

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
<NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz>
Sent: Sunday, 16 December 2018 5:00 p.m.
To: Central RC Submissions <CentralRCSubmissions@aucklandcouncil.govt.nz>
Cc: Haylee Minoprio (AT) <Haylee.Minoprio@at.govt.nz>
Subject: [ID:3388] 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

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: Andrew Brown

Organisation name: Ngati Whatua Orakei

Contact phone number: 0275300566

Email address: andrewb@ngatiwhatuaorakei.com

Postal address:

C/o Ngati Whatuaorakei Whai Maia Ltd, 230 Kupe St, Orakei PO Box 42045 Orakei Auckland 1745

Submission details

This submission: supports the application in whole or in part

Specify the aspects of the application you are submitting on:

Entire

What are the reasons for your submission?

1 The proposal is located in the inner Waitematā harbour, within the traditional and contemporary rohe of Ngāti Whātua Ōrākei. Ngāti Whātua Ōrākei has ahi kā and predominant mana whenua status in relation to the proposal. These include its historic, continuous and predominant relationship with the Tāmaki Isthmus, including Waitematā harbour. This is acknowledged in the 2011 Ngāti Whātua Ōrākei Deed of Settlement and the Ngāti Whātua Ōrākei Claims Settlement Act 2012 and is further detailed in the CVA previously submitted by Ngāti Whātua Ōrākei in relation to the full suite of Downtown infrastructure projects (copies attached for reference). 2 The subject area has high cultural value to Ngāti Whātua Ōrākei including: • values of national importance under s6(e) RMA (ancestral and contemporary relationships with lands, waters, taonga); • exercise of kaitiakitanga, tikanga and matauranga Māori within the coastal environment (s6(e) and s7 RMA); • values of national importance under Hauraki Gulf Marine Park Act. 3 Any decision on the proposal must have regard to Treaty principles (Te Tiriti o Waitangi). S8 RMA Treaty principles engaged by the Application include: • duty to actively protect taonga; • duty to identify the correct Treaty partner, that holds predominant mana whenua relationship and ahi kā over subject area, when evaluating tikanga; actual or potential impacts on relationships of mana whenua with land, waters and taonga; and cultural mitigation and offsetting; • avoid, remedy or mitigate relevant adverse cultural effects to mana whenua (s5, s8 RMA).

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

Council's engagement process to date has been flawed and simplistic. It created a collective process, which wrongly attributed equal status to all iwi authorities that expressed interest in the proposal, without assessment of the relative strength of cultural and historical relationship with the subject area. There has been no qualitative assessment of which iwi authority holds ahi kā, and predominant mana whenua interest (by reference to historic and continuing relationships with the subject area, and Treaty settlement legislation). These shortcomings can be addressed by consent conditions that correctly address cultural matters and the relevant ss6(e), 7(a) and 8 RMA principles. Subject to these provisions, Ngāti Whātua Ōrākei is able to fully support the proposal.

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:

DrMalcolmPaterson Report.pdf

DIP NWO Position CVAdocument.pdf

Ngati_Whatua_Orakei_Iwi_Management_Plan.pdf