverse effects, particularly those relating to built form, visual amenity, public realm amenity, daylight and sunlight, are sufficiently significant to be out of proportion to those benefits.

Proportionality Assessment of Project Benefits Against Adverse Impacts

247. A detailed assessment is provided below in tabular form.

Adverse impacts	Section 85 assessment
Economics effects - The loss of land for marine and port activity and/or marine retail floor space	<u>Significance Assessment:</u> The proposal would permanently displace marine and port-related development opportunities from a site identified within the Wynyard Precinct for marine and port-related activities The loss of marine industry floorspace could undermine the sector's regionally significant economic function, particularly its location based advantages. <u>Regional/National Benefits Considered:</u> The Applicant claims that providing on site or nearby accommodation will create a meaningful competitive advantage for Orams Marine, with further flow on effects. The EIA demonstrate that the marine-related floorspace retained within Wynyard Quarter is sufficient to meet industry needs over the next 15 years. Council's economist generally accepts that the proposal is capable of delivering significant regional benefits and agrees that the residential component is relevant to supporting the competitiveness of Orams Marine. <u>Proposed Conditions/Mitigation/Compensation:</u> No proposed conditions and/or mitigation of the proposal are considered relevant. <u>Proportionality Conclusion:</u> The loss of marine and port-related development opportunities is a permanent adverse consequence of the proposal and weighs against approval. However, both the Applicant's economic evidence and Council's economist consider that sufficient marine-related floorspace is likely to remain available within Wynyard Quarter to meet anticipated industry demand over the short to medium term. While uncertainty remains regarding longer-term demand beyond the forecast period considered by the Applicant, the available evidence suggests that the adverse effects are likely to be limited in the short to medium term. Accordingly, while this matter is relevant to the proportionality assessment, we do not consider it to be among the most significant adverse effects identified through the Council's review.

Built form, visual, and landscape effects	<u>Significance Assessment:</u> The proposal is generally consistent with the Wynyard Precinct and City Centre Zone provisions in terms of its overall layout. However, as identified by the urban design and landscape specialists, the Tower Building's exceedance of height and associated bulk standards is not adequately mitigated through its design. <u>Regional/National Benefits Considered:</u> The Applicant identifies a number of benefits arising from the proposed built form, including the delivery of a landmark building, activation of key public interfaces, improved public access to the waterfront edge, and the redevelopment of an underutilised site. Council's assessment acknowledges these positive outcomes and the contribution the proposal would make to housing supply and city centre regeneration. However, Council's urban design and landscape specialists consider that unresolved concerns regarding the scale, bulk and visual dominance of the Tower Building reduce the extent to which these design-related benefits are realised. <u>Proposed Conditions/Mitigation/Compensation:</u> The Council's urban design specialists recommend a number of design refinements; however, these would require substantial amendments to the Tower Building and cannot realistically be secured through conventional conditions of consent. While the Council's landscape specialist has recommended amendments to the landscape conditions, those changes would not materially affect their overall conclusions regarding the landscape and visual amenity effects of the Tower Building. <u>Proportionality Conclusion:</u> The built form, visual amenity and landscape effects are among the most significant adverse effects identified through the Council's assessment. While the proposal delivers a number of benefits, including site activation, housing supply and public realm improvements, the scale and visual dominance of the Tower Building give rise to adverse effects that are not fully offset through the proposed design response. Accordingly, these effects attract significant weight in the proportionality assessment and are a key issue that will need to be resolved in determining whether the proposal's adverse effects are proportionate to its regional and national benefits.

Effects on public realm – amenity, daylight, sunlight and shading	<u>Significance Assessment:</u> The proposed development's location, scale, height, and bulk will inevitably affect the public realm, particularly in relation to amenity, daylight, and sunlight. Under AUP H8.3(38), these effects must be assessed to determine whether they remain acceptable in context. The Council considers that adverse public-realm effects become significant where they materially diminish the amenity of public streets and open spaces. In this regard, the Tower Building's height and bulk create a risk of adverse amenity effects, particularly through increased shading of the surrounding public spaces and pedestrian environments. <u>Regional/National Benefits Considered:</u> The Applicant asserts that the proposal will increase vibrancy within Wynyard Quarter by introducing greater intensification and activating the ground floor with retail uses, creating an attractive destination adjacent to the waterfront. <u>Proposed Conditions/Mitigation/Compensation:</u> The Council's urban design and parks specialists have identified the absence of a comprehensive comparative daylight and shading assessment as a material information gap. While the Applicant's assessment concludes that shading effects on public spaces are low due to their duration, Council's specialists consider that there is insufficient information to determine the extent of the additional effects arising from the proposed height and bulk exceedances. The shading diagrams provided indicate that the additional shading may be experienced as a relatively continuous shadow effect across parts of the public realm; however, the significance of those effects has not been adequately quantified. Accordingly, no specific mitigation measures have been identified at this stage, and further analysis is required before the effectiveness or necessity of any mitigation can be properly assessed. <u>Proportionality Conclusion:</u> The proposal has the potential to give rise to adverse daylight, sunlight and public realm amenity effects as a consequence of its scale, height and bulk. However, in the absence of a comprehensive comparative daylight and shading assessment, the extent of the additional effects arising from the proposed height and bulk infringements remains uncertain.

	Council's urban design and parks specialists have identified this information gap as material to understanding the degree of impact on adjoining public spaces, including Silo Park and surrounding pedestrian environments. Until this information is available, it is difficult to determine whether the resulting daylight, sunlight and amenity effects are proportionate to, or outweighed by, the regional and national benefits of the proposal. Accordingly, we consider that further daylight and shading analysis should be obtained before a final conclusion can be reached regarding the significance of these effects and their weight in the overall proportionality assessment.
Transport effects and active transport	<u>Significance Assessment:</u> Auckland Transport generally supports the proposal and accepts that the additional vehicle trips generated by the development are unlikely to result in significant adverse effects on the operation of the wider transport network. However, AT has identified a number of matters requiring further design refinement and mitigation, including pedestrian safety, site access design, Travel Management Plan implementation, construction traffic management, and the appropriateness of providing 261 parking spaces in a highly accessible city-centre location. The Council's traffic engineering specialists do not support the proposal due to unresolved loading and servicing issues and the shortfall in visitor bicycle parking. While these matters are not expected to generate significant adverse effects on the wider transport network, they represent departures from the transport outcomes anticipated by the Wynyard Precinct and City Centre planning framework and may affect the efficient operation of the development. <u>Regional/National Benefits Considered:</u> The proposal is located within a highly accessible city-centre environment with excellent access to public transport, walking and cycling infrastructure. The development will support residential intensification within the city centre and contribute to increased activity within Wynyard Quarter. The Applicant also proposes a Travel Management Plan intended to encourage the use of public and active transport modes.

	<u>Proposed Conditions/Mitigation/Compensation:</u> Auckland Transport has recommended a range of conditions and mitigation measures relating to pedestrian safety, site access, construction traffic management and Travel Management Plan monitoring. Subject to those measures being implemented, AT considers that the transport effects of the proposal can be appropriately managed. The matters identified by Council's traffic engineers relate primarily to the internal operation of the development, including visitor bicycle parking provision, loading space supply and servicing functionality. While these matters may be capable of being addressed through amendments to the proposal or additional management measures, they remain unresolved at the time of writing. <u>Proportionality Conclusion:</u> The transport effects identified by Auckland Transport and Council's traffic engineers are generally localised and operational in nature. While they weigh against the proposal and are relevant to the overall assessment, they are not among the most significant adverse effects identified through the Council's review. We do not consider that the transport-related effects, either individually or collectively, are likely to be out of proportion to the regional and national benefits associated with the project.
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Key Information Gaps

248. On 3, 14 and 15 July 2026 the Applicant provided a response to the s67 matters raised by Council in the memo dated 24 June 2026. The Council has identified remaining information gaps within the Application material that are included in the table below.

Information Gap	Decision Making Impact	Nature of deficiency	Risk / uncertainty created
Urban design: Comprehensive shading diagrams	A comparative shading assessment has not been provided comparing the proposed development with an AUP-enabled building envelope.	Unable to assess the incremental shading effects that arise from the proposed exceedances in height and bulk on highly used public spaces, neighbouring sites, and pedestrian amenity.	Medium Risk. Uncertainty remains regarding the extent of additional shading attributable to the proposed height and bulk exceedances and its effect on public open spaces, streets and neighbouring development. Without this information, it is difficult to determine whether the resulting amenity effects are acceptable or proportionate to the

			proposal's identified benefits.
Urban Design: Daylight assessment	A comparative daylight assessment has not been provided to demonstrate the daylight effects of the proposed development relative to an AUP-enabled building envelope.	Unable to assess the daylight effects of the proposed development on the surrounding environment.	Medium Risk. Uncertainty remains regarding the extent of daylight loss experienced by surrounding public spaces and neighbouring properties. This limits the ability to assess whether the proposal will result in adverse amenity effects beyond those anticipated by the planning framework and whether any such effects are acceptable.
Urban Design: Viewpoint render from Wynyard Point	An architectural render from Te Ara Tukutuku is to be provided.	Unable to adequately assess the visual appearance and built form effects from a key public vantage point.	Low Risk. Uncertainty regarding the development's landmark quality and visual impact when viewed from Te Ara Tukutuku, as the angled facades are parallel in views.
Economist: Assessment of the cost and benefit of environment, loss of amenity, and other externalities may be incurred by this proposal	The PE (EIA) report does not measure economic benefits but provides a measure of economic activity.	The absence of any meaningful quantification of the project's economic benefits and costs significantly constrains the ability to make a well informed decision. Without a CBA, key costs such as the loss of marine industry land, increased shading, reduced daylight, and public realm impacts cannot be weighed against the project's claimed regional benefits in a consistent or comparable way. As a result, the decision is left to assess substantial adverse effects without an equivalent measure of the scale of the benefits, creating a material gap in the evidence needed to determine whether the proposal is likely to be net beneficial.	Medium Risk. Uncertainty remains regarding whether the proposal's claimed regional and national benefits outweigh the adverse economic, environmental and amenity costs associated with the loss of marine industry opportunities, reduced public realm amenity, and other externalities. In the absence of a robust cost-benefit assessment, the net benefit of the proposal cannot be confidently determined.
Coastal Inundation Risk Hazard:	The Applicant has proposed a safe refuge approach under PC120 to manage future coastal inundation risk. Further justification is required to demonstrate why safe refuge is appropriate and why safe egress is not necessary for the site.	Limits the ability to determine whether long-term coastal inundation risks to future occupants have been appropriately avoided or mitigated.	Medium Risk. Uncertainty remains regarding the effectiveness of the proposed safe refuge approach if surrounding roads are not raised and coastal inundation risk increases over time.

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Proportionality Findings

249. The Council's assessment has identified a number of adverse impacts that require consideration under section 85(3) of the FTAA, including:
- the loss of marine and port-related development opportunities;
 - built form, visual amenity and landscape effects associated with the scale, height and bulk of the Tower Building;
 - public realm, daylight and sunlight effects arising from the proposed development; and
 - transport and active mode related effects.
250. These effects have been considered against the regional and national benefits identified by the Applicant, including housing supply, city centre intensification, economic activity, efficient use of land and infrastructure, and support for the marine industry.
251. The proportionality assessment undertaken above sets out our conclusions in relation to each of these matters and the weight that should be given to them in determining whether the adverse effects are out of proportion to the project's regional and national benefits.

RECOMMENDATION AND CONCLUSION

252. Based on our assessment as outlined in the preceding sections of this report, we are satisfied that the proposal is capable of delivering substantial regional benefits, particularly in relation to housing supply, city centre intensification, economic activity, efficient use of land and infrastructure, and support for the marine industry.
253. While the proposal will result in adverse impacts, particularly in relation to built form, visual amenity, landscape character, public realm amenity, and the loss of marine and port-related development opportunities, I consider it likely that those effects are not significantly out of proportion to the proposal's identified benefits.
254. In this respect, we consider that further information regarding daylight, sunlight and shading effects, together with further justification regarding the proposed reliance on a safe refuge approach under Plan Change 120 (PC120), would assist in resolving the remaining areas of uncertainty identified in this report.
255. We also consider that further expert conferencing on the urban design, landscape and public realm matters would be beneficial to explore whether modifications to the design of the Tower Building could reduce its adverse effects while maintaining the project's core objectives. Such a process may assist the Panel in better understanding the scope for design refinement and the extent to which the identified adverse effects can be avoided, remedied or mitigated.
256. Subject to the Panel's consideration of the identified information gaps and the issues

discussed above, we consider the proposal is generally supportable under the Fast-track Approvals Act 2024.

DATED the 28th day of July 2026



Russell Butchers

Principal Project Lead, Planning and Resource Consents, Auckland Council
28 July 2026



Lewis So

Intermediate Planner, Planning and Resource Consents, Auckland Council

Reviewed and approved for release by:



Dean Williams

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