Response ID ANON-URZ4-5FKA-V

Submitted to Fast-track approval applications Submitted on 2024-05-03 18:54:39

Submitter details

Is this application for section 2a or 2b?

2A

1 Submitter name

Individual or organisation name: Precinct Properties New Zealand Limited ("Precinct")

2 Contact person

Contact person name: Tim Woods

3 What is your job title

Job title: General Manager, Development

4 What is your contact email address?

Email: s 9(2)(a)

5 What is your phone number?

Phone number: s 9(2)(a)

6 What is your postal address?

Postal address:

PO Box 5140, Auckland 1141

7 Is your address for service different from your postal address?

Yes

Organisation: Russell McVeagh

Contact person: Simon Pilkinton (Partner) / Shontelle Grimberg (Solicitor)

Phone number: s 9(2)(a)

Email address: s 9(2)(a)

Job title: Partner / Solicitor

Please enter your service address:

Russell McVeagh Vero Centre 48 Shortland Street Auckland 1140

Section 1: Project location

Site address or location

Add the address or describe the location:

The site is located at 2 Lower Hobson Street Auckland Central, being the corner of Customs Street West and Lower Hobson Street and a pivotal location within Auckland's waterfront precinct. The site also includes the properties at 29 Customs Street (Aon House) and 188 Quay Street (HSBC Tower), although subsurface disturbance is not proposed at these properties. The site also affects 204 Quay Street.

The legal description for the site (refer to Appendix 1 for the Records of Title and Interests) is as follows ("Project"):

Lot 9 DP 60151 (comprised in Record of Title NA15A/424);

• Lot 7 DP 77037 (comprised in Record of Title NA33C/37);

• Lot 1 DP 78340 and Lot 5 DP 63972 (comprised in Record of Title NA128C/787);

Lot 1 DP 183125 (comprised in Record of Title NA114A/611).

The Project location is identified in the map and aerial attached.

The Site is subject to Designation 1550 Car Park - Custom Street West held by Auckland Transport (discussed further below).

File upload: Map and aerial.pdf was uploaded

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Do you have a current copy of the relevant Record(s) of Title?

Yes

upload file: Appendix One (Records of Title) + Appendix Two (Eke Panuku Photos).pdf was uploaded

Who are the registered legal land owner(s)?

Please write your answer here:

• Auckland Council (Lot 9 DP 60151)

• Precinct Properties Holdings Limited (Lot 1 DP 183125, Lot 1 DP 78340, Lot 5 DP 63972 and Lot 7 DP 77037)

Viaduct Harbour Holdings Limited (Lot 1 DP 183125)

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur

Please write your answer here:

The applicant has recently executed a conditional Development Agreement with Auckland Council for the acquisition and redevelopment of the Downtown Carpark Site. The Development Agreement provides for the applicant to purchase the fee simple title to the Downtown Carpark Site. Settlement of the applicant's purchase is expected to occur in late-April 2025.

Section 2: Project details

What is the project name?

Please write your answer here: The Downtown Carpark Redevelopment - Te Pūmanawa o Tāmaki (Pūmanawa).

What is the project summary?

Please write your answer here:

The Project comprises the demolition of the existing Downtown Carpark building located at 2 Lower Hobson Street (the current site of a multi-storey carpark) to deliver a world class, environmentally sustainable precinct accommodating residential and commercial office uses together with retail and hospitality, as providing a new civic space and an extensive new laneway and public space network.

What are the project details?

Please write your answer here:

The Project seeks to redefine, connect, and transform the western edge of Tāmaki Makaurau's city centre and its relationship with the waterfront through the creation of an integrated mixed-use precinct, a gateway to unlock the potential as prescribed in Auckland's City Centre Masterplan. In doing so, the redevelopment of the Downtown Carpark Site will catalyse the next phase of the city centre's evolution.

The Project comprises the demolition of the existing Downtown Carpark Building and the subsequent construction of two towers - Tower 1

(approximately 56 levels, 222.5 metres in height) is situated just west of the existing AON House tower, and Tower 2 (approximately 41 levels, 164.5 metres in height) is positioned closer to Lower Hobson Road on the western side of the site. Three podium buildings will be built - Podium 1 (located below Tower 1), Podium 2 (located below Tower 2), and Podium 3, together with a significant new public realm including an extensive new laneway network and civic space – Te Urunga Hau, the Urban Room.

Together these elements form a cohesive, integrated approximately 170,000m2 mixed-use precinct combining world class workplace, living, entertainment, retail, hospitality, and civic uses. Specifically, the project involves:

• Demolition of:

o the existing Downtown Carpark Building;

o the vehicle ramp connecting to Fanshawe Street; and

o the pedestrian bridge over Lower Hobson Street together with the required make good works/ restoration of the heritage façade of 204 Quay Street following the removal of the pedestrian bridge.

Construction of:

o approximately 62,500m2 of premium commercial office space located within the low and midrise of Tower 1 and Podium buildings 1 and 2.

o approximately 51,000m2 of residential GFA providing between 300 – 350 apartments with a mix of apartment typologies located in Tower 2 and within the high rise of Tower 1.

o approximately 2,500m2 of retail and hospitality

o approximately 3,300m2 of new public realm within the site boundary.

o five level basement to support approximately 613 carparks for residential and commercial uses.

o associated interventions to podia of Aon House and HSBC Building to enable connection and access through the block.

• Concept design images are attached at Appendix 2 (which are subject to detailed design, and may change). These are available on the Eke Panuku website: https://www.ekepanuku.co.nz/news/downtown-car-park-redevelopment/

Describe the staging of the project, including the nature and timing of the staging

Please write your answer here:

The Project will broadly be delivered as follows:

- Demolition: January 2026 November 2026
- Enabling Works and Basement Construction: December 2026 February 2029

Above Ground Works:

o Podium 2 and Tower 2: August 2028 – October 2031

- o Podium 1 and Tower 1: October 2028 November 2031
- o Podium 3: February 2029 April 2031

What are the details of the regime under which approval is being sought?

Please write your answer here:

Resource Management Act 1991

Heritage New Zealand Pouhere Toanga Act 2014

If you seeking approval under the Resource Management Act, who are the relevant local authorities?

Please write your answer here:

Auckland Council

What applications have you already made for approvals on the same or a similar project?

Please write your answer here:

N/A

Is approval required for the project by someone other than the applicant?

Yes

Please explain your answer here:

Redevelopment of the Site for the Project would require section 176 approval of Designation 1550 Car Park – Custom Street West held by Auckland Transport while that designation remains in place. It is anticipated that the designation will be removed as it will no longer be relevant to the Site. However, if the designation remains in place when the applicant seeks to implement any consents for the Project, approval will be required by Auckland Transport to implement those consents under section 176 of the RMA.

The Development Agreement with Auckland Council is also subject to certain conditions. The applicant anticipates the Development Agreement will be unconditional by mid-June 2024.

If the approval(s) are granted, when do you anticipate construction activities will begin, and be completed?

Please write your answer here:

Current proposed timeline as follows:

- Preliminary Design: Q3 2024 Q1 2025 (8 months)
- Developed Design: Q2 2025 Q1 2026 (12 months)
- Detailed Design: Q2 2026 Q1 2027 (12 months)
- Procurement (staged): Q4 2024 Q1 2026
- Demolition: Jan 2026 November 2026
- Enabling Works: December 2026 February 2029
- Above ground Works: August 2028 November 2031

Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

Persons affected by the project:

- Auckland Council
- Eke Panuku Development Auckland Limited
- Auckland Transport
- Iwi Authorities:
- o Ngāti Wai
- o Ngāti Manuhiri
- o Ngāti Rehua Ngāti Wai ki Aotea
- o Te Rūnanga o Ngāti Whātua
- o Te Uri o Hau
- o Ngāti Whātua o Kaipara
- o Ngāti Whātua Ōrākei
- o Te Kawerau ā Maki
- o Ngāti Tamaoho
- o Te Ākitai Waiohua
- o Ngāi Tai ki Tāmaki
- o Ngāti Te Ata Waiohua
- o Te Ahiwaru Waiohua
- o Waikato-Tainui
- o Ngāti Paoa
- o Ngāti Whanaunga
- o Ngāti Maru
- o Ngāti Tamaterā
- o Te Patukirikiri.
- Whai Rawa
- Adjacent landowners and occupiers

Detail all consultation undertaken with the persons referred to above. Include a statement explaining how engagement has informed the project.

Please write your answer here:

• Eke Panuku Development Auckland – engagement was undertaken with Eke Panuku Development Auckland seeking to purchase and redevelop the Downtown Carpark Site culminating in a conditional Development Agreement. Consultation with the Eke Panuku Technical Advisory Group (an independent panel of experts in the fields of architecture, urban design, and landscape architecture) has also occurred. The design as continued to evolve and be refined through the TAG process on urban design outcomes together with public realm outcomes.

• Auckland Transport – initial engagement with Auckland Transport has occurred as part of the Development Agreement negotiations. The conditional Development Agreement includes an Integration Agreement Terms Sheet intended to ensure an integrated approach to the design, consenting, programming, management, and delivery of key packages of work relating to transport outcomes.

• Auckland Council – a series of five pre-application consenting meetings have been held with Auckland Council officers. Design decisions have developed in response to Council officer feedback in relation to bulk and massing, street interfaces and activation.

 Iwi authorities – a programme of engagement is being undertaken via the Eke Panuku Mana Whenua Governance Forum, including Ngāti Whātua Örākei. As tangata whenua of the site, a commercial partnership exists with Ngāti Whātua Örākei which provides the opportunity for co-investment together with a design partnership and the creation of intergenerational prosperity through the provision of meaningful and quality employment and business opportunities. Early and ongoing engagement has occurred regarding cultural context and an agreed framework exists in relation to jobs, small businesses and contracting opportunities within the development. For the Project: Te Pūmanawa o Tāmaki the unifying idea is Whakairo i te wai; Whakairo i te ringa; Whakairo i te rā, ā, ka ita i te taiao meaning carved by water, carved by hand, and carved by light.

• Nearby landowners and occupiers –regarding disruption during the construction period, integration with the new development, and any necessary landowner approvals required to implement the consents, should they be obtained.

Upload file here: No file uploaded Describe any processes already undertaken under the Public Works Act 1981 in relation to the land or any part of the land on which the project will occur:

Please write your answer here:

N/A

Section 4: Iwi authorities and Treaty settlements

What treaty settlements apply to the geographical location of the project?

Please write your answer here:

The Project is in the rohe / area of interest of the following iwi with Treaty settlements. While the Crown has made statutory acknowledgements of iwi association to certain statutory areas (excluding Waikato-Tainui), none of these statutory acknowledgement areas are on the grounds of the Project site.

Please see bullet points below for more details on the key principles / provisions of treaty settlements in the area:

• Ngāti Whātua Ōrākei – The iwi has treaty settlement legislation: Ngāti Whātua Ōrākei Claims Settlement Act 2012 providing for cultural redress, including issuing of protocols to the trustee of Ngāti Whātua Ōrākei Trust by various Ministers, a statutory acknowledgment of the iwi's cultural / spiritual / historical associations with land at Kauri Point all of which is outside the Project site.

• Ngāi Tai ki Tāmaki Trust – The iwi has treaty settlement legislation: Ngāi Tai ki Tāmaki Claims Settlement Act 2018. The Crown has issued a statutory acknowledgement over certain land with cultural redress vesting properties in fee simple or as reserves / Māori reservations, but these are not located in the Project site.

• Ngāti Pāoa – The iwi is in the process of finalising treaty settlement legislation through the Ngāti Pāoa Claims Settlement Bill 2022. The Crown is to acknowledge Ngāti Pāoa's association with certain statutory areas (eg at Kiripaka Wildlife Scenic Reserve), and cultural redress includes vesting property in fee simple or administering these as reserves all of which are outside of the Project site.

• Ngāti Tamaoho – The iwi has treaty settlement legislation: Ngāti Tamaoho Claims Settlement Act 2018. The Crown has made a statutory acknowledgement in relation to certain areas and the Coastal Marine Area, but none of those areas subject to statutory acknowledgements/deed of recognition, or the cultural redress properties, affect the Project site.

• Te Kawerau ā Maki – The iwi has settlement legislation: Te Kawerau ā Maki Claims Settlement Act 2015. The Crown has made a statutory acknowledgment to certain areas such as Taumaihi and a coastal statutory acknowledgement. The whenua rāhui area and provision for vesting properties in fee simple or as reserves / Māori reservations are also outside the Project site.

• Waikato-Tainui – The iwi has settlement legislation: Waikato Raupatu Claims Settlement Act 1995. The Crown has not made a statutory acknowledgement but acknowledges its breach of the Treaty of Waitangi and has issued an apology. The settlement legislation provides for transfer of land, land concerned with resumptive memorials, and modification of Public Works Act 1991 provisions applicable to acquisition of settlement property, but these do not affect the Project site.

Regarding the statutory acknowledgments referred to above, the purpose of these to require Auckland Council, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgment concerning the statutory area when processing resource consent applications.

Are there any Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 principles or provisions that are relevant to the project?

No

If yes, what are they?:

Are there any identified parcels of Māori land within the project area, marae, and identified wāhi tapu?

No

If yes, what are they?:

Of note, there is a Mana Whenua overlay south and southeast of the Project site at Fanshawe Street (D21 "Sites and Places of Significance to Mana Whenua Overlay"). That overlay applies to sites scheduled and protected for their significance to Mana Whenua. The objective of the overlay is protection and enhancement of the tangible and intangible values of those schedule sites, and protecting them from inappropriate subdivision, use and development, such as inappropriate demolition, destruction or modification. Please see image from the Auckland Unitary Plan illustrating the location of this overlay (attached at the end of this section).

Is the project proposed on any land returned under a Treaty settlement or any identified Māori land described in the ineligibility criteria?

No

Has the applicant has secured the relevant landowners' consent?

No

Is the project proposed in any customary marine title area, protected customary rights area, or aquaculture settlement area declared under s 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004 or identified within an individual iwi settlement?

If yes, what are they?:

Has there been an assessment of any effects of the activity on the exercise of a protected customary right?

No

If yes, please explain:

Upload your assessment if necessary: No file uploaded

Section 5: Adverse effects

What are the anticipated and known adverse effects of the project on the environment?

Please describe:

Earthworks and Geotechnical

During the earthworks phase of construction, sediment and erosion control measures will be installed as required to manage any adverse environmental effects. All proposed measures will be designed in accordance with Auckland Council guidelines prescribed in GD05 to ensure that sediment is removed from stormwater runoff prior to discharge from the site. As well as measures to mitigate sediment and erosion runoff effects, measures to control dust generation and noise generation will also be implemented in accordance with standard good practice procedures and include limiting noise-generating activities to appropriate times. A retention system will be provided for the basement excavation to ensure a high level of stability is maintained for the surrounding buildings and critical infrastructure. Details of this retention system will form part of the recommendations of a geotechnical investigation report.

On the basis of the above, and subject to a detailed construction management plan being prepared, adverse effects associated with earthworks and stability will be appropriately managed.

Groundwater

As a 5-level basement is proposed (to be at least 4 metres below the deepest rock level of the site), it is likely the proposed excavation will encounter groundwater and require dewatering. To manage the effects associated with groundwater drawdown on the surrounding area, it is anticipated that a perimeter groundwater cut-off wall will be installed before commencing excavation. This wall would extend below the final excavation depth to ensure the settlement effects remain within accepted tolerances for structures and infrastructure. A Groundwater and Settlement Monitoring and Contingency Plan will be implemented to ensure settlement damage is avoided or mitigated to an acceptable level.

Construction Noise and Traffic

To mitigate and minimise construction noise effects that could be experienced by closest receivers, a Construction Noise and Vibration Management Plan (CNVMP) will be prepared and implemented throughout the duration of the construction period (including demolition). The CNVMP management framework for construction noise effects will address the best practicable option for enabling construction of the Project while avoiding and protecting people from the unreasonable emission of noise. In addition to preparing a CNVMP, a construction management plan will be provided which sets out ways in which the site will manage potential adverse effects arising from construction activities.

With respect to construction traffic, a Construction Traffic Management Plan (CTMP) will be prepared and implemented to address the traffic effects arising from the demolition, bulk earthworks and construction phases including on adjacent properties. The CTMP will ensure that the proposed demolition and construction is managed appropriately to enable the safe and efficient operation of the surrounding network.

Contamination

A Detailed Site Investigation (DSI) will be commissioned including the preparation of a Site Management Plan (SMP) and Remediation Action Plan (RAP) as required. This will ensure that any adverse effects on human health and the environment will be avoided, remedied or mitigated during the bulk earthworks phase of the Project.

Historic Heritage

The demolition phase of construction will require the removal of the pedestrian bridge across Lower Hobson Street that is attached to 204 Quay Street. 204 Quay Street is a Category B Historic Heritage place under the AUP and is a Category 2 Historic Place in the Heritage New Zealand Pouhere Taonga (HNZPT) List. Precinct holds the ground lease for 204 Quay Street and can undertake remediation with it being in its commercial interests to undertake such work. Remediation following the removal of the existing pedestrian bridge will reinstate the façade as close as possible to its original condition. Consultation with HNZPT will occur for the façade remediation works.

Archaeology

The proposed works will affect recorded site R11/3458 (former Auckland Graving Dock) and therefore an authority from HNZPT will be obtained prior to bulk earthworks occurring on site. Additionally, in the event that any unrecorded subsurface remains are uncovered, the AUP accidental discovery protocol will immediately come into effect and any necessary authorisation sought under the HNZPT Act 2014. This includes ceasing works and securing the area, informing relevant authorities and parties and enabling inspection of the site before works can recommence.

Arboriculture

Street trees within the vicinity of the site that could be affected during demolition and construction phase will be protected by appropriate methods and measures that will be implemented to ensure adverse effects are manged. These methods and measures include supervision, staff training, protective barrier fencing, root protection and tree pruning measures.

Urban Design

The external appearance of the building presents a contemporary design which will significantly enhance the quality of the public realm and the streetscape in this part of the City Centre. The building height and massing has been designed to visually integrate the proposed development in the surrounding environment. Of note, the Project complies with the AUP building floor area ratio standards and the St Patricks Sunlight Admission Control. The façade strategy for the development has been designed to achieve high quality design and utilises high quality materials. The proposed materials are considered to provide an interesting building facade and appropriately complement the central city location and differentiate between the commercial and residential activities.

In terms of streetscape amenity, the ground floor has been designed with an urban form addressing the street frontages and includes activated edge treatment such as entrance ways, lobby spaces and retail/food and beverage outlets. The main entrances will be double height with canopy cover making these entrances legible. A significant new public realm will be provided within the development including an extensive new laneway network and civic space – Te Urunga Hau, the Urban Room - which will provide activation to the area. This aspect of the Project will have a significant positive effect on the quality of the public realm, particularly when compared with the existing environment dominated by the carpark building.

In overall summary, the proposed development will present a high-quality, contemporary architectural and landscape design that successfully achieves visual interest, fits in comfortably with the surrounding environment and provides an activated frontage to both Lower Hobson Street and Customs Street West.

Landscape and Visual

An extensive visual catchment is anticipated given the proposed height of the buildings. There is no height limit which applies to the site, although building massing is effectively limited by the St Patrick's Sunlight Admission Control, and moderated by the Harbour Edge Control. While the Project infringes the Harbour Edge Control, a transition in building height is provided towards the harbour. As discussed above, the buildings comply with the St Patrick's Sunlight Admission Control.

Visual representations of the development have been prepared from extensive viewpoints. As will be addressed in a landscape and visual assessment and when having regard to the City Centre context of the site, the height, scale and massing of the proposed development has been developed to result in a built form on the site that can sit comfortably in its neighbourhood, public open space including the harbour and wider urban landscape setting.

Residential Amenity

Outdoor amenity will be provided for all units by way of balconies accessed directly from the main living space. In addition, all of the apartments will have outlook either to the north, west or east with the upper-level units having views towards the harbour and CBD. Privacy will be maintained for future residents through clear delineation from the commercial development through separate entrances including separate lobbies and lift cores to be provided. The towers are separated by at least 17m, which will ensure appropriate outlook for occupants.

Overall, it is considered that the development will feature an appropriate level of residential amenity.

Wind Environment

Wind tunnel tests will be undertaken to ensure that any adverse wind velocity and turbulence effects in the surrounding pedestrian spaces can be avoided and mitigated to the extent that an acceptable level of comfort and usability can be maintained for these spaces. Mitigation will include landscaping elements and/or roof coverings/canopies/verandahs. Generally, high winds exceeding safety limits are not expected for the existing site, and any safety exceedances with the addition of the proposed development, will be resolved through wind control measures (ie screening and upwind landscaping).

Transport

The following is noted with respect to potential adverse traffic, access and parking effects:

• The Project will remove approximately 2000 car parking spaces that will be replaced with approximately 600 spaces. In this regard, the existing trip generation and associated effects on the road network is likely to significantly decrease as a result of the development. Notwithstanding, traffic modelling will be undertaken to support the substantive application.

• The site is well connected from a public transport perspective and enables future occupants of office space and residents to make trips via modes other than private vehicle.

• The car parking spaces including loading will be designed to comply with AUP dimensional requirements.

• Access to the basement parking will be from an existing private lane within the site (located off Customs Street West) and will be designed so that it is safe and fit for purpose. Numerous existing vehicle crossings to the site will be removed, enhancing the road and pedestrian environment around the site.

• Bicycle parking and end-of-trip facilities will be provided within the proposed development.

Infrastructure and Servicing

The existing site is currently fully impervious, and therefore the redevelopment of the site will not result in any increased stormwater flow into the existing network. The receiving public stormwater infrastructure is expected to have capacity to accommodate future site development.

With respect to wastewater, the proposed development will significantly increase wastewater discharge from the site however it is anticipated there is sufficient capacity in the network to take the post development flows. In terms of water supply, based on the water mains in the vicinity of the site and the nature of the surrounding CDB district, adequate supply of potable water and fire flow demand can be met.

Overall, there is a high degree of confidence that the proposed development will be adequately serviced in terms of infrastructure.

Flooding

Small areas of the site and some surrounding land (including the roads) are subject to flood hazards as identified in the AUP maps. Freeboard requirements above the flood level will be provided as part of the design. Further, access to the basement will be designed to ensure that any flood

waters will not enter the basement.

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Section 6: National policy statements and national environmental standards

What is the general assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard?

Please write your answer here:

National Policy Statement on Urban Development 2020

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

• The Project is a comprehensive development within the Auckland CBD located around Britomart Transport Centre and overlooking the Auckland Viaduct which will contribute to achieving a well-functioning urban environment. The Project will enhance and complement the existing Auckland CBD and waterfront area which will in turn contribute to meeting the needs of the growing community within the surrounding areas as well as the wider city (in accordance with Objective 1).

• The development of the site will integrate well with the existing transport infrastructure noting the significant funding for the City Rail Link as it connects to the Britomart Town Centre (In accordance with Objective 6).

• The Project will support a reduction in greenhouse gas emissions by locating employment opportunities and other amenities in close proximity to surrounding residential land uses and public transport again noting the Britomart Train Station along with the City Rail Link (in accordance with Objective 8).

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

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS)

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) is a nationally consistent set of planning controls and soil contaminant values but is a rather higher-level policy document. The NESCS does not include specific objectives and policies, but rather is used as a tool to implement the purpose of the RMA. It ensures that land affected by contaminants in soil is appropriately identified and assessed before it is developed - and if necessary, the land is remediated, or the contaminants contained make the land safe for human use.

The purpose of the NESCS is to ensure that land affected by contaminants in soil is appropriately identified and assessed before it is developed (and remediated if necessary). A DSI will be prepared to confirm if elevated levels of metal contaminants exist within the Project area. Appropriate methods to remediate the site will be identified as part of the DSI, and it is considered the Project will be consistent with the intent of the NESCS to ensure effects on human health in the Project area are appropriately managed.

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Section 7: Eligibility

Will access to the fast-track process enable the project to be processed in a more timely and cost-efficient way than under normal processes?

Yes

Please explain your answer here:

The fast-track process offers a number of advantages in terms of time over the standard RMA process. Public and limited notification is precluded under the Fast-track Approvals Bill. The panel is only permitted to invite comments from specified persons and a short timeframe is provided for comment. The process under the Fast Track Approvals Bill for providing comment at the Expert Panel Stage is appropriate and adequate to address concerns of the project.

The two-stage RMA process would create a much longer consenting timeframe for the Project and the risk of delay from a subsequent Environment Court Appeal would be likely avoided under the Fast Track Approvals Bill. Precinct's recent experience has been that proposals that go through the Environment Court process (whether by appeal or direct referral) can take at least two years to obtain consent. The approximately six-month timeline under the Fast Track Approvals Bill reflects a significant saving by comparison, and helps to avoid other flow-on costs associated with consenting delays (for example, construction cost escalations, contractor and supplier availability, and seasonal works constraints).

The Fast Track Approvals Bill also provides significant advantages in streamlining the approval processes. This includes processing RMA consents together

archaeological authorities, both of which are anticipated to be required for this project. Processing the consents, authorities and permits together prevents the approvals process for the Project from becoming disjointed. In Precinct's experience the traditional disjointed separate system significantly delays works due to the different timeframes for consents and permits being granted. This fast-track framework is therefore clearly fit for purpose for the project given how it materially progresses consents permits and authorities at pace.

Precinct is continuing to progress consents for the Project through the Standard RMA process in the event that the Project is neither listed or referred through the FTA, but acknowledges that should a substantive consent be lodged through the FTA, it will be required to withdraw any consent applications for the Project currently being processed under the RMA.

What is the impact referring this project will have on the efficient operation of the fast-track process?

Please write your answer here:

Given Precinct is in a position to lodge a substantive application as soon as possible, it can immediately benefit from being a 2A listed project. On that basis, listing this project under 2A substantially streamlines processing of the substantive application for both the Ministry for the Environment staff, and the joint Ministers, by allowing an Expert Panel to begin processing the application as soon as it is lodged and the Panel is appointed.

Has the project been identified as a priority project in a:

Local government plan or strategy

Please explain your answer here:

The Downtown Carpark was approved for sale by Auckland Council's Finance and Performance Committee in December 2020.

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

The CCMP envisages the comprehensive redevelopment of the Downtown Carpark site to enhance the quality and experience of this part of Auckland's city waterfront. One of the key objectives of the CCMP is to create pedestrian links north/south between Federal Street and the waterfront, and east/west between Commercial Bay and Viaduct Harbour.

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

The Project will also further develop the CBD interface with the Auckland waterfront, which is important because as the CMMP notes given the city centre is "shaped by its historic and ongoing relationship with the Waitematā Harbour". The Project ties into the CCMP's aim of transforming the city into an attractive destination for visitors, supporting a working waterfront consistent with the Ports Master Plan and improving the public realm through new mixed-use destinations.

Will the project deliver regionally or nationally significant infrastructure?

National significant infrastructure

Please explain your answer here:

Both regional significant infrastructure and national significant infrastructure.

The project is a high-quality development within Auckland's waterfront precinct. This development will deliver significant national and regional benefits in the following ways:

• Provision of pedestrian laneways and a more engaging and connected public realm that delivers the unrealised place potential. The Project includes the creation of pedestrian links north/south between Federal Street and the waterfront, east/west between Commercial Bay and Viaduct Harbour and removing the Hobson Street Flyover to complete the Harbour Edge stitch.

• Creation of a major new civic/public space.

• The project represents a circa \$2 billion investment into the city, materially increasing the rating base of the city centre and creating an estimated 15,000 jobs throughout the project's design and construction.

• Through the implementation of a social procurement approach and curated social procurement outcomes framework, the project will:

o increase direct and indirect spend with Māori and / or Pasifika owned businesses;

o create quality employment opportunities, including for targeted communities, as part of our commitment to increasing the size, skill and diversity of the property and construction sector workforce; and

o support the local and regional economy through prioritising delivery by local and regional businesses.

Contribute to rejuvenation of the CBD post-COVID and the City Rail Link.

Substantial boost of housing/commercial office supply.

- \bullet Improved connectivity between the CBD and Waitematā Harbour.
- Leverage increased public transport network capacity through proximity to two train stations post the City Rail Link.
- Attractive location for tourists, particularly from cruises.

• Help facilitate modal shift.

Will the project:

increase the supply of housing, address housing needs, contribute to a well-functioning urban environment

Please explain your answer here:

The project delivers a comprehensive, integrated, design-led redevelopment of the entire city block to create a connected, inclusive and sustainable mixed-use community redefining the western edge of Auckland's City centre and its relationship with the harbour's edge.

The development will create a new gateway to the city centre, delivering world-class working, living and placemaking outcomes, and setting new global benchmarks for proudly representing tangata whenua. Working with tangata whenua and having whakaaro-led design as a distinguishing aspect of this project positions Tāmaki, its history and its communities at the forefront of the design process. The development has been shaped by the whenua and steeped in the inextricable history and characteristics of the Downtown Carpark area, the Tāmaki region and the Waitematā foreshore and moana ensuring representation and outcomes will be distinct and rich in connection.

The Project will set a new standard of city centre living, providing circa between 300 – 350 residential apartments of varying typologies over approximately 51,000m2 GFA resulting in 1,000 additional people living in the city centre. The Project is targeting the 8 Star Home Star requirement for the majority of the residential apartments. The development will be transformative – together with meeting the growing desire for sustainable city centre living the project provides premium office space for businesses in the knowledge economy. This will be supported by a range of amenities, public spaces and laneways that activate and connect the precinct with the wider city unlocking the potential and connectivity of the public realm and delivering a new civic gateway and public destination.

The Project delivers on Auckland's City Centre Masterplan laneway outcomes through the provision of new public 24/7 link running east-west through the entire city block - connecting Lower Albert and Lower Hobson Streets and maximising pedestrian connectivity in a previously inaccessible part of the city. The development also offers north – south links (between Customs and Quay Streets) enabling enhanced pedestrian connectivity to the waterfront within a context in which direct connections are not possible.

Te Uranga Hau / the urban room provides a new, dynamic civic space for Auckland. A space that offers diversity and choice by creating inclusive and safe spaces for all ages, genders, social and cultural backgrounds. Where spaces enable activities that provide for all to live their full public lives. As an 'urban room' rather than a typical 'plaza' shelter, comfort and the ability to foster a strong sense of community will be critical. This will be achieved through the spatial and programmatic planning along with a landscape that has the ability to connect people to place.

In addition to the enhanced connectivity provided by internal laneways, our proposal provides enhanced streetscapes along Lower Hobson and Customs Streets which feature generously set back building frontages at the ground floor and provide covered/colonnaded connections. This approach will positively support the pedestrian numbers and connectivity envisaged.

Active modes of transport are further prioritised with the provision of high levels of cycle parking to support the residential, commercial, and retail functions located on site.

All public areas of the Project have been designed to support universal access outcomes and deliver on best practice Crime Prevention Through Environmental Design principles.

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

The Project represents a circa \$2 billion investment into the city, creating an estimated 15,000 jobs throughout the Project's design and construction. Other benefits include:

• delivering 350 new homes (over 1,000 people), within the CBD (the current residential population of the entire CBD is 40,000, so a significant boost). The site offers the very best location for high quality residential accommodation;

- constructing office space for over 5,000 people (ie approximately 50,000m2 of office space);
- materially increasing the rating base of the city centre;
- · leveraging the city's investments in CRL, infrastructure, spaces and transport and creating a world class waterfront and identity through design; and
- contributing to public infrastructure through substantial development contributions to Auckland Council for the Project.

Economic benefits will also result from the implementation of a social procurement approach and curated social procurement outcomes framework to: • increase direct and indirect spend with Māori and / or Pasifika owned businesses – a minimum of 15% of the workforce on the Project will be from diverse businesses, including procurement strategies ensuring Māori / Pasifika owned businesses may participate. For instance, there is the opportunity for co-investment between Ngāti Whātua Ōrākei and Precinct, the integration of Te Ara Design Principles and adoption of Te ao Māori principles in collaboration with mana whenua and iwi partners;

• promote intergenerational prosperity by providing scholarships and career pathways, and strategic procurement policies that promote Māori/Pasifika businesses to ensure growth and success;

• create quality employment opportunities, including for targeted communities, as part of our commitment to increasing the size, skill and diversity of the property and construction sector workforce;

• support the local and regional economy through prioritising delivery by local and regional businesses; and

• Other economic / sustainability benefits include net-zero operational outcomes, 6-star Greenstar for commercial offices and 8 star Homestar for residential.

Will the project support primary industries, including aquaculture?

No

Please explain your answer here:

Will the project support development of natural resources, including minerals and petroleum?

No

Please explain your answer here:

Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions?

Yes

Please explain your answer here:

The Project is targeting a minimum 5-star Green Star rating with an aspiration to exceed this benchmark by pursuing a 6 Star Green Star outcome. In addition, the project will meet the 8 Star Home Star requirement for the majority of the residential apartments.

The Project will minimise waste through prioritising upfront and long-term planning for resource recovery and circular economy opportunities.

The Project will reduce carbon emissions through targeted improvements for upfront carbon using the Green Star Lifecycle assessment credits as well as reducing ongoing operational emissions, and through helping to facilitate modal shift within the City Centre.

Will the project support adaptation, resilience, and recovery from natural hazards?

No

Please explain your answer here:

Will the project address significant environmental issues?

No

Please explain your answer here:

Is the project consistent with local or regional planning documents, including spatial strategies?

Yes

Please explain your answer here:

Redevelopment of the Downtown Carpark Site is consistent with Auckland's City Centre Masterplan 2012 and refurbished 2020. It is also considered consistent with the following local and regional planning documents.

Regional Policy Statement (RPS)

The objectives and policies of the RPS that are considered to be relevant to the proposal:

B2 – Urban Growth and Form

The Project is consistent with objective B2.2.1(1) which seeks to achieve a quality urban form within a high-quality urban environment. The re-development of the downtown car park site within the Auckland CBD will include high-quality mixed-use buildings surrounded by the Auckland Viaduct for recreation and a significant new public realm with an extensive new laneway network and civic space – Te Urunga Hau, the Urban Room. The Project will stimulate greater productivity and economic growth in this part of the Auckland CBD and support the effectiveness and success of public transport in this location with respect to the Britomart Train Station (located approximately 200m from the site) along with the expansion of the train network through the City Rail Link.

The land use diversity of this Project in terms of commercial retail uses and mixed-use development will also enable social vitality in the Auckland CBD. The re-development of the site from a car park to a commercial building will create increased employment and commercial opportunities for future demand consistent with objective B2.5.1.(1) and (2), including concentrating additional commercial growth in the city.

B3 – Infrastructure, Transport and Energy

The objectives and policies for infrastructure under B3.2.1 and B3.2.2 are principally focused on ensuring the importance of infrastructure is recognised and appropriate provision of such infrastructure. With reference to objective B3.2.1(1), the development and upgrading of infrastructure (as necessary) is specifically enabled, which in this case includes the necessary reticulation system to service the proposal and achieving the necessary connections to existing bulk infrastructure.

With respect to transport objective B3.3.1(1), the proposal is consistent with this objective by undertaking a series of transport infrastructure improvements to the surrounding road as anticipated by the Downtown Precinct noting proposed laneways through the Project site, to a standard that can safely support the movement of people, goods and services in an efficient and effective manner. It is prudent to note that the removal of the car

parking building will inherently decrease the vehicular traffic movement across the site thereby creating a safe traffic environment.

B5 – Historic heritage and special character

Historic heritage places contribute to Auckland's distinctiveness as a visitor destination and to its economic vitality. While the site itself does not contain the historic heritage and special character, the site is currently connected via foot bridge to the former Auckland Harbour Board Workshops (Historic Heritage and Special Character: Historic Heritage Overlay Extent of Place [rcp/dp] - 1969, Auckland Harbour Board Workshops (former)), which is currently occupied by a number of food and retail activities.

As mentioned above, 204 Quay Street is part of its ground lease and Precinct can conduct remediation. As part of the demolition, the foot bridge is proposed to be removed with the connection to the heritage building to be disestablished. This will improve the façade of the former Auckland Harbour Workshop Building, and the proposed building on the site will provide clear distinction for the heritage building. This aligns with Objectives B5.2.1.(1) and (2) & and Policy B5.2.2.(8) which seeks that historic heritage places are protected from inappropriate use and development and protected.

B6 – Mana Whenua

The Project is consistent with objectives B6.2.1(1) and (2) and policy B6.2.2(1) due to the extensive consultation and engagement with Mana Whenua groups that have occurred to date via the Eke Panuku Mana Whenua Governance Forum. The applicant is committed to consult with the iwi representatives and engage with the interested iwi groups on an ongoing basis for all stages of the Project. This process is also consistent with policy B6.2.2(1) in terms of providing the opportunity for Mana Whenua to actively participate in the sustainable management of natural and physical resources, and building and maintaining partnerships and relationships with iwi authorities.

B10 – Environmental Risk

The proposal will be consistent with Objective B10.2.1.(2-6) understanding that the site is subject to flood and coastal hazards, and potential contaminated land. Assessments against the flood hazards will be undertaken, and the design and layout of the buildings will respond to and/or accommodate both the overland flow paths & flood plain so that the risk to people and property is avoided or otherwise minimised. These management approaches will meet policy B10.2.2(7), (8), & (10).

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

A DSI will be prepared to confirm if there are elevated levels of metal contaminants within the Project area. Appropriate methods to remediate the site will be identified as part of the DSI, and it is considered any contamination can be readily managed through standard, good practice conditions of consent, including through a site management plan.

Overall, the proposal will factor in the effects of climate change on natural hazards, including future climate change temperature rises therefore meeting the objective and policies of B10.

AUP Objectives and Policies

The objectives and policies in the following AUP chapters that are relevant to the proposal are:

- E8 Stormwater Discharge and diversion
- E11 and E12 Land Disturbance Regional and District
- E23 Signs
- E25 Noise and Vibration
- E27 Transport
- E30 Contaminated Land
- E36 Natural Hazards and Flooding
- E40 Temporary Activities
- H8 Business City Centre Zone
- I205 Downtown West Precinct

The ones we consider particularly relevant having regard to adverse effects are summarised below:

E27 – Transport

The relevant transport objectives and policies seek to encourage that land use and transport (including public transport, walking and cycling) is integrated in a manner that enables adverse effects of traffic generation on the transport network are managed. In addition, the objectives and policies ensure that parking and access is designed, located and accessed safely and efficiently for pedestrians and vehicles within and outside the site.

The proposal is considered to be consistent with these objectives and policies as it provides for an integrated transport network with public, vehicular, cycling and walking transport modes provided for within the development. The development has also been comprehensively designed to provide cycling and walking connections with the surrounding road network and connectivity to the Britomart Train Station noting the extension of the rail network through the city rail link. A significant new public realm will be provided within the development including an extensive new laneway network and civic space which will provide improved pedestrian connection and activation within the area. Further, the proposed development will significantly reduce the number of car parks which ultimately will reduce the traffic movements from the site and increase traffic safety.

E36 – Natural Hazards and Flooding

The proposal involves the construction of new buildings within the mapped extent of the flood and coastal hazards. However, the design and layout of the buildings will be designed to respond to and/or accommodate both the overland flow paths and flood plains, and the potential of coastal inundation, to ensure the risk to people and property is avoided or otherwise minimised. The buildings will be designed to allow for safe egress from the site, either by foot or car, during an extreme event, and will include a suitable freeboard above the predicted flood extent, thereby ensuring the safety of future occupants.

Given the above, it is not expected any effects on public safety will arise from the development, and the layout has been designed to accommodate the flood hazards at their existing location and extent.

Overall, the relevant natural hazards and flooding objectives and policies will be met.

E40 - Temporary activities

The objectives and policies for temporary activities are enabling for such activities to occur but seek to ensure that adverse effects on the environment are minimised, managed and mitigated.

In the context of this proposal, the temporary construction activities will effectively be the construction of the building itself along with the associated earthworks which will ultimately enhance the social wellbeing of communities and contribute to the vibrancy of this portion of the City Centre. It is considered that adverse construction noise and vibration and construction traffic effects arising from the temporary construction activities proposed will be appropriately managed with best practicable measures in response to, and in recognition of surrounding site conditions, and will also be minimised where practically possible. Pedestrian safety will also be maintained and prioritised over the course of construction by implementing traffic management procedures and hoarding to enclose the construction site to ensure their safe movement is maintained.

Overall, the relevant temporary activity objectives and policies will be met.

H8 Business – City Centre Zone

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

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

The proposal is considered to give effect to relevant objectives and policies for the reasons below:

o The proposed development is of high quality and considered to fit appropriately within this part of the city centre, reinforcing the quality of development and sense of place.

o The proposed development will provide additional commercial and residential space in the city centre, which is currently a car park in its entirety, that provides an attractive place to work, live and gather.

o The location of the proposed development has good connections to public transport and is located within a highly walkable catchment to other services and amenities in the wider city centre area.

o The proposal includes an extensive new laneway network and civic space – Te Urunga Hau, the Urban Room, a significant new addition to the public realm providing a key pedestrian linkage to the western side of the Auckland Viaduct.

o The proposed development retains wind environments to the surrounding public spaces that are appropriate for their intended uses and does not result in inappropriate shading of public spaces.

o Policy 30 seeks to manage the adverse effects associated by building height and form by transitioning height to the waterfront, protecting sunlight to identified public open spaces, respecting the valley and ridgeline form of the city centre and avoiding adverse dominance and/or amenity effects on streets and public open space. The proposed buildings have been designed to respond to the different edge conditions and contribute to the planned future form and quality, creating a sense of place. In particular, the northern elevation of Tower 2 has maximised activation and opportunities for glazing to engage built form as it transitions in bulk through the chamfered heights through to the Auckland Viaduct.

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

1205 Downtown West Precinct

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

The proposed buildings will include a mix of uses ranging from the retail on the ground floors, and commercial and residential activities on the upper levels contained within two towers. This is a built form and scale that will be well integrated into the Auckland CBD and the Auckland Viaduct and achieves objective. I205.2.(1) and policy I205.3.(1). The inclusion of Te Urunga Hau, the Urban Room, a new high quality public space between the towers, along with new pedestrian access points along Lower Hobson Street to the west and Custom Street to the south, will enhance the pedestrian connectivity to the Auckland CBD and the waterfront to meet objective I205.2.(2) and policy I205.3.(2) & 3). Further, the new pedestrian accesses along both Lower Hobson Street and Customs Street provide excellent pedestrian connectivity and accessibility through the site as well as improved access to Britomart Transport Centre. The new pedestrian accesses further support the functionality of the area's transport interchange to meet objective I205.2.(3) and policy I205.3. (2).

Overall, for the reasons given above we consider the proposal will give effect to the intended outcomes of the Downtown West Precinct.

Auckland Future Development Strategy 2023-2053

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

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

- Principle 1: Reduce greenhouse gas emission.
- Principle 2: Adapt to the impacts of climate change.
- Principle 3: Make efficient and equitable infrastructure investments.
- Principle 4: Protect and restore the natural environment.
- Principle 5: Enable sufficient capacity for residential and business growth in the right place at the right time.

Overall, the project is consistent with these principles. In particular, the project area is located within the urban zoned area and will enable capacity for business and residential growth within the Auckland CBD to be realised while contributing to a reduction in greenhouse gas emissions due to the CBD's strategic location close to public transport and amenities. In addition, the FDS identifies the city centre to be the focus of business, tourism, educational, cultural and civic activities as well as an important residential centre. The proposed high-quality mixed use development including a new laneway network and civic space will contribute to this growth and investment within the city centre.

Auckland Plan 2050

The Auckland Plan is the key strategic document which sets the Council's social, economic, environmental and cultural objectives. A key component of the Auckland Plan is the Development Strategy which sets out how future growth will be accommodated up to 2050. In terms of the form of development, the Auckland Plan takes a quality compact approach to growth and development. Under the Auckland Plan achieving the quality compact approach for future development is twofold. There needs to be sufficient capacity for growth across Auckland and good design needs to be embedded in all development.

This project supports a quality compact urban form. The project represents a significant opportunity to redevelop the site located within the Auckland CBD for a high-quality mixed use development that is easily accessible by public transport, walking and cycling. The project will also deliver a new significant new public realm including an extensive new laneway network and civic space – Te Urunga Hau, the Urban Room - which will provide a place for people to gather. Overall, the project is consistent with the strategic direction of the Auckland Plan and will contribute to achieving a quality compact approach to urban growth, while ensuring that good design is also delivered as part of the development. These strategic objectives of the Auckland Plan are reflected in the AUP objectives and policies, which are assessed above.

Anything else?

Please write your answer here:

As outlined above, see concept design images (included in the attachment with the records of title uploaded earlier in this form).

Does the project includes an activity which would make it ineligible?

No

If yes, please explain:

Section 8: Climate change and natural hazards

Will the project be affected by climate change and natural hazards?

Yes

If yes, please explain:

The site is identified on Auckland Council Geomaps as being:

partially subject to a flood prone area;

• within the Costal Inundation (ARI) 50-year return 2m sea level rise area;

• within the Coastal Inundation (1% AEP) plus 2m sea level rise area.

Development floor levels have been designed to take account of these risks, ensuring the Project will be highly resilient to climate change and natural hazards, being future proofed to modern design standards.

Section 9: Track record

Please add a summary of all compliance and/or enforcement actions taken against the applicant by any entity with enforcement powers under the Acts referred to in the Bill, and the outcome of those actions.

Please write your answer here:

There have been no compliance or enforcement actions taken against the applicant by any entity with enforcement powers under the Acts referred to in the Bill.

Load your file here: No file uploaded

Declaration

Do you acknowledge your submission will be published on environment.govt.nz if required

Yes

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Please write your name here: Jacob Burton (Senior Associate at Russell McVeagh)

Important notes