

**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
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**Sent:** Tuesday, 11 December 2018 4:15 p.m.  
**To:** Central RC Submissions <CentralRCSubmissions@aucklandcouncil.govt.nz>  
**Cc:** Haylee Minoprio (AT) <Haylee.Minoprio@at.govt.nz>  
**Subject:** [ID:3353] Submission received on notified resource consent

We have received a submission on the notified resource consent for 85-89 Quay Street, Queens Wharf and water space of the Waitemata Harbour adjacent to the western side of Queens Wharf.

## Details of submission

### Notified resource consent application details

**Property address:** 85-89 Quay Street, Queens Wharf and water space of the Waitemata Harbour adjacent to the western side of Queens Wharf

**Application number:** BUN60327622

**Applicant name:** Auckland Transport

**Applicant email:** [haylee.minoprio@at.govt.nz](mailto:haylee.minoprio@at.govt.nz)

**Application description:** Auckland Transport has applied for resource consent to construct, operate and maintain six new ferry berths on the western side of Queens Wharf within the Downtown Ferry Basin (Piers A-F), undertake modifications to the existing ferry terminal buildings (located at existing Pier 1 and Pier 2) and historic shelter, and remove existing Piers 3 and 4. The construction, establishment, operation and maintenance of Piers A-F will require the installation of a concrete piled breakwater located immediately adjacent to the west of Queens Wharf, the installation of reverse saw-tooth shaped pontoons, three gangways, three fixed shelter structures, piles, pile guard markers and fenders. Street furniture will be installed along Queens Wharf to demarcate pedestrian-only and vehicle zones between the western edge of Queens Wharf and the Cloud. Modifications to the existing ferry terminal building at Pier 1 include the removal of the East Annexe Building, construction of new façades, removal of the ticket gates, replacement of the upper louvres, and the construction of new retail/food and beverage facilities within the existing terminal building. Modifications to the historic shelter include modification of the northern face and the insertion of skylights in the roof. Modifications to the open spaces to the east and south of the building are also proposed. Modifications to the terminal building at Pier 2 include relocating ancillary office space and repositioning passenger waiting space. Demolition of existing Piers 3 and 4 will involve the removal of gangways, pontoons and piles. The timing of the demolition is dependent on the new berths being fully operational and whether additional layover/decant space may be required for future Stage 2 works. Overall the proposal is a discretionary activity.

### Submitter contact details

**Full name:** Cooper and Company NZ

**Organisation name:**

**Contact phone number:** 0275720883

**Email address:** [vicki.morrison-shaw@ahmlaw.nz](mailto:vicki.morrison-shaw@ahmlaw.nz)

**Postal address:**

P O Box 1585 Downtown Auckland Auckland 1140

**Submission details**

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**

Support is conditional on changes being made and conditions imposed as set out in the attached submission

**What are the reasons for your submission?**

See attached submission

**What decisions and amendments would you like the council to make?**

See attached submission

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** Yes

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**

Submission - Cooper and Co re Downtown Ferry Basin Redevelopment - 11 December 2018.pdf

**SUBMISSION ON APPLICATION CONCERNING RESOURCE CONSENT THAT IS SUBJECT TO  
PUBLIC NOTIFICATION BY CONSENT AUTHORITY**  
Section 95A Resource Management Act 1991

**TO: AUCKLAND COUNCIL**

**SUBMITTER: COOPER AND COMPANY NZ**

**INTRODUCTION**

1. This is a submission by Cooper and Company NZ (**Cooper and Company**) on an application from Auckland Transport (**AT**) to Auckland Council (**Council**) for resource consents regarding Stage 1 of the proposed **DOWNTOWN FERRY BASIN REDEVELOPMENT** (Application Numbers: **BUN60327622**, **CST 60327623**, and **DIS60327717**), 85-89 Quay Street, Queens Wharf and water space of the Waitemata Harbour adjacent to the western side of Queens Wharf (**Application**).
2. Cooper and Company is the key landowner, developer and manager of the Britomart Precinct. Over the past 12 years Cooper and Company has invested significantly in the redevelopment of the Britomart Precinct. Cooper and Company manages all the assets and business of the Britomart group of companies.
3. Cooper and Company is party to a Development Deed with Council which sets out an agreed vision for the development of Britomart Precinct and which, with respect to Quay Street, requires Council to use reasonable endeavours to promote "the widening, re configuration, re paving and landscaping of Quay Street in a boulevard style".<sup>1</sup>
4. Cooper and Company has responsibility for managing the Britomart Precinct's public areas and spaces (including footpaths on Quay, Customs and Queen Street and shared spaces) under a Public Spaces Agreement with the Council.<sup>2</sup>
5. Cooper and Company is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.
6. Cooper and Company submitted on and actively participated in the hearing for the Queens Wharf to Marsden section of the seawall upgrade. Cooper

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<sup>1</sup> Substitute and Restated Development Deed, Auckland Council and Britomart Group Company, 29 March 2018, clause 11.3(b).

<sup>2</sup> Agreement relating to Britomart Precinct Public Areas Licence and Management, 10 June 2005.

and Company has also recently made submissions on the other two sections of the seawall (Princes Wharf and Ferry Basin).

7. The specific parts of the Application that Cooper and Company's submission relate to are:
  - (a) integration;
  - (b) traffic; and
  - (c) consultation.
8. Cooper and Company **supports** the Application to redevelop the downtown Ferry Basin **subject to** changes being made and conditions being imposed that appropriately address the matters raised in this submission.

## **SPECIFIC MATTERS TO BE ADDRESSED**

### **Integration**

9. The downtown ferry terminal improvements have been flagged as a key project in AT's Statement of Intent – a document which also emphasizes the importance of taking an integrated approach to transport related matters.<sup>3</sup>
10. While supporting the Ferry Basin redevelopment, Cooper and Company is concerned that projects within the downtown Auckland area are being approached by AT without appropriate regard being had to the effects of other existing and consented projects. In particular, Cooper and Company consider that the overlapping and cumulative impacts have not been properly identified and assessed, and that this lack of assessment may lead to adverse effects on the amenity of the area and local transport network.
11. One such example is that no mention is made of the consents which Cooper and Company obtained earlier this year to allow the construction and operation of a new 11-storey hotel<sup>4</sup> within the Britomart Precinct. Construction of this development commenced at the beginning of July 2018.
12. Cooper and Company considers that the Application should be reassessed in light of the hotel development and any other relevant existing consents and designations to determine whether the effects are acceptable and whether the remediation measures proposed are appropriate.

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<sup>3</sup> Auckland Transport Statement of Intent 2018/19 – 2020/21, pages 5, 7, 12, and 20.

<sup>4</sup> The Britomart Hotel is 11 storeys including the ground level but excluding the basement parking (which is one level below ground).

## Traffic

13. There are two matters that Cooper and Company wishes to address in relation to traffic:
- (a) the Britomart Hotel and Britomart Carpark; and
  - (b) the draft construction traffic management plan.

### **Britomart Hotel and Britomart Carpark**

14. The Integrated Transport Assessment (Transport Assessment) indicates that vehicle congestion has been observed related to entry of vehicles onto Queens Wharf on cruise passenger exchange day.<sup>5</sup> This combined with the reduction in vehicle lanes on Quay as a result of other works in the downtown area (including the proposed seawall works),<sup>6</sup> makes for a challenging traffic environment.
15. Cooper and Company considers that the Transport Assessment should be revised to factor in the traffic impacts associated with the Britomart Hotel development and the impacts on the Britomart carpark. Any measures proposed to mitigate the effects on the carpark and traffic within Britomart Precinct should be included as conditions of consent and/or in the construction traffic management plan.

### **Construction traffic management plan**

16. AT's proposed consent conditions require that a construction traffic management plan be prepared.<sup>7</sup> However, unlike for noise and vibration a draft of the traffic management plan has not been included with the Assessment of Environmental Effects (**AEE**).
17. Traffic is a key concern within the downtown waterfront area and, some of the feeder roads onto Quay Street (such as Commerce Street) are already beyond practical capacity.<sup>8</sup> Given the Application works will introduce further traffic into an already challenging traffic environment, it is critical that affected parties (such as Cooper and Company) are consulted on any proposed construction traffic management plan, *before* it is adopted.

## Consultation

18. AT's proposed conditions do not currently require AT to consult key stakeholders on its management plans prior to them being adopted. If AT

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<sup>5</sup> AEE Appendix L Integrated Transport Assessment, pages 18 – 19.

<sup>6</sup> AEE Appendix L, Traffic Assessment, Executive Summary.

<sup>7</sup> AEE Appendix R, condition 25.

<sup>8</sup> Seawall Queens Wharf to Marsden Wharf Upgrade AEE, Appendix L, Traffic Assessment, section 3.4.2.

does consult on a particular plan, and later makes any material changes to that plan the conditions require AT to re-consult on those changes.<sup>9</sup>

19. Given that the Application does not include drafts of all the relevant management plans (e.g. transport), and given the management plans set out how AT proposes to manage effects on the environment and affected parties, Cooper and Company considers a consent condition should be included requiring AT to:

- (a) consult with key stakeholders on each proposed management plan;
- (b) note how that feedback has been considered in preparing the plan;

prior to lodging any such plan with the Council. It may also be useful for key stakeholders (or at least those consulted) to be identified in the respective management plans.

### **RELIEF SOUGHT**

20. Cooper and Company seeks the following decision from the local authority:

- (a) that the Application be updated to address the effects of all existing and consented projects proceeding at the same time and the effects on the Britomart Carpark to determine whether the effects are acceptable, the mitigation measures remain appropriate and to include the outcomes of further consultation on any changes arising from the review;
- (b) that a draft construction traffic management plan be provided and consulted on with key stakeholders – including Cooper and Company – before it is finalised and lodged with the Council;
- (c) that the conditions of consent be updated to:
  - i. to require prior consultation and reporting on the outcomes of consultation in the construction traffic management plan;
  - ii. implement any necessary mitigation measures arising from the review of the application;
  - iii. to incorporate similarly worded mitigation measures as the conditions (particularly traffic) agreed to by AT in relation to the Queens Wharf to Marsden Wharf section of the seawall (to the extent that such conditions are relevant to the Ferry Basin redevelopment); and

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<sup>9</sup> Proposed condition 13.

- (d) any further, other, or consequential changes necessary to address the matters raised in this submission.

### HEARING

21. Cooper and Company wishes to be heard in support of its submission.
22. If others make a similar submission, Cooper and Company will consider presenting a joint case with them at a hearing.



**DATE:** 11 December 2018

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Mike Holm/Vicki Morrison-Shaw

**Legal counsel on behalf of Cooper and Company NZ**

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