

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
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Sent: Monday, 17 December 2018 4:45 p.m.
To: Central RC Submissions <CentralRCSubmissions@aucklandcouncil.govt.nz>
Cc: Haylee Minoprio (AT) <Haylee.Minoprio@at.govt.nz>
Subject: [ID:3407] 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: Simon Rickit

Organisation name: Ferry Building Limited

Contact phone number: 09 336 7559

Email address: simon.rickit@mc.co.nz

Postal address:

PO Box 90750 Auckland Central Auckland 1142

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The whole application.

What are the reasons for your submission?

As per attached submission.

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

Decline the consent.

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:

Ferry Building Submission - Queens Wharf consent.PDF

Submission on behalf of Ferry Building Limited on a resource consent application by Auckland Transport

To Auckland Council

Name of submitter Ferry Building Limited

Address for service Simon Rickit
Meredith Connell
PO Box 90750
Auckland 1142

- 1 This submission on behalf of Ferry Building Limited is in relation to the application by Auckland Transport 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 (Application Number BUN60327622).
- 2 The submitter is not a trade competitor for the purposes of section 308B of the RMA.
- 3 The submitter is the head lessee and sub-lessor of the Auckland Ferry Terminal building (**Building**) located at 99 Quay Street, Auckland Central.
- 4 The submitter opposes the entire proposal. The submitter's submission is as follows:
 - (a) The submitter is the head lessee of the Building and in turn leases parts of the Building to various businesses.
 - (b) The works will be carried out in close proximity to the Building, and the applicant's application and assessment of effects on the environment do not sufficiently address the effects that the development will have on the Building and the businesses operating in that Building and how those will be avoided, remedied or mitigated.
 - (c) The Building and the businesses operating from that Building form part of the existing environment and due consideration must be given to effects on it when the application is assessed.
 - (d) The proposed works will likely have significant adverse effects on the Building and its occupants. The submitter is concerned that the proposed development will have impacts on the Building including, but not limited to:
 - (i) Shading;
 - (ii) Loss of amenity and pleasantness;
 - (iii) Inconvenience for or discouragement of customers from visiting the building and the businesses located in it;
 - (iv) Restrictions in road access;
 - (v) Safety of access to and from the building;
 - (vi) Potential geotechnical instability issues;

- (vii) Noise effects; and
- (viii) Vibration, dust and dirt during construction.
- (e) The works proposed are substantial and extensive. They include:
 - (i) various piling works (which will have particularly noticeable noise and vibration effects);
 - (ii) the demolition of two existing piers and the removal of associated infrastructure; and
 - (iii) a series of upgrades to the ferry terminal building, which is located directly in front of the Building. The submitter does not accept that the upgrades to the ferry terminal building are “minor” as described in the assessment of environmental effects.
- (f) The works will be carried out over a 12 month period and will coincide with other works in the Quay Street area. This will have a significant disruptive effect on the area.
- (g) Proposed modifications to the ferry terminal building include removal of the East Annexe Building. The submitter has a licence to use the electricity transformer located in the Eastern Annexe. The removal of the Annexe will adversely affect the submitter’s operations.
- (h) The works will involve piling, which will have particularly noticeable noise and vibration effects. The noisiest of the construction works (which will include impact pile driving, vibro pile driving, concrete cutting and concrete breaking) are proposed to be undertaken during the hours of 7am –10pm, Monday – Saturday. These hours coincide with the operating hours of most, if not all, of the businesses that operate from the Building. The noise arising from the works will therefore have a significant impact on the Building’s tenants. Auckland Transport proposes to mitigate the effects of these noisy works through advanced communication of works that are likely result in disturbance for occupants, however the Building’s tenants are not able to relocate their business or close during noisy works without significant financial consequences.
- (i) It is possible that the entire western edge of Queens Wharf will be closed for the duration of construction. The submitter strongly opposes this aspect of the proposal. The full closure of the western edge would have significant operational and financial implications for the Building and its tenants, as there will be limited access to the Building as a result. While Auckland Transport states that access will be maintained at specific times when events and/or when a cruise ship is in the dock, this will not address the effects of the shut-down on the Building.
- (j) The report outlines that construction vibration levels for vibratory piling and impact piling have the potential to generate high vibration levels at receivers within short distances. The Ferry Building is a heritage building and the submitter is concerned about potential damage to the Building’s foundations or any cosmetic damage as a result of the works.
- (k) The proposal forms part of the wider Downtown Infrastructure Development Programme, which involves a number of different consents to do works in the Quay Street area. The submitter is concerned that the cumulative effect of these works,

combined with other works proposed to be carried out in the vicinity of the Building at the same time, including the seawall upgrade works.

- (l) The submitter does not consider that the applicant's application and assessment of effects on the environment sufficiently addresses the effects that the development will have on the Building and the businesses operating in that Building and how those will be avoided, remedied or mitigated.
 - (m) It is submitted that the proposed development does not accord with sound resource management practice and is contrary to the purpose and principles of the Resource Management Act.
- 5 While the submitter was consulted in relation to these proposed works approximately a year ago, it is unclear whether the submitter was formally notified of the resource consent, as it should have been, as it is a directly affected party.
- 6 The submitter seeks that Auckland Council decline the application, or in the alternative, impose conditions upon the consent that adequately avoid, remedy or mitigate the adverse effects of the proposed development upon the Building and the businesses located in the Building.
- 7 The submitter wishes to be heard in support of this submission.
- 8 If others make a similar submission, the submitter will consider presenting a joint case with them at the hearing.

Date: 17 December 2018



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Simon Rickit / Jade Magrath
Counsel for Ferry Building Limited

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