

11 June 2026

Attention: Jessie Richardson, Application Lead, Fast-track Applications, Environmental Protection Authority [REDACTED]

Dear Jessie,

FTAA-2512-1158 - Auckland Council response to RFI S67 Condition Review

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

Thank you for your Request for information 2 letter in relation to the Downtown Carpark Site Development project, under section 67 of the Fast-track approvals Act 2024, requesting a review of the Applicant's s55 Proposed Consent Conditions, dated 3 June 2026.

Attached to this letter (*Attachment 1*) with tracked changes and comments is the Council's comments based on the 'clean' version of the Applicant's Proposed Consent Conditions (updated under s55).

In preparing and making the comments, the following specialists were asked to review the updated Management Plans and Memorandums provided by the Applicant in their s55 response:

1. Auckland Transport – have reviewed the various Transport related documents and updated condition set within the s55 Response, including the amended Hotel Pick-Up and Drop-Off design. Notably:
 - An Auckland Transport set of s55 Condition comments are attached as *Appendix 2*;

- A summary email from Auckland Transport's Planning Advisor is attached as *Appendix 3* summarising the areas where previously unresolved matters are now resolved (subject to the condition amendments recommended); and
 - A Transport Memorandum has been prepared by Auckland Transport's Traffic Engineer, focussing on the Hotel Pick up and drop off facility and its operation (attached as *Appendix 4* to this letter) owing to remaining concerns regarding its design, operation and management.
2. Air Quality Specialist – owing to the change in approach to the dust monitoring regime and amended monitoring compared to what was requested, and taking account of the sensitive receptors nearby.
 3. Wind Specialist – owing to testing of a fall-back position regarding wind mitigation relating to off-site tree planting and review of updated Wind Memorandum;
 4. Development Engineer – specifically with respect of the updated Flood Barrier Management Plan and proposed conditions.
 5. Groundwater Specialist – owing to the update to the GSMCP and complexity of the project.
 6. Noise and Vibration Specialist – owing to the update to the Construction Noise and Vibration Management Plan and proposed conditions and as the review of updated conditions was explicitly requested in their memo.

A review of Memorandum's not associated or informing condition drafting (such as the Economic Memorandum), have not been undertaken by Specialists, noting the framing of the request.

For clarity to the Panel, no further review of the conditions or Geotechnical or Structural Memorandums was carried out by Council Specialists. However, the updated GSMCP was reviewed by the Groundwater Specialist, and condition amendments and additions are recommended as a result.

The comments provided by Council Specialists are generally included in the 'Proposed Planning Conditions' document itself.

To assist the Panel, noting the request has been to focus on conditions, the Council wishes to draw the Panel's attention to key points relating to wind, infrastructure and the Hotel Pick up and Drop off (PUDO), as outlined below.

Approach to Condition comments:

- Where condition amendments largely relate to edits to reflect consistent language or general council drafting approach, no comments have been provided alongside those changes. These are considered BAU.
- Comments are otherwise provided to explain the requested amendment.
- Auckland Transport comments and edits have been consolidated into the Council set for the ease of the Panel. Where some minor edits may have been made, these are mainly for readability purposes and are identified.
- Whilst some comments and edits have been suggested to the reports listed at Attachment 1 and the plans listed at Attachment 2 of the Proposed Consent Condition set, these are not a complete or exhaustive review. It is recommended that the s55 Memorandums be included in the 'Documents' list.

Wind

The Council's Wind Specialist has reviewed the s55 Wind Memorandum, prepared by Holmes dated 20 May 2026 and reviewed the recommended bespoke wind conditions suggesting edits and further clarity. Those comments are copied into the Council set. For clarity to the Panel, the Council's Wind Specialist made the following comments with regards to the s55 Wind Memorandum:

I would agree that the current development design configuration, including all the mitigation elements, does satisfy the AUP requirements at most locations.

1. I would also agree that most of the effects where the development does not strictly meet the AUP requirements are localised, and that the Category D conditions of concern will not mean that these locations are windy all the time. However, I do think that the assertion that these Category D conditions are broadly similar to the existing conditions is still somewhat overclaimed, given the existing trees were not included for the existing measurements.
3. The suggestion of the 5m tall porous screen positioned in the northern site boundary to help mitigate the effects around the NW corner of the site does appear to have some merit based on the Simscale CFD modelling. However, we do not currently have information on:
 - (a) the porosity of the screen that was modelled;
 - (b) whether the 240 degree wind direction modelled was the one that produced the highest winds speeds, and
 - (c) CFD results for the existing situation (with existing trees). The latter would allow a more objective comparison.

In this regard, the Council considers there are some unresolved / unclear design details and modelling information with respect of relying on the proposed replacement Wind Screen as a fall-back position. This is brought to the attention of the Panel.

Whilst Council considers that details of the mitigation of wind effects (as noted above) should be provided prior to a decision being made on the application to provide certainty on the extent of wind effects and mitigation requirements, should the Panel not agree, Auckland Council request conditions be imposed (46A, 46B, 47C, 47D, 47E, 107, 107A, 108A and 108B) which will, notwithstanding the point made above, ensure that resulting wind effects do not exceed those outlined in the Environmental Winds Report dated 29 October 2026.

Infrastructure

As noted in the Council Memorandum (s53 response), an information gap relating to infrastructure was identified (in particular Wastewater infrastructure). The Applicant, in the s55 Planning Memorandum is of the view that the details are sufficient, feasible options are under discussion and that the proposed condition is sufficient given the details will be resolved via the Engineering Approval process. In particular the Applicant identifies that the construction traffic effects can be considered as part of Corridor Access Request (CAR) and that the wastewater options can be undertaken as a permitted activity under the AUP(OP). A single condition is proposed by the Applicant in this respect.

The Planning Memorandum statement that the infrastructure works are a permitted activity are not agreed based on the level of detail provided with each option at this stage. It remains the Council's position that these matters should be dealt with up front (consenting requirements and understanding the effects) to provide certainty that the upgrades will be in place prior to occupation of the development.

Further to the comments made in the Council Memorandum (s53 response), the five presented wastewater options have, as a result of discussions between Auckland Transport and Watercare been narrowed to two: Option 1 and Option 4. Concerns remain with respect of transport network effects as a result of carrying out all infrastructure works as well as other effects that have not been assessed (nor consent matters applied for). Consideration of the feasible options is discussed further below.

For clarity, Watercare in their original Memo dated 23 April 2026 (Council s53 response) advised that local network upgrades are the responsibility of the applicant. This is recommended back into the condition set.

Auckland Council acknowledge that ongoing discussions between the Applicant, Watercare and Auckland Transport are occurring in the interest of reaching resolution, and conditions may need to be updated to reflect any agreements.

However, notwithstanding this position, and at the time of providing the Council's response to the EPA s67 request on conditions (11/06/2026), in the absence of agreement confirmed in writing between the parties in respect of feasible wastewater reticulation options, the comments on conditions are in this context, should the Panel not agree with Council's position. Additional wording is recommended in conditions including the Construction Management Plan, Construction Traffic Management Plan and Construction Noise and Vibration Management Plan.

Auckland Council strongly encourage continued engagement on consent conditions, to ensure the consent (if granted) can be implemented in the most efficient way.

Options 1 and 4 are supported by Watercare for further discussion, however Option 4, being located on land outside of the control of the Applicant (within Sturdee Street road reserve and possibly partly within an 'Open space Zone'), and including a pump station will require further design development. To assist, Watercare are sourcing minimum design / truck size, manoeuvring space and other design requirements to support the maintenance of a pump station and inform the detailed design under Option 4. Regardless of conclusion on the conditions by the Panel, the design detail will be needed to support the development moving beyond a possible grant under the FTAA. In the event Option 4 is determined the only feasible option, this detail is critical to inform the detailed design and positioning of the pump station.

Option 1 is generally regarded by Auckland Transport as preferable as it is likely to have the least effects (including cumulative effects) on the transport network out of the two feasible options. Option 1, to confirm as feasible, would benefit from further and updated information from the Applicant regarding construction program detail and details of any planned and/or staged completion and occupation. A condition (Condition 78B) is recommended to secure a decision on feasibility as soon as possible to enable detailed design matters and any additional consenting requirements to be identified, consents to be lodged and secured. Moving beyond this, the infrastructure upgrades will need to be timed in conjunction with the Downtown Project Construction traffic effects as addressed by the CTMP (and any other works occurring at that time), to be in place in time for first occupation.

Further to the above, if this option (Option 1) is concluded not to be feasibly delivered in time to support the planned occupation dates of the development, then commencing with detailed design and consenting requirements for Option 4 (given its greater complexity) will need to commence as soon as possible. This is to safeguard as much time as possible for consenting and construction, owing to the sensitive location proximate to the Downtown Carpark Redevelopment project construction entrance and works. The conditions (78B and 78C) are recommended to reduce the risk of delays to occupation of the development as a result of incomplete infrastructure upgrades.

Whilst these conditions are recommended, the Council's position remains that more detailed phased delivery / occupation plans from the Applicant would better inform the recommended conditions and the trigger points for certification to further de-risk this matter.

At this stage and with the current information available, Auckland Council are not able to confirm the Applicant's conclusion that Options 1 and 4 would be a permitted activity because it is not clear at what depth any pipework will be proposed (Options 1 and 4), construction methodology and potential E12 standards are not addressed (with potential for groundwater consents being triggered). The land is reclaimed and therefore (as per the development site) likely contaminated. For Option 4 this may in addition to these reasons require consents under Chapter E26 based on resulting final design size and height (if above ground) as well as potential tree removal.

The following concerns are highlighted to the Panel with respect of the Applicant's position:

- The reliance on a single condition, that wastewater connections will be in place prior to building occupation, presents risk to both the Applicant and the Council based on the uncertainty of additional consenting requirements (described above). Further to this, given the complexity of the city centre environment that includes the regional transport interchange function and the number of buses and passengers served daily using the immediate streets that will be affected by the construction of the development, the absence of construction traffic effects assessment to carry out the infrastructure upgrade works will compound / network effects without careful management. Further to this, there is a complexity of underground services and will likely require a complex construction methodology to keep the transport network and particularly buses moving.
- The above is reiterated as a risk, as resolving the matters in the bullet above will take some time by the asset owners and the Applicant (and may or is likely to require securing additional consent(s)).
- The consenting concerns and consideration of effects in the transport network are also relevant to the stormwater upgrades.
- The Applicant has not included Watercare's requested / recommended conditions as set out in their Memo dated 23 April 2026 (Council s53 response). This is added to the attached condition document (condition 78A) and refers to the 'consent holder's responsibility for designing, constructing and funding any local network wastewater and water supply upgrades'.

Condition 78A is considered to be critical as, based on the Watercare Memo (provided with the s53 Response), without clarifying the responsibility of the consent holder to deliver these works, there is a risk that Watercare does not have sufficient funding or internal capacity to deliver the design including the potentially complex consenting requirements to deliver the upgrades in a timeframe to development support planned occupation. At this stage, with the single condition proposed by the Applicant, the risk of infrastructure capacity not being sufficient at the time the development is due to be occupied is high.

In support of this, two further conditions (Conditions 78B and 78C) are recommended, which are intended to ensure progress is made to resolve the wastewater capacity upgrades required to support the development in a timely manner to reduce the risks outlined above.

Furthermore it is recommended that the CMP, CTMP, CNVMP and the Schedules to the CNVMP are updated to include reference to infrastructure works. This approach should not be seen to infer implied consent is granted for matters that have not been adequately detailed and designed to reach a conclusion on.

Hotel PUDO

The attached Memorandum from Auckland Transport covers this in detail. Auckland Transport remain of the opinion that the facility is insufficiently sized and the management measures are insufficient to adequately mitigate adverse effects on the operation of the transport network.

A number of condition amendments and additional conditions relating to monitoring and reviews are recommended.

Attachments:

1. Council comments (consolidated to include Auckland Transport Tracked changes) on the s55 Proposed Consent Conditions (PDF);
2. Auckland Transport, Planning Cover Email dated 10 June 2026;
3. Auckland Transport (PDF) comments on the s55 Proposed Consent Conditions (PDF); and
4. Auckland Transport, Progressive Transport Solutions Memorandum, dated 8 June 2026

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

Yours sincerely,

Prepared by:



Sarah Wilson

Senior Planner, Auckland Council

Reviewed by:



Adonica Giborees

Principal Project Lead, Auckland Council