

Application for resource consent

Resource Consents Department Under Section 88 of the Resource Management Act 1991

To: Auckland Council
Private Bag 92300
Auckland 1142

You may post or deliver your application to your nearest Auckland Council service centre.

This form provides the council with your contact information and details about your proposal. If you need help completing this form or you are unsure about which form to use, visit aucklandcouncil.govt.nz/resourceconsents where you will find helpful guidance notes, or contact the council on 09 301 0101.

If you fail to complete this form and provide the necessary information, including the deposit fee, your application may not be accepted for processing. See Guidance Note 3.

1. Site location details

Site(s) to which this application relates is described as

Number: _____ Street: _____

Suburb: _____

Legal description(s): _____

2. General application details

This application is for (tick all the boxes necessary to cover the proposal):

Land use consent (district/city) Subdivision consent Discharge permit
Coastal permit Water permit

The application will be assessed under the Auckland Unitary Plan (Operative in part). If there are any other operative legacy plan provisions that apply, please indicate.

Auckland Central Area	Hauraki Gulf Islands	Auckland Isthmus	Franklin
Manukau	North Shore	Papakura	Rodney
Waitākere	Coastal	Air, land, water	Farm dairy discharges

Is consent required under a National Environmental Standard (NES)?

Yes (tick applicable) No

NES for Air Quality

NES for Drinking Water

NES for Telecommunication Facilities

NES for Electricity Transmission Activities

NES for Assessing and Managing Contaminants in Soil to Protect Human Health

Other

Office use only

Application number(s): _____

Receipt number: _____

Receipt date: _____

Deposit paid: _____

Consent:

District

Regional

Stream number: _____

3. Additional resource consents required

3.1 Are any additional resource consent(s) required for this proposal but not being applied for under this application?

No

Yes (give details)

3.2 Advise of any existing consents and the date at which they expire.

Provide consent numbers and an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A)).

4. Applicant's details (all invoices will be made out to and sent to the applicant unless otherwise stated in section 6):

4.1 Applicant's full name

The name of the consent holder who will be responsible for the consent and any associated costs unless otherwise stated in section 6.

Last name:

First name(s):

Last name:

First name(s):

or

Company/trust/organisation:

Contact person/all trustee names:

Physical address:

Postcode:

Postal address (if different from above):

Postcode:

Phone (day):

Mobile:

Email:

The applicant is the:

owner

occupier

leasee

prospective purchaser (of the site to which the application relates)

other (please specify)

4.2 Name and address of each owner and occupier of land to which the application relates (if different from above):

Name:

Address:

Postcode:

9. Pre-application information

Have you had a pre-application meeting with the council regarding this proposal?

Yes

No

Copy of meeting record attached

Date of meeting:

If 'yes', provide the pre-application meeting reference number and/or name of staff member:

10. Site visit requirements

10.1 Is there a locked gate, security system or dog(s) restricting access to the site by council staff?

Yes

No

10.2 Provide details of any entry restrictions or hazards that council staff should be aware of, e.g. health and safety, organic farm, measures to inhibit the transfer of Psa-V etc.

11. Notification of your application

Are you requesting that the application be publicly notified?

Yes

No

If 'yes', please provide an executive summary below and an electronic version of your application for notification purposes.

Please refer to the Standards for submitting documents electronically found at the council's website aucklandcouncil.govt.nz/resourceconsents

12. Mana Whenua cultural values assessment and the Auckland Unitary Plan (Operative in part) (AUP(OP))

12.1 Is your proposal located within a "Site and Place of Significance to Mana Whenua" as identified in the AUP(OP)

Yes

No

12.2 Is your proposal an activity that has the potential to generate effects on Mana Whenua and their relationship with their ancestral land, water, sites, waahi tapu and other taonga)?

Yes

No

12.3 If 'yes' to 12.1 or 12.2, have you contacted all the relevant Mana Whenua groups to establish whether their values are affected by your proposal?

Yes

No

12.4 If 'yes', please provide details with your application of all Mana Whenua groups contacted and their responses.

Please note that providing this information with the lodgement of your application will assist in processing your application in a timely manner. If you have not provided the relevant information your application may need to be placed on hold while this information is obtained.

In any case, please note that the council can assist you in determining which Mana Whenua groups should be approached.

For more information refer to the "Engaging with Mana Whenua" page at aucklandcouncil.govt.nz

Refer to America's Cup 36 Auckland 2021 Application Report prepared by Unio Environmental

13. Information to be submitted with your application

To satisfy the requirements of section 88(2) and Schedule 4 of the Resource Management Act 1991 (RMA), please attach the following information to your application:

Accept/Reject

four copies (including one unbound) of all information, including plans, for all applications. Refer to Guidance note 2 for guidance on the preparation of plans

application deposit fee – refer to the council’s fees and charges schedule. Indicate method of payment below:

cheque attached	credit card	customer account
amount paid \$ _____		customer acc/number: _____

Certificate(s) of Title less than three months old for the site to which this application relates. Attach the title and any consent notices, covenants, easements attached to the title if relevant or affected by the proposed activity locality plan or aerial photo. Indicate the location of the site in relation to the street and other landmarks. Show the street number of the subject site and those of adjoining sites

optional: detail(s) of the resource consent(s) being applied for including reference to specific rule(s) and reasons for consent

an assessment of effects on the environment in accordance with Schedule 4 of the RMA at a level of detail that corresponds with the scale and significance of the effects that the proposed activity may have on the environment. This may require one or more technical specialist reports. Include a full description of the proposed activity, the effects that may be generated and how these would be managed. For more information refer to Schedule 4 of the RMA and the council’s Guidance note 1

an assessment against the matters in Part 2 of the RMA. This may be included in your AEE or in a separate document. For more information refer to Schedule 4 of the RMA and the council’s guidance note 1

an assessment against any relevant provisions of a statutory document (e.g. district and regional plans, the AUP(OP), National Policy Statements etc.). This may be included in your AEE or in a separate document. For more information refer to Schedule 4 of the RMA and the council’s guidance note 1

include other information required by the relevant section of the AUP(OP) and legacy district plan and regional plans, the RMA or any regulations made under that act

include details (name, postal and site address) of consultation undertaken (including with iwi) and any responses from persons consulted. For more information refer to Schedule 4 of the RMA and guidance note 1

a completed checklist where relevant to your application.

14. Additional information – for regional consents or permits only under AUP (OP) and legacy operative regional plans

14.1 Map reference of proposed works: mE mN

Use New Zealand Transverse Mercator (NZTM), e.g. 1756730mE 5919740mN.

Ensure that the location of your activity is marked to an accuracy of 10 metres on your location plan. You can obtain your map coordinates and an aerial photo from the Auckland Council GeoMaps (GIS viewer) found on the home page of the council’s website, aucklandcouncil.govt.nz

14.2 Please provide the map reference of discharge points if relevant.

Map reference of proposed discharge or take point(s):

Is the discharge/take location on the same property as the application site?

Yes No

If ‘no’, complete the details below.

Name or property owner (if not the same):

Address:

Postcode:

Legal description:

Documentation confirming easement and/or covenants for wastewater, including a certificate of title for the property where the discharge occurs.

If required, also attach land owner approval.

14.3 Give the name of any stream, river or lake (or if the stream is unnamed, state which water body it is a tributary of).

Stream name: _____ or tributary of: _____

14.4 Please indicate the duration for which you are requesting a permit (if relevant):

_____ years

15. Signature of the applicant(s) or agent

Please read these notes before signing the application form

Payment of fees and charges

The council may charge the applicant for all costs actually and reasonably incurred in processing this application. Subject to the applicant's rights under sections 357B and 358 of the RMA to object to any costs, the applicant undertakes to pay all and future processing costs incurred by the council. The council may issue interim invoices for applications. If any steps, including the use of debt collectors and/or lawyers, are necessary to recover unpaid processing costs, the applicant agrees to pay all collection costs. If this application is made on behalf of a trust (private or family), a society (incorporated or unincorporated) or a company, in signing this application the applicant binds the trust, society or company to pay all the above costs and guarantee to pay all the above costs in their personal capacity. Refer to the council's fees and charges schedule found at: aucklandcouncil.govt.nz/resourceconsents

Note: some regional permits include ongoing annual charges in addition to the processing fee. These are payable by the consent holder.

Development and financial contributions

When granting consent to certain activities, the council may levy a monetary contribution. Development contributions are levied under the Local Government Act 2002 in accordance with the council's Development Contribution Policy. Financial or reserve contributions are levied under the RMA under the relevant district plan. When such contributions become due, the consent holder is responsible for their payment. Unless otherwise advised, the name and contact address of the person responsible for payment of any contributions will be taken as the applicant.

Alternative contact and address for development and financial contributions:

Name: _____

Address: _____

Postcode: _____

Site visit

By signing this form, if you are the owner of the application site, you confirm that the council may undertake a site inspection.

Privacy information

The council requires the information you have provided on this form to process your application under the RMA and to collect statistics. The council will hold and store the information, including all associated reports and attachments, on a public register. The details may also be made available to the public on the council's website. These details are collected to inform the general public and community groups about all consents which have been processed or issued through the council. If you would like to request access to, or correction of any details, please contact the council.

Declaration for the applicant or authorised agent or other

I/we confirm that I/we have read and understood the notes above.

If a private or family trust is the applicant, at least two New Zealand-based trustees are required to provide contact details and sign this form.

Applicant's name: _____

Applicant's signature: _____



Date: _____

Applicant's name: _____

Applicant's signature: _____

Date: _____

Continued overleaf...

Applicant's name:

Applicant's signature:

Date:

Declaration for the agent authorised to sign on behalf of the applicant

As authorised agent for the applicant, I confirm that I have read and understood the above notes and confirm that I have fully informed the applicant of their/its liability under this document, including for fees and other charges, and that I have the applicant's authority to sign this application on their/its behalf.

Agent's full name:

Agent's signature:

Date:

Application Form Attachment A

1. PROPOSAL DESCRIPTION

The proposal seeks consents for the construction, occupation, use and maintenance of the permanent and temporary infrastructure and to hold two Americas Cup events in Auckland. This includes the location of structures and undertaking of activities within the coastal marine area and on land. The key infrastructure components involve an extension to Hobson Wharf, extension to the north of Halsey Street Extension Wharf/Western Viaduct Wharf and the permanent and temporary bridging of a portion of the waterspace between Wynyard Wharf and Brigham Street, including associated piling. Four new breakwaters are proposed in association with the new wharf areas and the adjoining water space will be developed to provide for berthage associated with AC36 activities. This involves the removal of existing structures and location of new piles, pontoons and associated structures and services.

Occupation over the area of waterspace for the Hobson Wharf Extension and breakwater as well as the associated waterspace to the east of the wharf extension and within Hobson Marina and the waterspace area at the eastern end of the Halsey Wharf Extension.

A permanent home for Emirates Team New Zealand (Base 1) will be located on the Hobson Wharf Extension, four temporary syndicate base buildings (Bases 2, 3, 4 & 5) will be located on the Halsey Wharf Extension. A further three temporary syndicate base buildings (Bases 6, 7 & 8) are to be located on Wynyard Wharf. All bases will be occupied following construction and the duration of consent sought for the construction, use and maintenance of the temporary buildings is 10 years. Mobile cranes, yard areas and signage are associated with the temporary and permanent bases. Enabling works involve ground improvement works within the area of Brigham Street west of Wynyard Wharf, capital works dredging and temporary construction related activities.

Two 6 month event periods are sought, the first commencing December 2020 culminating in May 2021 and the second to take place within 2-3 years following over a similar timeframe. The event period will include associated regatta, the Prada Cup challenger series, AC Finals series, supporting hospitality and entertainment activities, and all necessary temporary supporting facilities, including lighting and signage. Legacy use of the wharf space is intended to provide for marine activities and event, associated berthage, public uses and events.

2. SITE LOCATION

Hobson Wharf, Halsey Street Extension Wharf, Western Viaduct Wharf, the southern portion of Wynyard Wharf and Brigham Street adjacent 8-34, 36-54 & 90 Brigham Street, the waterspace within the Wynyard Basin between Wynyard Wharf and Princes Wharf, the waterspace within the Outer Viaduct Harbour, and public land areas within Wynyard Precinct and Viaduct Harbour Precinct, including Te Wero Island, Karanga Plaza and North Wharf (as shown on the Locality Plan, Attachment 4 to the Unio AEE). The site area also includes private land to the west of Brigham

Street and land within Jellicoe Street and Halsey Street for construction activities and installation of services.

3. LEGAL DESCRIPTIONS

- Brigham Street (Legal Road)
- Sail NZ Site, 36-54 Brigham Street (Lot 4 DP 119658, CT NA68D/451)
- Sealink Facility, 9 Brigham Street (Lot 36 DP 131567, CT NA77A/404)
- Jellicoe Street (Legal Road)
- North Wharf (Section 5 SO 427663 CT 521828, Section 3 SO 427663 CT 521827 and Section 1 SO 427663 (no title))
- Wynyard Wharf, 11-99 Brigham Street (Part Lot 37 DP 131568 and PT Harbour WAITEMATA on Deeds Reg 33A/195, now cancelled and vested in the Crown)
- Karanga Plaza, 141-177 Halsey Street (SEC 1 SO 404153 CT 5378036 CT 5378036, Part Lot 34 DP 131567 CT 521826, Lot 1 DP 436625 CT 536129, Lot 2 DP 436625 CT 536130 and Lot 3 DP 436625 CT 536131)
- Halsey Street Extension Wharf/Western Viaduct Wharf, 155-161 Halsey Street (forms part of Part Lot 37 DP 131568 and PT Harbour WAITEMATA on Deeds Reg 33A/195)
- Te Wero Island/Wharf 220 Quay Street Auckland Central Auckland 1010 (Lot 1 DP 338555 and Lot 2 DP 338555, CT 158709)
- Eastern Viaduct 220 Quay Street (Lot 4 DP 153316, CT NA91C/82)
- 149-159 Quay Street (Lot 3 DP 153316, CT NA91C/81)

4. REASONS FOR CONSENT

The following tables identify the reasons for consent associated with the application. It is noted that resource consent is being sought to enable the proposal. The application is intended to include all necessary consents for those activities to occur and includes, but is not limited to, the following matters.

AC36 Base infrastructure and event	
AUP:OP	Activity Status
I211.4.1.(A6) Capital works dredging	Restricted discretionary
I211.4.1.(A27) Wave attenuation devices	Restricted discretionary
I211.4.1.(A28) Observation areas, viewing platforms and	Restricted discretionary

AC36 Base infrastructure and event	
AUP:OP	Activity Status
boardwalks	
I211.4.1.(A30) New pile moorings established after 30 September 2013 including occupation and use by the vessel to be moored	Restricted discretionary
I211.4.1.(A35) Coastal marine area structures or buildings not otherwise provided for	Discretionary
I211.6.1 Temporary activities - events	Restricted discretionary
I214.4.4.1 (A12) - Events	Restricted discretionary
I214.4.4.1 (A13) – Major Marine Event	Discretionary
I214.4.1.(A19) – Marine and port activities	Restricted discretionary
I214.4.1.(A35) – Any activity not otherwise listed that has a functional need to located in the CMA	Discretionary
I214.4.2.(A39) – Capital Works Dredging	Restricted discretionary
I214.4.2.(A41) Marine and port facilities	Restricted discretionary
I214.4.2.(A47) Demolition or removal of any buildings or coastal marinearea structures	Controlled
I214.4.2.(A49) Coastal marine area structures and buildings, and alterations and additions to coastal marine area structures and buildings	Restricted discretionary
I214.4.2.(A51) New buildings, and alterations and additions to buildings (not otherwise provided for as a permitted activity)	Restricted discretionary
I214.4.2.(A52) Roads or lanes	Restricted discretionary
I214.4.2.(A61) Development that does not comply with I214.6.6. Building height	Discretionary
I214.6.12 (7) Lanes and viewshafts	Restricted Discretionary
I214.6.13 Public Accessways - Wharves	Restricted discretionary

AC36 Base infrastructure and event	
AUP:OP	Activity Status
E4 Other Discharges of contaminants E4.4.1 (A15)	Discretionary
E7 Taking, using, damming and diversion of water and drilling E7.4.1(A20)	Restricted discretionary
E7 Taking, using, damming and diversion of water and drilling E7.4.1(A28).	Restricted discretionary
E8 Stormwater- Discharge and diversion E8.4.1(A10)	Discretionary
E11 Land disturbance – Regional E11.4(A9)	Restricted discretionary
E12 Land disturbance – District E12.4.1(A6) and (A10)	Restricted discretionary
E12 Land disturbance – District C1.9 (2)	Restricted discretionary
E14 Air quality E14.4.1(A82)	Restricted discretionary
E15 Vegetation management and biodiversity E15.4.1 (A22).	Restricted discretionary
E17 Trees in roads E17.4.1(A8)	Restricted discretionary
E17 Trees in roads E17.4.1(A10).	Restricted discretionary
E23 Signs E23.4.2(A53)	Restricted discretionary
E25 Noise and vibration E25.4.1(A2)	Restricted discretionary
E30 Contaminated land E30.4.1(A7).	Discretionary
E31 Hazardous substances E31.4.1(A7)	Discretionary
E33 Industrial and trade activities E33.4.3(A9)	Discretionary
E33 Industrial and trade activities E33.4.2(A24).	Discretionary
E36 Natural hazards and flooding E36.4.1(A4)	Restricted discretionary
E36 Natural hazards and flooding E36.4.1(A20).	Restricted discretionary activity
E36 Natural hazards and flooding E36.4.1(A42).	Restricted discretionary
E40 Temporary activities Rule E40.4.1(A6).	Restricted discretionary

AC36 Base infrastructure and event	
AUP:OP	Activity Status
F2.19.2 Depositing and disposal of material F2.19.2 (A10)	Discretionary
F2.19.4 Coastal marine area Disturbance F2.19.4 (A37)	Discretionary
F2.19.8 Use and activities F2.19.8 (A94)	Discretionary
F2.19.8 Use and activities F2.19.8 (A114)	Restricted discretionary
F2.19.10 Structures F2.19.10(A142)	Discretionary
F2.19.10 Structures F2.19.10 (A143).	Discretionary

AC36 Base infrastructure and event	
Operative Coastal Plan	
Chapter 10 General	
10.5.9 Occupation by any activity specified as a discretionary activity by another rule in this plan.	Discretionary
Chapter 11 Activities	
11.5.3 Any activity which fails to meet one or more of conditions b, e, or f of Rule 11.5.1. is a Restricted Discretionary Activity.	Restricted discretionary
Chapter 12 Structures	
12.5.18 The erection or placement of any structure, which is not provided for in any other rule contained in this chapter and is not located in Coastal Protection Areas 1.	Discretionary
12.5.19 Any alteration or extension of any existing lawful structure which is not provided for in any other rule in this chapter and is not located in Coastal Protection Areas 1.	Discretionary
Chapter 15 Disturbance of Foreshore and Seabed II: Dredging	
15.5.10 Capital works dredging, except in Coastal Protection Areas 1 and 2.	Discretionary

AC36 Base infrastructure and event	
Operative Coastal Plan	
Chapter 16 Disturbance - Other	
16.5.17 Any disturbance of the foreshore or seabed, including excavation, drilling and tunnelling, and the removal of vegetation, including mangrove removal, sediment, or encrusting organisms that is not provided for as a permitted, controlled, discretionary or noncomplying activity in any other rule contained in this chapter.	Restricted discretionary
Chapter 19 Taking, Use, Damming or Diverting Water	
19.5.5, the taking, use or diversion of inner coastal water (except as allowed by Rules 19.5.1 and 19.5.3.) is provided for as a discretionary activity.	Discretionary
Chapter 20 Discharges of Contaminants	
20.5.6 Any discharge of contaminants, other than as provided by another rule in this chapter require consent as a discretionary activity	Discretionary
Chapter 25 Port Management Areas	
25.5.25 Any activity which would be a permitted activity but which fails to comply with one or more of the conditions in Rule 25.5.14 or 25.5.15 or would be a controlled activity but fails to comply with one or more of the standards and terms in Rule 25.5.19, and is not provided for as a non-complying activity.	Restricted discretionary
25.5.26 The erection or placement of any new structure, building or slipway, required for port activities, which would be a permitted activity but which fails to comply with one or more of the conditions in Rule 25.5.14 or would be a controlled activity but fails to comply with one or more of the standards and terms in Rule 25.5.19.	Restricted discretionary
25.5.34 Temporary events, including associated structures and buildings, within the water area of Port Management Areas 4A and 2A between Wynyard Wharf and Halsey Street Extension Wharf.	Restricted Discretionary

AC36 Base infrastructure and event	
Operative Coastal Plan	
25.5.36 Any non-port activity or change to an existing non-port activity (including temporary events) in Port Management Areas 2A, 2B or 4A, which is not provided for as a non-complying activity in Rule 25.5.52, and which will result in an average daily traffic generation of 100 movements or more.	Restricted discretionary
25.5.38 Temporary events on Wynyard Wharf (South) within Port Management Area 4A including associated structures and buildings, prior to the date on which all hazardous industry located on the land north of Jellicoe Street discontinue operations and while the wharf is operating as a dangerous goods wharf.	Restricted discretionary
25.5.40 The erection or placement of any new structure, building or slipway in Port Management Areas 2A, 2B, 4A and 4C, which is not provided for as a permitted, controlled, restricted discretionary or noncomplying activity	Discretionary
25.5.41 The alteration, extension or reconstruction of any existing lawful structure in Port Management Areas 2A, 2B, 4A and 4C, which is not provided for as a permitted, controlled, restricted discretionary or noncomplying activity.	Discretionary
25.5.42 Any non-port related activity or development which is ancillary to an existing structure or activity and has a functional need to be located in the coastal marine area, and which is not provided for as a permitted, controlled, restricted discretionary or noncomplying activity	Discretionary
25.5.48 The erection or placement of any new structure or building on Wynyard Wharf, required for port activities and ancillary activities, and the alteration or extension of any existing lawful structure or building on Wynyard Wharf, required for port activities, which is not provided for as a permitted activity.	Discretionary
34.5.8 consent is required for signage (within Port Management Areas) which does not comply with any or all of the Conditions for Permitted Activity Rule 34.5.4 and for advertising signage.	Restricted discretionary

AC36 Base infrastructure and event	
Operative Coastal Plan	
35.5.9, consent is required as a discretionary activity for construction activities in excess of 15 days resulting in noise levels for when measured 1m from the façade of occupied and inhabited adjacent buildings exceeding the levels identified within the table under Rule 35.5.5 b.	Discretionary

AC36 Base Infrastructure and Event	
NES	Activity Status
Regulation 11 - Disturbing of soil on a piece of land which has previously had HAIL activities carried out on the site where the level of soil disturbance will exceed the thresholds permitted by regulation 8(3)(c) and no detailed site investigation has been undertaken.	Restricted discretionary