

Invitation for Comment on Federal Street Residences

Federal Street Residences is a Referred Project under the COVID-19 Recovery (Fast-track Consenting) Act 2020

Application name	Federal Street Residences
EPA reference	FTC000055
Applicant/s	P0012 Auckland NZ Pty Limited
Comments due by	14 April 2022
Accessing the application	https://www.epa.govt.nz/fast-track-consenting/referred-projects/federal-street-residences/the-application/

An application has been made by P0012 Auckland NZ Pty Limited under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the act) for resource consent to a: demolish an existing 7-storey car parking building on land in Auckland Central, Auckland; and b: to construct a mixed-use building on that land that is approximately 55 storeys and 183 metres high.

To comment on the project application, please fill in the details on the attached form and:

- **Email** the form to federalstreet.fasttrack@epa.govt.nz. Please mark in the subject line: "Comments on Federal Street Residences, Fast Track Application (Your name/organisation) by **14 April 2022**"; or
- **Post** the form to Federal Street Residences, Fast Track Application, Environmental Protection Authority, Private Bag 63002, Waterloo Quay, Wellington 6140 in time for the form to be received by the **14 April 2022**; or
- **Deliver in person** to Environmental Protection Authority, Grant Thornton House, Level 10, 215 Lambton Quay, Wellington by **14 April 2022**. Please note that due to potential changes in COVID-19 Alert Levels our reception may not be open to the public. We suggest phoning ahead to check.

Comments must be received by the EPA, on behalf of the Federal Street Residences Expert Consenting Panel, no later than **14 April 2022**

If your comment is not received by the EPA by **14 April 2022** the Panel is not required to consider your comment (although it may decide to). Under the COVID-19 Recovery (Fast-track Consenting) Act 2020 there is no right to seek a waiver of the time limit.

If you are an iwi authority you may share the consent application with hapū whose rohe is in the project area in the application, and choose to include comments from the hapū with any comments you may wish to provide.

Important information

Your personal information will be held by the EPA and used in relation to the project consent application process. You have the right to access and correct personal information held by the EPA.

A copy of your comments, including all personal information, will be provided to the Expert Consenting Panel and the applicant.

If you are a corporate entity making comments on this application, your full contact details will be publicly available.

For individuals, your name will be publicly available but your contact details (phone number, address, and email) will not be publicly available.

A copy of your comments will also be published on the EPA website. We will redact your contact details but you should not include any other personal information that you are concerned about being publicly available.

Please do not use copyright material without the permission of the copyright holder.

All information held by the EPA is subject to the Official Information Act 1982.

More information on the fast-track consenting process can be found at <https://www.epa.govt.nz/fast-track-consenting/about/>.

More information on the commenting on a fast-track consenting application can be found at <https://www.epa.govt.nz/fast-track-consenting/commenting/>.

Your comment on the Federal Street Residences

All sections of this form with an asterisk (*) are mandatory.

1. Contact Details

Please ensure that you have authority to comment on the application on behalf of those named on this form.

Organisation name (if relevant)	Auckland Council		
*First name	Ian		
*Last name	Smallburn		
Postal address	Private Bag 92300, Victoria Street West, Auckland 1142		
*Home phone / Mobile phone	027 675 2975	*Work phone	027 675 2975
*Email (a valid email address enables us to communicate efficiently with you)	ian.smallburn@aucklandcouncil.govt.nz Please cc: karen.long@aucklandcouncil.govt.nz		

2. *We will email you draft conditions of consent for your comment

✓	I can receive emails and my email address is correct	<input type="checkbox"/>	I cannot receive emails and my postal address is correct
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3. Please provide your comments on this application

Auckland Council's comments on the Federal Street Residences are broken down into the following categories, which the council considers to be most relevant to this proposal:

- Land use
- Urban Design and Landscape
- Transportation
- Infrastructure- wastewater and water supply
- Groundwater and Engineering
- Noise and Vibration
- Other- Street Design

Land use

The application site falls within the Business- City Centre zone of the Auckland Unitary Plan (Operative in Part) (AUP(OP)). The city centre zone is permissive in terms of activities and Council agrees that the site is an appropriate location for a residential tower with retail at ground floor and basement levels primarily focused on food and beverage activities.

A key policy outcome for the city centre is enabling the *greatest intensity of development in Auckland and New Zealand while respecting its valley and ridgeline form and waterfront setting*. (Objective H8.2(8))

The overall scale of development in the city centre is managed by the maximum total floor area ratio (MTFAR) and height standards of the AUP(OP). The proposal significantly exceeds the MTFAR for the site and takes advantage of the significant height allowance on the site. As informed by the assessment of the applicant, Council's urban design and landscape specialists, Council considers the building height and form to be acceptable taking into account that adverse effects can be suitably avoided or mitigated.

Urban Design and Landscape

Both the urban design specialist and landscape architect specialist are supportive of the proposal and are in agreement with the applicant's assessment that the tower will contribute positively to the cityscape. Noting the significance of the site to Mana Whenua, Nga Wharau a Tako, the urban design specialist supports a continuing dialogue with Ngāti Pāoa and Ngāti Whātua Ōrākei throughout the detailed design stages of this project.

The design related conditions offered by the applicant (Attachment U) are supported noting that they are necessary to ensure the high design quality is continued through to detailed design and construction. An additional condition to manage the effects of glare is recommended.

Transport

Auckland Transport (AT) indicate that the implementation of this project (between 2023 and 2026) may not be feasible given there will be no additional road space available for further road closures prior to the completion of the City Rail Link and Te Ha Noa Works on Victoria Street. AT also consider that the proposed number of secure and visitor bicycle parks is inadequate to service the development; there is inadequate information to provide certainty there will be no queuing effects beyond the site associated with the car lift capacity and valet staff numbers; and the proposed access on Kingston Street has not been designed to accommodate pedestrian priority or safety. Conditions have been recommended to address these concerns. A final Construction Traffic Management Plan is also recommended notwithstanding their concern regarding the construction timeframes of this project.

Infrastructure

Watercare have identified wastewater capacity constraints in the downstream network and indicated that investigations into potential solutions are unlikely to meet the development's timeframe. They indicate an interim solution will need to be agreed with Watercare and that the design needs to be approved as part of the consenting process. Watercare state that further information is needed in respect of the sprinkler system demand on the public network. Conditions have been recommended.

Groundwater

Council's specialist considers that the preliminary geotechnical and groundwater assessments undertaken by the applicant are not sufficient to provide appropriate and suitably conservative geotechnical data for the assessment of effects on the environment or neighbouring properties. The specialist has identified further information requirements, and recommended additional conditions to those proffered by the applicant in Attachment U.

Geotechnical

Council's Development Engineer, in discussion with Council's groundwater specialist, considers further information is needed to assess potential effects of the proposed excavation and retaining on neighbouring land, structures, buildings and any private and public services including calculations of deflection /induced (mechanical) settlement. The specialist also identifies information is lacking on liquefaction risk. Conditions have been recommended to address concerns.

Noise and vibration

Council's specialist acknowledges there will be significant construction noise and vibration effects on nearby properties during the early stages of construction activity (demolition, excavation and piling in particular) but considers a Construction Noise and Vibration Management Plan (CNVMP) common for large construction projects, is the most appropriate method for managing temporary effects.

Other – Street Design

The attached memo by the Council's Development Programme Office (DPO) outlines the objectives of the Federal Street Upgrade. The DPO notes, whilst the development (including the marketplace) would contribute to the outcomes of the Federal Street Upgrade project the 'baseline' scheme (representing the minimum area that the applicant will need to upgrade adjacent to the development) would fall short on achieving some of the outcomes sought. The DPO encourages working with the applicant to provide for the integration of the two

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schemes. The DPO also reiterates AT's concerns about the planned programme of works in the vicinity of the application site over the next 3-4 years.

AT have also raised concerns about the proposed 'baseline' scheme and consider, due to the uncertainty of the street upgrades in the Federal Street and Kingston area and the additional approvals required, that this application should be considered without the proposed 'base line' street upgrades.

Both the urban design and landscape specialists acknowledge the importance of the relationship of the proposal with the future streetscape upgrade of Federal Street. The urban designer notes that the integration of the proposed ground floor marketplace with the design of the streetscape upgrade is *critical to ensure the proposed development achieves the desired activation of the street edge*. The landscape specialist also encourages the realisation of positive landscape effects that could occur through the upgrade of Federal Street as a 'shared space'.

Waitemata Local Board

The Waitemata Local Board (WLB) overall supports the proposed development. There was no response from (Ward) Councillor Coom however Cr Coom's initial response to the Minister for the Environment (for consideration of referral to the Expert Panel) endorsed the local board's original position of support. Whilst the WLB notes a concern about the outlook from some of the apartments, Council's urban designer considers that the purpose of the outlook standards will be met *ensuring a reasonable standard of visual and acoustic privacy between different dwellings and avoiding overlooking of neighbouring sites*.

Further information and technical memos

In addition to the summarised information above, the following technical memos are provided as part of this response, Attachment A:

- a) Planning considerations (prepared by Karen Long, Team Leader, Central Resource Consents)
- b) Landscape (prepared by Peter Kensington, Consultant Landscape Architect)
- c) Urban design (prepared by Lisa Mein, Consultant Urban Designer)
- d) Auckland Transport (prepared by Hannah Miln, Senior Development Planner)
- e) Healthy Waters (comment by Mark Iszard)
- f) Watercare (prepared by Amir Karimi, Senior Development Engineer)
- g) Groundwater (prepared by Andy Samaratunga, Senior Specialist)
- h) Development Engineering (prepared by Kuanjin Lee, Senior Development Engineer)
- i) Noise and Vibration (prepared by Andrew Gordon, Specialist)
- j) Soil Contamination & Dust (prepared by Paul Crimmins, Senior Specialist)
- k) Development Programme Office (prepared by Oliver Smith, Manager Delivery Programmes)
- l) Waitemata Local Board comment

Consent conditions

Should the Panel be minded to grant consent, the council refers to the recommended conditions contained within the specialist memos to be read in conjunction with the applicant's proposed conditions, Attachment U.

It is also recommended that the Panel refers to the council's 'Consent Conditions Manual' for standard conditions which may be appropriate for this development. The Consent Conditions Manual can be accessed at the following URL: <http://www.aucklanddesignmanual.co.nz/regulations/consent-conditions-manual>.

The council would like to have the opportunity to further comment on the draft conditions prior to any decision being issued.

Thank you for your comments