

FEDERAL STREET RESIDENCES – SUMMARY OF APPLICANT RESPONSES TO WRITTEN COMMENTS RECEIVED				
Submission theme	Commenter's name	Sub-themes	Relief sought by commenters	P0012 Auckland NZ Pty Limited response
Construction effects	Alice Li City Rail Link Limited Body Corporate Altitude Apartments 1947 Limited Auckland Real Estate New Bay Investments Limited Quentin Wilson Jingqi (Jessie) Zhao Jing Xie RL Senojak and Others Yui (Alex) Hui Siyi Wang Victoria City Apartments Kordia Limited Marina Macartney	Construction traffic <ul style="list-style-type: none"> Construction works appear to overlap with CRL works on Albert, Victoria and Kingston Streets Congestion. Removal of a car parking building when Council has already removed 50% of on street parking. Limited loading bays, Kingston Street regularly block by vehicles. Access to Altitude Apartments by tradies and services already a struggle. Heavy vehicle routing during construction needs to avoid disruption to Rydges Hotel bus parking on Federal Street (AT authorised space) Working parking location Construction loading 	<ul style="list-style-type: none"> Amended conditions provided (Auckland Real Estate) Proposed conditions of consent and the CTMP take adequate account of construction traffic management required for the ongoing CRL works. There needs to be more comprehensive coordination with all aspects of construction traffic management required for the CRL works, including works in Kingston St between Albert and Federal Streets (CRL) Construction and demolition effects be internalised to the site and do not impact Altitude Apartment's building, parking or access (Body Corporate Altitude Apartments) Various amendments to Draft CTMP and conditions proposed (New Bay Investments Limited) Conditions recommended (Auckland Transport) 	<ul style="list-style-type: none"> Traffic management needs to be dynamic. While a draft CTMP is provided as part of the application, it will be necessary to update and finalise that document closer to the commencement of works so that it responds to the environment at that time. Refer to evidence of Russell Brandon (Attachment 5, paragraphs 35-39) Refer to evidence of Ross Cooper (Attachment 3, paragraphs 17-21) Refer to Attachment 3A, Condition 19 which has been updated to adopt a number of the recommended matters raised in comments, particularly those from Auckland Transport given their future role in certifying the CTMP.
		Construction noise and vibration <ul style="list-style-type: none"> Adequacy of information provided (60 Federal Street, 16 Kingston Street, 59 Federal Street) Marshall Day Acoustic review of the NDY report suggests that the 60dB LAeq piling noise level adopted for Rydges Hotel is overly conservative and may lead to higher noise levels than necessary (New Bay Investments Limited) Sufficient information provided, agree with approach and proposed conditions of consent (Auckland Council) Victoria City Apartments rely on opening windows for ventilation (more susceptible to noise and dust) 	<ul style="list-style-type: none"> Amended conditions provided (Auckland Real Estate) That the applicant be required to endeavour to carry out construction works to comply with the AUP where practicable, requiring the adoption of mitigation measures and the reduction Confirmation that louder methods will not be used where quieter machines / methodology is available (New Bay Investments Limited) 	<ul style="list-style-type: none"> Refer to evidence of Thomas Warren (Attachment 4). Note: <ul style="list-style-type: none"> Quieter methodology often comes with a longer duration The Acoustic Report by Norman Disney & Young (Revision 4.0, dated 24 May 2022) (Attachment 4A to this response) has been updated to include the property at 16 Federal Street and confirms that no vibration exceedance is predicted to 16 Kingston Street or 60 Federal Street or at Rydges Hotel The requested changes to Conditions 11-13 (CNVMP) generally align with the content of the proposed Draft CNVMP. Acoustic Report has been updated to clarify that regardless of noisy demolition / construction activities not currently proposed, the same Best Practicable Option approach would apply. Not practical to adopt manual cleaning auger rather than 'shaking' the rig. Conservative façade noise reduction applied to Rydges Hotel façade to avoid under-predicting potential construction noise effects 2 dB tolerance in predictions is reasonable given the uncertainties in construction noise prediction Project noise levels adopted but are not a target. All works governed by the need to implement the BPO to avoid making unnecessary noise. Condition 50 modified to match recommendation of the Acoustic Report for loud activities to be limited to 9:00am to 5:00pm Monday to Friday. Refer to evidence of Ross Cooper (Attachment 3, paragraphs 22-26)
		Construction duration	<ul style="list-style-type: none"> Support for establishment of the CCLG 	<ul style="list-style-type: none"> Refer to evidence of Ross Cooper (Attachment 3, paragraphs 27-35)

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		<ul style="list-style-type: none"> ▪ 'Construction fatigue' being the cumulative impact of the proposed and other development projects that has been occurring nearby for years ▪ Uncertain time for hotel operators coming out of Covid-19 (New Bay Investments Ltd) ▪ Support for the creation of a Community Consultation Liaison Group 	<ul style="list-style-type: none"> ▪ Would like to be part of the CCLG (Areeb Mirza / 1947 Limited) Amendments to conditions provided (New Bay Investments Limited) 	<ul style="list-style-type: none"> ▪ Construction impacts are largely unavoidable and are anticipated and provided for within the City Centre zone under the Unitary Plan ▪ Impacts vary across the different stages of development, most impact through demolition and excavation / in-ground structure. ▪ Construction duration is being limited to the minimum achievable (as it is in the Consent Holders best interests) while also acknowledging and seeking to manage the degree of effects on others. ▪ Construction Liaison Group (refer Attachment 3A, Conditions 4-8) to be established to provide neighbours with an avenue for Project information, a degree of review and input into the establishment of the various management plans prior to works commencing, and a point of contact for complaints, etc.
		<p>Construction management</p> <ul style="list-style-type: none"> - Dust - Fumes - Erosion and sediment controls) - Hours of operation ▪ Victoria City Apartments rely on opening windows for ventilation (more susceptible to noise and dust) ▪ Digital Microwave Link from Sky Tower 	<ul style="list-style-type: none"> ▪ Conditions of consent limiting works (and associated construction-related effects) to working hours, Monday – Friday ▪ We expect that the developers will be able to describe how the peaceful enjoyment for owners and tenants in Altitude will be mitigated during and after construction (Body Corporate Altitude Apartments) ▪ Amended conditions provided (Auckland Real Estate) ▪ (Victoria City Apartments) Easily accessible front line liaison person: <ul style="list-style-type: none"> - Speedy contact - Sufficient authority to act to resolve problems ▪ Assistance with additional cleaning of the building ▪ Condition of consent to establish a 5m radius clearance around the link path (condition not drafted) ▪ Kordia to work directly with applicant to develop an exclusion zone and a plan to enable a crane or other lifting and construction plant to operate while avoiding interruption to the service 	<ul style="list-style-type: none"> ▪ Refer to evidence of Ross Cooper (Attachment 3, paragraphs 36-40) ▪ Attachment 3A, Conditions 14-16 set out the requirement for, objectives of and information to be included within a Construction Management Plan ▪ Working days will be the standard Monday to Saturday as enabled by the Unitary Plan, with noisy works limited to 9:00am to 5pm Monday to Friday (Condition 50) ▪ Attachment 3A, Condition 16(c) (CMP) includes a requirement to identify whether it is necessary to undertake cleaning of neighbouring buildings / streetscape ▪ Attachment 3A, Condition 16(j) includes a requirement to ensure that the crane sweep 'exclusion zone' requested by Kordia Limited is provided, noting also that it is possible to place GPS limits on the crane
		<ul style="list-style-type: none"> ▪ Crime at unattended construction sites 		<ul style="list-style-type: none"> ▪ Refer to evidence of Ross Cooper (Attachment 3, paragraph 41)
Operational traffic	Auckland Transport	<ul style="list-style-type: none"> ▪ Valet parking / potential for queues onto Kingston Street in the PM peak 	<ul style="list-style-type: none"> ▪ Traffic and Valet Parking Management Plan (Auckland Transport) 	<ul style="list-style-type: none"> ▪ Refer to evidence of Russell Brandon (Attachment 5, paragraphs 9-24) ▪ Refer to evidence of Ross Cooper (Attachment 3, paragraphs 42-43) ▪ Refer to Attachment 3A, New Condition CC1 (Traffic and Valet Parking Management Plan) ▪ The basement design and the operation of the car lifts do not provide constraints to operation of the valet car service. Sufficient parking space is available within the

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				<p>basement area, including the loading bays that can be set aside in peak PM traffic periods to support the valet function. Management of potential queuing out onto Kingston Street is more a matter of having sufficient valet staff working during peak periods - this is scalable depending on demand.</p>
		<ul style="list-style-type: none"> Access ramp width / design Pedestrian safety 	<ul style="list-style-type: none"> Various mitigations (car coming signs, convex mirror, pedestrian sensor, speed bump) all proposed but need to be reflected in conditions. Amended conditions provided (New Bay Investments Limited) Not able to further mitigation pedestrian visibility without moving the access (Auckland Transport) 	<ul style="list-style-type: none"> Refer to evidence of Russell Brandon (Attachment 5, paragraphs 25-27) Refer to evidence of Ross Cooper (Attachment 3, paragraphs 44-45) Attachment 3A, Condition 72 adopts New Bay Investments wording requiring that the proposed pedestrian safety measures be implemented prior to occupation of the building and maintained in good working order thereafter. No further mitigation needed to support pedestrian safety during the function of the vehicle access
		<ul style="list-style-type: none"> Cycle parking shortfall does not meet the needs of future generations 	<ul style="list-style-type: none"> Additional 58 cycle parks to be provided (Auckland Transport) 	<ul style="list-style-type: none"> Refer to evidence of Russell Brandon (Attachment 5, paragraphs 28-34) Refer to evidence of Ross Cooper (Attachment 3, paragraphs 46-47) The opportunity for bicycle parking within the proposed building far exceeds the minimum requirement of the Unitary Plan. <ul style="list-style-type: none"> 304 secure bicycle parking spaces are provided (mezzanine level) 125 storage lockers (Levels 2-6) lift access to store bicycles in apartments where that is desired by residents (a frequent choice for those with very expensive bikes for example). It is not necessary for residents to own and store a bicycle in order to have access to one whenever needed: <ul style="list-style-type: none"> There is the potential for a communal bicycle facility to be operated within the building for the benefit of residents There is a very high presence of dockless e-bike and e-scooters that can be rented by the minute within the city centre.
		<ul style="list-style-type: none"> Vehicle parking spaces to be held in ownership by residents and not leased or sold to third parties 		<ul style="list-style-type: none"> Refer to evidence of Ross Cooper (Attachment 3, paragraphs 48-49) No subdivision is proposed as part of this current application and accordingly, the full building will remain in single ownership for the time being. In the longer term, it is anticipated that this matter will be dealt with as part of the subsequent unit title subdivision and that it is anticipated that all car parking spaces will remain in the ownership of residents and / or the Body Corporate and will be for the exclusive use of the residents of the building.
	Jing Xie Marina Macartney	<ul style="list-style-type: none"> Loss of car parking 		<ul style="list-style-type: none"> Refer to evidence of Ross Cooper (Attachment 3, paragraph 50)
Geotechnical effects / stability	Alice Li City Rail Link Limited Auckland Real Estate	<ul style="list-style-type: none"> Insufficient information / adequacy of information provided around groundwater drawdown / 	<ul style="list-style-type: none"> Geotechnical studies do not provide sufficient settlement contours for the proposed basement excavation, and there is no associated building damage assessment. Additional 	<ul style="list-style-type: none"> Additional assessments have been undertaken by WSP to close the asserted information gaps:

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	<p>Auckland Council RL Senojak and Others</p>	<p>settlement, liquefaction and stability associated with excavations (Auckland Council)</p> <ul style="list-style-type: none"> ▪ Excavation / stability of nearby buildings ▪ Groundwater and settlement effects on adjacent / nearby buildings associated with proposed excavation ▪ CRLI advise that the proposed development is outside the footprint of their Designation 2500-1 but is in close proximity to it. CRLI notes they hold a water permit (R/REG/2016/1892) relating to groundwater diversion and discharge, which imposes a number of conditions in relation to the monitoring and management of groundwater and settlement effects, including a requirement for CRLI to repair any damage to buildings and services caused by ground or building settlement resulting from the CRLI works. 	<p>information is needed for identify whether the extent of settlement contours of the projects will overlap, with the potential for cumulative adverse settlement effects. Conditions of consent need to be updated to take adequate account of cumulative settlement effects, and that the GSMCP addresses cumulative adverse settlement effects – including for the purposes of specifying appropriate ‘alert’ and ‘alarm’ trigger levels (CRLI)</p> <p>CRLI have offered to make their relevant information available to the applicant.</p> <ul style="list-style-type: none"> ▪ Independent monitoring of Altitude Apartments stability and movement to be provided by the applicant (Body Corporate Altitude Apartments) ▪ Procedures for correcting and rectifying damage to buildings ▪ Building condition report pre-commencement (Body Corporate Wiltshire Apartments) ▪ Amended conditions provided (Auckland Real Estate) ▪ Further information requirements and conditions recommended (Auckland Council) 	<ul style="list-style-type: none"> - Federal Street Residences: Geotechnical Report for Consenting dated 22 June 2022 (Project Number: 1-43855.V8, Revision 0) (Attachment xxxx to this response) - Federal Street Residences: Assessment of Dewatering Effects dated 22 June 2022 (Project Number: 1-43855.V8, Revision 02) (Attachment xxxx to this response) ▪ Refer to evidence of Ross Cooper (Attachment 3, paragraphs 51-59) ▪ Auckland Council recommended the inclusion of a suite of conditions relating to mechanical settlement (i.e. associated with excavation and retaining wall construction) and the need for a Settlement Monitoring and Contingency Plan (SMCP). WSP advise that there is significant overlap between the monitoring and management of mechanical settlement effects and groundwater drawdown effects, and that the mechanical settlement conditions duplicate the requirements of the groundwater permit conditions. The Auckland Council conditions have been adopted as they relate to the land use element of the project, however an advice note under Attachment 3A, Condition AA5 has been adopted to set the expectation that the satisfaction of the corresponding requirements in the conditions of the Water Permit may also satisfy the requirements of the land use consent relating to mechanical settlement. ▪ No concerns relating to the potential for overlap of settlement effects with those of the City Rail Link works noted.
<p>Scale / design of the building</p>	<p>Auckland Real Estate Maitre Systems Limited RL Senojak and Others Yui (Alex) Hui John and Patricia Roberts Marina Macartney</p>	<ul style="list-style-type: none"> ▪ MTFAR and Tower setback infringements (loss of outlook, views) (Auckland Real Estate) ▪ Size of development, imposing visual status on the skyline – interrupts Sky Tower landmark view which is world famous ▪ Outsizing its land size in conflict with the constraints imposed by Council’s envelope for development (Maitre Systems Limited) ▪ The project will be an eyesore and inconvenience for the taxpayer ▪ Undermines St Patricks Cathedral ▪ Auckland Council considers the building height and form to be acceptable taking into account that adverse effects can be suitably avoided or mitigated ▪ Loss of eastern bedroom windows of Altitude Apartments (RL Senojak and Others): <ul style="list-style-type: none"> - Privacy, light, outlook, sun 		<ul style="list-style-type: none"> ▪ Refer to evidence of Ross Cooper (Attachment 3, paragraphs 60-78) ▪ Commentary on the scale and design of the Proposal are set out in detail in the application material, in particular the following documents: <ul style="list-style-type: none"> - Planning Analysis and Assessment of Environmental Effects, prepared by Ross Cooper of Tattico - Landscape + Visual + Urban Design Effects, prepared by Gavin Lister of Isthmus (Attachment C1 to the application material as lodged) ▪ Noting that of course this application is to be considered on the basis of the rules in place at this time, it is noted that in their preliminary response to the NPS:UD and Medium Density Residential Standards, Auckland Council has forecast their intention to remove the General Height and Floor Area Ratio (including bonus floor area) from the City Centre zone. ▪ The Altitude Apartments have no formal secured right to light and outlook across the application site from their east-facing windows which sit on the shared boundary. Notwithstanding, the Proposal does not result in any <u>need</u> to alter the existing glazing situation on that shared boundary.

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	Auckland Real Estate Auckland Council	<ul style="list-style-type: none"> Light reflectance 	<ul style="list-style-type: none"> Amended condition provided (Auckland Real Estate) Conditions recommended (Auckland Council) 	<ul style="list-style-type: none"> Refer to evidence of Ross Cooper (Attachment 3, paragraphs 79-80) Attachment 3A, Condition 20, a hybrid of the wording recommended by Auckland Council and Auckland Real Estate has been adopted
Activity	Jarrold Barlow Yingzi Xu	<ul style="list-style-type: none"> No new hotels needed in the city centre No new 50-level buildings needed in the city centre, replace the parking building with recreation facilities 		<ul style="list-style-type: none"> Refer to evidence of Ross Cooper (Attachment 3, paragraphs 81-84) While part of the earlier proposition discussed with Auckland Council through the design competition and pre-application process, the hotel component was removed from the Proposal as a direct response to the Covid-19 pandemic.
Streetscape upgrade	1947 Limited Auckland Real Estate Auckland Transport Auckland Council	<ul style="list-style-type: none"> The proposed basic upgrade disadvantages those on the eastern side of Federal Street / is inequitable Given landowner approval is required from AT to implement the basic upgrade, this raises questions of the applicant's ability to implement the proposal. ARE supports bringing Federal Street Upgrade forward, but wants to ensure that all property owners / stakeholders are given the opportunity to provide input into the design and to contribute to the appropriate integration with surrounding development, with resulting outcomes providing appropriate and equitable amenity for both sides of the street Does not account for existing needs of the transport network <ul style="list-style-type: none"> Loading Cycle lane Disability parking Allocated police parking Importance of the relationship of the proposal with the future streetscape upgrade critical to ensure the proposal achieves the desired activation of the street edge (Auckland Council) 	<ul style="list-style-type: none"> Amended conditions provided (Auckland Real Estate) That baseline upgrade should be removed from the proposal (Auckland Transport) 	<ul style="list-style-type: none"> Refer to evidence of Russell Brandon (Attachment 5, paragraphs 40-46) Refer to evidence of Ross Cooper (Attachment 3, paragraphs 85-99) Refer updated Baseline Streetscape Upgrade Concept prepared by Woods Bagot (Attachment 11 to this response) Refer to email from Auckland Transport to Ross Cooper of Tattico dated 10 June 2022 which sets out the key outcomes Auckland Transport seek from the Baseline Streetscape Upgrade Concept (Attachment 12 to this response) The Baseline Streetscape Upgrade Concept is mitigation only for the direct impact on the adjoining parking facilities resulting from the Proposal. The Baseline Streetscape Upgrade Concept in no way undermines Auckland Council's Federal Street Upgrade project. It will either be an interim upgrade to the pedestrian environment adjoining the Proposal, or will not be implemented and instead the Applicant will contribute a financial contribution to Auckland Council's Federal Street Upgrade project (refer Conditions 27, 27A and 27B) The Applicant is not indicating a design (or advocating any control over the design) of Auckland Council's Federal Street Upgrade. The Council controls the design, programme and funding of that project It is acknowledged that there are separate approvals to go through for works in public land, however it is standard for that detailed design phase to occur after the high level resource consent approval.
Historic heritage	Heritage New Zealand Pouhere Taonga Minister for Arts, Cultural and Heritage Auckland Council	<ul style="list-style-type: none"> Concern that no donor site identified for Heritage Floor Space Bonus 	<ul style="list-style-type: none"> The applicant should make known to the Panel, information relating to the availability of sufficient historic heritage floor space to purchase 	<ul style="list-style-type: none"> Refer to evidence of Ross Cooper (Attachment 3, paragraphs 100-103) The process set out in Attachment 3A, Conditions 36 and 37 reflects the standard Auckland Council process whereby resource consent is granted on the basis of a future heritage floor space transfer being implemented and recorded on titles for both the

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				<p>donor and recipient sites. Auckland Council has confirmed this in their written comment.</p> <ul style="list-style-type: none"> ▪ Attachment 3A, New Condition 37A is proffered on the basis that, by the time the Applicant needs to facilitate the heritage bonus floor area transfer, the Floor Area Ratio, Maximum Total Floor Area Ratio and Bonus Floor Area provisions have been deleted from the Unitary Plan (as forecast by Auckland Council in its preliminary response to the NPS:UD and Medium Density Residential Standards.
Services infrastructure	Watercare Services Limited Auckland Council Marina Macartney	<ul style="list-style-type: none"> ▪ Wastewater capacity ▪ Water supply for sprinkler system 	<ul style="list-style-type: none"> ▪ Conditions recommended (Auckland Council) 	<ul style="list-style-type: none"> ▪ Refer to evidence of Brad Rudsits (Attachment 6) and the following assessments by WSP: <ul style="list-style-type: none"> - Feasibility Study: 65 Federal Street (Project Number: 1-43855.v7, Revision 2.0) dated 24 June 2022 (Attachment 6A to this response) - Memorandum “FTC000055 – Federal Street Residences Wastewater Servicing” (File/Ref: 1-14388.V7, Revision F) dated 24 June 2022 (Attachment 6B to this response) ▪ Refer to evidence of Ross Cooper (Attachment 3, paragraphs 104-106) regarding wastewater capacity ▪ Refer to the following assessment by Holmes Fire: <ul style="list-style-type: none"> - “65-71 Federal Street: Firefighting water supplies” (Project: 117615) dated 21 June 2022 (Attachment 9 to this response) ▪ Refer to evidence of Ross Cooper (Attachment 3, paragraphs 107-109) regarding firefighting water supply ▪ Attachment 3A, Conditions 28, 67 and 68 are considered to be sufficient to require the Consent Holder to obtain Engineering Plan Approval for all service infrastructure within public land, and to construct the necessary upgrades at its own cost. No changes to conditions are proposed to cover these items.
Financial compensation	1947 Limited Real Estate Auckland RL Senojak and Others Jingqi (Jessie) Zhao	<ul style="list-style-type: none"> ▪ Compensation if businesses need to be closed for a day / period during construction (due to road closures) ▪ Property values ▪ Remedial and compliance costs <ul style="list-style-type: none"> - Removal of windows on eastern wall / reconfiguration of light to bedrooms - Depth of basement / stability - Building damage ▪ Loss of rent or return on sale during construction ▪ Legal costs to neighbours to be covered by the applicant 	<ul style="list-style-type: none"> ▪ \$1,404,000 to Altitude Apartment owners to cover 10% reduction in rent for duration of the works (RL Senojak and Others) 	<ul style="list-style-type: none"> ▪ Refer to Memorandum of Counsel from Jeremy Brabant (Attachment 2, paragraphs 26-38) ▪ Refer to evidence of Ross Cooper (Attachment 3, paragraphs 110-114)

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Use of Fast Track process	Maitre Systems Limited Marina Macartney			<ul style="list-style-type: none"> ▪ Refer to Memorandum of Counsel from Jeremy Brabant (Attachment 2, paragraphs 22-25) ▪ Refer to evidence of Ross Cooper (Attachment 3, paragraphs 115-116)
Communications	New Bay Investments Limited	<ul style="list-style-type: none"> ▪ Communications with New Bay Investments Limited to date have been insufficient 		<ul style="list-style-type: none"> ▪ Refer to evidence of Ross Cooper (Attachment 3, paragraphs 117-121)