

5 March 2025

Attention: Mark Vinall

Dear Mark

Resource consent application – Further information request

Application number(s):	CST60442819
Applicant:	Auckland Council - Eke Panuku
Address:	55 Onehunga Harbour Road Onehunga 1061
Proposed activity(s):	Coastal permit for the exclusive occupation of part of the Manukau Harbour for the Onehunga wharf and associated uses.

Further to my letter of 14 February 2025 where I confirmed that your application was accepted for processing, I have now reviewed your application.

This letter is a request for further information that will help me better understand your proposal, including its effect on the environment and the ways any adverse effects might be mitigated.

Requested information

Planning

- 1) I note in an email dated 27 February 2025 that various additional consent matters were agreed to and the scope of the consent was confirmed. Please provide an updated AEE that includes all the relevant consent matters, outlines the permitted activities, and defines the scope of the consent (i.e. clearly indicates that the cement operations do not form part of this application). This information is necessary as the application will be publicly notified and it will assist the public in understanding the full scope of the proposal. Please update any assessment you deem necessary to cover the additional consent matters applied for.
- 2) Regarding all the information provided for the MACA consultation. I note that some of the email addresses don't match those on the Office of Treaty Settlements website. Notably for:
 - Ngāa marae o te takutai moana o Waikato-Tainui
 - Ngāti Whatua Orakei
 - Ngāi Tai ki Tāmaki
 - Ngāti Kawau and Te Waiariki Korora

Please may you confirm where the email addresses come from that were used and if these emails were received by the respective groups.

- 3) The AEE states on page 28 that *“No iwi requested to undertake a Cultural Impact Statement, nor did they express opposition to the proposal. Issues relating to stormwater quality and treatment were raised for structures in the CMA”*. However, on page 19 a quote from Ngati Te Ata states that they are opposed to the application. Please may you confirm, it appears there is opposition to the proposal by Ngati Te Ata?
- 4) Regarding Ngati Te Ata’s opposition to the consent, the AEE states that the applicant is continuing engagement with Ngati Te Ata. Please confirm:
 - a. if any further correspondence has been received in this regard / if further discussions have been held. If so, please provide details of these.
 - b. Has Ngati Te Ata indicated that they wish to provide a cultural values assessment.
- 5) Notwithstanding the fact that the application will be publicly notified, please confirm if the application material (AEE, coastal processes report, traffic assessment, and the additional consent matters agreed to in the email dated 27 February 2025) has been provided to all iwi (including those with a Coastal Statutory Acknowledgement). Please indicate if iwi consider a Cultural Value Assessment necessary and please provide any additional assessment in this regard.

Note: This assessment will likely require additional consultation to be undertaken with the applicable groups. These groups may indicate a Cultural Values Assessment (CVA) is necessary to assess cultural values. Auckland Council offers a facilitation service, if sought by the applicant.
- 6) I note that there is an existing stormwater discharge consent (Permit No. 25182 – attached for reference) to *“authorize the discharge of contaminants into the coastal marine environment, namely Manukau Harbour, from an industrial or trade process comprising the Port of Onehunga by Ports of Auckland Ltd.”* This consent has various conditions around the management of stormwater for the Port. Please confirm if this consent and the management procedures were considered in the Coastal Processes Report by Tonkin and Taylor.
- 7) I note that the Coastal Processes Report by Tonkin and Taylor states that *“...it is noted that where existing structures or activities do not currently adhere to Best Practice standards (including appropriate levels of stormwater treatment), and with the development of new structures, EPDA should seek to upgrade stormwater infrastructure in line with Best Practice to limit effects to marine ecological values”* and the report recommends that *“upgrades to stormwater infrastructure in line with Best Practice are recommended to continue to limit effects to marine ecological values associated with existing structures and activities of Port of Onehunga”*. Please confirm:
 - a. If the applicant has such proposals to upgrade the stormwater network and if so when it intends to do so?
 - b. If the existing discharge consent was considered in the report when drawing this conclusion?
- 8) The AEE states that *“In terms of navigation and safety effects resulting from existing uses and structures, all vessels’ movements are carried out under operational management plans and Navigation and Safety Bylaws”*. Please confirm which operational management plans these are. Are these standard operation management plans for Ports of Auckland and who implements and oversees the management of these management plans?

Coastal

- 9) The proposed exclusive occupation area is larger than the existing s384A occupation consent held by Ports of Auckland. It is unclear why the applicant requires a larger area of exclusive occupation.
 - a. Please provide justification for the larger area.
 - b. Please confirm the activities being undertaken that require / justify the need for such a large area. Noting that the area used for active port activities and the scale of activity has been diminished.
 - c. Is the exclusive occupation area meant to align with the Minor Port Zone because it appears to be larger than the extent of the Minor Port Zone?
- 10) The application is for exclusive occupation which enables the exclusion of others, including the public. The s384A occupation was not exclusive. Therefore, please confirm how this will be managed. For marinas usually exclusive occupation is provided for the berthage spaces and places where the public are excluded. Areas where the public are allowed are non-exclusive occupation. Please explain how this will be managed, will it be managed through conditions of consent?

Note: For example, there is a boat ramp included in the occupation area, is this intended to be used by the public. Public access would need to be managed and enabled by conditions of consent / specific areas marked for exclusive and non-exclusive occupation

Development engineering

- 1) Please provide further information regarding the existing wastewater disposal for the current activities operating within the proposed occupation area. This can be supported by plans / diagrams of the existing system, wastewater flow calculations etc.

Providing the information

Please provide this information in writing within 15 working days¹ (before 26 September 2023). If you will not be able to provide the information by that date, please contact me before then to arrange an alternative time. We will not work on your application any further until either you provide this information, or you state that you refuse to provide it.

Note: If you will require more than 15 working days to provide this further information, I will seek that you agree to an extension of time under [section 37](#) of the Resource Management Act 1991 (the RMA). This will enable appropriate time for me to undertake the necessary review of the information once provided.

Next steps

Once you have provided the requested information, I will review what you have provided to make sure it adequately addresses all of the points of this request.

In the application acceptance letter, I described the statutory timeframe for our decision on your application. The time for you to respond to this further information request will be

¹ Section 92A(1) of the RMA

excluded from this timeframe². I will be able to give you an updated forecast on a decision date on request once you have provided the information requested above.

If you have any queries, please contact by emailing bradley.peens@aucklandcouncil.govt.nz or by phone 027 220 9138 and quote the application number above.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Bradley Peens', written in a cursive style.

Bradley Peens
Senior Planner

² Section 88C(2) of the RMA