QUEENS WHARF CRUISE SHIP
WHARF UPGRADE

QUEENS WHARF
AUCKLAND CENTRAL

ASSESSMENT OF ENVIRONMENTAL EFFECTS

PREPARED FOR:
Panuku Development Auckland

B&A
Urban & Environmental

August 2018
CONTENTS

1.0 THE APPLICANT AND PROPERTY DETAILS ................................................................. 1
2.0 INTRODUCTION ........................................................................................................... 2
  2.1 Background .................................................................................................................. 2
  2.2 Existing Consents ......................................................................................................... 4
  2.3 Downtown INFRASTRUCTURE DEVELOPMENT Programme .................................... 7
3.0 SITE CONTEXT ............................................................................................................. 8
  3.1 Site description ............................................................................................................ 8
  3.2 Surrounding locality ................................................................................................... 12
4.0 PROPOSAL .................................................................................................................. 13
  4.1 Overview .................................................................................................................... 13
  4.2 The Mooring Dolphins ............................................................................................... 13
  4.3 The Gangway ............................................................................................................. 14
  4.4 Strengthening and new bollards ............................................................................... 14
  4.5 Additional fender clusters ....................................................................................... 15
  4.6 Occupation of the Common Marine and Coastal Area .............................................. 15
  4.7 Dredging ................................................................................................................... 15
  4.8 Conditions of Consent ............................................................................................ 15
5.0 REASONS FOR THE APPLICATION ........................................................................... 18
  5.1 Resource Management Act ...................................................................................... 18
  5.2 Auckland Unitary Plan (Operative in Part) Rules Assessment .................................. 18
  5.3 DURATION of Consents (section 123) ..................................................................... 20
6.0 NOTIFICATION ........................................................................................................... 20
7.0 ASSESSMENT (SECTION 104) ....................................................................................... 21
  7.1 Statutory Matters ....................................................................................................... 21
  7.2 Actual and Potential Effects on the Environment (section 104(1)(a)) .................... 21
  7.3 Statutory Documents (section 104(1)(b)) ................................................................. 37
  7.4 New Zealand Coastal Policy Statement .................................................................. 38
  7.5 Hauraki Gulf Marine Park Act 2000 ....................................................................... 41
  7.6 Auckland Unitary Plan – Operative in Part .............................................................. 42
  7.7 Summary .................................................................................................................. 70
8.0 PART 2 MATTERS ...................................................................................................... 70
9.0 OTHER MATTERS (SECTION 104(1)(C)) ................................................................. 71
  9.1 MARINE AND COASTAL AREA (TAKUTAI MOANA) ACT 2011 ......................... 71
  9.2 Port future study 2016 ............................................................................................ 72
  9.3 City Centre Masterplan 2012 .................................................................................. 73
  9.4 Waterfront Plan 2012 ............................................................................................. 73
  9.5 Central Wharves Strategy ....................................................................................... 74
  9.6 IWI MANAGEMENT PLANS .................................................................................. 74
10.0 CONCLUSION ............................................................................................................. 75
APPENDICES:

Appendix 1: Locality Diagram
Appendix 2: Consideration of Options Report
Appendix 3: Preliminary Design Report
Appendix 4: Engineering Plans
Appendix 5: AEE Engineering Aspects Report
Appendix 6: Navigation Safety and Utility Report
Appendix 7: Natural Character, Landscape and Visual Amenity Effects Assessment
Appendix 8: Heritage Impact Assessment
Appendix 9: Transport Assessment Report
Appendix 10: Marine Ecology Report
Appendix 11: Construction Methodology Report
Appendix 12: Assessment of Acoustic Effects
Appendix 13: Construction Noise and Vibration Management Plan
Appendix 14: Economic Assessment of Alternatives for Auckland Cruise Terminal – Costs and Benefits
Appendix 15: Report into Berthing Requirements for Cruise Ships at Auckland’s Queens Wharf
Appendix 16: Example of MECA Letter
Appendix 17: Record of Mana Whenua and Stakeholder Engagement
Appendix 18: POAL Written Approval Letter
Appendix 19: Decommissioning Methodology Technical Memo
Appendix 20: Letter from POAL on operational requirements
Appendix 21: POAL section 384A coastal permit
1.0 THE APPLICANT AND PROPERTY DETAILS

To: Auckland Council

Site Address: Queens Wharf and water space of the Waitematā Harbour north of Queens Wharf, Auckland Central (Refer to Locality Plan included in Appendix 1.)

Applicants’ Names: Panuku Development Auckland

Address for Service Barker & Associates Ltd
PO Box 1986
Shortland Street
Auckland 1140
Attention: Devon Rollo

Legal Description: Pt Bed of Waitematā Harbour, Deeds Reg 33A/195

Site Area: N/A

District Plan Provisions: Auckland Unitary Plan – Operative in Part

Regional Plan Provisions: Auckland Unitary Plan – Operative in Part

Auckland Unitary Plan Zoning: General – Coastal Marine Area

Auckland Unitary Plan Overlays: Built Heritage and Character: Historic Heritage Overlay Extent of Place – 2735, Queens Wharf

Infrastructure: City Centre Port Noise Overlay – 70db

Auckland Unitary Plan Controls: Macroinvertebrate Community Index – Urban.

Auckland Unitary Plan Precincts: Central Wharves

Designations: Nil

Locality diagram: Refer to attached map at Appendix 1

Brief description of proposal: Upgrades to the eastern Queens Wharf cruise ship berth to provide for the mooring of cruise ships up to 362m (Oasis Class Vessels) involving construction of two new cruise ship mooring dolphins located at distances of 49m
and 82m (to the centres of the dolphins) north of the northern end of Queens Wharf, a gangway connection to Queens Wharf including hydraulic retractable gangway and security gates, strengthening of the southern end of Queens Wharf, seven new additional wharf bollards on the eastern side at the southern end of Queens Wharf, and additional fender clusters on the eastern side at the north end of Queens Wharf.

**Summary of reasons for consent:** Modifications to the primary feature of a Category B historic heritage place and activities within the scheduled extent of place of a Category B place; impact and vibratory piling, including within the Historic Heritage Overlay; alterations of an existing lawful coastal marine structure that is a component of infrastructure; marine and port accessory structures on an existing wharf in the Historic Heritage Overlay area; temporary closing of public access to edge of the wharf during construction; temporary coastal marine area structures for the purpose of construction works in place for longer than 40 working days, construction of coastal structures not otherwise provided for and occupation of the Common Marine and Coastal Area.

### 2.0 INTRODUCTION

#### 2.1 BACKGROUND

This report has been prepared in support of an application by Panuku Development Auckland (the “applicant” or “Panuku Development Auckland”) for a resource consent approval for upgrades to the eastern Queens Wharf cruise ship berth, including the construction of two mooring dolphins and a gangway connection between the wharf and the dolphins to the north of Queens Wharf, to provide for the mooring of cruise ships up to 362m (Oasis Class Vessels), as set out in more detail in Section 4.0 below.

The Queens Wharf structure is understood to have been constructed between 1907 and 1913. Section 12(2) consent for the occupation of the Common Marine and Coastal Area (“CMCA”) by the structure is provided by the Ports of Auckland Limited (“POAL”) s384A Coastal Permit, discussed further below.
Queens Wharf was purchased by Auckland Regional Council (now Auckland Council) and the Crown from POAL in 2009. Following the formation of Panuku Development Auckland, Auckland Council’s management and ownership of Queens Wharf was transferred to Panuku Development Auckland.

Under the sale and purchase agreement and the subsequent cruise operating licence, Queens Wharf has been designated the primary cruise berth for cruise ships in Auckland. The facilities at Queens Wharf are currently limited in capacity to be able to safely berth ships of a maximum length of 294m on the eastern side and 205m on the western side of the wharf. In addition to these berths, cruise ships of up to 320m (or up to 330m in weather conditions permitting) can be berthed on the eastern side of Princes Wharf.

Growth in the cruise industry has resulted in cruise operators utilising larger cruise ships, which are now operational in New Zealand, as evident by the visits to New Zealand by the 348m Quantum Class Ovation of the Seas in the 2016/2017 and 2017/2018 cruise seasons. There is currently no capacity in Auckland to berth cruise ships longer than 330m. Ships longer than 330m such as the Ovation of the Seas, when they call at Auckland, are currently required to remain "on station" in the harbour using dynamic positioning technology, with passengers "tendered" to the shore using the ship's lifeboats.

Furthermore, with the anticipated progression of the Council’s Downtown Public Space project and the redevelopment of the Ferry Basin, provision for berthing of cruise ships may be further reduced, limiting berthing capacity at existing infrastructure to cruise ships of a maximum length of 294m.
Consideration of options for accommodating larger cruise ships than the current berthing provisions provide for, in recognition of the growth in the length of cruise ships used by the cruise industry, has been carried out by Panuku Development Auckland and its predecessor Waterfront Auckland since 2012, when Beca was engaged and prepared a report *Queens Wharf Modification for Mooring of Larger Cruise Liners* (dated February 2013). A summary of the main options considered to provide infrastructure for the berthing of larger cruise ships and analysis of the considerations is provided in the Consideration of Options document prepared by Barker & Associates included in Appendix 2. The outcome of this process was that Panuku Development Auckland have confirmed that the design of the infrastructure, as proposed in this application, should involve two mooring dolphins centrally located to the north of the north end of Queens Wharf, connected by a gangway, to enable mooring of cruise ships up to 362m.

### 2.2 EXISTING CONSENTS

Queens Wharf and the CMCA underneath and surrounding Queens Wharf are subject to a number of existing consents. These are outlined below:

**Ports of Auckland – Section 384A Deemed Coastal Permit**

POAL hold a section 384A occupation consent granted by the Minister of Transport on 28 July 1994. The section 384A occupation consent expires on 30 September 2026. The extent of the section 384A area is shown in Figure 2.1. This includes the area of CMCA occupied by Queens Wharf and the proposed location of the mooring dolphins. With regards to the occupation of the CMCA by Queens Wharf, when Queens Wharf was sold in 2009, a Waterspace Management Deed dated 14 August 2009 transferred the rights under the section 384A occupation consent to occupy the CMA immediately beneath Queens Wharf to Auckland Regional Council (since transferred to Panuku Development Auckland) and the Crown, who hold Queens Wharf as tenants in common pursuant to a joint venture agreement dated 14 August 2009.
POAL hold consent to dredge an average of 35,000m³ of sediment, not exceeding 175,000m³ over a five year period, from the seabed annually and associated discharges into the CMA in accordance with Section 12(1), 12 (2)(b) and 12(3) of the Resource Management Act 1991, involving the approaches and CMA adjacent to wharves and port areas of the Port of Auckland. The consent shall expire on 31 August 2027. This consent is known as the "Maintenance Dredging Consent".

Queens Wharf - Stage 1 Activities (October 2011) [Consent No. 39704]

Consent No. 39704 provided for the use of Queens Wharf (including the Cloud and Shed 10) as a multipurpose entertainment and gathering venue to enable a broad range of public and private events, shows and recreational activities to occur through to 31 July 2012. The scope of the consent provided for:

Entertainment and gathering activities, including:

- One-off activities: comprising functions, corporate hospitality activities, workshops, and short-term music or theatre performances and the like, with a duration of several days;
- 1+ week activities: comprising larger functions, hospitality activities, workshops, shows and recreational activities and the like that operate for a longer duration, and may comprise multiple "sub-activities";
- When the Cloud and Shed 10 are not being used in association with an entertainment and gathering activity, the buildings are to be used as public gallery/exhibition space, with the balance of the wharf used for "passive" recreation activities; and
- A range of temporary ancillary structures e.g. small-scale temporary structures such as: awnings, canopies, tents, marquees and "trailers". As well as associated stages, screens, seating, storage, ablutions and signage. This is limited to a maximum of 3,000m² or 10% of wharf area on a temporary basis and a maximum of one month period for temporary events, activities and structures.
Queens Wharf - Medium Term Activity Consent (February 2012) [Consent No. 40090]

Consent was subsequently obtained to enable the ongoing use of Queens Wharf in a similar manner to that enabled by Consent No. 39704 (as described above), and to extend the duration of the Cloud structure from 1 August 2012 to 31 July 2022. The consent also provides for two 40 foot containers generally located at the rear of Shed 10 (not included in the Stage 1 consent, and to replace the external kitchen facility approved within that consent).

Queens Wharf - Structures Consent (June 2012) [Consent No. 40596]

A section 127 variation to Consent No. 40090 provides for:

- A small area (a maximum of 150m²) to accommodate additional permanent structures (possibly for up to the full duration of the permit); and
- Flexibility to retain temporary structures already provided for beyond the exiting one month time at the discretion of the manager.

The 150m² area accommodates a small information kiosk constructed from two 20 foot shipping containers stacked vertically, with an associated canopy structure. The structure occupies an area of 54m². The remainder of the area provides for any ancillary structures (which may take the form of single containers or mobile vehicles). Activities in these ancillary structures can comprise of small food and beverage vendors.

Application for Coastal Permit for Events (December 2013) [R/REG/2013/2772]

This consent was approved to undertake temporary events, marine and non-marine events, public recreation facilities, entertainment facilities and associated ancillary activities and temporary structures. The consent incorporates and replaces a number of existing resource consents and structures on Queens Wharf. The duration of this consent is until 31 July 2023.

Application for Coastal Permit for Michael Parekowhai Sculpture (2015) [R/REG/2015/1417]

In 2015, a proposal for the erection of a major piece of art for Auckland was approved by the Council. The artwork is a lighthouse sculpture at the northern end of Queens Wharf and is intended to signify a safe harbour and welcome for all.

Application for Coastal Permit for Queens Wharf Village (December 2015) [R/REG/2015/4693]

Consent was obtained to establish a container village for a period of five years beginning in December 2015 comprising 11 containers in total. The container village helps to meet the needs of the cruise ship and ferry passengers using the wharf and plays an important role in mitigating the loss of the retail and food and beverage
activities displaced by the City Rail Link and Downtown Shopping Centre works. Four containers are used for food and beverage, four for retail, with the remaining three used for storage, rubbish and an information kiosk.

2.3 DOWNTOWN INFRASTRUCTURE DEVELOPMENT PROGRAMME

The Downtown Infrastructure Development Programme (Downtown Programme) is a group of strategic projects led by Auckland Transport for upgrades and improvements to public infrastructure located in the Auckland downtown and city centre waterfront area that stem from goals set out in Auckland Council’s spatial planning documents, such as the City Centre Master Plans 2012 and the Waterfront Plan 2012. The programme involves the implementation of a number of different projects including:

- Seawall project
- Mooring dolphins north of Queens Wharf
- Ferry terminal redevelopment
- New Downtown Public Space (“DPS”)
- Quay Street streetscape enhancements
- Britomart East Bus Interchange in Quay Street

In June 2017, Team New Zealand won the 35th America’s Cup and plans for holding the 36th America’s Cup regatta in Auckland in 2021 are well underway, with resource consents having been lodged in April 2018. Auckland has also been confirmed as the venue for the Asia-Pacific Economic Cooperation (APEC) 2021 Leaders’ Week in November 2021. These two events are key drivers for undertaking important transport and urban realm projects within the downtown area and it has been determined that the proposed Downtown Programme of Works should be prioritised for delivery prior to 2021.

2.3.1 Seawall project

Much of downtown Auckland sits on land that was reclaimed and reinforced with a seawall under Quay Street almost a century ago. In May 2018, Auckland Transport lodged the first resource consents for the seismic upgrading of the seawall. The Seawall Project has been divided into four sections for the purpose of resource consent applications and construction. Resource consent applications for the Princes Wharf (BUN60320273), Ferry Basin (BUN60320266), and Queens Wharf to Marsden Wharf (BUN60320277) sections have been lodged concurrently. Design options are still being considered for the Ferry Building section and the resource consent application for this section will be lodged at a later date. The Princes Wharf, Ferry Basin and Queens to Marsden sections are likely to be constructed prior to AC36.
2.3.2 Ferry terminal redevelopment

AT has long term plans to redevelop the Ferry Basin into a more functional space for ferry transport into the future.

The Downtown Programme will see delivery of Stage 1 of the Downtown Ferry Redevelopment, being the relocation of Piers 3 and 4, ahead of the America’s Cup in 2021.

Resource consent for the relocation for Piers 3 and 4 is likely to be lodged later in 2018.

2.3.3 Downtown Public Space

The Downtown Framework 2014 identified a long-term plan to transform the central wharves and downtown public realm through the creation of enhanced public space in the area between Princes Wharf and the Ferry Terminal.

Initial concepts for the Downtown Public Space are currently being developed.

Resource consents for this project are likely to be lodged in late 2018 or early 2019.

2.3.4 Quay Street streetscape enhancements

A key component of the Waterfront Masterplan is the changes proposed to Quay Street in order to turn it into a Waterfront Boulevard. This will involve:

- calming vehicle speeds;
- increasing the amount of space in the street dedicated to pedestrians and cyclists;
- limiting private vehicle use to local traffic, service vehicles and cruise ship related activity; and
- enhancing its role as a public transport route and interchange.

2.3.5 Britomart East Bus Interchange in Quay Street.

The development of a new central bus terminal that accommodates the southern and eastern services is proposed on Quay Street between Commerce Street and Britomart Place. Concept designs are currently being developed in consultation with key stakeholders, currently timed for delivery in 2019.

3.0 SITE CONTEXT

3.1 SITE DESCRIPTION

The proposal involves the CMA of the Waitemata Harbour to the north of Queens Wharf and the Queens Wharf structure itself (also within the CMA), located north
of the intersection of Quay Street and the northern end of Queen Street in Central Auckland.

Photo 3.1 – CMA area north of Queens Wharf from the northern end of Queens Wharf (Source: Barker & Associates Ltd)

Photo 3.2 – Queens Wharf from Princes Wharf (Source: Barker & Associates Ltd)

Queens Wharf is a concrete structure approximately 350m long by 85m wide, and has a surface level approximately 3.6m above mean sea level. The majority of the wharf is accessible by the public, with provision maintained for areas of the wharf to be closed to public access for operational purposes. As noted in the letter from POAL included in Appendix 20, Customs New Zealand designates parts of Queens Wharf, Shed 10 and the Cloud (on occasion) as customs-controlled areas on days when a cruise vessel is booked onto Queens Wharf East or Queens Wharf West. At these times, public access to these designated areas is restricted. The in-situ fence along the eastern edge of Queens Wharf is able to be opened when there is no operational need to restrict access. The Perimeter Strip License between the owners of Queens Wharf and POAL provides for exclusive access to the eastern and western edges of Queens Wharf on days when ships are booked. Public furniture is provided in various locations around the wharf.
Queens Wharf is owned by Panuku and the Crown. Part of the southern end of the wharf is leased to Auckland Transport for ferry operations. Panuku is responsible for managing Queens Wharf, including events. Queens Wharf is also the primary Cruise Ship facility in Auckland with cruise ship visits managed by POAL.

Four main buildings are present on the wharf structure. These are:

- **Shed 10** – Former cargo shed which has been restored and refurbished to be Auckland’s primary cruise ship terminal as well as being used as an event space;

- **The Cloud** – Public event space operated by Panuku originally built as a ‘Fanzone’ for the 2011 Rugby World Cup and now retained as an event facility; and
• The Ferry Terminal – Terminal building on the western side of Queens Wharf providing embarkation and disembarkation points for Auckland ferry operations, as well as ticketing and associated ferry operation facilities.

• The Michael Parekowhai sculpture, which is located to the north of Shed 10 and was unveiled in late 2016. The concept for the artwork is a 'lighthouse' for the tip of Queens Wharf, signifying a safe harbour and welcome, and including the Māori value ahi kā – the home fires are burning. It welcomes all people to Auckland and its waterfront, including those disembarking from cruise ships and other vessels. The lighthouse is a one-to-one size model of a 'typical' New Zealand house filled with light.

In addition to these permanent buildings there is the temporary container village comprising 11 containers in total, which is consented for a period of five years from December 2015.

Vehicle access is provided onto the wharf from Quay Street with a marked vehicle carriageway provided for a distance of approximately 150m along the wharf to a turning area. Limited drop-off and parking provision is provided on the wharf in various locations, subject to operational requirements.
3.2 SURROUNDING LOCALITY

To the east of Queens Wharf is the POAL customs bonded port facilities area. This includes Captain Cook Wharf and the partially deconstructed Marsden Wharf located immediately to the east. Bledisloe Terminal, Jellicoe Wharf, Freyberg Wharf and Fergusson Container Terminal, which make up the bulk of the operational port area, are located further to east.

![Aerial Photo identifying POAL wharf facilities east of Queens Wharf](Source: Auckland Council GIS)

The Auckland Ferry Building is located immediately to the west of the south end of Queens Wharf. This building is occupied by restaurant and café facilities, retail units and offices. In addition there are a number of ferry and tourist boat embarkation and disembarkation pier facilities, with associated ticket facilities located along the Quay Street harbour edge. Further to the west is Princes Wharf, which is occupied by a number of restaurants, office units, residential apartments and a hotel.
To the south of Queens Wharf is the Auckland CBD. This area is dominated by multi-storey office building developments with retail premises at the ground level. Immediately to the south of the Queens Wharf structure is Quay Street and the intersection with Queen Street. Of note in this immediate area to the south are the Britomart Transport Station and the Commercial Bay development, which is currently under construction.

4.0 PROPOSAL

4.1 OVERVIEW

The proposal involves infrastructure upgrades to Queens Wharf to enable the berthing of cruise ships up to the 362m Oasis Class vessels. The proposed infrastructure upgrades involve:

- The construction of two new mooring dolphins centred at 49 and 82m north of the northern end of Queens Wharf, with associated fendering, bollards, bull rails and capstan on each mooring dolphin;
- A gangway between the mooring dolphins and Queens Wharf;
- Strengthening of the southern end of Queens Wharf;
- Seven new additional wharf bollards on the eastern side at the southern end of Queens Wharf; and
- Additional fender cluster on the eastern side at the chainages 90m and 290m of Queens Wharf.

It is proposed that, while the proposed new dolphins and gangway will be an operational piece of port infrastructure, the first section of the gangway will be open to public access during the day when ships are not berthed using the mooring dolphins, unless required to be closed for operational or maintenance purposes.

Details of the proposal are described and shown in more detail in the Queens Wharf Cruise Ship Berth: Preliminary Design Report included in Appendix 3 of this report. The total length of the mooring dolphin and gangway structures is 90.3m from the end of Queens Wharf, including all attached marine and port accessory structures, such as fenders and safety ladders.

4.2 THE MOORING DOLPHINS

To accommodate the length of the vessels two octagonal mooring dolphins are proposed, the diameter of each would be 15m. These structures are proposed to be centrally located 49m and 82m from the northern end of Queens Wharf. They comprise six to eight 1.8m diameter steel cased reinforced concrete piles, socketed 10m into the Waitematā sandstone rock strata. The deck of the dolphins are
proposed to be at 5.0m above Chart Datum, which is approximately 0.5m lower than the majority of Auckland’s waterfront wharves. Timber fender piles would occupy the circumference of the dolphin structures and assist in relating the project to the wharf vernacular of the immediate vicinity. A capstan, three bollards and navigational and operational lighting will be provided on each dolphin structure.

4.3 THE GANGWAY

The two mooring dolphins would be connected to the wharf by a gangway consisting of four to five spans up to 21m in length. The gangway decks would consist of 650mm deep single hollow core precast units with a 150mm deck slab, cast insitu. The first section of the gangway would be 2.3m wide and the second section (between the two dolphins) will be 1.4 m wide. The gangway would be supported by 1.2m diameter reinforced concrete piles, socketed into the underlying sandstone/siltstone. To lower the visibility of the proposal and interruption with elements on the horizon, a portion of the gangway would ramp down from the wharf level (being 5.5m), to 5.0m. The operational design constraints require that the gangway ramp down over a distance, due to the need to be accessible by heavy loads on a trolley. This means that appropriate gradients (as noted in the preliminary design report as 3.5%) are needed and that it is not possible to have steps. Public access to the first section of the gangway up to the “gap” (described below) will be available when the infrastructure is not in use for cruise ship activities. For health and safety reasons and due to the operational machinery on the mooring dolphins, no public access can be provided to the mooring dolphins.

A retractable gangway, being approximately 1.4m wide, would be attached to the termination of the first section of the gangway (adjacent to the southern dolphin). The gap between the dolphin and fixed gangway would be 4m to prevent members of the public accessing the dolphins. When a ship is berthed, or berthing, security gates would be closed to prevent public access to the first section of the gangway, and the retractable gangway would be lowered (and the 4m wide gap closed), so wharf personnel can access the dolphins.

4.4 STRENGTHENING AND NEW BOLLARDS

Seven new 150 tonne bollards will be installed at the southern end of Queens Wharf. To address existing pile tension load deficiencies in the vicinity of the bollards, it is proposed to install five additional 600mm diameter bored piles through the existing wharf deck, directly beneath the position of each of the new bollards to accommodate uplift loads. To allow installation of the pile a small area of the existing deck will be broken out (approximately 1500mm by 1500mm), between the transverse beams. The small area of the existing deck will be reinstated by drilling connection bars into the sides of the adjacent beams and then casting a thicker, approximately 600mm, reinforced section of slab above the new pile.
4.5 ADDITIONAL FENDER CLUSTERS

A fender system will protect the wharf from damage of berthing vessels. Additional fender systems will be installed at chainages 90m and 290m, which match the existing fender clusters located at chainages 130m, 170m, 215m and 250m.

4.6 OCCUPATION OF THE COMMON MARINE AND COASTAL AREA

The proposal involves occupation of the CMCA with new Marine and Port facilities, being the two new mooring dolphins and Marine and Port Accessory Structures, being the gangways and fenders. Additional occupation of the CMCA will occur in within the footprint of the mooring dolphins and gangways by marine and port activities associated with the mooring cruise ships.

As per the current situation, the Queens Wharf structure will continue to occupy the CMCA, together with the associated Marine and Port Accessory Structures and the marine and port activities currently carried out.

As the proposed application relates to the upgrade of Queens Wharf to provide for larger cruise ships up to the Oasis Class vessels, it is not intended that the proposal seek to authorise other activities currently occurring on the wharf. Separate consents to authorise the occupation of the CMCA by these activities and any associated structures will need to be made in due course, as necessary.

The construction methods may also require occupation of the CMCA by temporary structures for the purpose of construction works for a period of greater than 40 working days, being the potential for structures occupying the CMCA for the length of the construction phase of the project.

4.7 DREDGING

With regards to the expiry of the POAL maintenance dredging permit (Council ref. 34673) in August 2027, it is noted that this will expire before the end of the 35 year occupation period sought under this consent application for the mooring dolphin structures, associated marine and port accessory structures, and the associated marine and port activity consents. The applicant considers it appropriate that they rely upon the POAL consent in agreement with POAL until it expires and accepts that they would then need to apply as necessary for a new consent at that time. The applicant advises that they would be comfortable with Council recommending an advice note is included on any approval advising of this matter.

4.8 CONDITIONS OF CONSENT

In order to mitigate the potential effects of construction of the Queens Wharf cruise ship berth upgrades, including the mooring dolphin structures and operation of associated marine and port activities, the following table of conditions of consent are offered as part of the proposal.
### CONDITIONS

<table>
<thead>
<tr>
<th>AEE (Engineering aspects)</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Construction Management Plan to appropriately address the overall temporary construction effects.</td>
<td>Page 11 at Appendix 1</td>
</tr>
</tbody>
</table>

**Navigation Safety Assessment**

<table>
<thead>
<tr>
<th>A Marine Safety Management Plan (MSMP), incorporating the controls on Page 27 at 10.2 and on Page 30 at 11.2 of the Navigatus report, to be prepared in consultation with the key stakeholders.</th>
<th>Page 28 at 10.3.2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any lighting used in the construction works will be managed (as part of the Construction Management Plan).</td>
<td>Page 29 at 10.5</td>
</tr>
</tbody>
</table>

**Transport Assessment**

<table>
<thead>
<tr>
<th>A Construction Traffic Management Plan (CTMP) to appropriately address the temporary traffic-related construction effects. The final CTMP should be in general accordance with the draft CTMP and address:</th>
<th>Page 3 at 10.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Hours of operation and days of the week for construction activities</td>
<td>executive summary, page 18 at 10.5.2</td>
</tr>
<tr>
<td>- Ingress and egress to and from the site for construction vehicles</td>
<td>effects summary and page 20 at 10.5.2</td>
</tr>
<tr>
<td>- The number of vehicles and access routes for vehicles, particularly trucks and cranes</td>
<td>recommendati ons and page 20 at 10.5.2</td>
</tr>
<tr>
<td>- The location of construction staff parking</td>
<td></td>
</tr>
<tr>
<td>- The construction material delivery and yard/laydown areas</td>
<td></td>
</tr>
<tr>
<td>- The management of public safety, particularly pedestrians, around construction site.</td>
<td></td>
</tr>
</tbody>
</table>

**Heritage Impact Assessment**

<table>
<thead>
<tr>
<th>Submit final design detail of alterations to the primary features for certification.</th>
<th>Page 36, comment on (9).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Methods for avoiding damage to Queen's Wharf and its primary features during construction, and any mitigation actions should damage occur (as part of the Construction Management Plan).</td>
<td>Page 43, recommendati ons.</td>
</tr>
</tbody>
</table>

**Marine Ecology Assessment**

<table>
<thead>
<tr>
<th>Mitigation procedures (as part of the Construction Noise and Vibration Management Plan) comprising:</th>
<th>Section 5.0, Page 10</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Visual monitoring of marine mammals before and during construction within the zone of construction noise around the site;</td>
<td></td>
</tr>
<tr>
<td>- Works are shut down if a marine mammal sighting has been made, until the marine mammal has vacated the zone of influence.</td>
<td></td>
</tr>
</tbody>
</table>
CONDITIONS

- Other procedures for managing underwater noise effects on marine mammals (as well as other matters not related to marine ecology).

A marine biosecurity management plan is developed and implemented to address any risk of spread of unwanted organisms in the area potentially affected by the project both during and post construction.

**Acoustic Assessment**

Construction noise shall be measured and assessed in accordance with the provisions of New Zealand Standard NZS 6803:1999 “Acoustics - Construction Noise” and comply with the following Project Standards unless otherwise provided for in the CNVMP.

<table>
<thead>
<tr>
<th>Day</th>
<th>Time</th>
<th>$L_{Aeq}(30min)$</th>
<th>$L_{Amax}$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday to Friday</td>
<td>0630 – 2230</td>
<td>75</td>
<td>90</td>
</tr>
<tr>
<td>Saturday</td>
<td>0700 – 2300</td>
<td>80</td>
<td>90</td>
</tr>
<tr>
<td>Sunday</td>
<td>0900 – 1900</td>
<td>65</td>
<td>85</td>
</tr>
</tbody>
</table>

All other times (night-time)

Construction vibration shall be measured in accordance with ISO 4866:2010 “Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures” and comply with AUP:OIP Standard E25.6.30 (1) unless otherwise provided for in the CNVMP.

The consent holder shall prepare a Construction Noise and Vibration Management Plan (CNVMP).

The objectives of the CNVMP are to:

a) Identify and adopt the Best Practicable Option (BPO) for the management of construction noise and vibration;

b) Define the procedures to be followed when construction activities cannot meet the noise and vibration standards in Conditions 1 and 2;

c) Inform the duration, frequency and timing of works to manage disruption;

d) Require engagement with affected receivers and timely management of complaints; and

e) Protect the wellbeing of marine mammals.

At a minimum, the CNVMP must address the relevant measures in Annex E of NZS 6803:1999 “Acoustics - Construction Noise” and Appendix B of DIN 4150-3:1999 “Structural vibration - Part 3 Effects of vibration on structures”. It must also include measures to manage the underwater noise effects on marine mammals from...
5.0 REASONS FOR THE APPLICATION

5.1 RESOURCE MANAGEMENT ACT

Resource consent is required under the following statutory planning documents, as further identified below:

- Auckland Unitary Plan (Operative in Part)

Under the provisions of the RMA the following resource consents are required:

- Pursuant to section 88 of the RMA resource consent is sought for the matters set out in Section 5.2. Resource consent is being sought to enable the proposal (as described in this report) and all necessary consents for those activities are being sought. Our understanding of the resource consents necessary for the proposal are set out in section 5.2 below.

5.2 AUCKLAND UNITARY PLAN (OPERATIVE IN PART) RULES ASSESSMENT

The site is subject to the provisions of the Auckland Unitary Plan - Operative in Part (‘AUP’). The following resource consents are required for the proposed development:

- Pursuant to Rule C1.9(2) Restricted Discretionary Activity consent is required for the infringement of Standard I202.6.1.9(1) due to the temporary restriction of public access to the 10m perimeter area of Queens Wharf due to the temporary construction areas.

- Pursuant to Rule C1.9(2) Restricted Discretionary Activity consent is required for the infringement of Standard F2.21.10.4(1) due to anticipated construction methods potentially requiring the occupation of the CMCA by temporary structures for the purpose of construction works for a period of greater than 40 working days, being the potential for structures occupying the CMCA for the length of the construction phase of the project.

1 With reference to Rule F2.19, it is noted that in accordance with Note 1 of Table F2.19.10 that activities listed in that table include construction (pursuant to section 12(1) of the Resource Management Act 1991) and occupation (pursuant to section 12(2) of the Resource Management Act 1991), and use (pursuant to section 12(3) of the Resource Management Act 1991).
• Pursuant to Rule D17.4 (A9) section 12(1) Restricted Discretionary Activity consent is required for modifications to the primary feature of a Category B place and activities within the scheduled extent of place of a Category B place, being the wharf strengthening, removal of existing bollards, and installation of new piles and bollards, modifying the substructure and deck of Queens Wharf.

• Pursuant to Rule E25.6 (A2) section 12(1) Restricted Discretionary Activity consent is required for:
  - Construction activities within the General Coastal Marine Area zone, which result in noise levels received at 1m from the façade of a building within the General Coastal Marine Area not containing an activity sensitive to noise that is occupied during the works exceeding the limits identified within tables E25.6.27.2.
  - Construction activities which result in vibration levels that exceed the identified levels within table E25.6.30.1

• Pursuant to Rule F2.19 (A114) section 12(1) Restricted Discretionary Activity consent is required for underwater impact and vibratory piling, including within the Historic Heritage Overlay.

• Pursuant to Rule F2.19 (A124) section 12(1) Restricted Discretionary Activity consent is required for alterations of an existing lawful coastal marine structure that is a component of infrastructure, being the alterations to Queens Wharf involving the wharf strengthening, removal of existing bollards and installation of new piles.

• Pursuant to Rule F2.19 (A137) section 12(1) Discretionary Activity consent is required for marine and port accessory structures on an existing wharf in the Historic Heritage Overlay area, being the new fender clusters and bollards.

• Pursuant to Rule I202.4 (A22) section 12(2) Restricted Discretionary Activity consent is required for occupation of the CMCA by an activity that would otherwise be permitted where the area to be occupied is already the subject of an existing occupation consent, being those activities listed below under section 5.2.1

• Pursuant to Rule I202.4 (A36) section 12(1) and Section 12(2) Discretionary Activity consent is required for coastal structures not otherwise provided for, being the establishment of two new mooring dolphins and the associated occupation of the CMCA.

5.2.1 Permitted activities

The proposed development is considered to be permitted in terms of the following activities, and therefore compliant with section 12(1) and 12(3) of the RMA:

• Pursuant to Rule I202.4 (A20) marine and port activities, which include berthing of cruise ships, are a permitted activity.

• Pursuant to Rule I202.4 (A25) marine and port accessory structures, excluding new pile moorings, are a permitted activity. This applies to marine
and port accessory structures on the proposed new dolphins as well as the existing Queens Wharf structure.

5.2.2 Existing Queens Wharf Structure

With regards to occupation of the CMCA by the existing Queens Wharf structure under section 12(2) of the Resource Management Act 1991, this structure currently relies upon the existing POAL s384A Coastal Permit, of which Panuku Development Auckland and the Crown operate under in accordance with the Waterspace Management Deed signed with POAL. Therefore, as part of this application, it is not proposed to further consent the occupation of the CMCA by Queens Wharf. It is Panuku Development Auckland’s intention that a separate consent for section 12(2) occupation of the CMCA by Queens Wharf will be sought prior to the expiry of the POAL s384A Coastal Permit in 2026.

5.3 DURATION OF CONSENTS (SECTION 123)

With regards to the duration of consent periods, we seek a period of 5 years in alignment with the default period for required section 12(1) consents and a period of 35 years for the section 12(2) occupation consents. We note that the proposed activities of marine and port activities are permitted pursuant to Rule I202.4 (A20) and therefore no particular 12(3) consent is required and therefore no duration period need be stipulated.

A duration of 35 years is sought for the section 12(2) occupation consents in order to provide the mooring facility infrastructure for the duration of time until alternative arrangements can be established for berthing of cruise ships, as at this time the delivery of any alternative arrangements is unknown.

6.0 NOTIFICATION

Pursuant to section 95 of the Resource Management Act, a consent authority must, within the time limit specified decide, in accordance with sections 95A and 95B, whether to give public or limited notification of an application for a resource consent and notify the application if it decides to do so.

Section 95A specifies the steps the council is to follow to determine whether an application is to be publicly notified.

S95(3)(a) requires public notification where this is requested by the applicant. In this case, the applicant is requesting public notification of the application. Therefore, no further assessment of public notification is required and the application must be publicly notified in accordance with section 95A.
7.0 ASSESSMENT (SECTION 104)

7.1 STATUTORY MATTERS

Subject to Part 2 of the Act, when considering an application for resource consent and any submissions received, a council must, in accordance with section 104(1) of the Act have regard to:

- any actual and potential effects on the environment of allowing the activity;
- any relevant provisions of a national environmental standard, other regulations, national policy statement, a New Zealand coastal policy statement, a regional policy statement or proposed regional policy statement; a plan or proposed plan; and
- any other matter a council considers relevant and reasonably necessary to determine the application.

Section 104B of the Act states that a council:

(a) may grant or refuse the application; and
(b) if it grants the application, may impose conditions under section 108.

7.2 ACTUAL AND POTENTIAL EFFECTS ON THE ENVIRONMENT (SECTION 104(1)(a))

In accordance with section 104(1) when considering an application for resource consent and any submissions received a Council must have regard to any actual and potential effects on the environment of allowing the activity. In accordance with section 104(2) when forming an opinion on the actual and potential effects on the environment a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect.

The following assessment provides consideration of the actual and potential effects on the environment.

7.2.1 Permitted Baseline

The AUP provides for certain activities to be carried out within the Central Wharves precinct as permitted activities. Relevant to this assessment is the ability to carry out, without consent, Marine and Port activities, including the embarking and disembarking of maritime passengers on the existing wharves, passive recreational activities, vehicle parking and erecting navigational aids. This forms the permitted baseline for the assessment of the development. Adverse effects associated with these can be disregarded.
7.2.2 Visual Amenity, Character and Landscape

The existing character of the Auckland waterfront east of Princes Wharf to the eastern end of the POAL facilities at the Fergusson Container Terminal is one of a working waterfront and port. Between Princes Wharf and Queens Wharf are a number of piers which provide embarkation and disembarkation points for various ferries and other commercial watercraft operations. Both sides of Queens Wharf and the eastern side of Princes Wharf are currently used to berth cruise ships. East of Queens Wharf is the customs bonded POAL port facilities area.

While public access has been provided along the waterfront and onto Princes Wharf and Queens Wharf, the wharf and pier structures still retain berthing and mooring functions. The structures therefore have retained a visual appearance of working waterfront and port infrastructure.

As discussed in the Natural Character, Landscape and Visual Amenity Effects Assessment attached as Appendix 7 the proposed new mooring dolphins and gangway have been designed to fit with the existing character of the waterfront as a working waterfront and port, utilising similar materials as are utilised within the existing waterfront structures. The mooring dolphins and gangway also operate in a similar way, having a primary function as a port facility mooring structure, while allowing public access onto the first 36m of the gangway access when not required to be closed for operational use, as is the case with the existing operation of Queens Wharf. The width of the public access has been proposed at 2.3m in order to provide sufficient width of space for public use while balancing minimising the extent of structures within the CMCA.

The proposed bollard replacement, wharf strengthening and additional fender clusters will fit with the established character and appearance of the wharf, utilising similar materials, with a similar appearance. This work is required in order to provide the additional strength to the bollards and the wharf to allow for the forces associated with mooring the larger ships that are being provided for and protect the wharf from damage.

While the mooring dolphin structures and gangway will extend the built environment out into the CMCA north of Queens Wharf, the appearance will be sympathetic to the existing working waterfront and port environment. While there will be a greater occupation of the CMCA by built structures, the additional level of occupation will not significantly affect the visual openness of the Waitematā Harbour. The narrowest distance across the Waitematā Harbour east of the Harbour Bridge is between Fergusson Container Terminal and the Devonport Naval Base, which is approximately 900m. The distance between Stokes Point Reserve and Westhaven Marina is only marginally wider at approximately 945m. The distance between Stanley Point at Cyril Bassett VC Lookout and the end of Queens Wharf is currently approximately 1.24km. The mooring dolphins would reduce this distance by approximately 90.3m, to approximately 1.15km, that is approximately
the same distance as between Stanley Point at Cyril Bassett VC Lookout and the end of Bledisloe Terminal, which is 1.15km. The narrowing of the harbour between Queens Wharf and Stanley Point is therefore not considered to be a significant additional restriction to the width of the harbour and consideration in terms of area is appropriate.

Furthermore, providing public access to the first 36m section of the gangway, during the day and when not operational, does offset, to some extent, the overall adverse visual effects of the proposal. While not reducing the effects from specific viewpoints, the provision of public access does give the public the chance to experience new views of the harbour from the gangway.

The Natural Character, Landscape and Visual Amenity Effects Assessment provides a detailed landscape and visual assessment of the proposal, which is adopted here for the purpose of determining the level of effects of the proposal. The assessment considers the proposal in terms of natural character, landscape and visual amenity.

With respect to the natural character of the harbour, the Natural Character, Landscape and Visual Amenity Effects Assessment concludes:

”...this assessment finds that the proposal would have a very low adverse effect (i.e. less than minor), on the actual (abiotic and biotic) level of naturalness within the harbour.” And “...that the proposal would have a low adverse effect (i.e. less than minor), on the perceived level of naturalness within the Waitematā Harbour.”

With respect to landscape effects, the Natural Character, Landscape and Visual Amenity Effects Assessment concludes:

“Overall the assessment finds that the landscape effects generated by the proposal would be moderate - low adverse (i.e. minor).”

In relation to the visual effects, the Natural Character, Landscape and Visual Amenity Effects Assessment reviews a number of viewpoints and makes the following conclusions:

“For these distant viewing audiences to the north, it is determined that adverse visual effects up to low (i.e. less than minor), would be experienced.”

“Overall it is considered that views towards the proposal from the city centre would result in low adverse effects (i.e. less than minor).”

As a final conclusion to the assessment of the visual effects, the report states:2

2 In relation to viewpoints from locations on Queens Wharf and Princes Wharf.
“The proposal would substantially change the sense of openness and the character of the uninterrupted harbour waters from these viewpoints and result in adverse effects ranging from moderate to moderate-high (i.e. effects are considered more than ‘minor’ but not ‘significant’).”

With regards to the cumulative effects on natural character, landscape and visual amenity, it is noted that the Auckland Waterfront has experienced a high level of modification over the last 150 years. The Natural Character, Landscape and Visual Amenity Effects Assessment notes that

“The existing wharfs and reclamation are of a very large scale, with the Fergusson Container Terminal extending out over 800m into the water (from Tamaki Drive), and Wynyard Point, extending out over 1000m from the Northern Motorway adjacent to St. Marys Bay. These main land and wharf areas provide the outer extent of wharfs within the CBD. Although the proposal would extend out into the harbour from the end of Queens Wharf, the Dolphin structure would not protrude beyond the outer extent of these two enclosing elements areas and would remain within the visual catchment of wharf and reclamation structures within the CBD waterspace.

“Furthermore, the proposal is of a scale which is substantially smaller than the structures within the immediate context (i.e. Bledisloe Wharf and Princes Wharf), and therefore it is considered that such an addition, would result in low adverse cumulative effects when considering the natural character, landscape and visual values of this highly modified coastal environment.”

Furthermore, in the event that the mooring dolphin structures are no longer need in the future, due to alternative provisions being made for cruise ships up to 362m long, it is possible to remove the dolphins down to the level of the seabed, as detailed in the Decommissioning Methodology Technical Memo included in Appendix 19. This would remove the structure from site and eliminate any visual impacts of the proposed mooring dolphin structures.

Based on the conclusions of the Natural Character, Landscape and Visual Amenity Effects Assessment, it is considered that the proposal would have less than minor effects on the natural character, minor adverse effects in terms of landscape, and would have more than minor adverse effects, but not significant adverse effects, on visual amenity.

7.2.3 Coastal Processes

As detailed in the AEE Engineering Aspects report included in Appendix 5 the proposal will have no substantial impact on coastal processes. The report states “The construction of the proposed dolphins and fender cluster themselves will not
impact on large scale coastal processes such as tides, currents, waves and sediment transport, but will locally disturb seabed sediments.” The structures occupy a very small portion of the CMCA and will have negligible restriction in water movement around or past the structures.

In relation to the locally disturbed seabed sediment during the construction process, the AEE Engineering Aspects Report details that the piling technique of using bored piles within casings will contain most of the disturbed sediments within the steel casings. Where sediment is re-suspended into the open water of the CMCA the report notes that wave and current action will disperse this and reposition will occur in existing depositional areas with similar substrates. As such, it is considered that there will be less than minor potential or actual adverse effects on coastal processes due to the proposal.

7.2.4 Water Quality

The effects on water quality are covered within the AEE Engineering Aspects report included in Appendix 5. In summary, as noted above, the proposed piling technique for the piles of the mooring dolphins, gangway and wharf strengthening will mitigate and largely avoid the suspension of seafloor sediment into the open water by containing it with the steel casings. While vibrations from the piling may result in some localised sedimentation at seafloor level, this will settle quickly. Any sediment that is suspended in the water will be temporary and have a largely insignificant effect.

The construction of the piles also has potential to result in sedimentation and small amounts of concrete plume from the displacement of the sediment material within the casings with concrete. As detailed in the AEE Engineering Aspects Report these will be managed onsite to avoid sediment and/or concrete being released into the CMA during the pouring of the concrete piles by such techniques as removal and disposal via a sucker truck.

In addition to the potential for suspension of sediment to occur during the construction, once constructed, stormwater from the new surfaces of the dolphin and gangway will discharge directly into the CMA from these structures. As detailed in AEE Engineering Aspects report, the area will not be trafficked by motor vehicles and therefore will not be subject to additional particulates and hydrocarbons deposited from vehicles. Therefore, stormwater flow from the additional impervious surfaces into the CMA will have less than minor adverse effects on water quality.

Overall, there will be a less than minor potential and actual adverse effects on water quality.
7.2.5 Ecological

A Marine Ecology Assessment, included in Appendix 10, has been carried out to determine the ecological effects of the proposal. The proposal is located in a highly modified environment, which is part of the working harbour. The harbour area is subject to a significant number of large ship movements and is dredged to maintain sufficient clearance for ships. The level of effects on marine ecological values arising from the proposed upgrade to the existing berthing facilities at Queens Wharf is noted in the Marine Ecology Assessment as very low.

The Marine Ecology Assessment does conclude that there will be temporary habitat disturbance through emission of noise and vibration, as well as sediment resuspension during construction. The report concludes that this will result in a moderate level of effect. Mitigation measures as outlined in the Construction Noise and Vibration Management Plan will be implemented to minimise the impacts of underground noise and level of effect on the marine habitat, as detailed in section 7.2.8 below. Given the temporary nature of the piling activity we consider that the effects are acceptable.

In terms of positive effects, the piles, structural dolphins and gangway will provide an opportunity for recruitment of hard surface adhering benthic flora and fauna.

7.2.6 Heritage

An analysis of the impact of the proposal on the historic heritage features has been carried out and is detailed in the Heritage Impact Assessment attached in Appendix 8. The analysis and conclusions of the Heritage Impact Assessment are adopted here for the purpose of determining the level of effects of the proposal. The report notes that the following features of interest are within the vicinity of the proposed area of works:

- The northern wharf terminus sea stairs;
- The surviving original cast-iron bollard and gantry arm, adjacent to the sea stairs; and
- The historic rail tracks to the south-eastern corner of the wharf.

With regards to the impact of the proposal on these historic heritage features and the historic heritage in general the report states that:

- There is potential for accidental damage to occur during construction activities to the substructure, Shed 10, and other primary features. Protection measures can be put in place through the development of a construction management plan to avoid or mitigate this risk;
- There will be some minor physical impact to the north-eastern edge of the Queens Wharf substructure (a primary feature), where the new tensioning wires will be affixed to support the new fender cluster. This is considered
acceptable because the fender cluster will protect the primary heritage feature of the wharf itself from greater potential impacts caused by ship mooring. The new fender has been designed to match the existing ones on the eastern edge, so there will be minimal visual impact also. It is noted that fenders are excluded from the Schedule generally and can be erected as a permitted activity;

- There will be a minor physical impact to the south-eastern corner of the substructure where seven new bollards are proposed, as part of the substructure will need to be removed to locate new piles for the bollards. Potentially this may also impact on a small section of railway in this location, which is identified as a primary feature of the historic heritage place. The method of demolition of the substructure in this location is considered appropriate;

- There will be a minor physical impact to the northern terminus of the wharf through the drilling of connections and bolting of the gangway to the main superstructure. It is proposed that a metal grill system is used where the structure carries above the existing sea stairs at this location, so that these remain visible through the gangway. This will be similar to the existing situation;

- The adverse effects of the proposal in terms of the historic heritage setting of the wharf are considered to be minor, and effects to the setting of neighbouring historic heritage places are assessed as negligible adverse. While there will be an obvious change, the design of the dolphins and the gangway structure has been carefully considered to respond to the "functional and working aesthetic" of the wharf and it is anticipated that this new structure will be an obvious change but one which is readily assimilated into the harbour context;

- It is commonly recognised that the best way to maintain the historic heritage values of a place, and in particular for a specialised activity, is for that primary function to continue. In maintaining an operational use as working wharf, the historic, social and context values associated with the historic heritage place will be maintained and enhanced. This indirect effect is considered to be highly beneficial to the historical, social, technological and context values of Queens Wharf; and

- In the wider context, the ability of Queens Wharf to accommodate extra-large cruise ships discharging as many as 6000 visitors provides significant opportunity for increased visitor numbers and patronage of numerous publicly accessible historic heritage places in central Auckland. This will potentially support commercial and retail opportunities that may be located in historic heritage buildings and maintain their usefulness into the future. This is considered to be a minor to moderate beneficial effect of the proposal.
In summary, the Heritage Impact Assessment report notes:

“Overall, the adverse effects on the proposal are considered to be minor, where they relate to historic heritage values of Queens Wharf, and negligible where they relate to the setting of nearby historic heritage places. This includes effects on the physical values of the wharf, and to its aesthetic, historic and context values. The beneficial effects on historic heritage values of Queens Wharf, in particular on context values and social values, are considered to be significant. This is because the ability of the place to maintain its use as a working wharf is integral to its historic, and primary use.”

Therefore, based on the conclusions of the Heritage Impact Assessment, it is considered that the proposal would have minor adverse effects on heritage and would have more than minor beneficial effects.

7.2.7 Traffic and Transport Network, and public access to Queens Wharf

A Transport Assessment Report included in Appendix 9 has been prepared to review the implications on the transport network of the proposal to upgrade Queens Wharf to provide for up to 362m Oasis Class vessels. Typical of most development construction, the proposal will likely result in construction-related traffic impacts due to the increased construction traffic and deliveries. These will be limited in period and it is considered, as discussed in the Transport Assessment Report, that these can be appropriately managed by a Construction Traffic Management Plan finalised once a construction contract has been agreed and detailed design of construction methodologies, including works areas and delivery methods has been finalised. In order to provide for this it is considered appropriate to impose a condition on the consent requiring the draft Construction Traffic Management Plan be finalised, submitted to and certified by Council prior to the commencement of construction.

The use of the wharf for cruise ships is a permitted activity without restriction on the number of passengers. The baseline that this creates means that there is no effect to be considered in terms of the number of passenger that the extra-large cruise ships deliver to the area.

However, resource consent for temporary events, marine and non-marine events, public recreational facilities, entertainment activities and associated ancillary activities was approved in December 2013. This is known as the "Medium Term Activity Consent". This consent authorises The Cloud and the use of that facility and the wharf for events. The cumulative impacts of the berthing of cruise ships and the events occurring in event spaces has been considered in the approval of that consent, with appropriate conditions that require mitigation measures to be imposed when an event occurs concurrently with the berthing of a cruise ship, and this results in a likelihood of more than 2,000 persons on Queens Wharf at one
time. To this end, as detailed in the Transport Assessment Report, the conditions of the existing consent will continue to control this aspect, and restrict the event operation as necessary to control traffic effects, rather than impact on the cruise ship berthing and associated disembarkment and embarkment of passengers.

Matters of navigation and impacts on the ferry components of the transport network are covered in more detail within the Navigational Safety and Utility Report included in Appendix 6 and under section 7.2.12 below. In summary, the proposals are considered to have less than minor adverse effects on the Ferry operation and travel times.

It is therefore considered that the proposal will have less than minor adverse effects on the traffic and transport network.

During the development it is anticipated that the public will be excluded from the northern and a portion of the western edge of Queens Wharf in order to provide for construction delivery, work and laydown areas. The anticipated exclusion will only be temporary during the construction period and will only occur as necessary to facilitate the construction and ensure the health and safety of the public. Upon completion public access to the edge of the wharf will be reinstated. There are a number of alternative waterfront areas within the immediate vicinity where access to the water’s edge can be gained. It is considered that the proposal will have less than minor adverse effects due to the temporary nature of the exclusion and alternative spaces available in the area. Arrangements required to service the proposed construction areas are compatible with other works proposed on Queens Wharf as noted in the Transport Assessment Report.

### 7.2.8 Noise

The Assessment of Acoustic Effects prepared by Marshall Day Acoustics and included in Appendix 12 provides comprehensive detail and assessment of the likely construction noise and vibration matters and effects as a result of the proposal. The analysis and conclusions of the assessment have been adopted in this report to inform the level of effect of the proposals.

Noise associated with the construction of the mooring dolphins, gangway and wharf upgrades will be transmitted both through the air (airborne) and underwater. In addition to the noise, vibration will occur as a result of some of the construction activities, particularly if involving impact piling. These matters are considered in detail in the Construction Noise and Vibration Report and summarised in the sections below.

Operational noise will generally only be associated with the berthing of ships, which are permitted activities, and in any event would have negligible effects over and above the existing berthing activities.

**Airborne Construction Noise**
The location of the construction areas and receptors identified within Acoustic Effects Assessment fall within both the Business – City Centre zone and the General Coastal Marine Area zone. As such, under the AUP different permitted activity standards apply to different areas of the construction work and to different receivers. Given the city centre context of the proposed development location and the receptors, despite that some of the area is located within the General Coastal Marine Area zone, it is considered that acceptable levels of airborne construction noise across all works areas as measured at any receptor without requiring mitigation measures would be consistent with those applied for construction works in the Business – City Centre zone received at receptors within the Business – City Centre zone. These acceptable levels of construction noise across all works areas as measured at any receptor without requiring mitigation measures are considered to be:

<table>
<thead>
<tr>
<th>Time</th>
<th>Maximum Noise limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday – Friday</td>
<td>6.30am – 10.30pm</td>
</tr>
<tr>
<td></td>
<td>75 dB L_{Aeq}</td>
</tr>
<tr>
<td></td>
<td>90 dB L_{Amax}</td>
</tr>
<tr>
<td>Saturday</td>
<td>7am – 11pm</td>
</tr>
<tr>
<td></td>
<td>80 dB L_{Aeq}</td>
</tr>
<tr>
<td></td>
<td>90 dB L_{Amax}</td>
</tr>
<tr>
<td>Sunday</td>
<td>9am – 7pm</td>
</tr>
<tr>
<td></td>
<td>65 dB L_{Aeq}</td>
</tr>
<tr>
<td></td>
<td>85 dB L_{Amax}</td>
</tr>
<tr>
<td>Other times</td>
<td>10pm – 7am</td>
</tr>
<tr>
<td></td>
<td>60 dB L_{Aeq}</td>
</tr>
<tr>
<td></td>
<td>75 dB L_{Amax}</td>
</tr>
</tbody>
</table>

Table 7.1 – Maximum noise limits considered to be acceptable for the construction of the base infrastructure without requiring mitigation

The Acoustic Effects Assessment outlines a number of the construction activities and their predicted airborne noise levels. The Acoustic Effects Assessment notes that:

- All dolphin/gangway piling works would generally comply with the daytime Project Standard of 75 dB LAeq at all noise sensitive receivers, with the exception of the closest gangway pile to The Cloud. For this pile, noise levels on the façade of the Cloud are predicted to be between 75 – 80 dB LAeq during vibro piling works.

- The bollard and fender piling works would generally comply with the daytime Project Standard of 75 dB LAeq at most noise sensitive receivers; however, noise levels of 75 – 80 dB LAeq are predicted on the eastern façade of the Harbour Information Centre during the bollard piling, and 80 – 85 dB LAeq on the southern and eastern façades of Shed 10 during driving of the two closest bollard piles and timber fender piles.

Based on the Alta Construction Method report, brief exceedances are predicted for the following durations:

- The Cloud: 4 hours in total on one day for the closest gangway pile.
- Shed 10: 2 hours per pile for the closest two bollard piles, and 2 hours for each timber fender.
Harbour Information Centre: 2 hours per pile for the closest five bollards.

Such short-term exceedances typically cause annoyance, but are unlikely to result in any long term significant disturbance, particularly if prior engagement is undertaken regarding activity timing.

A Construction Noise and Vibration Management Plan (CNVMP) has been prepared in draft outlining measures to ensure the Best Practicable Option methodology is used during the construction works to ensure that the construction works as far as practicable and feasible meet the noise limits included in Table 7.1. Once the final detail of the works programme and methodology has been settled upon, this document will be updated. The final CNVMP will manage hours of works, including measures such as preventing pile driving and concrete cutting activities during the night-time period. The CNVMP will also provide specific mitigation measures to mitigate adverse effects of exceedances of the airborne noise levels in Table 7.1 on receptors such as The Cloud and Shed 10.

The requirement for the preparation of a final CNVMP document is offered as a condition of consent in order to ensure that the document is prepared, submitted to Council and subsequently adhered to, to ensure that the mitigation of construction noise is implemented. In addition a condition is offered requiring compliance with the noise limits identified in Table 7.1 unless specifically provided for in the CNVMP.

With such mitigation measures imposed it is considered that the airborne noise associated with the construction phase of development can be appropriately mitigated to ensure that there is no more than minor adverse effects on sensitive receivers.

**Underwater noise**

The Assessment of Acoustic Effects explains that piling is predicted to produce the highest levels of underwater construction noise. Underwater noise levels are dependent on the installation method (impact, vibro or drilled/bored), pile type (steel, concrete or timber), pile size and mitigation. Noise propagation underwater is dependent on the water depth in the project vicinity and seafloor properties.

While there are no specific standards within the AUP providing maximum levels for underwater noise, it is known to affect the health and wellbeing of marine fauna, particularly mammals.

The Assessment of Acoustic Effects details zones of influence based on thresholds sourced from the US Department of Commerce National Oceanic and Atmospheric Administration guidance for assessing the effects of anthropogenic sound on marine mammals (NOAA Guidelines), as a context for underwater noise assessment, and noise modelling for the impact piling activities. The Assessment of Acoustic Effects notes that suitable adaptive management and monitoring protocol should be implemented to manage potential effects of underwater noise on marine
mammals, which could include visual monitoring for marine mammals in the area and shut down procedures when a marine mammal is identified within the zones of influence.

The adaptive management and monitoring protocol measures will be included in final CNVMP. With such mitigation measures imposed it is considered that the underwater noise associated with the construction phase of development can be appropriately mitigated to ensure that there are no more than minor adverse effects on marine mammals.

**Vibration**

As outlined in the Assessment of Acoustic Effects, the AUP provides permitted standards for levels of vibration. The predicted levels of vibration from the potential construction methodologies involving impact and vibratory piling have the potential to generate high vibration levels at receivers within short distances.

The Assessment of Acoustic Effects notes that for the proposed piling activity, the only building within the cosmetic building damage setback distances is the Lighthouse, during installation of the closest gangway pile. While the Lighthouse is representative of a typical New Zealand residential dwelling, it includes artwork within the building. As such, the Assessment of Acoustic Effects takes a conservative approach and applies the "sensitive structure" criteria in assessing the potential construction vibration effects on the Lighthouse.

It is also understood that the artwork within the building is well secured and unlikely to be effected by the proposals. However, to mitigate the potential effect the CNVMP sets out measures that should be undertaken, including liaison with Council’s Public Art representative and temporarily restraining or relocating artwork if there is concern about it being damaged.

The assessment also notes there is the potential for the bollard piling works to marginally exceed the AUP amenity vibration threshold for the closest 3 – 4 bollards to Shed 10 and the closest 5 bollards to the Harbour Information Centre. Exceedance of this threshold means that vibration would be noticeable while installing the piling, but well below the cosmetic building damage thresholds. As this would only be for up to limited periods of time, there is unlikely to be any significant disturbance. The CNVMP sets out requirements to inform potentially affected parties in advance of the works.

With the final CNVMP including appropriate mitigation measures, it is considered that vibration associated with piling will cause no more than minor adverse effects.

### 7.2.9 Economic wellbeing

The Economic Assessment of Alternatives for Auckland Cruise Terminal – Costs and Benefits (“Economic Assessment”) included as Appendix 14 outlines the economic
benefits that the cruise ship industry brings to Auckland region currently and what potential increased economic benefits are likely to be achieved in the future. The report states that “In the last two season, economic activity generated in Auckland Region by international cruise visitors has grown by 38%. Over this period the growth in cruise tourism spend in Auckland Region was twice as fast as the total international tourism sector in New Zealand (at 19%).”

The analysis and conclusions of the Economic Assessment are adopted here for the purpose of determining the level of effects on economic wellbeing from the proposal and the potential economic benefit that is estimated to be achieved by the provision of infrastructure to berth cruise ships in excess of 320m and economic cost of not providing such infrastructure.

The Economic Assessment notes that cruise tourism is a rapidly growing component of the tourism sector in Auckland and New Zealand. Over the last decade and a half, the numbers of tourists undertaking a cruise in New Zealand has grown by 13% per annum. Cruise vessel visits to Auckland continue to increase in number, alongside increases in vessel size. These increases are result from both regional demand in Australia and New Zealand, and by the rapid growth of cruise tourism in Asia.

As Auckland is New Zealand’s cruise hub, being the main port capable of hosting exchange visits, where cruises start and finish, the Economic Assessment notes that the ability or not of Auckland to host the number and increased size of vessels is likely to have implications both regionally and nationally. Potential constraints on Auckland’s ability to host cruise vessels will affect port calls across the rest of New Zealand and the tourism sector overall.

In summary, the results of the Cost Benefit Analysis undertaken and detailed in the Economic Assessment show that the option of Mooring Dolphins with a gangway at the end of Queens Wharf produces a net positive outcome for the Auckland community when compared with the ‘Do Nothing’ option of status quo tendering.

The Economic Assessment concludes that the results of the Cost Benefit Analysis and Economic Impact Assessment indicate that an immediate solution comprising of Mooring Dolphins with a connecting gangway, at the end of Queens Wharf produces a net positive outcome for the Auckland community under each of the future growth scenarios tested (including the highly improbable ‘No Growth’ future). Under the ‘Likely Future’ scenario, the cost benefit analysis shows the community would be expected to be in a net positive position of at least $107m in Net Present Value terms, compared with the ‘Do Nothing’ option, resulting in a positive position with a Benefit Cost Ratio of 8.3. Similarly, the results from the Economic Impact Assessment shows that the proposal under the Likely Future scenario would generate, on average an additional direct Gross Domestic Product of $26.5 million per annum and 669 job equivalents in the Auckland Region. These figures, under both the coast benefit analysis and the economic impact assessment, would be substantially higher under the "High Future" scenario.
In terms of distributional effects, the Economic Assessment concludes stakeholder groups that directly use the cruise terminal will have a net positive position (Ports of Auckland, Customs and Biosecurity, Cruise Operators, Cruise Passengers and Crew). More widely, Auckland businesses and the Auckland community both receive considerable net positive benefits if the Mooring Dolphins are constructed to meet extra-large cruise vessel needs. However, the Economic Assessment also concludes that Iwi/hapū, other commercial harbour operators and recreational users are expected to have a net negative position.

Overall, based on the analysis, findings and conclusion of the Economic Assessment it is considered that the proposal would result in significant positive effects to the economic wellbeing of the Auckland Region.

7.2.10 Social wellbeing

Increased economic wellbeing is likely to lead to more jobs and ability for communities to better care for themselves and have less reliance upon social welfare. There are many studies in this field that investigate the links between economic wellbeing and social wellbeing, with various conclusions. However, while not exclusively, generally an increase in the economic wellbeing of an area will lead to an increased social wellbeing, provided all other aspects are unchanged. Given that, as outlined in the sections of this assessment above, the proposal will not result in significant changes to natural environment, it can reasonably be concluded that the improved economic benefits that are likely to occur as a result of the provision of capacity for extra-large cruise ships will provide improvements in the social wellbeing of the communities of the Auckland region.

The growth of the cruise industry will lead to better use of the significant investment in spaces downtown and will add vitality and vibrancy to the CBD area. Providing the ability for extra-large cruise ships to berth at Queens Wharf located at the bottom of the CBD will enable these ships to come into the very heart of Auckland and for their passengers to disembark straight into the main shopping area of Auckland.

Notwithstanding the temporary restriction on public access to the northern and a portion of the western edge of Queens Wharf during the construction, once constructed the proposal will maintain public access to Queens Wharf and provide public access along a 36m length of the gangway to the new mooring dolphin structures, except as required to be restricted for operational purposes. This will ensure that people continue to have access to this important public space. As public access will be maintained (with the exception of restrictions associated with operation and the temporary period during construction) there will be no loss of public space accessibility and less than minor associated adverse impact on social wellbeing.
7.2.11 Cultural wellbeing

Mana Whenua groups with interest in the area have been consulted on the proposal as detailed in the Record of Mana Whenua and Stakeholder Engagement included in Appendix 17. In terms of the proposed wharf upgrades and mooring dolphin structures, this engagement is on-going and not necessarily limited to the resource consent process. Panuku is also in discussions with Mana Whenua groups in relation to the preparation of a Cultural Values Assessment, which would further inform Panuku in relation to cultural aspects of the development. The Cultural Values Assessment is yet to be received.

Of particular interest to the mana whenua is the status of the proposal in terms of the ownership of the underlying seabed. Panuku have confirmed mana whenua that the occupation by the dolphins will be in accordance with the Resource Management Act and does not constitute ownership of the seabed.

Other key topics for Mana Whenua include:

- Environmental Effects - The construction of the proposed dolphins, gangway, piles under the bollards and fender clusters would not have a large scale impact on coastal processes such as tides, currents, waves and sediment transport. The piling technique would ensure the amount of suspended sediments resulting from disturbance of the seabed would be reduced. A visual simulation was provided to ensure that proposal dolphin would not dominate the view into and out of the harbour and that the heritage value of Queens Wharf would not be compromised as a result of the proposal.
- Public Access - A 36m section of the gangway is publicly accessible and will provide an important opportunity for to access and experience the coastal environment.
- Cultural Identity – The Auckland waterfront is seen as a key arrival point and mana whenua have raised that they would like visitors to Auckland to have the opportunity to experience and witness a greater level of Maori cultural identity. Panuku are in ongoing conversations with mana whenua regarding this matter, which is linked across a number of waterfront projects.

The high level of engagement with iwi will ensure that cultural wellbeing for mana whenua groups is protected and that positive benefits are explored.

7.2.12 Navigation and Safety

A review of the navigational safety implications of the proposed Queens Wharf mooring dolphin structures has been undertaken and is detailed in the Navigation Safety and Utility Report included in Appendix 6. The analysis and conclusions of
the Navigation Safety and Utility Report are adopted here for the purpose of determining the Navigation and Safety effects of the proposal.

The report summarises the effects on existing maritime uses as the following:

- The dolphins and gangway are located:
  - To the south of the main channel and the natural transit line between Bledisloe Terminal and Wynyard Point; and
  - In a 5-knot speed area a little to the south of a 12-knot limited speed zone; and
  - In the ‘Port security and customs area – no entry’ zone.

The 5-knot speed area will be extended northwards by the equivalent length of the furthest extent of the second mooring dolphin. As a result, there will be little interaction between general maritime traffic and the dolphins and gangway.

- Ferries prefer to take the most direct route possible to the 12-knot zone from the ferry basin, there will be little interaction between the ferries and the dolphins and gangway. With the extension of the 5-knot speed restriction further northwards, ferries will be required to travel a short distance further at 5-knots maximum speed to reach the 12-knot zone. However, this will have minimal impact on total journey times, and so the adverse effect is considered negligible.

- The navigational requirements will ensure the structure will be clearly visible from seaward by day and at night.

- The dolphins will prevent vessels passing close to the end of Queens Wharf, reducing the risk of collision.

- Overall, the dolphins and gangway will have negligible impact on existing maritime users.

The Navigational Safety and Utility Report concludes that, assuming the dolphins and gangway structure is built essentially to the designs shown, and that the navigational safety requirements and operational procedures detailed in the report are met, the Queens Wharf dolphins do not present an unusual, unmanageable or unacceptable navigational hazard and so will present negligible additional risk to mariners.

In addition to the navigational risk, the Navigational Safety and Utility Report details worker and public safety provisions. The report references that Worley Parsons was commissioned by POAL to carry out a risk review of the design options for workers accessing the dolphins. The review concluded that using a boat rather than a gangway could not be considered to meet the ‘all reasonably practicable steps’ health and safety test, and hence a gangway was required for workers.

The Navigational Safety and Utility Report also notes that Navigatus, the Navigational Safety and Utility Report authors, also carried out a comparative risk assessment to consider the Health and Safety risks to authorised personnel and the
general public associated with the design of the Proposal. The assessment identified a range of controls and additional measures that could be implemented to reduce risk and concluded that, given these measures are adopted in the design the level of risk to worker and public will be acceptable.

Based on the detail and conclusions of the Navigational Safety and Utility Report it is considered that the proposal will have a negligible additional navigational safety risk will be acceptable in terms of work and public safety.

7.2.13 Summary

In general the adverse effects of the proposal are considered to be less than minor or low. The exceptions to this are the effects on visual amenity, which are considered to be more than minor, but not significant, and the temporary effects of underwater construction noise on mammal habitat, which is noted as a moderate level. There are also significant beneficial economic effects for the Auckland Region as a result of the proposal which will flow on to beneficial social effects. Furthermore, there are beneficial effects in terms of historic heritage as a result of the proposal. Overall, when taking into account both the positive effects and any actual and potential adverse effects on the environment of allowing the activity, the proposal is considered appropriate, will have on balance positive effects and will achieve sustainable management of natural and physical resources.

7.3 STATUTORY DOCUMENTS (SECTION 104(1)(B))

Section 104(1)(b) of the Act sets out that when considering an application for resource consent, the consent authority shall have regard to the relevant provisions of any national environmental standards, other regulations, policy statements (national and regional, including proposed regional policy statements), or plans or proposed plans. Table 7.1 lists the planning documents prepared under the RMA that are considered relevant to this application.

<table>
<thead>
<tr>
<th>Statutory document</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>NZ Coastal Policy Statement</td>
<td>The New Zealand Coastal Policy Statement (NZCPS) is a national policy statement under the RMA which has a purpose of providing objectives and policies to achieve the purpose of the RMA in relation to the Coastal Environment. The NZCPS identifies 7 objectives and 29 policies relating to the Coastal Environment. Key in relation to this application is that the NZCPS provides objectives and policies recognising the need to enable communities to provide for among other things their economic wellbeing through use and development and protection of natural features and landscape values.</td>
</tr>
<tr>
<td>Hauraki Gulf Marine Park Act</td>
<td>The Hauraki Gulf Marine Park Act 2000 (HGMPA) establishes the Hauraki Gulf Marine Park and seeks to integrate the management of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments. The HGMPA has established objectives for the management of the Hauraki</td>
</tr>
</tbody>
</table>
The relevant provisions of the above RMA planning documents are assessed in the following sections.

7.4 NEW ZEALAND COASTAL POLICY STATEMENT

The New Zealand Coastal Policy Statement (NZCPS) is a national policy statement under the Act. The purpose of the NZCPS is to state objectives and policies in order to achieve the purpose of the Act in relation to the coastal environment of New Zealand. A consent authority, when considering an application for a resource consent and any submissions received, must, subject to Part 2 of the Act, have regard to, amongst other things, any relevant provisions of this NZCPS.

In relation to the relevant objectives and policies (of the 7 objectives and 29 policies in the NZCPS) the following comments are made in relation to this application:

- The location of the proposal has already been significantly modified with existing built facilities including port infrastructure. The proposed wharf upgrades and mooring dolphins contains the cruise ship mooring facilities in

<table>
<thead>
<tr>
<th>Statutory document</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000 Gulf, its islands, and catchments and seeks to recognise the historic, traditional, cultural, and spiritual relationship of the tangata whenua with the Hauraki Gulf and its islands. Key in relation to this application are sections 7 and 8 of the HGMPA which related to recognition of the national significance of the Hauraki Gulf and the management of the Hauraki Gulf.</td>
<td></td>
</tr>
</tbody>
</table>

Auckland Unitary Plan – Operative in Part

The AUP is a combined regional policy statement, regional coastal plan, and district plan. It is the primary document through which the Council meets its obligations under the Act.

The Auckland Regional Policy Statement, incorporated as Chapter B within the AUP, provides the overarching policy framework to guide future growth and development in the region. The Auckland Regional Policy Statement sets out the broad resource management issues, objectives and policies for the Auckland Region to achieve the integrated management of natural and physical resources.

The AUP contains objectives, policies and methods, including rules, which establish the framework within which certain uses are permitted and proposals for development can be assessed.

In relation to this application the key aspects are that provision is made for downtown waterfront facilities within the Central Wharves Precinct to enable the continued operation of the Auckland waterfront area as a working waterfront and port area, recognising the need to provide for operations associated with the ferry services, cruise industry and port. Notwithstanding this, the Plan does identify the importance of the scheduled historic character and seeks to ensure any modification is appropriate, as well as the need to avoid, remedy or mitigate adverse effects of new development within the coastal environment.

Table 7.1 – Documents prepared under the RMA considered relevant to this application.

Table: |
<table>
<thead>
<tr>
<th>Statutory document</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000 Gulf, its islands, and catchments and seeks to recognise the historic, traditional, cultural, and spiritual relationship of the tangata whenua with the Hauraki Gulf and its islands. Key in relation to this application are sections 7 and 8 of the HGMPA which related to recognition of the national significance of the Hauraki Gulf and the management of the Hauraki Gulf.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Auckland Unitary Plan – Operative in Part</th>
</tr>
</thead>
<tbody>
<tr>
<td>The AUP is a combined regional policy statement, regional coastal plan, and district plan. It is the primary document through which the Council meets its obligations under the Act. The Auckland Regional Policy Statement, incorporated as Chapter B within the AUP, provides the overarching policy framework to guide future growth and development in the region. The Auckland Regional Policy Statement sets out the broad resource management issues, objectives and policies for the Auckland Region to achieve the integrated management of natural and physical resources. The AUP contains objectives, policies and methods, including rules, which establish the framework within which certain uses are permitted and proposals for development can be assessed. In relation to this application the key aspects are that provision is made for downtown waterfront facilities within the Central Wharves Precinct to enable the continued operation of the Auckland waterfront area as a working waterfront and port area, recognising the need to provide for operations associated with the ferry services, cruise industry and port. Notwithstanding this, the Plan does identify the importance of the scheduled historic character and seeks to ensure any modification is appropriate, as well as the need to avoid, remedy or mitigate adverse effects of new development within the coastal environment.</td>
</tr>
</tbody>
</table>

Table 7.1 – Documents prepared under the RMA considered relevant to this application.
the existing location and does not impact on less developed areas of the coastal environment (Policy 1).

- In recognition of the principles of the Treaty of Waitangi the applicant has undertaken consultation engagement with mana whenua groups. Engagement with mana whenua will continue in parallel to the consenting process under the RMA and not necessarily limited to the resource consent process (Objective 3, Policy 2).

- The proposal seeks to balance the need for infrastructure with the sustainable management of the natural and physical resource of the coastal environment. The proposal recognises that the coastal marine area is an extensive area of public space for the public to use and enjoy and as such sought to minimise the extent of structures proposed to those functionally needed for the requirements for berthing Oasis Class Vessels (Objective 4).

- The location of the proposal is within an area of the coastal environment which has a high level of existing modification, being a working waterfront wharf and port area (Objective 4).

- It is considered that the proposed mooring dolphins and wharf upgrades maintain the existing public walking access to and along the coastal marine area without charge, notwithstanding the anticipated temporary restriction on public access to the wharf edge during construction. Where the new structures are provided, public access has been provided to the extent practical, balanced with operational needs, safety and minimising the extent of structures within the coastal environment (Objective 4).

- The proposal does not interact with coastal processes, including those likely to be affected by climate change, in such ways that access needs to be restricted to the coastal environment (Objective 4).

- It is considered that the proposal provides for the integrated management of natural and physical resources in the coastal environment, and activities that affect the coastal environment. The development of the mooring dolphins and upgrades to Queens Wharf are within the CMA and do not project landward of the MHWS line. Notwithstanding this, given the wharf is publically accessible above the sea level care has been taken to consider the public use and enjoyment of the public space on Queens Wharf and the surrounding environment. The design will incorporate access along the first section of the gangway and retains public access to Queens Wharf (Policy 4).

- While views from the end of the wharf may be affected as a result of the mooring dolphins and associated gangways, the proposals provide for the berthing of large cruise ships, an aspect of the waterfront operation that the public are also attracted to and enjoy watching (Policy 4).

- The development and proposed management practices are not considered to be affected by physical changes to the coastal environment or potential inundation from coastal hazards, including as a result of climate change, as
they are maritime structures, designed for the coastal environment (Policy 4).

- The approach to provide an immediate facility to provide for the berthing of cruise ships in excess of 320m in the current location, rather than require development of a new cruise ship port, ensures that significant adverse effects on the natural character of the coastal environment and natural features and landscapes of the coastal environment are avoided (Policy 13 and Policy 15).

- The proposal recognises the potential contributions to the social, economic and cultural wellbeing of people and communities from use and development of the CMA, that providing for the berthing of cruise ships in excess of 320m and the cruise ship industry has (Objective 6, Policy 6(2)).

- There is a functional need for the proposed new infrastructure to be located in the coastal marine area and the proposal to provide for the berthing of cruise ships in excess of 320m at Queens Wharf provides for the activity in appropriate place, given the existing infrastructure (Objective 6, Policy 6(2)).

- The heritage of Queens Wharf has been acknowledged and addressed within the design of the proposal. Furthermore, the proposal keeps the wharf in operation as a working wharf, thereby preserving this aspect of the heritage of the wharf (Objective 6, Policy 17).

- The importance of public access to the wharf has been recognised and will continue to be provided, along with public access to a 36m portion of the gangway out to the new mooring dolphins (when not required to be restricted for operational and safety reasons) (Objective 4, Policy 6(2)(e), Policy 18).

- By upgrading the infrastructure in the highly modified Central Wharves Area, although the proposal is acknowledged to have adverse effects on visual amenity, natural character and landscape the proposal avoids locating the infrastructure in an area of outstanding natural features or natural landscape value (Policy 15).

- The design of the proposal and the measures incorporated to mitigate the adverse visual amenity effects ensure that significant adverse effects are avoided (Policy 15).

- The proposal will not impact on indigenous biodiversity (Policy 11).

- The proposal does not facilitate vehicle access to the CMCA (Policy 17).

- The proposal is considered to have negligible impact on coastal processes and the natural movement of water and sedimentation (Policy 13).

On the basis of the above comments, we consider that the proposal is appropriate in terms of the regard to the relevant provisions of the NZCPS.
7.5 HAURAKI GULF MARINE PARK ACT 2000

Section 9(4) of the Hauraki Gulf Marine Park Act 2000 (HGMPA) requires that a consent authority must, when considering an application for resource consent for the Hauraki Gulf, its islands and catchments, have regard to sections 7 and 8 of the HGMPA in addition to the matters contained in the RMA.

Section 7 relates to the recognition of the national significance of the Hauraki Gulf. In particular, this section notes that:

- The interrelationship between the Hauraki Gulf, its islands, and catchments and the ability of that interrelationship to sustain the life-supporting capacity of the environment of the Hauraki Gulf and its islands are matters of national significance; and
- The life-supporting capacity of the environment of the Gulf and its islands includes the capacity:
  - to provide for—
    - (i) the historic, traditional, cultural, and spiritual relationship of the tangata whenua of the Gulf with the Gulf and its islands; and
    - (ii) the social, economic, recreational, and cultural well-being of people and communities:
      - to use the resources of the Gulf by the people and communities of the Gulf and New Zealand for economic activities and recreation:
      - to maintain the soil, air, water, and ecosystems of the Gulf.

Section 8 relates to the management of the Gulf and lists objectives of the management of the Hauraki Gulf, its islands and catchments.

In relation to these sections and the requirement to have regard to them when considering an application for resource consent, the following comments are made:

- The proposal will provide for the continued growth of the cruise ship industry in Auckland, which will provide significant economic benefits to the Auckland region and in turn improve the economic and social wellbeing of the people and communities of the Auckland Region.
- Mana whenua groups have been consulted on the proposal and the potential impacts on their cultural wellbeing and beliefs.
- Construction techniques have been chosen to avoid sediment suspension, avoid significant water quality degradation and protect the life-supporting capacity of the environment of the Hauraki Gulf.
- The proposal is located in the already modified area of working waterfront and will protect natural areas of unaltered waterfront, maintain the historic wharf as a working wharf, and make efficient use of the physical resources of the Hauraki Gulf by building on the existing development.
• The proposal will continue to provide public access to the Queens Wharf area, except as restricted by operational requirements, including the provision of public access to a 36m section of the new gangway out to the new mooring dolphin structures. This will maintain the recreation use and enjoyment of the Hauraki Gulf for the people and communities of the Hauraki Gulf and New Zealand.

On the basis of the above comments the proposal is appropriate in terms of sections 7 and 8 of the HGMPA.

7.6 AUCKLAND UNITARY PLAN – OPERATIVE IN PART

7.6.1 Auckland Regional Policy Statement

The Regional Policy Statement in the AUP identifies nine issues of regional significance for resource management in Auckland. The following are considered relevant to the application:

(1) Urban Growth and Form;
(2) Infrastructure, Transport and Energy;
(3) Mana Whenua;
(4) Built Heritage and Character;
(5) Coastal Environment;

These matters are assessed below.

B2 Urban Growth & Form

The relevant objectives and policies are located in the following sections:

• B2.2.1 and B2.2.2 – Urban Growth & Form
• B2.3.1 and B2.3.2 – A Quality Built Environment
• B2.5.1 and B2.5.2 – Commercial & Industrial Growth
• B2.7.1 and B2.7.2 – Open Space & Recreational Facilities

These objectives and policies relate to:

• Enabling a compact urban form that is of high quality, provides greater productivity and economic growth, better utilises existing infrastructure, and provides efficient new infrastructure;
• Providing a quality of built environment where use and development responds to the characteristics of the site, maximises resource and infrastructure efficiency, is capable of adaption and the health and safety of people and communities are promoted;
• Growth and activities are enabled in a manner that promotes economic development, recognises the particular location requirements of some industries, and provides for commercial and industrial opportunities to meet current and future demands; and
• Provides for recreational needs of people and communities, including public access to and along the coastline and CMCA.

In relation to the relevant objectives and policies the following summary comments are made:

• The proposed development will provide for the current and anticipated future growth in the cruise industry, maximising the opportunities for Auckland to benefit economically from the industry.
• The location of the development of the upgraded cruise berth provision retains the cruise facilities adjacent to Auckland’s CBD in the heart of Auckland’s waterfront, capitalising on the proximity of Auckland’s main retail and commercial area.
• The proposal utilises the existing infrastructure and extends the use and longevity of Queens Wharf, within the existing built environment, avoiding more intensive alterations in less suitable locations, such as Halsey Street Extension Wharf. While funding potentially would also be a restraint to other potential options, many options have not been pursued for a range of reasons, including that they involve more intensive alteration in less suitable locations.
• The proposed design and materials retain the existing vernacular of the working waterfront area, maintaining the characteristics of the site.
• The location takes advantage of the close proximity of Auckland’s main public transport hub, providing a disembarkment location for visitors where they are able to easily access train and bus services as well as walking to the CBD retail area.
• The proposal has been designed to protect the health and safety of workers and public through the provision of a gangway for passenger access and restrictions of public access to the operational areas.
• The proposals involve the provision of upgraded infrastructure to provide for the berthing of extra-large cruise ships and the growth of the cruise industry so that the economic benefit of the continued growth of the industry can be gained by Auckland communities and businesses.

On the basis of the above assessment, it is considered that the proposed development accords with the relevant objectives and policies identified in section B2 Urban Growth & Form.

**B3 Infrastructure, Transport and Energy**

The relevant objectives and policies are located in the following sections:

• B3.2.1 & B3.3.2 – Infrastructure
• B3.3.1 & B3.3.2 – Transport

These objectives and policies relate to:
• Having resilient, efficient and effective infrastructure, recognising the benefits of infrastructure, providing for the development and operation of infrastructure;
• Recognising the functional and operational need of infrastructure;
• Protecting infrastructure from reverse sensitivity; and
• Ensuring that transport is safe, efficient and effective.

In relation to the relevant objectives and polices the following summary comments are made:

• The proposal provides upgrades to existing wharf infrastructure in an efficient and effective way which ensures the continued operation of the existing Queens Wharf infrastructure.
• There is a functional and operational need to locate the proposed new infrastructure in the proposed location in the coastal environment to enable the berthing of extra-large cruise ships.
• The proposal is located in the existing central wharves precinct which provides for such facilities and protects against reverse sensitivity effects.
• The proposed mitigation measures relating to construction traffic through the provision of conditions requiring a CTMP will ensure the safe and efficient operation of the transport system is maintained.
• The provision for berthing of extra-large cruise ships at Queens Wharf will benefit the efficiency of the transport system due to the proximity to Briotmart, Auckland’s main public transport hub.

On the basis of the above assessment, it is considered that the proposed development accords with the relevant objectives and policies identified in section B3 Infrastructure, Transport & Energy.

**B5 Built Heritage and Character**

The relevant objectives and policies are noted as follows:

• B5.2.1 & B5.2.2 – Historic Heritage

These objectives and policies relate to identifying and protecting historic heritage from inappropriate use and development and encouraging the appropriate protection, management and conservation of historic heritage, including retention, maintenance and adaptation of historic heritage.

In relation to the relevant objectives and polices the following summary comments are made:

• The proposal has beneficial effects on historic heritage values of Queens Wharf, in particular on context values and social values, due to the ability of the place to maintain its use as a working wharf is integral to its historic, and primary use.
On the basis of the above assessment, it is considered that the proposed development accords with the relevant objectives and policies identified in section B5 Built Heritage and Character.

**B6 Mana Whenua**

The relevant objectives and policies are noted as follows:

- B6.2.1 & B6.2.2 – Recognition of Te Tiriti O Waitangi partnerships and participation
- B6.3.1 & B6.3.2 – Recognising Mana Whenua Values

These objectives and policies relate to recognising the principles of the Treaty of Waitangi and providing for the sustainable management of natural and physical resources including ancestral lands, water, air, coastal sites, wāhi tapu and other taonga and Mana Whenua participation in resource management processes.

In relation to the relevant objectives and policies the following summary comments are made:

- The coastal environment is a natural resource of high value to tangata whenua, the protection of which is identified in the Treaty of Waitangi. Consultation with iwi is being undertaken by Panuku through its mana whenua consultation forum. This consultation is ongoing and iwi values and any areas of concern have been taken into consideration.
- Panuku has also undertaken consultation requirements required under the Marine and Coastal Area (Takutai Moana) Act 2011 and has written to all iwi that have applied for customary title of the coastal marine area of the Waitematā Harbour.
- The engagement process established by Panuku and the Auckland Council and the ongoing opportunity for consultation with all iwi will enable partnerships to be built and maintained with iwi and provide for timely, effective and meaningful engagement.
- The AUP provisions do not specifically identify any sites or areas of significance to iwi within the proposed development area. Regardless, the proposed development aims to minimise impacts on the coastal marine area and seabed as far as is practicable, whilst ensuring that the required infrastructure is provided to enable the berthing of cruise liners as required.

On the basis of the above assessment, it is considered that the proposed development accords with the relevant objectives and policies identified in section B6 Mana Whenua.

**B8 Coastal Environment**

The relevant objectives and policies are noted as follows:

- B8.2.1 & B8.2.2 – Natural Character
- B8.3.1 & B8.3.2 – Subdivision, Use & Development
• B8.4.1 & B8.4.2 – Public Access & Open Space
• B8.5.1 & B8.5.2 – Managing the Hauraki Gulf/ Te Moana Nui o Toi/Tīkapa Moana

These objectives and policies relate to:

• Protecting areas of coast with outstanding and high natural character;
• preserving the character and qualities that contribute to the natural character of the coastal environment;
• where practical restoring areas of degraded natural character;
• locating use in appropriate areas;
• using the coastal environment efficiently provided that activities are located in the appropriate area;
• limiting the occupation of the coastal environment to activities with a functional need;
• providing for and maintaining public access along the coast;
• restricting access only where necessary to ensure health and safety, and construction;
• maintaining and enhancing open space;
• recreation areas and amenity values;
• giving effect to the HGMPA and enable the use of the Hauraki Gulf’s natural resource without further degradation of the environment.

In relation to the relevant objectives and polices the following summary comments are made:

• The proposal is located in a highly modified area of the waterfront that is not considered to be of outstanding natural character, being significantly devoid of natural character due the past wharf and waterfront development.
• The extent of the proposed infrastructure is minimised by the design of the proposal and the materials and vernacular are proposed to be in keeping with the character of the area.
• The proposed infrastructure is required to support the growth of the cruise industry and provide significant economic and social benefits to the Auckland Region.
• The infrastructure has a functional need to be located within the CMA and the proposed location makes efficient use of the existing wharf and infrastructure investment.
• The proposal is needed to safely berth extra-large cruise ships and avoid the need to tender passengers ashore, which introduces risk to the health and safety of passengers.
• The design of the infrastructure is a compromise between functionality and minimising the extent of structure in the CMCA. A full wharf extension or partial wharf extension would provide a greater level of operational simplicity than the proposed dolphin and gangway arrangement. However,
such a proposal would result in a greater extent of structure within the CMCA.

- The proposal provides public access to a 36m portion of the gangway out to the mooring dolphin structures. Access to the mooring dolphins is prevented to avoid health and safety risks to the public and workers.
- Recreational opportunities and public space on Queens Wharf is retained.
- The objectives and policies relating to the above topics have been considered throughout this report within the effects assessment, the assessment of the NZCPS and HGMPA. The assessment undertaken in these sections also applies to the above RPS objectives and policies.
- Assessment of the HGMPA provisions is provided above and it is considered that the proposal is Consistent with the provisions of this Act.

On the basis of the above assessment, it is considered that the proposed development accords with the relevant objectives and policies identified in section B8 Coastal Environment.

7.6.2 Objectives and Policies

Chapter F2 – General Coastal Marine Zone

Use, development and occupation of the CMA

The relevant objectives and policies relating to the use, development and occupation of the coastal marine area are located in sections F2.14.2 and F2.14.3 of the AUP. These objectives and policies relate to ensuring the development and occupation of the CMA is related to functional and operational need and that public use and access is only excluded where there is a need to manage or exclude access for construction, safety or operational reasons. In relation to the relevant objectives and polices the following comments are made:

- Public access is provided for a 36m length of the new gangway and maintained to the existing Queens Wharf, excluding where it is restricted due to the risk from operations and the need to maintain a customs area when the ships are berthed.
- The proposed new dolphin structures have a functional and operational need to be located within the CMA.
- The occupation of the CMA is needed in order to appropriately manage the area of the wharves and the immediate surrounding waterspace for operational needs and ensure effective functioning, including the provision of the dolphin structures to allow for the increased length of berthing provision.
- The proposal seeks to provide the required berthing infrastructure in the existing highly modified CBD waterfront area, where there is already a number of structures occupying the CMA and providing functional needs to the activities that occur on the city’s waterfront.
• The area is a working waterfront area, with a number of existing functions, including providing cruise ship berths, marine and port activities, recreational activities, and entertainment activities, and the proposals are considered to be consistent with these attributes and the existing wharf.
• The CBD location provides the necessary public transport, retail provisions and infrastructure to support the proposed development and use.
• A 35 year period is sought for the marine and port facilities and accessory structures to provide flexibility for the use of the upgraded infrastructure as necessary given the unknown time period for decisions, availability of wharf space, funding and implementation of alternative solutions for cruise ship berthing such as put forward in the Central Wharves Strategy.
• The proposal does not include military training of underwater explosives training.

On the basis of the above assessment, it is considered that the proposed development accords with the relevant objectives and policies identified in sections F2.14.2 and F2.14.3 of the AUP.

Structures within the CMA

The relevant objectives and policies for structures within the CMA are located in sections F2.16.2 and F2.16.3 of the AUP. These objectives and policies relate to the need for the structures in the CMA, providing multifunctional structures, providing public access onto the structures, and ensuring appropriate design to minimise adverse visual amenity, ecological, landscape, natural characters and coastal hazard effects. In relation to the relevant objectives and policies the following comments are made:

• The requirements for berthing extra-large cruise ships, as detailed in the Preliminary Design Report included in Appendix 3 mean that there is no practical alternative but to upgrade infrastructure for the berthing of extra-large cruise ships with additional facilities within the CMA, as the requirements are unable to be accommodated appropriately on the existing waterfront infrastructure.
• A number of options for berthing extra-large cruise ships have been considered as outlined in the Consideration of Options Report included in Appendix 2. The location of the mooring dolphin structures off Queens Wharf avoids the more significant adverse effects associated with the development of larger structures in the harbour, such as a full width or partial width wharf extension as detailed in the Consideration of Options Report.
• Public access is retained to Queens Wharf as per the present situation and provided 36m onto the gangway to the mooring dolphins. However, public access will need to be restricted in certain circumstances for public safety reasons, meaning that there can be no public access to the dolphins at any time and public access on the gangway will be prevented when a ship is
berthed. It is also anticipated that construction requirements will restrict some access to the edge of Queens Wharf temporarily during the construction period.

- Navigational safety of other commercial and recreational uses within the area is maintained with the proposed design and location of the proposed structures within the CMA, as detailed in the Navigational Safety and Utility Report included in Appendix 6.

- The mooring dolphins, gangway and wharf modifications have been designed to ensure that the structures within the CMA are appropriate, taking into consideration of the modified environment and the functional and operational needs of the infrastructure.

- As noted in the AEE Engineering Aspects Report attached in Appendix 5, the deck level will be 5.0m above CD. Overtopping of the structure is only projected to occur in the event of a 1 in 100 year storm with the advent of a 1m sea level rise, which is only projected to occur well beyond the 35 year term sought for the section 12(2) occupation consent. Furthermore, the materials are resistant to the marine environment and would not be in use under such a storm event, as the wind conditions would be such that a cruise ship would need to leave the harbour. Therefore, it is considered that the design of the mooring dolphins is appropriate to retain a working platform above the sea level in conditions appropriate for its use with the advent of a 1m sea level rise for the year 2120, which is well beyond the period of consent.

- The structures do not involve further coastal foreshore protection works.

On the basis of the above assessment, it is considered that the proposed development accords with the relevant objectives and policies identified in sections F2.16.2 and F2.16.3 of the AUP

**Disturbance of the foreshore and seabed**

The relevant objectives and policies are located in sections F2.5.2 and F2.3.3 of the AUP. These objectives and policies relate to the ensuring the protection of the coastal marine area from inappropriate disposal of materials and ensuring that any materials that are deposited within the CMA are deposited in appropriate locations.

In relation to the relevant objectives and polices the following comments are made:

- Activities included in the proposal involving disturbance of the sea floor are from piling associated with the development of new dolphin structures and for the strengthening of the wharf underneath the proposed bollards. These disturbances will be temporary in duration.

- The area is a highly modified environment with no significant ecological habitat present.

- The proposals will not impact on ecologically sensitive foreshore nesting areas or coastal dunes.

- Proposals will not impact on identified surf breaks.
• Given the low energy environment the proposals are not anticipated to cause significant erosion.
• Given the depth of the proposals and the harbour environment it is not considered there would be any visible disturbance that would require remediation upon completion of works.

On the basis of the above assessment, it is considered that the proposed development accords with the relevant objectives and policies identified in sections F2.5.2 and F2.5.3 of the AUP.

Other relevant objectives and policies

In addition to the matters addressed above, the proposal will be consistent with the policy direction of the General Coastal Marine zone for the following additional reasons:

• Underwater noise: As part of the final CNVMP suitable adaptive management and monitoring protocol will be implemented to manage potential effects of underwater noise on marine mammals, which could include visual monitoring for marine mammals in the area and shut down procedures when a marine mammal is identified within the zones of influence. The CNVMP will include the requirement for the implementation of best practice measures to reduce noise produced from the piling activities. The proposal is considered to accord with the relevant policy direction (F2.18).

Chapter E18 - Natural character of the coastal environment & Chapter E19 - Natural features and natural landscapes in the coastal environment

Chapters E18 and E19 contain policy direction which gives effect to Policy 13(1)(b) of the New Zealand Coastal Policy Statement 2010, and Regional Policy Statement Objective B8.2.1.(2) and Policy B8.2.2.(4). Chapter E19 gives effect to Policy 15(b) of the New Zealand Coastal Policy Statement 2010 and Regional Policy Statement Objectives B4.2.1 and the policies in B4.2.2. These policy only chapters of the AUP are considered to apply to activities in the coastal environment in areas which are not identified as having outstanding or high natural character or Outstanding Natural Features Overlay or the Outstanding Natural Landscapes Overlay.

The proposal area is not subject to any of the aforementioned overlays. Rather, it is located in the coastal environment within a highly modified waterfront area providing for a range of marine and port uses, transportation and recreational uses. The waterfront area has identified social and amenity values for a range of communities, mana whenua and positively contributes to the overall waterfront area.

The three objectives of the two chapters are set out below:
E18.2.(1) The natural characteristics and qualities that contribute to the natural character of the coastal environment are maintained while providing for subdivision, use and development.

E18.2.(2) Where practical the natural character values of the coastal environment are restored or rehabilitated.

E19.2.(1) The characteristics and qualities of natural landscapes and natural features which have particular values, provide a sense of place or identity, or have high amenity value, are maintained while providing for subdivision, use and development in the coastal environment.

The following comments are made with regards to the relevant objectives and policies:

- The proposal seeks to locate marine and port activities within the existing waterfront area that has a modified character with no remnants of naturalness (abiotic, biotic or perceived) associated with the land. Any perceived naturalness is derived from the seascape, landscape features as part of the existing or proposed open space network and interaction with the water. As such the proposal is considered to accord with the general characteristics of the environment and the modified/working waterfront character is maintained.

- The proposal forms a component of a wider waterfront strategy. The proposal provides immediate infrastructure for the berthing of extra-large cruise ships in order to accommodate the growth in the industry and recognise the economic benefits to the wider Auckland Region. The proposal supports the realisation of this outcome for the wider waterfront area.

- While the proposal is considered to change the existing landscape, the effects of this are considered to be acceptable particularly when considering the context of the highly modified coastal environment and the marine-related nature of the proposed activity. The proposal sits within the CBD of New Zealand’s largest city, within the central waterfront area and is considered to support the sense of place and identify associated with this area.

- The proposed infrastructure upgrade and additional mooring dolphins and gangway will provide for an extension to the existing cruise berth providing for the berthing of extra-large ships at Queens Wharf and will form a visually coherent extension to this part of the waterfront. The area will be occupied by a marine and port activity which has a functional need to be located in the CMA and will support the existing wharf structure. It will therefore be complementary to the characteristics and qualities of the surrounding landscape.

- With respect to the policy direction, the proposal is not located in proximity to any identified character areas and is not assessed as resulting in any significant adverse effects. The proposal is reflective of the existing
environment and the modified nature of this environment, both above and below the surface of the water, including historic changes to landform, seabed depths, presence of wharf structures and the extension of this modified environment across mean high water springs. The proposal has a functional need to be located in the CMA. The proposal is considered to be appropriately located in the central waterfront area with excellent proximity for visitors disembarking from ships to the CBD retail area and public transport. The proposal is consistent with the policy direction and appropriately located within the wider waterfront area.

Based on the above comments the proposal is considered to accord with the relevant objectives and policies.

**Chapter I202 - Central Wharves Precinct**

The relevant objectives and policies the Central Wharves Precinct are located in sections I202.2 and I202.3 of the AUP. These objectives and policies relate to the providing a world-class visitor destination, providing a safe, convenient and interesting environment, and enabling marine and port activities. In relation to the relevant objectives and policies the following comments are made:

- The proposal provides marine and port facilities and accessory structures to enable the safe and efficient operation and continued growth of the cruise industry by providing infrastructure to enable the berthing of the growing size of cruise ships up to the 362m Oasis Class vessel.
- Captain Cook Wharf is not impacted by the proposal and will continue to be available for the use by POAL for marine and port activities.
- Other than the anticipated temporary requirement to restrict access to the northern end and a portion of the western edge of Queens Wharf during construction to provide a works area, the proposed wharf upgrade does not preclude any existing activities, retaining public space and event use of Queens Wharf, and does not impact on the existing buildings.
- The proposal will provide additional public space along the 36m long stretch of the gangway out to the dolphin structures.
- The proposal is not considered to have a significant adverse effect on the ecology.
- The design of the proposal has sought to limit the impact of the marine structures on the existing views from the end of Queens Wharf as detailed in the Natural Character, Landscape and Visual Amenity Assessment included in Appendix 7.

Based on the above comments the proposal is considered to accord with the relevant objectives and policies.

**Chapter E24 - Lighting**
The relevant objectives and policies are located in sections E24.2 and E23.3 of the AUP. These objectives and policies relate to the protection of amenity of adjacent sites, minimising the loss of night sky viewing, maintaining safety of road users and providing appropriately for safe and efficient undertaking of outdoor activities, including night time working. In relation to the relevant objectives and policies the following summary comments are made:

- Construction lighting will be temporary for the purpose of lighting the works area, with floodlights orientated parallel to the ground to reduce glare and spill. No lighting will be directed to the night sky.
- Any light spill towards the residential apartments will be less than 10lux, which complies with the AUP standard and would be considered acceptable to maintain the amenity.

On the basis of the above assessment, it is considered that the proposed development accords with the relevant objectives and policies identified in Sections E24.2 and E24.3 of the AUP.

**Chapter E25 – Noise and vibration**

The relevant objectives and policies for noise and vibration are located in sections E25.2 and E25.3 of the AUP. These objectives and policies relate to protection of people from unreasonable noise and vibration, and avoiding reverse sensitivity effects, while maintaining the ability for construction under appropriate controls. In relation to the relevant objectives and policies the following summary comments are made:

- Offered conditions of consent setting maximum noise level limits and a CNVMP will ensure that construction noise levels and event noise levels will be maintained at levels suitable to protect receivers from levels of airborne noise that are considered unreasonable in the context of the environment and location, while providing for the necessary construction activities.
- It is considered appropriate to have maximum construction noise levels reflect the Business - City Centre zone applied in the CMA zone, as the occupied wharves are essentially an extension of the CBD in terms of uses and functions. It is therefore considered appropriate to apply consistent limits for the proposed works as would be applied to receivers within the Business - City Centre zone.
- The proposed activities are not anticipated to result in reverse sensitivity effects on any existing lawfully established activities as the activities would generally not be considered a noise sensitive receiver.

On the basis of the above assessment, it is considered that the proposed development accords with the relevant objectives and policies identified in sections E25.2 and E25.3 of the AUP.

**Chapter E27 – Transportation**
The relevant objectives and policies for transportation located in sections E27.2 and E27.3 of the AUP. These objectives and policies relate to the provision of an integrated transport network and efficient parking, loading and access arrangements, while maintaining pedestrian safety and amenity. In relation to the relevant objectives and polices the following summary comments are made:

- Marine and port activities are a permitted activity and the number of people embarking and disembarking from cruise ships berthed at Queens Wharf is not limited by the AUP. Furthermore, it is the exiting situation when extra-large ships visit Auckland and station within the harbour channel that the passengers are tendered to shore. Therefore the proposal is considered to have no additional operational impact beyond the what the plan provides for as permitted activities.
- The location of the proposed development will have a high level of public transport accessibility.
- There will be no parking provided for construction staff commuting. This minimises the number of vehicle trips and assists to manage the effects of traffic generation on the transport network. As above, the location is served by good public transport connections that will enable construction staff to arrive by public transport.
- Due to the nature of the activities, construction vehicle movements associated with the construction of the proposals will be necessary. However, in order to avoid impacts on the transport network, these movements will be managed through the use of CTMP.

On the basis of the above assessment, it is considered that the proposed development accords with the relevant objectives and policies identified in sections E27.2 and E27.3 of the AUP.

7.6.3 Relevant Rules and Assessment Criteria

The relevant assessment criteria are set out below. The criteria have been considered within the numerous technical reports prepared in support of the application. Where necessary, a summary comment in relation to a specific criteria is provided below.

E25.8.2. Noise & Vibration

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) for noise and vibration:</td>
<td></td>
</tr>
</tbody>
</table>
(a) whether activities can be managed so that they do not generate unreasonable noise and vibration levels on adjacent land uses particularly activities sensitive to noise;

As noted in the Acoustic Assessment included in Appendix 12, the levels of noise and vibration can appropriately be managed in accordance with a proposed CNVMP to adequately mitigate the adverse effects to a level appropriate for activities sensitive to noise.

(b) the extent to which the noise or vibration generated by the activity:

(i) will occur at times when disturbance to sleep can be avoided or minimised; and

The hours of noisy work will be managed by the CNVMP to ensure that the disturbance of sleep is avoided or minimised.

(ii) will be compatible with activities occurring or allowed to occur in the surrounding area; and

The proposal is located within the Central Wharves Precinct, an area of predominantly port activity, which is compatible with loud construction noise. Effects on more sensitive operations, such as food and beverage occupancies, will be managed through the provisions of the CNVMP.

(iii) will be limited in duration, or frequency or by hours of operation; and

The CNVMP and associated conditions will limit the hours of noise generating work and therefore noise and vibration generated.

(iv) will exceed the existing background noise and vibration levels in that environment and the reasonableness of the cumulative levels; and

The Acoustic Assessment provides details of the exceedances of the AUP noise levels, which relate to construction noise. It is considered that these can be managed during the construction by the CNVMP to maintain a reasonableness of the cumulative noise levels.

(v) can be carried out during daylight hours, such as road works and works on public footpaths.

It is proposed to predominantly work during daylight hours. Exceptions may be required for special activities such as concrete pours. The potential effects of works outside daylight hours, where required in exceptional circumstances, will be managed through the CNVMP.
(c) the extent to which the effects on amenity generated by vibration from construction activity:

| (i) will be mitigated by written advice of the activity to adjacent land uses prior to the activity commencing; and | Construction activities will be undertaken in accordance with the provisions of the final CNVMP, which includes providing written notice of the activities to adjacent land uses. |
| (ii) can be mitigated by monitoring of structures to determine risk of damage to reduce occupant concern; and | Construction activities will be undertaken in accordance with the provisions of the final CNVMP, which include monitoring of vibration. |
| (iii) can be shown to have been minimised by the appropriate assessment of alternative options; and | The Acoustic Assessment provides details comparing impact piling to vibrated pile casings. BPO measures will be implemented through a CNVMP to avoid, remedy and mitigate the vibration emissions as far as practicable. |
| (iv) are reasonable taking into account the level of vibration and the duration of the activity (where levels of 10mm/s peak particle velocity may be tolerated only for very brief periods). | The Acoustic Assessment concludes that vibration effects in the project vicinity are considered reasonable, as they will be of a constrained duration and BPO measures will be implemented through a CNVMP to avoid, remedy and mitigate the vibration emissions as far as practicable. |

(d) whether the measures to minimise the noise or vibration generated by the activity represent the best practicable option.

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) for restricted discretionary activities in Table D17.4.1 Activity table – Activities affecting Category A, A* and B scheduled places, Table D17.4.2 Activity table - Activities subject to additional archaeological rules and Table D17.4.3 Activity table – Activities in Historic Heritage Areas:</td>
<td>BPO measures will be implemented through a CNVMP.</td>
</tr>
</tbody>
</table>

D17.8.2. Historic Heritage Overlay

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) for restricted discretionary activities in Table D17.4.1 Activity table – Activities affecting Category A, A* and B scheduled places, Table D17.4.2 Activity table - Activities subject to additional archaeological rules and Table D17.4.3 Activity table – Activities in Historic Heritage Areas:</td>
<td>BPO measures will be implemented through a CNVMP.</td>
</tr>
<tr>
<td>(a) whether the proposed works will result in adverse effects (including cumulative adverse effects) on the heritage values of the place and the extent to which adverse effects are avoided, remedied or mitigated;</td>
<td>The Heritage Impact Assessment included in Appendix 8 concludes that, overall, the adverse effects on the proposal are considered to be minor, where they relate to historic heritage values of Queens Wharf, and negligible where they relate to the setting of nearby historic heritage places.</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>(b) whether the proposed works will maintain or enhance the heritage values of the place, including by:</td>
<td></td>
</tr>
<tr>
<td>(i) avoiding or minimising the loss of fabric that contributes to the significance of the place;</td>
<td>The proposed works will result in some limited physical impacts to the overall structure of the wharf, the adverse effects of which are considered to be minor.</td>
</tr>
<tr>
<td>(ii) removing features that compromise the heritage values of the place;</td>
<td>No physical features will be removed from the wharf.</td>
</tr>
<tr>
<td>(iii) avoiding significant adverse effects on the place, having regard to the matters set out in B5 Built heritage and character;</td>
<td>An assessment against the relevant matters included in AUP chapter B5 is included above in section 7.6.1.</td>
</tr>
<tr>
<td>(iv) complementing the form and fabric which contributes to, or is associated with, the heritage values of the place; and</td>
<td>It is considered that the proposals complement the form and fabric by utilising similar functional materials and contributes to the heritage values by enabling the continuing operation of Queens Wharf as a cruise ship terminal.</td>
</tr>
<tr>
<td>(v) recovering or revealing the heritage values of the place.</td>
<td>The proposals do not recover any hidden heritage but as stated above continue the use of Queens Wharf as a working wharf.</td>
</tr>
<tr>
<td>(c) whether the proposed works will compromise the ability to interpret features within the place and the relationship of the place to other scheduled historic heritage places;</td>
<td>The proposals will assist to maintain the interpretation of the heritage features by enabling the continuing operation of Queens Wharf as a cruise ship terminal.</td>
</tr>
<tr>
<td>(d) whether the proposed works, including the cumulative effects of proposed works, will result in adverse effects on the overall significance of the place such that it no longer meets the significance thresholds for which it was scheduled;</td>
<td>The works will maintain the use of the wharf as a cruise ship terminal and working wharf, which will retain the significance of the structure and the heritage scheduling.</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>(e) whether the proposed works will be undertaken in accordance with good practice conservation principles and methods appropriate to the heritage values of the place;</td>
<td>The nature of the proposals, in terms of both function and design, is considered appropriate with regard to historic heritage values, and does not otherwise detract from any of the values for which the wharf is scheduled.</td>
</tr>
<tr>
<td>(f) whether the proposal contributes to, or encourages, the long-term viability and/or ongoing functional use of the place;</td>
<td>Enabling the continuing operation of Queens Wharf as a cruise ship terminal will significantly maintain and enhance its historical, social and contextual values as it will allow the primary function of the wharf to be retained.</td>
</tr>
<tr>
<td>(g) whether modifications to buildings, structures, or features specifically for seismic strengthening:</td>
<td>The works are not specifically for seismic strengthening.</td>
</tr>
<tr>
<td>(i) consider any practicable alternative methods available to achieve the necessary seismic standard that will reduce the extent of adverse effects on the significance of the place; and</td>
<td></td>
</tr>
<tr>
<td>(ii) take into account the circumstances relating to the ongoing use and retention of the place that affect the level of seismic resilience that is necessary to be achieved.</td>
<td></td>
</tr>
<tr>
<td>(h) whether the proposed relocation of features, within or beyond scheduled extents of place, in addition to the criteria above;</td>
<td>The proposals do not involve the relocation of features, within or beyond scheduled extents of place.</td>
</tr>
<tr>
<td>(i) is necessary in order to provide for significant public benefit that could not otherwise be achieved; and</td>
<td></td>
</tr>
</tbody>
</table>
(ii) the significant public benefit outweighs the retention of the feature in its existing location within the extent of place.

<table>
<thead>
<tr>
<th>D17.9. Special information requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) An application for resource consent for works affecting scheduled historic heritage places must be accompanied by a heritage impact assessment that is commensurate to the effects of the proposed works on the overall significance of a historic heritage place, and taking into account whether the works affect a primary, non-primary, non-contributing or excluded site or feature.</td>
</tr>
</tbody>
</table>

**F2.23.2. Coastal – General Coastal Marine Area**

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) all restricted discretionary activities:</td>
<td></td>
</tr>
<tr>
<td>(a) construction or works methods, timing and hours of operation:</td>
<td></td>
</tr>
<tr>
<td>(i) whether construction or works methods avoid, remedy or mitigate adverse effects, particularly on water quality and sedimentation;</td>
<td>The AEE Engineering Aspects outlines the proposed method of piling and identifies that effects on water quality and sedimentation will be mitigated.</td>
</tr>
<tr>
<td>(ii) whether construction or works are to be done at a time that will avoid or minimise, adverse effects on marine mammals, bird roosting, nesting and feeding, and recreational users of the coastal marine area; and</td>
<td>Given the immediate nature of the area, it is not considered necessary or proposed to restrict the construction programme to avoid impact on marine mammals, bird roosting, nesting and feeding, and recreational users. However, the CNVMP will include methods to ensure effects on marine mammals during construction are mitigated.</td>
</tr>
<tr>
<td>(iii) whether construction or works hours of operation are limited to minimise effects of noise and disruption on existing activities, and on nearby residential and open space areas.</td>
<td>Hours of operation will be restricted through the CMP and CNVMP to ensure that the effects on nearby activities are mitigated.</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>(b) location, extent, design and materials:</td>
<td></td>
</tr>
<tr>
<td>(i) whether the work is located and designed to avoid, remedy or mitigate adverse effects on the environment;</td>
<td>The materials are chosen to be appropriate for the marine environment and complementary to the existing waterfront vernacular, in order to mitigate effects.</td>
</tr>
<tr>
<td>(ii) whether the form, intensity and scale of works, structures and buildings are sensitive to the marine environment and surrounding adjoining spaces;</td>
<td>The materials are chosen to be appropriate for the marine environment and complementary to the existing waterfront vernacular, in order to mitigate effects.</td>
</tr>
<tr>
<td>(iii) whether works and structures ensure efficient use of the coastal marine area is made by using the minimum area necessary for their purpose; and</td>
<td>As noted in the Consideration of Options document included in Appendix 2, the development has been designed to minimise the extent of structure within the CMCA.</td>
</tr>
<tr>
<td>(iv) whether the materials used are compatible with the surrounding coastal environment and consistent with the natural materials at the site; taking into account the physical characteristics of the materials used, including texture, colour, composition, grain size, level of contamination and potential for leaching.</td>
<td>The materials are chosen to be appropriate for the marine environment and complementary to the existing waterfront vernacular, in order to mitigate effects.</td>
</tr>
<tr>
<td>(c) effects on coastal processes, ecological values, water quality and natural character and landscape values:</td>
<td></td>
</tr>
<tr>
<td>(i) whether measures can be taken to avoid, remedy or mitigate adverse effects on coastal processes, ecological values, water quality and natural character and landscape values; and</td>
<td>Significant design consideration has been undertaken to ensure that the adverse effects on coastal processes, ecological values, water quality and natural character and landscape values have been mitigated. This includes employing particular construction methods to avoid sedimentation and treatment of the proposed structures to ensure that they are complementary of the existing wharf vernacular. These measures are outlined in more detail throughout this report and the supporting specialist reports included in the Appendices.</td>
</tr>
<tr>
<td>(ii) whether proposals have had particular regard to the policies in B8.2 Natural character, B4.2 Outstanding natural features and landscapes and B7.2 Indigenous Biodiversity.</td>
<td>Assessment against the Regional Policy Statement is included in Section 7.6.1.</td>
</tr>
<tr>
<td>(d) effects on public access, navigation and safety:</td>
<td></td>
</tr>
<tr>
<td>(i) whether the effects on existing public access arrangements have been avoided by minimising the extent and duration of work and by providing alternative access routes where practicable;</td>
<td>Public access is only impacted for a temporary period during construction and primarily relates to the access to the northern end and a portion of the western side of Queens Wharf. Alternative areas within the nearby waterfront provide public spaces and access to the waters edge.</td>
</tr>
<tr>
<td>(ii) whether the proposed activity or development adversely affects navigation and safety;</td>
<td>Refer to the Navigation Safety and Utility Report which concludes the proposals do not present an unusual, unmanageable or unacceptable navigational hazard and so will present negligible additional risk to mariners.</td>
</tr>
<tr>
<td>(iii) whether the effects on vessel access and berthing has been avoided, remedied or mitigated;</td>
<td>Notwithstanding during construction, which will be controlled by the CMP and TCMP, the proposal will not impact on vehicle access or berthing.</td>
</tr>
</tbody>
</table>
(iv) whether the layout of structures and activities enhances public access, including pedestrian access, to the coastline and particularly to any areas of public open space; and

Notwithstanding during construction, the proposals will not affect the existing public access to public spaces on Queens Wharf. The proposal will enhance public access to the coast by providing for access (albeit operationally restricted) onto the first 36m of the gangway.

(v) whether any loss of public access to, along and within the coastal marine area has been mitigated, including through provision of facilities such as public boat ramps, lookout platforms, and alternative access.

The proposal includes providing public access onto the gangway for a distance of 36m when the dolphins are not in operational use.

(e) effects on existing uses and activities (including infrastructure):

(i) whether proposals avoid, remedy or mitigate adverse effects on existing activities as far as practicable, taking into account both activities in the coastal marine area and on adjacent land; and

The proposal is not considered to have adverse effects on the existing marine and port activities provided for on Queens Wharf. The proposals positively provide for the enhancement of the existing use by providing an upgrade to the existing cruise berth to enable larger vessels.

(ii) whether activities avoid, remedy or mitigate adverse effects on the amenity of adjacent residential and open space zoned land.

No adjacent residential or open space zoned land.

(f) effects on Mana Whenua values:

(i) whether the proposal has included an assessment of Mana Whenua and how any effects have been avoided, remedied or mitigated.

The assessment includes assessment of cultural values and incorporates feedback from mana whenua hui. This is an ongoing dialogue.

(g) consent duration and monitoring:

(i) whether the consent duration should be limited to the minimum duration necessary for the functional or operational needs of the activity;

For the reasons explained in section 5.3, a 35 year term is sought for the 12(2) occupation consents and the default 5 year term is sought for 12(1) consents.

(ii) whether the consent duration should be limited as part of an adaptive management approach; and

It is not considered that sea level rise and climate change will result in overtopping within the 35 year term of the consent.
| (iii) whether monitoring is required in order to demonstrate the extent and type of environmental effects of the activity, and the degree to which the effects are remedied or mitigated during and after the activity | Monitoring associated with the provision of the CNVMP will be undertaken. |
| (h) effects on historic heritage | (i) whether proposals avoid, remedy or mitigate adverse effects on historic heritage. |
| (5) activities affecting a place identified in Schedule 14.1 Schedule of Historic Heritage: | (a) refer to the assessment criteria listed in D17 Historic Heritage Overlay |
| (6) noise: | Refer to above assessment of D17.8.2. Historic Heritage Overlay |
| (a) the extent to which the management of noise emissions from activities in the coastal marine area has taken into account: | The construction noise will be managed in accordance with the provisions of the CNVMP to mitigate adverse effects on the health, well-being, and amenity values of the people who reside in or use the area. |
| (i) the adverse effects on the health, well-being, and amenity values of the people who reside in or use the area; | The proposed construction works are not considered to create a significant issue due to cumulative effects when considering other existing noise generated at or near the site. |
| (ii) the health and well-being of coastal and marine fauna from the noise associated with the proposal; | The construction noise will be managed in accordance with the provisions of the CNVMP to mitigate adverse effects to the health and well-being of coastal and marine fauna. |
(iv) the practicability of being able to control the noise levels; | The works will be undertaken in accordance with the CNVMP to ensure the best practicable option approach to controlling noise.
---
(v) the extent to which any social and economic benefits to the community offset the impact of noise associated with the application; and | As outlined in the assessment throughout this report, there are significant economic and social benefits associated with the application, which for immediate businesses that may be effected by the noise (for example food and beverage tenancies) would ultimately provide significant benefits.
---
(vi) the extent to which the effects of the noise will be mitigated. | The works will be undertaken in accordance with the CNVMP to ensure the best practicable option approach to mitigating the noise is undertaken.
---
(7) underwater blasting, impact and vibratory piling, marine seismic surveys (note that no other criteria apply): | The Acoustic Assessment included in Appendix 12 provides an assessment of the underwater noise associated with the proposal. This is supported by the Marine Ecology Report included in Appendix 10.
---
(a) whether the proposal has included an assessment of: | Best Practicable Options will be used to minimise the resulting underwater noise generated.
---
(i) the extent to which the underwater noise associated with the proposal adversely affects the health and well-being of marine fauna and people; | These are outlined in the Economic Assessment included in Appendix 14.
---
(ii) the practicability of being able to control the underwater noise effects; | Best Practicable Options will be used to minimise the resulting underwater noise generated.
---
(iii) the social and economic benefits of the proposal; and | The extent of structures has been minimised to provide the necessary infrastructure to safely berth the design vessels.
---
(iv) the extent to which the adverse effects of the underwater noise will be mitigated.
---
(9) Occupation:
(a) whether occupation of the common marine and coastal area has been limited in spatial and temporal extent to minimise:
| (i) the extent to which people will be excluded from using a structure, or by the activity, from the coastal marine area; | Public access will be provided along the first 36m of the gangway while the mooring dolphins are not in use. It is necessary for safety reasons to exclude public from the mooring dolphins, and the gangway when the mooring dolphins are in use. |
| (ii) the effect the proposal may have on existing resource consent holders of occupation within the same locality or the vicinity; and | POAL currently hold a s384A coastal permit for the area. The Port’s activities do not require this area of the harbour for manoeuvring and POAL have provided a letter of written approval for the proposal. |
| (iii) cumulative effects of the occupation. | The proposed occupation is located within the area already subject to the POAL s384A coastal permit, which provides for port activities. As the area is within the wider port environment, it is not considered that there will be a significant impact from cumulative increasing of the CMCA occupation. Although the proposed structures and cruise ship berthing is within the s384A coastal permit area, it does not impact on the general POAL container and freight activities, as these generally no longer carried out in the area of proposed occupation. |

(b) whether occupation of the common marine and coastal area has been limited to circumstances where it can be demonstrated that:

| (i) there are no similar areas, structures or activities nearby which could be utilised for the same or similar purpose; | Refer to the Consideration of Options document included in Appendix 2. |
| (ii) it is not practicable to locate the structure or activity on land outside the coastal marine area; | The proposal is for berthing of ships. |
| (iii) the use or development has a functional or operational need to locate in the coastal marine area; or | As detailed in the assessment throughout the document the proposal is being undertaken in order to meet an immediate need. |
(iv) it is necessary to provide for the cultural and traditional needs of Mana Whenua.

<table>
<thead>
<tr>
<th>(iv) it is necessary to provide for the cultural and traditional needs of Mana Whenua.</th>
<th>The proposal is not necessary to provide for cultural and traditional needs of Mana Whenua.</th>
</tr>
</thead>
</table>

(c) whether or not exclusive occupation of the common marine and coastal area that will have a significant adverse effect on public access and recreational use of the coastal marine area should be granted; and

<table>
<thead>
<tr>
<th>(c) whether or not exclusive occupation of the common marine and coastal area that will have a significant adverse effect on public access and recreational use of the coastal marine area should be granted; and</th>
<th>The proposed mooring dolphins and gangway will be in a location that is not specifically accessible to the public, being located within the current water area off the end of the existing Queens Wharf in an operational area of the port.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Given the width of the harbour at this point, that there is minimal impact on the recreational vessels.</th>
<th>Given the width of the existing wharf and the provision of public access (albeit restricted when the mooring dolphins are in operation) onto the first section of gangway, it is considered that for the most part the proposals will not restrict recreational use of the CMCA and the effects are minimal.</th>
</tr>
</thead>
</table>

(d) the extent to which the duration of rights of occupation are determined having regard to the following:

<table>
<thead>
<tr>
<th>(d) the extent to which the duration of rights of occupation are determined having regard to the following:</th>
<th>As outlined in the Navigation Safety and Utility Report included in Appendix 6, the proposal will have limited extent of impact on public access.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Refer to the Economic Assessment included in Appendix 14, which identifies an overall positive economic viability.</th>
<th>None known.</th>
</tr>
</thead>
</table>
(iv) term of other consents in the vicinity, and the strategic benefit of all consents in an area expiring simultaneously. | It is anticipated that the applicant will separately seek consent for the occupation of the CMCA by Queens Wharf prior to the expiry of the current s384A coastal permit.

(17) structures and buildings in the coastal marine area:

(a) whether proposals for structures in the coastal marine area have considered more efficient use of space on existing wharves or adjacent land that would avoid the need for the structure or reduce its size; | Refer to the Consideration of Options document included in Appendix 2.

(b) whether the structure has a functional or operational need to be located in the coastal marine area, and/or can practically be located outside of the coastal marine area; | The proposal involves the berthing of ships.

(c) whether the quality of building design and its location, including consideration of scale, size, design and external appearance is appropriate, acknowledging the functional and operational requirements of marine and port activities where relevant; | The proposal has been designed to be complementary to the existing wharf vernacular.

(d) whether the building material used for structures is appropriately marine-treated, or if relocated or recycled building material is used, treated to prevent the transference or introduction of harmful aquatic organisms; | Materials have been chosen appropriately for the marine environment.

(e) whether buildings in the coastal marine area have interactive frontages where they face public streets and accessways; | Not applicable.
<table>
<thead>
<tr>
<th>(f) whether developments have landscaping and screening treatments to minimise adverse visual effects on adjoining land uses, including the effective screening of parking areas and outside storage or servicing areas; and</th>
<th>Significant design consideration has been undertaken to minimise the visual effects of the proposal. This has been done through choice of material, appearance of structures and lowering the level of the structures to be subservient to Queens Wharf.</th>
</tr>
</thead>
<tbody>
<tr>
<td>(g) the extent to which the reconstruction or extension of existing structures:</td>
<td>The existing use of Queens Wharf can remain unchanged by the proposals, although there will be impacts on the visual amenity, landscape and character enjoyed from the public spaces as outlined in the Natural Character, Landscape and Visual Amenity Effects Assessment included in Appendix 7.</td>
</tr>
<tr>
<td>(i) do not have significant adverse effects on other uses and values;</td>
<td>The proposal will enable the berthing of larger cruise vessels that would otherwise not be able to berth in Auckland.</td>
</tr>
<tr>
<td>(ii) result in greater, more efficient, or multiple use of the structure for marine activities; and</td>
<td>The proposal provides for an immediate need and as outlined in the Consideration of Options document included in Appendix 2, there is currently no funded or available alternative.</td>
</tr>
<tr>
<td>(iii) reduce the need for a new structure elsewhere.</td>
<td></td>
</tr>
<tr>
<td>(18) effects on views and visual amenity:</td>
<td></td>
</tr>
<tr>
<td>(a) whether structures and buildings adversely affect the natural character, landscape and visual amenity of the area taking into account the following:</td>
<td></td>
</tr>
<tr>
<td>(i) visual dominance of the building in terms of views from adjoining areas including the coastal marine area;</td>
<td>The mooring dolphins and gangway structures will be visible from public spaces. Refer to the assessment provided in the Natural Character, Landscape and Visual Amenity Effects Assessment included in Appendix 7.</td>
</tr>
</tbody>
</table>
(ii) interface and amenity of adjacent zones, particularly residential zoned land;

There is no immediately adjacent residentially zoned land. The proposal is considered a complementary extension of the existing waterfront infrastructure.

(iii) scale and location of the proposed building in relation to any nearby buildings;

The mooring dolphins and gangway structures are designed to be subservient in scale to the main wharf structures of Queens Wharf and Princes Wharf.

(iv) the type, including colour, of exterior materials used for construction;

Materials and finishing is consistent with the existing wharf and waterfront vernacular.

(v) any lighting proposed on the building; or

Lighting will be limited to that needed for operation and navigational safety will be provided.

(vi) any signs proposed to be attached to or painted on proposed building.

No signage, with the exception of safety signage in accordance with bylaws is proposed.

(b) whether the height of the structure or building contribute to adverse cumulative effects of development in the area, taking into account:

(i) visual amenity of the area;

The level of the structures is lowered to be subservient to that of the level of Queens Wharf and reduce the impact on visual amenity.

(ii) scale and intensity of existing development; and

The level of the structures is lowered to be subservient to that of the level of Queens Wharf.

(iii) character of the zone.

The proposal accords with the character of the Central Wharves Precinct and CMA zone.

7.6.4 Information requirements

A number of chapters in the AUP include specific information requirements. These generally set out a range of matters or assessment which are required to support the application. The identified information requirements are considered to be comprehensively (if not specifically) addressed by the suite of information and supporting assessment provided within and appended to this application.
7.7 SUMMARY

For the reasons outlined above, it is considered that the proposal is consistent with and appropriate in relation to the relevant objectives and policies, assessment criteria of the AUP.

8.0 PART 2 MATTERS

Part 2 contains the purpose and principles of the Act.

Section 104(1) provides that consideration of applications for resource consent against the matters in Part 4 of the Act are subject to Part 2. The Court of Appeal in *R J Davidson Family Trust v Marlborough District Council* recently held that decision-makers must have regard to Part 2 in determining consent applications under s104(1), where it is appropriate to do so. We consider it appropriate to have regard to Part 2 in considering this application and have therefore assessed the application against Part 2 below. That analysis reinforces the assessment of the proposal in the sections above.

The purpose of the Act is set out in Section 5 as being to promote the sustainable management of natural and physical resources. The purpose of the Act therefore is to enable people and communities to provide for their well-being while managing resources. The proposal is appropriate in this location given the existing wharf function and will provide for efficient operation and growth of the cruise ship industry. This will provide for substantial economic benefits and associated social and cultural benefits, while maintaining the environmental qualities of the area, safeguarding life supporting capacity of the water of the CMA and avoiding, remediating or mitigating any adverse effects on the environment.

Section 6 of the Act sets out a number of matters of national importance. Of particular relevance to this application is the preservation of the natural character of the coastal environment and its protection from inappropriate use and development (s6(a)), maintenance of public access to the CMA (s6(d)), the relationship of Maori with the CMA (s6(e)), and protection of historic heritage from inappropriate use and development (s6(f)). As outlined throughout this report the proposal will occur in a location which is highly modified due to the historic port development, public access will be maintained, mana whenua have been consulted on the proposal and the proposal protects the historic heritage of Queens Wharf and indeed enhances it.

In relation to natural hazards (s6(h)), given the nature of the infrastructure it is required to be located within the CMA, it is therefore unavoidable that the structure will be subject to coastal hazards. Notwithstanding this, they are designed for the coastal environment. Overtopping of the structure is only projected to occur in the event of a 1 in 100 year storm with the advent of a 1m sea level rise, which is
only projected to occur well beyond the 35 year term sought for the section 12(2) occupation consent. Furthermore, the materials are resistant to the marine environment and would not be in use under such a storm event, as the wind conditions would be such that a cruise ship would need to leave the harbour. Therefore, it is considered that the design of the mooring dolphins is appropriate to retain a working platform above the sea level in conditions appropriate for its use with the advent of a 1m sea level rise for the year 2120, which is well beyond the period of consent. While it would be possible to raise the level of the structures to avoid any overtopping, the approach of designing the level of the structures to be lower than the existing height of Queens Wharf has been taken to balance the significant risk of natural hazards with the other section 6 matters, such as natural character.

Section 7 identifies a number of “other matters” to be given particular regard by Council in the consideration of any application for resource consent, and includes the efficient use of natural and physical resources (s7(b)), and the maintenance and enhancement of amenity values (s7(c)). The proposal represents an efficient use of CMA in this area and builds on the existing Queens Wharf and associated resources, as set out in this report. Furthermore, while there are adverse effects on the visual amenity as outlined in the Natural Character, Landscape and Visual Amenity Assessment, the proposal is such that other amenity values of the surrounding area will be maintained.

Section 8 requires Council to take into account the principles of the Treaty of Waitangi. In accordance with the Treaty Principles, Mana Whenua groups with interest in the area have been consulted on the proposal as detailed in the Record of Mana Whenua and Stakeholder Engagement included in Appendix 17. Panuku is also in discussions with nine Mana Whenua groups in relation to the preparation of a Cultural Values Assessment, which would further inform Panuku in relation to cultural aspects of the development. This document has yet to be received.

Overall, the proposal represents a sustainable use of the CMA and will be carried out in a way that accords with the principles set out in Part 2 of the Act.

9.0 OTHER MATTERS (SECTION 104(1)(C))

9.1 MARINE AND COASTAL AREA (TAKUTAI MOANA) ACT 2011

The purpose of the Marine and Coastal Area (Takutai Moana) Act 2011 (“MACA”) is to establish a durable scheme to ensure the protection of the legitimate interests of all New Zealanders in the marine and coastal area of New Zealand. It recognises the mana tuku iho exercised in the marine and coastal area by iwi, hapū, and whānau as tangata whenua and provides for the exercise of customary interests in the common marine and coastal area.
Section 62(3) of the MACA requires that any person making an application under the RMA for a proposal within the marine and coastal area must notify and seek the views of any applicant for customary marine title prior to lodging the application.

Panuku notified the applicants’ for customary marine title applicable to the Waitematā Harbour on 4 April 2018 of the proposal and sought their views on the proposal.

9.2 PORT FUTURE STUDY 2016

The Port Future Study was a mayoral initiative to provide Aucklanders with an opportunity to have their say on the future of Auckland’s port.

To ensure the wider community was involved in decisions about the port’s future, the study was established to bring together a wide range of interested groups and mana whenua members. It was conducted independently from Auckland Council and was without political representation.

The study considered the economic, social, environmental and cultural costs and benefits, as well as the feasibility of a range of options for the future of the port.

The Port Future Study recommended a long term strategy for the provision of facilities to accommodate sea-based imports and exports and the cruise industry flowing to and from Auckland and its wider region in an economically, socially, culturally and environmentally acceptable manner, taking into account competing uses for city centre waterfront space and the various impacts of options.

The key recommendation from the Port Future Study relevant to this application is recommendation 4. This recommendation states:

“Subject to confirmed and credible commitment to establishing a port relocation option and to establishing sufficient additional berth length to accommodate expected growth in large cruise and multi-cargo vessels, the port should not expand beyond its current footprint, noting:

- The work done so far for the Central Wharves Strategy implies the need for additional cruise berths and the Consultant’s report endorses POAL’s case that additional long berths are required to accommodate expected short and medium-term growth in cruise and multi-cargo operations;
- The Consultant has recommended a northern east-west berth at Bledisloe Wharf and the CWG is in agreement that a northern berth presents a viable short-term option. Exact specifications to meet future berth demand will be worked through.
- The CWG recognises mana whenua and community opposition to any further extension of port operations into the harbour
and that deciding the plan to provide the required berth capacity will require rigorous identification and evaluation of alternative options

- The Port Future Study is a study to provide a long-term strategy for the location of the port and there are established processes for short term berth provision decisions”

In regards to the consideration of this non-statutory document it is clear that additional berth length capacity is required immediately. Given that the POAL customs bonded area of the port required for the berthing of multi-cargo vessels is not suitable for the required high quality visitor experience sought by the cruise ship industry, sharing Bledisloe Wharf is not an appropriate outcome at this time. The immediate solution for the mooring dolphin proposed in this application provides for the increased length of berthing capacity while making minimal impact on the CMA.

Therefore, taking the Port Future Study recommendations into consideration the proposal is considered to be appropriate.

9.3 CITY CENTRE MASTERPLAN 2012

The Auckland City Centre Masterplan is a 20-year vision that sets the direction for the future of the city centre as the cultural, civic, retail and economic heart of the city.

The City Centre Masterplan identifies eight key transformational moves designed to transform Auckland city and provide a cultural and economic heart for Auckland, so that it is a great place to live, work and play in.

The relevant ‘transformational move’ relevant to this application relies upon the detail of the Waterfront Plan (refer to section 9.4 below). Based on the below assessment the proposal is appropriate in terms of the aspirations of the City Centre Masterplan.

9.4 WATERFRONT PLAN 2012

The Waterfront Plan sets out the vision and goals for Auckland’s city centre waterfront. It is an integrated action plan that contains a range of short, medium and long-term initiatives that will transform this part of the city. Relevant to this application the Waterfront Plan seeks to establish a multi-use cruise ship facility in the refurbished Shed 10 on Queens Wharf, as well as event spaces and improved public amenity to complement the cruise hub’s functionality. This has been carried out and is currently operating this way. The proposal will ensure that the facility can continue to be used to provide a high quality visitor experience and grow the cruise ship industry. The growth of the cruise ship industry will feed into greater economic benefits and associated social and cultural benefits in turn.
The proposal will be appropriate in terms of the Waterfront Plan.

9.5 CENTRAL WHARVES STRATEGY

The Central Wharves Strategy was prepared by the Council’s City Centre Integration Group as a strategy to address is growth that’s expected to occur in ferries, cruise ships, public space/events and freight. A number of options were investigated with a preferred option being the extension of Captain Cook Wharf to provide for enhanced cruise ship berthing.

![Figure 9.1 – Preferred option from the Central Wharves Strategy (Source: Auckland Council)](image)

This proposal would require the demolition of Marsden Wharf and consultation of multi-cargo imports within a smaller POAL customs bonded area. This is not able to be accommodated in the short-term and therefore the immediate proposal involving the mooring dolphin off Queens Wharf is proposed. There is also no funding allocated over the next 10 years in the Council's most recent Long-Term Plan for the implementation of the Central Wharves Strategy.

The proposed mooring dolphin will not impact on the potential future implementation of the proposals of the Central Wharves Strategy and in fact will provide an immediate solution until the strategy can be funded and fully implemented.

9.6 IWI MANAGEMENT PLANS

There are no applicable iwi management plans that apply to this part of the waterfront. However, ongoing iwi consultation will continue through the design, consenting and construction phases of the project.
10.0 CONCLUSION

A comprehensive analysis of actual and potential effects has been provided in Section 7 of this report. Overall, it is concluded that the adverse effects associated with the development will be avoided, remedied or mitigated, to an acceptable level, and that the significant economic and associated social well-being benefits outweigh the adverse effects.

Section 7 of this report confirms that the proposal is consistent with the relevant statutory document objectives and policies relevant to the location and the proposal. Further, the proposal will not undermine the purpose of the specific rules for which consent is sought.

The proposal is not contrary to the purpose and principles outlined in Part 2 of the Act and satisfies all matters the consent authority is required to address in terms of section 104 of the Act. On that basis, it’s considered that the application can be granted consent, subject to appropriate conditions.

AUTHOR

Devon Rollo
Senior Planner, Barker & Associates Ltd
Date: August 2018