America’s Cup 36

Auckland 2021

Application for Resource Consent

January 2018
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<tbody>
<tr>
<td>AC</td>
<td>America’s Cup</td>
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<tr>
<td>AC36</td>
<td>America’s Cup 36th Regatta</td>
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<tr>
<td>AUP</td>
<td>Auckland Unitary Plan – Operative in Part</td>
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<tr>
<td>ARP: C</td>
<td>Auckland Regional Plan – Coastal</td>
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<td>AFPL</td>
<td>Auckland Fishing Port Limited</td>
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<td>CD</td>
<td>Chart Datum</td>
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<td>CMA</td>
<td>Coastal Marine Area</td>
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<td>ETTNZ</td>
<td>Emirates Team New Zealand</td>
</tr>
<tr>
<td>HQ</td>
<td>Headquarters</td>
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<tr>
<td>MACA</td>
<td>Marine and Coastal Area (Takutai Moana) Act 2011</td>
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<tr>
<td>Panuku</td>
<td>Panuku Development Auckland</td>
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<td>POAL</td>
<td>Ports of Auckland Limited</td>
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<td>RMA</td>
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### Attachment Titles and Preparers

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1.0 EXECUTIVE SUMMARY

This planning report and assessment of environmental effects is submitted in support of the resource consent applications to Auckland Council for the syndicate base infrastructure, event infrastructure and associated activities for the 36th America’s Cup regatta by Panuku Development Auckland (Panuku). The application is to be fully publicly notified and direct referral to the Environment Court is sought.

In 2017, Emirates Team New Zealand defeated Oracle Team USA 7 – 1 in the 35th America’s Cup regatta in Bermuda. The 36th America’s Cup regatta is scheduled to be held in Auckland in 2021.

It is proposed to establish the Americas Cup bases in and around Wynyard Basin, which is located along part of Auckland’s City Centre waterfront. This includes Hobson Wharf, the Halsey Street Extension Wharf and Wynyard Wharf, including the surrounding waterspace.

In order to facilitate the event Emirates Team New Zealand (ETNZ) advise that eight yachting syndicate bases are required. Five of these will be double base syndicates (two boats) and three will be single base syndicates (one boat). Comprehensive discussions have been held with ETNZ to minimise the size of each base building and associated hardstand area, whilst ensuring the functional needs of the AC36 regatta (and a potential future regatta) are met.

In order to facilitate the bases, an extension to Hobson Wharf, the Halsey Street Extension Wharf/Western Viaduct Wharf will be required and part of the waterspace between Wynyard Wharf and Brigham Street will also be covered by a wharf extension. The proposed layout represents an outcome that ETNZ have confirmed will work for the proposed regatta.

Bases 2 to 8 are temporary structures for which a 10 year consent period is sought. Base 1 (the ETNZ base) is proposed to be a permanent structure. The detailed designs of the buildings are proposed to be subject to consent conditions which have been formulated to ensure good quality buildings will result. The wharf extensions are also proposed to be permanent (for as long as a valid coastal permit exists). An initial term of 35 years is sought as part of this application.

The works and activities that resource consent is being sought for include the construction activities and facilities required to create the AC36 base infrastructure, the actual event itself (2021 and a potential future regatta 2-3 years later, plus pack in and pack out), and the legacy use of the resulting waterspace for water based events, the marine and fishing industry and public open space.

The proposed event period will be a six month period from December 2020 to May 2021 (including pack in and pack out of land based and water based activities/structures). A similar six month event period is also sought for AC37 (assuming AC36 is successfully defended), 2-3 years after the initial regatta. The event period does not include the removal of the temporary syndicate bases (2 to 8), for which a ten year consent period is sought, but would include the removal of temporary event related infrastructure, such as temporary berthage, pontoons and piles.
The timeframe for the construction of the infrastructure required to host the America’s Cup is extremely tight. In order to complete the works by December 2019, work needs to commence on the base infrastructure in September 2018.

The proposed development provides for the social, culture and economic wellbeing of the community by providing the necessary infrastructure to facilitate a major international yachting event, whilst ensuring that existing marine, fishing and ferry activities are able to continue to operate in proximity to existing operations.

The America’s Cup event will attract a significant global broadcast audience and will result in increased domestic and international visitors to Auckland and New Zealand. The event will also provide significant recreational and tourism benefits, including the use and enjoyment of the harbour by people both on and off the water.

The proposal will also create a legacy through the expansion of wharf space. This will maintain the maritime and waterfront character of the area while providing for the future planned use of the extended wharf space for marine and port related activities and associated berthing, public uses and events. The combination of an unencumbered wharf space and adjacent sheltered water space provides a unique location for water-based events which cannot be accommodated elsewhere along the city centre waterfront. Panuku has prepared a Legacy Report and a draft event calendar, which outlines how the wharf and water space would be utilised. The documents establish a high level of public usage for this area. This is consistent with the strategic direction of the Auckland Plan, Waterfront Plan and waterfront precincts/port management area approach of the relevant regulatory planning documents.

The report and supporting technical assessments include a comprehensive analysis of the relevant environmental effects including visual, landscape and coastal processes and concludes that the overall effects are acceptable in the context of this part of the waterfront.

The applicant has consulted with mana whenua and a range of stakeholder and interest groups on America’s Cup base and event infrastructure. In addition, the applicant has notified the applicants for customary marine title applicable to the Waitematā Harbour under the Marine and Coastal Area (Takutai Moana) Act 2011 (“MACA”) of the proposal. Engagement and consultation will continue during the design, consenting and construction phases of the project.

### 2.0 THE APPLICANT AND PROPERTY DETAILS

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<th><strong>APPLICANT AND PROPERTY DETAILS</strong></th>
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<td><strong>Applicant</strong></td>
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New Zealand  
Attn: Matthew Twose – Manager Planning Consents

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<tr>
<td>Simpson Grierson</td>
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<tr>
<td>Private Bag 92518,</td>
</tr>
<tr>
<td>Auckland 1141,</td>
</tr>
<tr>
<td>New Zealand</td>
</tr>
<tr>
<td>Attn: Bill Loutit – Partner</td>
</tr>
<tr>
<td>DDI: +64-9-977 5092</td>
</tr>
<tr>
<td><a href="mailto:americas.cup36@simpsongrierson.com">americas.cup36@simpsongrierson.com</a></td>
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<td>• Brigham Street (Legal Road)</td>
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<tr>
<td>• Sail NZ Site, 36-54 Brigham Street (Lot 4 DP 119658, CT NA68D/451)</td>
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<tr>
<td>• Sealink Facility, 9 Brigham Street (Lot 36 DP 131567, CT NA77A/404)</td>
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<td>• Jellicoe Street (Legal Road)</td>
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<tr>
<td>• North Wharf (Section 5 SO 427663 CT 521828, Section 3 SO 427663 CT 521827 and Section 1 SO 427663 (no title))</td>
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<td>• 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)</td>
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<td>• 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)</td>
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<td>• 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)</td>
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<tr>
<td>• Te Wero Island/Wharf 220 Quay Street Auckland Central Auckland 1010 (Lot 1 DP 338555 and Lot 2 DP 338555, CT 158709)</td>
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<td>• Eastern Viaduct 220 Quay Street (Lot 4 DP 153316, CT NA91C/82)</td>
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<td>• 149-159 Quay Street (Lot 3 DP 153316, CT NA91C/81)</td>
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<td>The site area involves an area of approximately 350,000m² or 35ha including both land and the coastal marine area (CMA) located between Princes Wharf to the east, Brigham Street to the west and Jellicoe Street and Te Wero Island to the south. 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.</td>
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<tr>
<td>• Quay Street - Arterial Road</td>
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<td>• Brigham Street, Jellicoe Street, Halsey Street, Hamer Street - are not identified as arterial roads</td>
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<td>• 512 - Public open space / road - Auckland Council</td>
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<td>506 - Road and public open space (Gateway/Karanga Plaza) - Auckland Council</td>
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<td>Viaduct Harbour Precinct (Sub precinct B, A and the CMA)</td>
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<td>Waitemāta Navigation precinct (north of the site)</td>
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| **Regionally Significant Volcanic Viewshafts and Height Sensitive Areas Overlay - E10, Mount Eden, Viewshafts** |
| **Built Heritage and Character: Historic Heritage Overlay Extent of Place [rcp/dp] - 1916, Wind Tree (located at 49-63OS Jellicoe Street, within the wider project area)** |
| **Built Heritage and Character: Historic Heritage Overlay Extent of Place [rcp/dp] - 2068, Western Viaduct liftbridge, abutments and control shed (located in proximity to Te Wero Island in the wider project area)** |
| **Built Heritage and Character: Historic Heritage Overlay Extent of Place [rcp/dp] - 1969, Auckland Harbour Board Workshops (former) (located to the east of the project area)** |

<table>
<thead>
<tr>
<th><strong>Controls</strong></th>
<th>Macroinvertebrate Community Index – Urban</th>
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<tbody>
<tr>
<td></td>
<td>Coastal Inundation 1 per cent AEP Plus 1m Control - 1m sea level rise</td>
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| **Council GeoMaps Layers (non-statutory) & Other Identified Features** |

<table>
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<tr>
<th><strong>Coastal Erosion Hazard area</strong></th>
<th>Any land which is:</th>
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<tr>
<td></td>
<td>a) within a horizontal distance of 20m landward from the top of any coastal cliff with a slope angle steeper than 1 in 3 (18 degrees); or</td>
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<td></td>
<td>b) at an elevation less than 7m above mean high water springs if the activity is within: (i) Inner Harbours and Inner Hauraki Gulf: 40m of mean high water springs; or (ii) Open west, outer and Mid Hauraki Gulf: 50m of mean high water springs; Or</td>
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<td></td>
<td>Within a lesser distance from the top of any coastal cliff, or mean high water springs, than that stated in (a) and (b), where identified in a site-specific coastal hazard assessment technical report prepared by a suitably qualified and experienced professional to establish the extent of land which may be subject to coastal erosion over at least a 100 year time frame.</td>
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| **Catchments and Hydrology** | Overland flowpaths |

| **Emergency Management Layer** | Coastal Inundation 1 per cent AEP |
3.0 INTRODUCTION

3.1 OVERVIEW OF AC 36

In 2017, ETNZ defeated Oracle Team USA 7 – 1 in the 35th America’s Cup regatta in Bermuda. The 36th America’s Cup regatta is scheduled to be held in Auckland in 2021. It is proposed to establish the Americas Cup bases in and around Wynyard Basin, which is located along part of Auckland’s City Centre waterfront. This includes Hobson Wharf, the Halsey Street Extension Wharf and Wynyard Wharf, including the surrounding waterspace.

ETNZ has indicated that up to eight syndicates are likely to compete for the America’s Cup in Auckland. Based on current assumptions for syndicate needs, five of the bases will be double bases (two boats) and three of the bases will be single bases (one boat). The bases consist of a 15m high building over approximately half of the base area and an area of hardstand over the other half. The dimensions of the bases vary in size, with the single bases being generally 85m x 35m and the double bases being a variety of sizes. The base sizes and locations are identified on the plans attached to the resource consent application.

In order to facilitate five of the bases, an extension to Hobson Wharf and the Halsey Street Extension Wharf/Western Viaduct Wharf will be required. Part of the waterspace between Wynyard Wharf and Brigham Street will also be covered by a wharf extension (part temporary and part permanent) in order to facilitate the other three bases. All of the base buildings will be temporary with the exception of the Base 1, which is proposed to be located on the Hobson Wharf extension. Permanent wharf areas ‘post event’ are anticipated to provide for a range of marine, event and public uses.

The ‘event’ period associated with AC36 will take place over a 6-month period commencing December 2020 culminating in May 2021. This event period will include a challenger series (such as the Prada Cup) and supporting and complementary regatta with the AC36 races held in March 2021. During the event additional signage, lighting, live music and supporting structures will be located within the Viaduct and Wynyard area. Resource consent is sought for the event envelope and effects including traffic, lighting, noise, additional structures. The management of public spaces within the Wynyard and Viaduct areas in the immediate vicinity of the AC36 bases are addressed in the relevant sections of the application material.

The timeframe for the construction of the infrastructure required to host the America’s Cup is extremely tight. In order to complete the works by December 2020, work needs to commence on the base infrastructure in September 2018. The compressed construction period will require construction activity to occur during the day and night, with most noise generating construction confined to normal construction hours.

The applicant has been a joint partner with Central Government (through the Ministry of Business and Employment (MBIE), the State Services Commission (SSC) and Treasury) in developing the
project assumptions, decision making criteria and location options for the team bases and event overlay. Both partners have jointly consulted with key stakeholders.

The applicant, supported by Auckland Tourism and Economic Development (ATEED), MBIE, Treasury and consultants, developed an evaluation framework to consider, review and test options. They have established a robust, consistent and transparent framework for assessing options that addressed the elements that contribute to the delivery of a successful AC36. This framework was tested with ETNZ, the Royal Yacht Squadron and key stakeholders.

The applicant has consulted with mana whenua and a range of stakeholder and interest groups on America’s Cup base and event infrastructure. In addition, the applicant has notified the applicants for customary marine title applicable to the Waitematā Harbour under the MACA of the proposal. A full record of consultation is detailed in the Assessment of Environmental Effects below.

3.2 RESOURCE CONSENT APPROACH

Syndicate base infrastructure, event infrastructure and associated activities

This resource consent application seeks approval for the syndicate base infrastructure, event infrastructure, and associated activities and development for the AC36 event.

The above activities will occur within the Wynyard Precinct, the Viaduct Harbour Precinct and the City Centre/General Coastal Marine Zones. The proposal requires various consents under the overlays and Auckland-wide provisions of the Auckland Unitary Plan. It is noted that a number of the proposed activities are permitted in some areas under the Auckland Unitary Plan, including marine and port activities (which includes storage, servicing, maintenance and repair of vessels) and these are outlined in detail in the Assessment of Environmental Effects below. Overall, the proposal is considered to be a Discretionary Activity in the Auckland Unitary Plan.

The Auckland Unitary Plan was made operative in part on 15 November 2016. However, the Regional Coastal Plan (which forms part of the Unitary Plan) requires approval from the Minister of Conservation pursuant to Section 152(2)(b) of the Local Government (Auckland Transitional Provisions) Act 2010 and Clause 18(3) of Schedule 1 of the RMA. The Regional Coastal Plan has been forwarded to the Minister for approval however, at the time of writing, the approval has not been confirmed. As a result the Assessment of Environmental Effects includes an assessment under the Auckland Council Regional Plan Coastal (ACRP:C).

Relocation of the Fishing Industry and Sealink

The Auckland Fishing Fleet and Sanford (collectively termed the Fishing Industry) and Sealink currently operate from existing facilities located on Wynyard Wharf, Halsey Street Extension Wharf and Western Viaduct Wharf. A new facility for the Fishing Industry and Sealink is proposed to be established on the western side of Wynyard Point.
A separate application has been lodged for the temporary, full relocation of the Fishing Industry and Sealink to the new facility during construction and the AC36 event. While there are separate applications for the AC36 infrastructure/event and the relocation facilities, the technical reports that have been prepared address both applications in the one report. Post event, the Fishing Industry may remain at the new facility or fully or partially return to Halsey Street Extension Wharf and Western Viaduct Wharf.

Public Notification and Direct Referral

In accordance with Section 95A(2)(b) of the RMA, the applicant is seeking that this application be publicly notified. As the timeframe to obtain the requisite consents and construct the infrastructure required to host the America’s Cup is extremely tight, the applicant requests that this application be determined by the Environment Court under Section 87C of the RMA.

3.3 FORMAT OF ASSESSMENT

This report has been prepared in accordance with the requirements of Section 88 and the fourth schedule of the RMA and is intended to provide the information necessary for a full understanding of the proposal and any actual or potential effects the proposal may have on the environment.

This report contains the following information:

- A background history of the development of the waterfront area and existing consents;
- A description of the America’s Cup proposal including the timing and delivery of the base infrastructure, event infrastructure, and associated activities;
- A description of the project objectives and requirements, including the consideration of options, the preferred option, construction and delivery, buildings and structures and the AC36 event;
- A description of the existing environment including the Waterfront and City Centre locality and existing activities and uses;
- A comprehensive assessment of effects of the proposal on the environment; and
- A full analysis of the provisions of the RMA and the relevant statutory plan documents.

This application comprises the following:

- The Application and Assessment of Environmental Effects.
- A volume including Attachments 1 – 3 which include the drawings that support the application. These also include the architectural and engineering drawings that outline the proposal details.
- Two subsequent volumes that include all the technical reports prepared by specialists in support of the application.
3.4 CONSULTANTS AND CONTRIBUTIONS

In addition to this planning Assessment of Environmental Effects, multiple technical reports and plans/drawings have been prepared in order to fully outline and assess the matters relevant to this application. The technical reports and information are referenced following the table of contents. The planning Assessment of Environmental Effects should be read alongside the accompanying technical reports and information provided as part of the application material.

4.0 BACKGROUND

4.1 HISTORY OF THE DEVELOPMENT OF THE WATERFRONT AREA

Auckland is characterised by its stunning coastal and harbour settings, its narrow isthmus and volcanic landscape. The City Centre occupies a series of valleys and ridges with Queen Street occupying the central valley and Hobson Street and Princes Street occupying the ridges to the west and east respectively. The natural topography gives picturesque outlook to the harbour.

The initial colonial settlement of Auckland was clustered around the original shoreline. The early city grew from a trading port and advances in transport technology saw the expansion of the town to the area now occupied by the central business district.

Auckland also grew beyond its natural coastline with successive reclamations (and some declamation) and the construction of wharf structures over the harbour. Initial reclamation prior to 1900 occurred along the shoreline and at the head of the Waihorotiu Stream (Queen Street River), now occupied by much of the commercial heart of Downtown Auckland. Since 1900 significant reclamation occurred to the west creating areas now occupied by Victoria Park and Wynyard Quarter and Quay Park and the commercial port to the east.
In the late 1980s the consolidation of the commercial port activity to the east of Queens Wharf saw the redevelopment of some of the former Harbour Board buildings along Lower Hobson Street into food and beverage activities, most notably the Loaded Hog brewery and bar. This coincided with the Whitbread Round the World Yacht Race stopovers in Auckland in which New Zealand had yachts. This early redevelopment of former port related warehouse buildings adjacent to the western viaduct water space was the advent of the opening up of the waterfront for more public related use and gave many Aucklanders their first taste of alfresco dining by the water.

During the early 1990s the legacy Auckland Councils had an active policy of securing surplus downtown and waterfront land and wharf space from commercial operations to return it to public land/space. This included Teal Park, Britomart and the Central Post Office, Queens Wharf, the ferry piers, Hobson Wharf, the Western Viaduct, the Viaduct promenades, and opens spaces at the central and northern areas of Wynyard Quarter, Victoria Park and Westhaven and Westhaven marina. This legacy has enabled the comprehensive and planned regeneration and redevelopment of much of the central downtown and western waterfront area.

Consolidation of the port continued in the 1990s with the demise of industrial activities (including timber storage facilities on the ‘Log Farm’), port cargo handling activities and the relocation of the Turners and Growers produce markets to the south of Auckland. This combined with the proposal for facilities for the defence of the America’s Cup enabled the development of the Viaduct Harbour into a mixed use office, residential and food and beverage precinct providing public orientated activities, promenades and public spaces in a waterfront setting.
The redevelopment included the extensive reconfiguration, dredging and reclamation of the former Viaduct Harbour, increasing its versatility for vessel movements and berthing and maritime events. The harbour’s western side was developed with berthing and buildings which originally provided bases for syndicates in 2000 America’s Cup. Between the 2000 and 2003 America’s Cup, commercial development of Lighter Quay, the area occupied by syndicate bases, meant additional area was required for bases in the 2003 event. Following a task force set up by the Minister of America’s Cup, Hon. Trevor Mallard, an extension to Halsey Street Wharf was completed and utilised for syndicate bases in the 2003 America’s Cup. The Halsey Street Wharf Extension created additional sheltered water space and berthing area of the in-shore and off-shore fishing fleets.

Around the same time, Princes Wharf was progressively developed from port related cargo handling facilities to a mixed use development with offices, residential, retail and restaurant and café activities. Public access around the wharf was also secured as part of the redevelopment. The eastern side of the wharf was retained as one of Auckland’s main cruise ship berths.

As an area of sheltered water, the Viaduct Harbour remains an important area for port and other marine-related activities including maritime events, and berthing for a range of small commercial and pleasure vessels. The precinct has hosted events including the America’s Cup, Louis Vuitton Regattas, the Whitbread and Volvo Round the World Race, the Auckland International Boat Show, the Seafood Festival, Auckland Anniversary Day and New Zealand Fashion Week.

Wynyard Quarter is primarily characterised by industrial, commercial and marine activity on land that has been reclaimed specifically for these purposes. Industrial development, including facilities storing dangerous goods have been situated on land within Wynyard Quarter since the early 1920s, with leases that vary in duration. Of those remaining some are renewable in perpetuity but most are due to terminate prior to 2026, thereby being one of the triggers for enabling progressive redevelopment opportunities for the area.

The redevelopment of Wynyard Quarter, historically known as the ‘Tank Farm’ or the ‘Western Reclamation’ area has progressed with the retreat of port related activities and expiry of leases held by the petrochemical and bulk liquids industries. The marine and fishing industry’s presence in the area and use of associated water space has remained and is an important characteristic of the redevelopment. The initial redevelopment of the area included a number of key projects completed in time for the Rugby World Cup 2011, including the Viaduct Events Centre, Wynyard Crossing, North Wharf, Jellicoe Street, Silo Park and Karanga Plaza. Since the Rugby World Cup, the further development of Wynyard Quarter has continued at pace, with the refurbishment of existing character buildings into new commercial and office space and the construction of new residential apartment buildings and the Park Hyatt Hotel.

In 2014 Stage 1 of the Westhaven Promenade was completed providing dedicated pedestrian and cycle paths and boardwalks between Wynyard Quarter and Sails restaurant further opening up this area to the general public. Planning is underway for Stage 2 Promenade between Sails restaurant
and the NZ Marine base, which will extend the public promenade and access.

The comprehensively planned redevelopment of the Viaduct, Wynyard and Westhaven areas over many years has harnessed the opportunity to promote and celebrate the history of Auckland’s waterfront and unique harbour setting in a manner that retains its authentic maritime and industrial heritage while introducing new uses and activities to add to the vibrancy and vitality of the area.

The provision of quality open spaces and promenades around the water’s edge catering for varying recreational needs and providing public access to the water’s edge have been fundamental to the increased accessibility and appreciation of the waterfront by Aucklanders and visitors.

4.2 STRATEGIC CONTEXT

Auckland Plan

The Auckland Plan, adopted in March 2012, was produced by the Council under the requirements of sections 79 and 80 of the Local Government (Auckland Council) Act 2009. It is a ‘spatial plan’ that provides a 30-year strategy for the development of Auckland and its communities that integrates social, economic, environmental and cultural objectives. The purpose of the plan is to:

Contribute to Auckland’s social, economic, environmental, and cultural well-being through a comprehensive and effective long-term (20- to 30-year) strategy for Auckland’s growth and development.

The vision is for Auckland to be the world’s most liveable city. Under this vision, the desired outcomes are:

i. A fair, safe and healthy Auckland
ii. A green Auckland
iii. An Auckland of prosperity and opportunity
iv. A well-connected and accessible Auckland
v. A beautiful Auckland that is loved by its people
vi. A culturally rich and creative Auckland
vii. A Māori identity that is Auckland’s point of difference in the world.

Central to the Auckland Plan is the high-level development strategy that sets out how Auckland will change and grow over the next 30 years to become the world’s most liveable city consisting of four elements:

i. Key structural shapers and changers
ii. Making a quality, compact city work
iii. The two big initiatives – city centre and southern initiative
iv. Working and delivering with others.
The City Centre is a key component of the development strategy, as one of two locations for major place based initiatives to provide focus, contribute to the economy and to Auckland and New Zealand’s well-being. To achieve this a City Centre Masterplan was developed in parallel with the Auckland Plan. The Masterplan provides a 20-year transformational direction for the future of the City Centre.

**City Centre Masterplan**

The City Centre Masterplan (CCMP) is Auckland Council’s strategic planning document that provides a 20-year transformational direction for the future of the City Centre to 2030. The vision for the City Centre is:

*By 2032 Auckland’s City Centre will be highly regarded internationally as a centre for business and learning, innovation, entertainment, culture and urban living – all with a distinctly ‘Auckland’ flavour.*

The CCMP identifies the waterfront and active harbour as one of the city centres main opportunities:

*The foreshore and harbour offer great potential for promenades, living space and recreational activity. Auckland also benefits from an active harbour, which creates a special atmosphere. Our marinas accommodate many yachts and host international maritime events. The upgrade and subsequent success of Viaduct Harbour, Silo Park, and North Wharf are perfect examples of the potential that the harbour holds for the city.*

Conversely, one of the main constraints and challenges identified is the disconnection of the waterfront and the barriers, both physical and mental between the harbour and the city centre.

The CCMP identifies a Waterfront Quarter stretching from Point Erin in the west, across to TEAL (Tasman Empire Airways Limited) Park in the east, and includes the Wynyard Quarter, the Viaduct Harbour, and the Central Wharves.

The CCMP contains eight high-level ‘transformational moves’ aimed at unlocking the potential of the city centre as a place to live, work and relax. These eight key moves include:

- **Move 1**: Uniting the Waterfront with the City Centre – the Harbour Edge.
- **Move 2**: Connecting the Western Edge of the City to the Centre – the East-West Stitch
- **Move 3**: Queen Street Valley, the CBD and Retail District – the Engine Room
- **Move 4**: Nurturing the Innovation and Learning Cradle
- **Move 5**: New Public Transport Stations and Development Opportunities at Karangahape Road, Newton and Aotea Quarter – Growth and the City Rail Link
Move 6: Connecting Victoria Park, Albert Park and the Domain with the Waterfront as part of a blue-green network – the Green Link

Move 7: Connecting the City and the Fringe – City to the Villages

Move 8: Revitalising the Waterfront – Water City

Each of the key moves contributes to the realisation of the long-term vision. The key transformational move most relevant to this application is Move 8 – Revitalising the Waterfront - Water City. The details of Move 8 are included in the Waterfront Plan, a companion document to the CCMP and aligned by shared proposals that interface between the city centre and the waterfront.

The Waterfront Plan

The long-term strategy for unlocking the potential of the waterfront is detailed in the Waterfront Plan, which is a companion document to the City Centre Masterplan. The 2040 vision for the waterfront is:

*A world-class destination that excites the senses and celebrates our sea-loving Pacific culture and maritime history. It supports commercially successful and innovative businesses and is a place for all people, an area rich in character and activities that link people to the city and the sea.*

The unique role of the waterfront in the context of the city-centre is detailed including its amenity value, access for water-based recreation, and water related businesses such as marine and fishing industries. The plan identifies that usage of harbour-edge water space is as important as what happens on land.

*Water space (within the coastal marine area) needs to be managed to enable a wide range of activities meeting demands for marinas and berthing, working boats, boatbuilding and pleasure craft (large and small), recreational and charter services, ferries and cruise ships, and increasingly public access and amenity. Clever integration of land and water-based activity will provide new opportunities, ensuring that the City of Sails' reputation continues, with easy access to recreational boating contributing to a love of the sea for future generations.*

Many of the initiatives in the Waterfront Plan are specific to different waterfront locations, from Westhaven in the west to Quay Park in the east as represented in Figure 2 below. However, some initiatives are waterfront-wide and physically integrate the waterfront neighbourhoods and development opportunities. These include the following initiatives that are integral to the transformation of the wider waterfront:

- Harbour Edge Stitch - the transformation of Quay Street into a people-focused space could be a significant transformational move to unite the waterfront with the city centre.
• Waterfront pedestrian walkway and cycleway - a continuous walkway and cycleway that runs from Herne Bay in the west to TEAL Park in the east.
• Waterfront transit - a fast, frequent, high-capacity and low-impact transit service between Britomart and the Wynyard Quarter.
• Laneways – improving north-south connectivity between the city centre and the waterfront.
• Urban Boulevard - to support a reduction in traffic flow on Quay Street, the east-west connection of Fanshawe and Customs Streets and Beach Road would form an urban boulevard combining public transport, cross-town vehicular traffic and a good-quality pedestrian environment along and across the street.

Figure 2: The 2012 Waterfront Plan

Wynyard Precinct Urban Design Framework 2014

The Wynyard Precinct Urban Design Framework was prepared to provide a framework to guide the development of Wynyard Quarter. The framework defines urban design principles against which development proposals will be assessed.
The key principles are:

1. Enabling Sustainable Development
2. Facilitating Sustainable Transport and Infrastructure
3. Connecting Waterfront Precincts
4. Providing Waterfront Access
5. Establishing Diverse Public Spaces
6. Promoting an Active and Working Waterfront
7. Creating Appropriate Building Height, Scale and Form
8. Facilitating a Mix of Uses and Activities.

The framework establishes the four key urban concepts to integrate Wynyard Quarter into the wider waterfront and CBD setting:

- The Waterfront Axis: The Waterfront Axis is an east-west waterfront link that connects Wynyard Precinct in the west along Quay Street to Teal Park in the east.
- The Park Axis: The Park Axis is a north-south link that connects Victoria Park in the south to Headland Park in the north. The Park Axis is comprised of key areas of public space which are designed and developed to provide for different but complementary uses that make up the wider public open space network within Wynyard Precinct.
- The Wharf Axis: The Wharf Axis is a link that connects land and sea from Jellicoe Street in the south to the north of Headland Park.
- Waterfront Precincts: The Waterfront precincts are a network of overlapping and connected precincts with their own unique character that combine to form the wider Auckland City waterfront.
Figure 3: Key Urban Concepts

Each of these concepts combine together to provide the foundation for a high quality built form and public realm proposed for the Wynyard Precinct.

The Halsey Extension Wharf and Wynyard Wharf form critical elements of the planned waterfront and wharf axis. The Halsey Extension Wharf houses the Viaduct Event Centre, which in conjunction with the wharf space provides the opportunity to hold water based events such as the International Boat Show and Volvo Ocean Race. It also provides berthing to the inshore and offshore fishing fleets.
Wynyard Wharf lines the eastern edge of Wynyard Precinct north of Jellicoe Street. The wharf has an extensive marine heritage that is proposed to be activated once Headland Park is established as well as accommodating the infrastructure and services needed to support the use of the wharf as berthing for the marine and fishing uses.

**Waterfront Auckland Sustainable Development Framework 2013**

The Sustainable Development Framework has been prepared to drive the sustainable development of the waterfront and to deliver the waterfront as New Zealand’s leading location of sustainable urban transformation and renewal. The framework sets out sustainability aspirations and targets and is an implementation tool of the Waterfront Plan.
Assessment of Environmental Effect

America’s Cup 36 Base Infrastructure and Event

Waterfront Refresh 2017

Auckland Council adopted a refreshed planning direction for the Waterfront Plan and the CCMP in September 2017.

The refreshed plans illustrate a series of projects that deliver the transformational move of a ‘harbour edge stitch’, uniting the waterfront with the city centre. Delivery of the plans continues to support a ‘smart working waterfront’, and growing the network of publicly-accessible waterfront spaces.

Figure 5: Wynyard 2017 Refresh Concept

Central Wharves

Collectively the plans outline that each of the city centre wharves have a role to play to serve the city and community’s needs:

a. Wynyard Wharf – Auckland’s premier waterfront public space with a headland park, mixed use development, and a marine and cultural precinct.

b. Halsey Wharf, Hobson Wharf and water space – a permanent water-based event space supporting the growth of sporting, recreational, cultural, community, commercial and tourist activities that improves access to the Waitematā Harbour.

c. Queens Wharf - transitioning from the primary cruise terminal, back to a public wharf and supporting modernised ferry infrastructure and services.

d. Captain Cook Wharf - transitioning from a freight use into New Zealand’s primary cruise terminal.

e. Princes Wharf and Queens Wharf Basin - to accommodating better ferry infrastructure and...
public access to the downtown basin.

Wynyard Point and Public Open Space

A refreshed design for Wynyard Point realigns the proposed open space to create a destination park, visible from North Wharf and completing the green link from Victoria Park to the waterfront.

The realigned park also fits with the strategy for a regional destination park on the waterfront, with a configuration that is easily visible and accessible from Wynyard Quarter’s existing open spaces, and that allows for large public events without intruding on the residential streets.

A large urban park on the headland has been part of future plans for Wynyard Point. The park was envisaged as part of a north/south ‘green link’ connecting Victoria Park and the harbour, along the Daldy Street linear park.

The proposed key move for Wynyard Point retains the same amount of open space as earlier plans, but re-aligns the park layout. This creates a large park, visible from the city centre and completing the green link from Victoria Park to the harbour. It also connects the new open spaces with the city to waterfront east/west link.

This realignment of the open space allows for more rational development blocks that will present better opportunity for viable mixed use development. This proposal continues the implementation of the five goals in the 2012 Waterfront Plan, and delivers on the commitment to create a harbourside park as well as sustainable development and a flourishing marine industry.

Viaduct Harbour and Wynyard Crossing

The Viaduct Harbor, inclusive of Te Wero Island and Eastern Viaduct, has always been an important part of the ‘east-west stitch’ and connection to the City Centre. The basin itself has an important function for marine industry – fishing and super-yachts – as well as tourism, recreational and charter boats, heritage (the Maritime Museum) and major events.

A new public space on Viaduct East and improved Wynyard Crossing Bridge is proposed to enhance the journey from downtown to Wynyard Quarter.

4.3 CONSENT HISTORY

The general locality is subject to multiple prior resource consents establishing a range of activities and development within the CMA and on Land. A review of the Auckland Council property files has identified a range of consents summarised in Attachment 8 to this report. In summary:
Regional consents and permits:

1. Series of consents and permits associated with the construction and maintenance of seawall structures and reclamation behind the constructed seawall within Lighter Basin in the Viaduct harbour.
2. Various consents for coastal marine structures including moorings, berthing dolphins, pontoons, piles and deadmen in and around the Viaduct harbour area including the discharge of stormwater from wharf structures.
3. Consent for the installation of two berthing dolphins, extension of an existing pontoon and installing a new passenger access ramp associated with the Sealink vehicle ferry (Permit 20985).
4. Consent for the Maritime Museum on Hobson wharf which occupies 5,200m² of wharf area; facilities to berth vessels for boat displays; and for extension of an existing building (maritime museum workshop building) and use of it as an America’s cup visitor information centre (Permit 8945).
5. Consent for the construction and operation of Wynyard Crossing.
7. Consent to authorise the construction and to operate the Viaduct Events Centre and associated car parking on the Halsey Street Extension Wharf.
8. Various coastal permits for maintenance dredging activities, including annually dredging associated with the wharves, basins and navigation approaches of the Port Area and the Westhaven Marina (Permit Numbers 42385, 42897 and 34673).
9. Discharge permits to air and stormwater associated with the Bulk Hazardous goods facilities, including the discharge of contaminants from a deemed industrial trade activity site (the Wynyard/Hamer Street Terminal).
10. Consent to construct and operate a marina adjacent to Hobson Wharf, including occupation of the coastal marine area for the purpose of manoeuvring and berthing of vessels in the Hobson West Marina.

District consents:

11. 8-34 Brigham Street is subject to numerous resource consents for the BST Facility relating to the storage of hazardous substances and the establishing of infrastructure associated with this including pipe bridges and tanks.
12. 36-54 Brigham Street is subject to numerous consents relating to hazardous substances storage.
13. 92-150 Brigham Street (the Stolthaven Site) is subject to multiple buildings consents associated with the construction of bulk liquid storage tanks and supporting infrastructure. No resource consents appear to be on file.
14. 110-130 Hamer St (the Northern Stolthaven) is subject to various consents pertaining to the storage of hazardous substances (termed dangerous goods) and the construction of
supporting infrastructure including pipes, tanks and associated structures. The site is also subject to a subdivision consent pertaining to a lease.

15. 56 and 90 Brigham Street, commonly termed the ASB carpark, is subject to a landuse consent establishing an at-grade carpark and a retrospective consent (fixed period of 2 years) for the retail component of an existing industrial (motor vehicle) storage facility.

16. Consent to establish the Lighter Quay Lock involving an excavation approximately 5 metres deep, with a 6 metre wide opening to the lighter basin proceeding 30 metres inland, expanding to 79 metres wide and a further 22 metres inland.

17. Consent to construct the multi-level ASB Bank Head Office building on Jellicoe Street.

18. Consent to construct the ASB Waterfront Theatre on Halsey Street.

19. Consent to construct the Park Hyatt Hotel on Halsey Street.

5.0 THE PROPOSAL

5.1 OVERVIEW

The proposal will establish the AC36 Base infrastructure which will support the AC defence and associated regatta and challenger series and provide for the event itself including the 2020-2021 event series and the potential for a second defence occurring 2-3 years after the initial series. This proposal section addresses the built infrastructure and activities required to enable the AC36 event, the AC36 event itself (and potential subsequent event) and the ‘legacy’ use of the AC36 infrastructure following the events. The proposal also includes an additional occupation permit to provide for the waterspace required to facilitate the proposed structures and activities included in the application.

The Infrastructure

As a part of the development of the AC36 village ETNZ will establish a permanent home which will function as a syndicate base and as the permanent home for ETNZ. At a macro level the infrastructure involves both temporary and permanent structures as follows:

1. The extension to Hobson Wharf to establish the ETNZ permanent base (Base 1) and associated yards;

2. The extension to Halsey Wharf to accommodate temporary bases 2, 3, 4 and 5 and associated yards;

3. The development of Wynyard Wharf involving temporary and permanent bridging of the water space (between the point and wharf) to accommodate temporary bases 6, 7 and 8 and associated yards;

4. The addition of breakwaters to the east and south of the Hobson Wharf extension, west of the Halsey Wharf Extension and east of Wynyard Wharf to support a tranquil water environment;
5. The addition of wave panels to the breakwaters and Wharf Extensions to support a tranquil water environment and manage wave reflection;
6. Associated movable cranes and yard fencing and facilities for all 8 bases;
7. The development of water space berths for all bases; and
8. Construction of a permanent base (Base 1) and temporary bases (2-8) including buildings up to 15m above wharf level, and associated yards.

In addition to this it is also proposed to apply for occupation over two additional areas of waterspace. The first area is the waterspace required for the Hobson Wharf Extension and breakwater as well as the associated waterspace to the east of the wharf extension and within Hobson Marina. The second area of occupation is the small angled slither of waterspace at the eastern end of the Halsey Wharf Extension. The proposed additional areas of waterspace occupation are outlined in the Urban Design, Landscape and Planning Drawings Attachment (Attachment 1) as well as the Engineering Concept Drawings Attachment (Attachment 3).

Figure 6: Key components of the proposal, Concept Engineering Drawing (Beca 2018)

The proposal also involves additional marine infrastructure within the CMA to support the AC activities. This includes areas to accommodate vessels competing in associated challenger and regatta, support boats and superyachts associated with the syndicates and their supporters. In summary this involves:

1. The removal of existing fender piles on North Wharf;
The location of new floating pontoon and mooring structures, including both the provision for pile moorings and floating pontoons and the provision for Mediterranean style moorings (land and water tackle/deadman) along the northern side of North Wharf and western edge of Halsey Wharf to provide access to berths for superyachts and associated vessels within the Wynyard Wharf South waterspace;

3. Associated mooring structures (pile moorings and floating pontoons) along the eastern side of Wynyard Wharf to accommodate supporting water craft (such syndicate and emergency service support boats);

4. The removal of mooring structures in the eastern Viaduct Harbour to accommodate berthage for the J- Class yachts; and

5. The realignment of navigational aids as required.

The proposal involves enabling works which includes ground improvement works along the eastern extent of Brigham Street (Wynyard Point) in order to ensure the stability of the Wynyard Point reclamation in the areas where the new wharf structures will interface with the land.

A summary of the proposed structures is provided in Table 1 below.

<table>
<thead>
<tr>
<th>Area</th>
<th>Coastal structures</th>
<th>Bases (addressed in Section)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Halsey Street Wharf Extension</td>
<td>Halsey Wharf Extension: New wharf structure of reinforced concrete piles and concrete deck; 74m x 220m; area of 16,280m²</td>
<td>Bases 2, 3, 4 and 5 all temporary (10 years). Hardstand areas located between the bases are permanent.</td>
</tr>
<tr>
<td></td>
<td>Precast concrete wave panel</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Western Halsey Breakwater</td>
<td></td>
</tr>
<tr>
<td>Hobson Wharf Extension</td>
<td>Wharf extension: 74 metres wide (north-south) and 100 meters in length (east-west) providing an area of 7400m²</td>
<td>Base 1, accommodating ETNZ will be a permanent base (35 years initial term sought).</td>
</tr>
<tr>
<td></td>
<td>Precast concrete wave panels</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Hobson South Breakwater and additional Outer Viaduct breakwater.</td>
<td></td>
</tr>
<tr>
<td>Wynyard Wharf Extension/ infill</td>
<td>Wharf extension: filling the approximately 18 metre gap between Wynyard Wharf and Brigham Street, over a length of approximately 250 metres by 18m providing an area of 4500m² including; 210m x 18m of temporary wharf (beneath the buildings) and 40m x 18m of permanent area.</td>
<td>Bases 6, 7 and 8 and associated temporary including any supporting wharf deck areas (10 years). Hardstand areas located between the bases are permanent.</td>
</tr>
</tbody>
</table>
The Event

The ‘event’ period associated with AC36 will take place over a 6-month period commencing December 2020 culminating in May 2021. This event period will include a challenger series (such as the Prada Cup) and supporting and complementary regatta with the AC36 races held in March 2021.

A secondary event period is also sought to be enabled through this consent application. This second ‘defence’ (AC37) is proposed to be held within a 2 to 3 year period (2023-2025) again spanning a 6 month period involving similar challenger races and regatta.

During the event additional activities (including hospitality and entertainment), signage, lighting, live music and supporting structures will be located within the Viaduct and Wynyard Basin area. Resource consent is sought for the event envelope and effects including traffic, lighting, noise, additional structures and the management of public spaces in the immediate vicinity of the AC36 bases.

The Legacy

The future planned use of the extended wharf space is for marine and port related activities and associated berthage, public uses and events. The combination of an unencumbered wharf space and adjacent sheltered water space provide a unique location for water-based events which cannot be accommodated elsewhere along the city centre waterfront. This is detailed in the Legacy Use Summary Report and Draft Annual Event Calendar in Attachment 31.

5.2 PROJECT OBJECTIVES AND REQUIREMENTS

In order to successfully host AC36 there are a number of essential requirements that need to be met. One of the essential elements of the AC infrastructure is provision for bases for the various syndicates including water access and water and land space for a variety of activities. Equally there is a need to accommodate the related challenger boats such as the junior AC series, the J-Class yachts and supporting vessels such as syndicate support boats, police and other emergency service support vessels. Superyachts are also an integral component of the AC. A limited number of these vessels will be able to be accommodated within the wider Wynyard Basin area in close proximity to the syndicates. Up to 30 Superyachts are anticipated to be accommodated within the wider Wynyard Basin area. As identified in the Navigational Safety and Utility Report (Attachment 16) Wynyard Wharf South Waterspace could provide up to eighteen berths, with the exact number being dependent on the size of vessels. Additional berths for more modest vessels could be accommodated within the Outer Viaduct Harbour area.

The criteria which underpin the development of the AC 36 Base infrastructure are identified below...
in summary and are described in greater detail in Attachment 7 in the Options/Alternatives Summary:

1. Base infrastructure to be completed by late 2019;
2. Tranquil and deep waters for boats to be launched into;
3. Water space for raceboats, support boats and associated craft;
4. Yard areas which enable masts to be rotated;
5. Sheds which accommodate either one or two race boats;
6. Provisions for mast and tackle storage, sail lockers, workshop areas, office and work space areas;
7. Corporate areas for syndicate supporters; and

5.3 CONSTRUCTION AND DELIVERY

The supporting infrastructure for AC36 needs to be constructed to accommodate syndicates from late 2019. This is to enable challengers to commence training within the Hauraki Gulf water space in preparation for the challenger series which will precede the AC36 race event.

In order to deliver the infrastructure in the timeframes required and within the effects parameters discussed in this application the sequencing of construction will need to be deliberately managed. The delivery program will be confirmed through developed design by the contractor within the parameters discussed in this application. The construction of the base infrastructure will involve the key components identified below:

1. Enabling works, involving the establishment of laydown yards and staging areas;
2. Ground improvements along the eastern side of Brigham Street to strengthen soils and mitigate the risk of liquefaction and lateral spread in an earthquake event;
3. Coastal marine structures; including wharf extensions (marine and port facilities) and the construction of breakwaters and use of wave attenuation devices (wave panels) associated with these structures/facilities;
4. Construction and location of marine and port accessory structures and services including piles, pontoons, fenders, associated gangways and the removal of existing structures;
5. Dredging of the Wynyard Wharf South water space, Outer Viaduct Harbour and the access channel;
6. Extensions to existing private and public services including stormwater, wastewater, potable water (including firefighting water supply) power and telecommunications; and
7. Construction of temporary and permanent bases and the establishment of yard areas and public amenities to support the use of the wharf extensions for syndicate use and public access (where appropriate).

The location of the wharf extensions and associated activities (such as dredging) means that it is likely that multiple work sites and construction activities will be run simultaneously. An example of
how this may occur is appended to Attachment 13. The construction timeframe for the delivery of the infrastructure is over a period of 18 months. This will involve the use of precast concrete and involve works 6 to 7 days per week with works required over 24 hours in the day due to site constraints and works program. The construction workforce will range from 40 to 100 with peaks of up to 150 workers on site for shorter periods between month 6 to month 16, the disestablishment and ‘ramp down’ of activities will follow this over approximately a 2 month period (refer to Attachment 13 for further detail).

The various components of the construction and delivery are discussed below by section.

5.4 ENABLING WORKS AND GROUND IMPROVEMENTS

Enabling works

The enabling works will involve the establishment of secure areas for storing construction materials, site administration, offices and plant set-up. Potential locations include:

- Western Viaduct Wharf;
- Eastern Viaduct/ Te Wero Island;
- Wynyard Wharf south (the carpark and bordering yard between Hamer and Brigham Streets, and part of the 108 Hamer Street site); and/or
- The use of a marine loadout and storage site, potentially located within the Ports of Auckland, to support barge-based access and construction.

Ground improvements

Ground improvement will be undertaken at commencement of construction and is expected to be complete within the first 9-12 months. The ground improvement works located adjacent to the existing seawall on the eastern side of the Wynyard point reclamation will involve cement-stabilised or stone columns, and/or piling.

The columns will likely be placed in a lattice pattern and will extend up to 15m deep and approximately 20m landward of the existing seawalls. For the cement stabilised columns option a raft around 2m thick may be required to reduce the risk of columns reflecting though pavement surface and to provide improved performance linking the columns together. Such treatments would likely extend some 20m landward of the existing seawall and to depths of 10 to 15m.

Trees

Due to the location of the ground improvements and the potential location of a contractor’s yard in
proximity to Brigham Street there are a number of street trees which may be impacted by the works. The street trees at this location include Pohutakawa of varying heights. While every effort will be made to retain the trees, it may be necessary to remove them. Where trees are to be retained they will be subject to best practice tree protection measures during the works; where they are required to be removed they will be transplanted where possible (dependent on size and contamination levels of the soil in which they are located) and suitable replacement trees provided at the completion of construction.

Traffic and Transport

During the works it may be necessary to temporarily restrict access to part or all of Brigham Street to through traffic (except for traffic required to access sites and emergency traffic). During this period traffic will be managed to provide suitable routes for the hazardous substances industries operating from Wynyard Point and for fire-fighting and emergency purposes.

5.5 TRAFFIC AND TRANSPORT

The America’s Cup 36: Traffic and Transport Technical Report for Consent Application, Wynyard Basin and Ferry & Fishing industry Relocation Facility report prepared by Beca and included Attachment 18 provides comprehensive detail of the transportation aspects of the proposal.

In summary the proposal involves the creation of the following new facilities related to transportation:

- New trafficable public shared space wharf areas on Hobson Wharf and Halsey Street Extension Wharf which will provide vehicle access for servicing and deliveries, pedestrian and cyclist movements.
- New delivery and servicing space on Hobson Wharf for the proposed ETNZ building.
- New delivery and servicing space on Halsey Street Extension Wharf for the proposed syndicate bases 2, 3, 4 and 5, and berthed superyachts.
- New delivery and servicing spaces on Brigham Street for the proposed syndicate bases 6, 7 and 8.

Vehicle access to the syndicate bases will be via the existing road network and utilising existing vehicle accesses onto the wharves, where relevant. No staff, spectator or visitor parking will be provided for the syndicate bases or AC36 Event areas. Bicycle parking and end-of-trip facilities will be provided within each base.

5.6 COASTAL MARINE STRUCTURES AND ACCESSORY STRUCTURES

Introduction
The proposal involves two wharf extensions and one ‘infill’ wharf structure. The wharf extensions to Halsey Street Wharf/Western Viaduct Extension Wharf and to Hobson Wharf (Harbour Protection Wharf) have been developed with future vessel use in mind as well as their initial role in accommodating the syndicate bases.

**Wharf extensions**

The Halsey Street Extension Wharf involves a new wharf structure of reinforced concrete piles and concrete deck, structurally separate from the existing wharf (for seismic design reasons) extending from the northern faces of the existing Halsey Street and Western Viaduct Wharves into the Waitematā Harbour. The new wharf area is 74 metres wide (north-south) and will span the length of the existing wharves (approximately 220 metres east-west) providing an area of 16,280m². The finished deck level will be the same as the existing wharves (between +5.0 and +5.3m Chart Datum (CD) for access and use reasons and will be graded to enable surface water runoff. Timber fender piles or equivalent will be provided around the outer perimeter of the proposed wharves to support future vessel berthing and bollards will be provided to the western and northern sides of the wharf deck. Kerbs (deck mounted timber kerbs) will be provided along the berthing faces of the wharfs and ladders will be provided where pontoons and gangways are not currently proposed. Lifebuoys will also be provided at 100m spacings along the seaward side of the wharf.

The Hobson Wharf Extension will extend from the northern face of the existing Hobson Wharf into the Waitematā Harbour. The wharf will be 74 metres wide (north-south) and 100 meters in length (east-west) providing an area of 7400m². This extension will also have a finished level the same as the existing wharf (approx. +5.5m CD). Timber fender piles or equivalent will be provided around the outer perimeter of the wharf extension, and bollards will be provided to the eastern and northern sides of the wharf deck. Kerbs (deck mounted timber kerbs) will be provided along the berthing faces of the wharfs and ladders will be provided where pontoons and gangways are not currently proposed. Lifebuoys will also be provided at 100m spacings along the seaward side of the wharf.

Precast concrete wave panels will be provided for both wharf extensions. The wave panels on the northern face and eastern face of Halsey Wharf extension and on the northern and eastern face of the Hobson Wharf extension will be porous to reduce wave reflection.

**Wynyard Wharf extension (infill)**

The Wynyard Wharf extension (infill) will involve both temporary and permanent wharf structures, filling the approximately 18 metre gap between Wynyard Wharf and Brigham Street, over a length of approximately 250 metres. The new wharf deck will be at the same level as the existing Wynyard Wharf and Brigham Street (varying from approx. +5.0mCD to +5.3m CD). As on the other wharves lifebuoys will be provided while bollards, fendering and kerbing will be provided as required along the wharf frontage, noting that the area of the wharf subject to the proposal will be adjacent to pontoons.
Additionally, repairs and strengthening (such as installation of additional piles, deck / beam thickening to the existing Wynyard Wharf) are likely to be required at specific locations, and are therefore proposed to accommodate the increased loads in these areas.

**Wynyard Wharf- Temporary Wharf Structures**

Temporary wharf structures will be provided beneath the proposed base building footprints over a combined length of 210m. The three-temporary deck structures may be either incorporated in the design of the temporary syndicate base buildings, or if independent from the buildings, will comprise steel or precast concrete bored piles (or steel casings infilled with reinforced concrete if required), supporting precast concrete or steel longitudinal pile caps and beams. A consent duration of 10 years is sought for these temporary structures, after which this will return to being an area of open water as is currently the arrangement between Wynyard Wharf and the Point.

The two separate sections of new permanent wharf structure are proposed to remain. These are in the location of the open yards for the syndicate bases and cover a total length of ~105m.

**Breakwaters**

In addition to the wharf extensions reinforced concrete piled and decked breakwaters are proposed to ensure sheltered berthing conditions for the race boats, support craft and super yachts. The breakwater will involve piles and concrete decks with pile diameters expected to be between 600-1200mm spaced on a grid at less than 7.5m. This is to ensure the structures are designed to withstand wave forces and ship berthing loads. The three breakwaters associated with the wharf extensions are:

- **Western Halsey Breakwater:** extending 44m towards Wynyard Wharf, with a deck level at +4.5m CD with steps and a ramp to provide access between the wharf and the breakwater. Wave panels will be fixed to the northern face of the breakwater.

- **Hobson East Breakwater:** extending approximately 33 metres towards Princes Wharf, to provide more sheltered berthing conditions at the Maritime Museum moorings (similar to that currently provided by the Rapaki which acts as a floating breakwater). The deck level of the Hobson Wharf breakwater will be lower than the existing wharf at +4.5m CD steps and a ramp will provide access between the breakwater and the main wharf deck. Wave panels will be provided on the outer faces of the breakwater with porous panels on the northern and eastern faces to limit wave reflection.

- **Hobson South Breakwater:** extending 42m off south western end of Hobson Wharf to provide additional protection to the Base 1 berths this breakwater will accommodate vehicular access and therefore the deck level will remain the same as the main wharf deck. Wave panels will be provided on the outer faces of the breakwater with porous panels on western and southern faces to limit wave reflection.
• **Eastern Wynyard Breakwater:** This is required to complement the Western Halsey Breakwater and provide sheltered berthing for the syndicate bases. It will be a piled and decked breakwater, located midway along the existing wharf, extending eastward 81 metres towards Halsey Street Extension Wharf. The deck level of the Eastern Wynyard Wharf breakwater will be lower than the existing wharf (at +4.5m CD), accessed via steps and a ramp. Wave attenuation panels will be provided on the outer faces of the breakwater with porous panels on the northern and western faces to limit wave reflection.

**Other Coastal Marine Structures (Marine and Port Facilities and Accessory Structures and Services)**

Floating Pontoons and Piles will be utilised to support the berthing of race yachts, support craft and superyachts. Pontoons will generally be of concrete, expanded polystyrene and galvanised mild steel. They will be connected to piles (typically steel with a polyethylene sleeve). The pontoons will include gangways, services (power, water telecom) and other attachments as necessary. Mooring piles, similar to the pontoon piles, will also be provided where necessary. It is anticipated that the design of the floating pontoons will be carried out by specialist suppliers, in accordance with detailed design specifications to ensure structures achieve the required performance standards for the conditions in which they are located.

5.7 **WATERSPACE USE AND OCCUPATION OF THE COASTAL MARINE AREA**

As discussed above, floating pontoons and piles (and/or mooring piles) will be utilised to provide berthing for raceboats, support craft, superyachts and J-Class Yachts.

**Raceboats and Support Craft**

Raceboats and Support Craft will be accommodated in the waterspace immediately adjacent to the hardstand areas and syndicate bases. One race boat berth will be provided for each syndicate using floating pontoons. This includes a 25m pontoon perpendicular to the wharf edge. The berthing requirement advised by ETNZ is 6 or 7 boats per team, comprising 5 support craft (2 weather boats, 2 chase boats and 1 sponsor boat) and 1 or 2 raceboats. In addition, berthing for the junior AC challenge and other support craft including emergency services craft is anticipated to be provided within the basin and outer viaduct area.

**Superyachts and J-Class Yachts**

Superyacht is a generic term for a large privately owned vessel of 24m or greater with vessels ranging from 24m to over 100m. The size of the superyacht also determines the number of professional crew aboard. Smaller 30 metre long craft typically have a crew of only 8, whilst vessels over 100 metres can have more than 70 crew. The number of crew gives an indication of the level of service and their expectation for access to shore-side facilities.

Up to 30 superyacht berths may be accommodated within the wider Wynyard Basin. Approximately
eighteen may be accommodated within the Wynyard Wharf South waterspace, with the potential for additional vessels also available on the eastern side of Hobson Wharf, by arrangement with the NZ Maritime Museum. Additional mid to smaller sized superyachts may be accommodated within the wider Viaduct Harbour.

The J-Class Yachts have their heritage in the 100 Guinea Cup which became known as the ‘America’s Cup’ after the Royal Yacht Squadron, which hosted the annual race round the Isle of Wight (in the United Kingdom) allowed an overseas yacht the ‘America’ to enter for the first time in 1851. The yacht built in a new design, took the lead and held it to win the race. The J-Class yachts have indicated that they will attend AC36 for a regatta preceding the main AC36 event.

Eight or nine J-Class berths are to be provided to the north of Eastern Viaduct within the Outer Viaduct Harbour. This area has been selected as it provides a sheltered and accessible location for public to view these classic yachts.

Seaplane

The Seaplane (Float Plane) will be relocated from its current location on Wynyard Wharf to another location within the wider area. The Plane while in the sea is considered to be a vessel and will taxi out to clear water space from its berthage for take-off as is its current practice.

Occupation

The Coastal Marine Area within the wider Wynyard Basin is subject to several existing occupation permits held by Panuku, as well as the Ports of Auckland Limited (POAL) deemed coastal permit (under section 348A of the RMA) for occupation of the CMA. This is illustrated in the Urban Design, Landscape and Planning Drawings Attachment as well as the Engineering Concept Drawings Attachment (Attachment 3) and discussed in greater detail below in section 9 of this report. In addition to this it is also proposed to apply for occupation over two additional areas of waterspace. The first area is the waterspace required for the Hobson Wharf Extension and breakwater as well as the associated waterspace to the east of the wharf extension and within Hobson Marina. The second area of occupation is the small angled slither of waterspace at the eastern end of the Halsey Wharf Extension. The proposed additional areas of waterspace occupation are outlined on the plan below and in the Urban Design, Landscape and Planning Drawings Attachment as well as the Engineering Concept Drawings Attachment (Attachment 3).
5.8 BUILT FORM (TEMPORARY AND PERMANENT BASES)

The design of the wharf extensions (Halsey and Hobson) and infill (Wynyard) will be consistent with the existing wharves. Plans for the buildings and public space areas atop these structures are provided with the application (refer Attachment 2). Alternative designs for temporary bases 2-8 will be enabled in accordance with a set of guidelines following the principles discussed below.

ETNZ have indicated that up to eight syndicates will compete for the AC36. Five of the bases will be double bases (two boats) and three of the bases will be single bases (one boat). The bases themselves consist of a building up to 15m in height above the wharf level, with an area of hardstand. The dimensions of bases vary in size, with the single bases being 85m x 35m (95m x 30m) and the double bases being a variety of sizes (90m x 45m and 70m x 60m or 75m x 70m for base 1). The bases will include areas for boat storage and maintenance and an area for administration (of approximately 25m²).

All base buildings are will be lightweight structures, capable of being constructed on the relevant wharves without requiring specialist foundations.

Hardstand areas will be associated with each base and require minimum dimensions (35m in length) to allow for the manoeuvring of masts and boats. Hardstands will be located to the south of bases 1-4, west of base 5 and to the north and south of the single bases on Wynyard Wharf. These areas will include base related infrastructure such as mobile cranes (for boat haul out and launching) and storage of materials. Fencing between the hardstands and neighbouring bases and the waterspace will be required to manage access for health and safety purposes.

All of the base buildings and the use of the hardstand will be event related and non-permanent, with the exception of Base 1, which is proposed to be located on the Hobson Wharf extension and
become a permanent home for ETNZ\(^1\).

The temporary bases and associated areas are best discussed in two groups, those on the Halsey Wharf Extension and those on Wynyard Wharf. The use and design of these bases differ in their size and the locational constraints. The use of the Hobson Wharf is again addressed separately to reflect the ongoing use of this area and the ETNZ building.

**ETNZ Base 1 and Hobson Wharf Extension**

The ETNZ base 1 will be located to the western side of the wharf deck providing a publicly accessible area to the north and east of the base building (including the breakwater) and access to the yard to the south from which the boats will be launched.

The ETNZ base is anticipated to involve an area of \(\approx 2450\text{m}^2\) and provide an interactive experience for visitors. In addition to the race boat facilities this base building will accommodate (over three stories) team and sponsor amenity areas, merchandise space, as well as public interaction spaces. The base will also include office/administration areas, staff kitchen, dangerous goods store, mezzanine, sail loft. It is proposed to provide views from the base and public areas to the north and east to the hardstand areas. Access to the hard stand will be restricted during the race events for health and safety purposes however ETNZ support the aim of providing for public access and interaction with as much of the base as possible. Service vehicles will access the hardstand from the south and limited vehicle access may be required to the northern side of the base building.

The base is anticipated to accommodate a work force of up to approximately 110 persons and up to approx. 300 persons for corporate and other events during the Event period. Operationally the bases may be utilised 24 hours a day, particularly during the race period as emergency repairs and maintenance may be required.

Public open space around Base 1 will comprise two 10m wide walkways and a larger triangular shaped area (up to 30m wide) and breakwater on the eastern side of the wharf to the north of the Maritime Museum. These areas will provide opportunities to view boats coming to and going from the Viaduct Harbour and interact with and support the ETNZ base.

**Bases 2, 3, 4 and 5 on Halsey Wharf Extension**

Bases 2, 3, 4 and 5 located on Halsey Wharf Extension will be double bases of varying sizes. The Hardstands for bases 2-4 will be located to the south of the wharf deck with boat launching to the Outer Viaduct area. Base 5 will have a hardstand located to the west launching to the Wynyard Wharf South water space.

\(^1\) A Consent duration of 35 years, the same timeframe as is sought for the wharf extension structure on which it will be located.
The bases are expected to include boat maintenance and storage areas (for two boats), office/administration areas, staff kitchen, dangerous goods store, mezzanine, sail lofts and team and sponsor amenity areas, merchandise space, as well as public interaction spaces. The bases are anticipated to accommodate a work force of up to approximately 110 persons and up to approx. 300 persons for corporate events during the Event period. Operationally the bases may be utilised 24 hours a day, particularly during the race period as emergency repairs and maintenance may be required.

The layout of the Bases will provide for public open space along the northern edge of the wharf extension (10m in width) and onto the Western Halsey Breakwater. Accessways will be provided between bases 4 and 5 (approximately 8m in width) to enable access to the northern face of the wharf. To the south these accessways will connect to the existing publicly accessible areas to the east and west of the Viaduct Events Centre (VEC) and the existing east-west pedestrian linkages.

Public interaction with the bases is also to be encouraged through the provision glazing, balconies and hospitality areas. In addition to the architectural drawings provided at Attachment 2, the Urban Design and Landscape reports (Attachment 9 and Attachment 11) provide additional detail of the built design elements of the bases and the amenity they will provide for the publicly accessible areas of Halsey Wharf Extension. Design criteria are proposed for the bases and public space areas to guide the final design and delivery of these spaces should alternative designs be proposed.

Service vehicles will be able access along the wharf edge to the south of the bases, through the respective yard areas. This southern access will be limited due to the fenced separation between the hardstand areas and alternative and emergency vehicle access will be enabled (in a controlled manner) along the public northern section of the wharf. This vehicle access will in turn connect to the existing vehicle access available along the western side of the Halsey Street Extension Wharf.

**Bases 6, 7 and 8 on Wynyard Wharf**

Three single bases will be located on Wynyard Wharf. Base 6 will be located to the south of the wharf with the hardstand to the north. Base 7 will mirror base 6 and located the hardstand to the south of the base. Base 8 is the northern most base, located adjacent to and north of the Eastern Wynyard breakwater enabling the hardstand to be located to the south for water access within the area protected by the breakwater.

The bases on Wynyard Wharf are subject to additional locational constraints both in the form of the wharf space available (bordered to the west by Brigham Street and to the east by the existing extent of the Wynyard Wharf) and their proximity to the existing bulk hazardous liquids storage facility. These constraints dictate the orientation of the bases and hardstands, and results in public access to and around the bases being discouraged while the bulk liquid facilities remain in operation.

The three single bases will provide for boat storage (one boat) and maintenance, including
office/administration areas, staff kitchen, dangerous goods store, and a mezzanine area. These bases will also provide for up to approximately 99 persons and may be utilised 24 hours of the day.

Bases 6-8 are not intended to provide for hospitality areas due to the need to manage hazardous substances risk and as a result do not seek to encourage public interaction with the base buildings themselves. Facilities for entertainment (corporate and other) will be provided for these bases elsewhere within the Wynyard Basin village area.

Built design requirements to address fire resistance dictate that the western wall of the bases and the hardstand areas may be required to be of solid construction with more limited glazing. This will limit the desire for the public to access the bases from Brigham Street (in proximity to the bulk storage facility) with views to the bases provided instead from the North Wharf area enabling the public to view the boat launching and hardstand areas for these syndicates.

Vehicle access to the bases will be provided from Brigham Street to the western side of the bases.

**Design Criteria for Buildings and Open Space**

The bases and hardstands must be both fit-for-purpose and fit well in to their surrounds, meaning they need to be functional and economical, but not utilitarian. Similarly, the publicly accessible new wharf spaces, walkways, wharf edge promenades, and plaza areas are also intended to positively contribute to the waterfront environment both during the event and for the longer term.

Recognising that the bases are both temporary structures and located in a highly valued central location on the Auckland waterfront, careful attention to design quality is considered necessary. The proposed base designs are set out in the drawings at Attachment 2 and it is intended that these drawings will form the basis for the resource consent approval. It is anticipated that syndicates may seek alternative designs to those submitted with this application. Design principles have been developed to provide a framework for assessing alternative designs, to ensure that the envisaged outcomes are achieved while enabling flexibility (including the input of the potential syndicates) in final design.

Design criteria are proposed to guide the development of alternative designs for the bases and new wharf areas. These are appended to the application as Attachment 10 and form a key mitigation for the proposal. The design criteria require consideration of design elements and design quality.

In summary, the design criteria seek the following:

**All bases (1 to 8)**

- Development of a unifying public realm concept and spatial arrangement to the design of new wharf extensions.
- Provision of interactive frontages to streets and publicly accessible wharf spaces to an
extent that is consistent with the:
  - internal functions of each base,
  - status, prominence and function of the adjoining space; and
  - safety and security requirements and functional need of marine and port activities.
• Provision of passive surveillance.
• Architectural design which reduces the apparent bulk of each base and contributes to visual interest.
• Provide a consistent and coherent approach to team branding to assist legibility of the team bases and expression of the America’s Cup as a major international event.

Base 1 (ETNZ Permanent Base) Hobson Wharf Extension
• High quality architectural design appropriate to this being the Emirates Team New Zealand base.
• Provide a quality interface with the new adjoining public plaza wharf space; the adjacent public space at the east end of the building to the adjacent public space; Princes Wharf; and the Maritime Museum.

Bases 2-5 Halsey Wharf Extension
• Develop a unifying design strategy to respond to the prominence in view of the southern elevation of the bases.
• Provide a quality public space interface of bases4 and 5 with the north-south aligned walkway.
• Maximise opportunities to activate and overlook the northern edge outer promenade.

Bases 6-8 Wynyard Wharf
• Develop a unifying design strategy for treatment of the south and east facades to respond to the prominence in view from North Wharf.
• Achieve a scale transition at the south end of Base 6, providing an active frontage to North Wharf.
• Recognise that the Brigham Street facing edges will face onto industrial activity for the duration of the event.

The design of all bases is as set out in the Architectural Drawing Set (refer Attachment 2) and addressed in the Architectural Statement (refer Attachment 9). The syndicate bases have been designed in accordance with Design Guidelines and the functional requirements specified by ETNZ. These design criteria are proposed to guide the final development of the bases and public spaces. The proposed base designs prepared by Moller Architects employ these design criteria, including the potential signage ‘areas’ associated with the proposed buildings. The base designs have been prepared following detailed discussions with ETNZ and therefore represent the functional need
requirements for the bases in addition to the visual amenity outcomes for this locality. Overall, the proposed designs are considered suitable for consenting purposes. Should the syndicates accept the design of the bases without change, the consent holder would only need to provide final drawings outlining the following matters:

a) Building materiality, colour and finish;

b) Building façade detailing and treatment for elements fronting wharf public space areas;

c) Yard and security fencing design; and

d) Event branding.

These drawings and associated information would be submitted to Council for approval, prior to construction.

However, given that the syndicates are not finalised as yet and have not had an opportunity to review the designs, it is proposed to incorporate flexibility into the design finalisation process for all of the bases. This will enable amendments to the design of the bases subject to meeting specific criteria (set out in the proposed conditions) relating to building height, building footprint, yard areas and the Design Guidelines (included as Attachment 10). This option would also require design review through Panuku’s Technical Advisory Group, who have reviewed all built form and public space proposals on Panuku’s lands within Wynyard Precinct to date.

5.9 DREDGING

Dredging is required within the Wynyard Wharf South water space area and the Outer Viaduct Harbour and access channel to achieve the required navigable depth for safe vessel movement. A total of 75,000m$^3$ of material is required to be removed over the three areas including approximately 15,000m$^3$ from Wynyard Wharf South Waterspace, 30,000m$^3$ from the access channel and 30,000m$^3$ from the Outer Viaduct Harbour.

The proposed dredging includes areas that have previously been dredged such as the southern area of Wynyard Wharf (Wynyard Wharf South water space) and approaches, as well as the Outer Viaduct Harbour. The proposed locations, dredged depths and present depths are discussed in detail in the Coastal Processes and Dredging Technical Report (Attachment 14). Dredge sediment characteristics have been set out in Attachments 14 and 15. The dredging will remove these soft sediments (silts, clays, sands, shell) and it is not expected that removal of undisturbed rock will be undertaken.

Dredging will be undertaken by a backhoe dredger followed by sweeping. The backhoe dredger is mounted on a barge, which is typically 40m in length. Production rates are typically up to 800m$^3$ per 10 hour day followed by sweeping which involves the smoothing of seabed contours by a horizontal bar towed at seabed-level. This is consistent with best practice for the capital dredging and
maintenance dredging at Auckland’s ports and marinas.

The dredging operation is expected to run over approximately a 4-6 month period and may occur over several phases depending on construction methodology and availability of disposal options. Dredged material will then be transported by barges from the dredged area to the disposal site. Typically barges operate in a relay system, with between 1 and 3 barge movements per day and utilises similar equipment currently used within the wider Port area.

Consideration has been given to the disposal of dredge material reflecting the conclusions of a multi-stakeholder Disposal Options Advisory Group (DOAG) established to consider options for future disposal of dredged material in the Auckland area. The preferred options identified by the group included the use of dredge material for fill in reclamations, disposal to appropriate landfills (in particular where the material was contaminated) and for dredging that met regulatory guidelines disposal to sea (in depths greater than 100m). As identified in Attachment 14 (Section 6.6) the primary method for disposal of dredged material since the early 2000s has been re-use in port reclamation at Fergusson Terminal however, this is now nearing capacity and while other independent disposal options (through reclamation) may become available this is beyond the scope of this consent application. The preferred disposal of dredged material will therefore be as follows:

1. Re-use as cement-stabilised fill material in consented reclamations;
2. Disposal to the Coastal Resources Ltd offshore disposal area (located outside the 12 mile Territorial Seas limit in water depths of 135-155m); and/or
3. Disposal to an approved regional landfill (such as Rosedale on Auckland’s North Shore).

No specific consented reclamations have been identified in support of option 1 however if one should become available within the project timeframes then this will be pursued further as a possible disposal location.

If option 2 above is employed, material would be barged to the offshore disposal area, a distance of some 25km. The Coastal Resources Ltd permit holder has confirmed in principle that a dredged volume of 70,000m³ presently could be accommodated at the site with dredging occurring over 12-18 months. Disposal under this option would require that the material meets the standards placed on the disposal permit by the Environmental Protection Agency (EPA). Controls relate to sediment quality and biosecurity.

If the material does not meet the EPA sediment quality and biosecurity conditions it will need to be disposed of to landfill (option 3 above). A land based stockpile area at Wynyard Quarter will be required to allow the material to solidify to a “spadeable” consistency before being loaded into trucks and transported to the landfill. Based on initial investigations approximately 5,000m³ of the dredge material located within the Wynyard Wharf South water space is likely to be contaminated to a degree that will require disposal to land based facilities, while approximately 70,000m³ is potentially suitable for marine disposal.
A dredging management plan will be prepared and implemented for the duration of the capital dredging works. The plan will address the method, quantity and areas of dredging; the chemistry of proposed dredged sediment; outline the required notifications to relevant authorities; and provide for monitoring and recording of disposal options as required.

5.10 SERVICES

The wharf extensions will be supplied with water, wastewater power and telecom (fibre optic) services. The wharf services will connect to the existing landside reticulation independent of existing services (to avoid interference). Services will be suspended beneath the new and existing wharf decks via ducting and pipe networks.

For the provisions of wastewater services, a pump station, tank and rising main will be suspended beneath both of Halsey Wharf and Hobson Wharf due to the distances and level differences with the existing infrastructure. Superyacht facilities will be provided with wastewater pumpout facilities connected to this system.

Stormwater sumps for the treatment of stormwater runoff will be provided under the wharf decks and hard stand pipes to the ocean to supply water for firefighting.

Operational lighting will be provided along the length of the new wharves via poles (of approximately 8m) with zero tilt luminaires which will be situated at an appropriate spacing to provide illumination across the structures.

Detailed descriptions of the provisions of the services are included in Attachment 19.

5.11 INDUSTRIAL AND TRADE ACTIVITY AND HAZARDOUS SUBSTANCE MANAGEMENT

The use of the bases will involve the maintenance and repair of the race boats. This activity qualifies as ‘Boat or ship construction, repair or maintenance’ as a listed ‘Industrial or Trade Activity’ (ITA). Each base will have an associated activity area of less than 5000 m² however cumulatively the area will exceed 5000 m².

The bases will use and store small quantities of hazardous substances associated with the boat repair and maintenance the substances are likely to include Acetone (approximately 250 litres), Paints, Epoxy, and Thinners of varying amounts.

These substances are considered as high risk. As set out further below, subject to rule E33.4.1 (A9) and E33.4.2 (A24) consent is conservatively sought as a Discretionary Activity to enable flexibility in design and a framework approach to be taken to the development of environmental management plans for the temporary bases 2 to 8 and the permanent base 1 for ETNZ. Management plans will be prepared for each of the bases as identified in the proposed conditions of consent.
5.12 **HAZARDOUS FACILITIES RISK**

In order to address the interface between the existing bulk liquid storage facility and the proposed bases 6-8, built design mitigations will be implemented to ensure that risks are appropriately mitigated. The final built design requirements are subject to confirmation through detailed design but may include:

- Limited glazing;
- Structural design elements; and
- Provisions of emergency egress.

In order to safely and practically accommodate bases 6-8 on Wynyard Wharf and confirm the ongoing operation of the Bulk Liquid facilities on Wynyard Point it is necessary to ensure continuity of the pipelines that connect the vessels to the bulk liquid storage facilities. This will involve removal of the southern pipes and the southern over road bridge structure and the erection of new pipes/connections. This may require new underground pipes, under wharf pipes or a new over road structure (or a combination) to facilitate ongoing pipeline connections between the vessels and the bulk liquid storage tanks. These structures will be subject to further design and confirmation of operational requirements. This process is facilitated through the proposed Replacement Bulk Liquid Transfer Pipelines condition.

5.13 **AC36 EVENT**

The two six month event periods are outlined above and provide for the pack in and pack out of land/wharf based infrastructure (associated with the event) as well as waterspace structures that are required to be removed after the syndicate teams depart. This may include pile structures and pontoons.

In addition to the wharf additions and waterspace usage outlined above, the event will utilise the public spaces of the Eastern Viaduct, Te Wero Island, Karanga Plaza and Silo Park as well as other public and private spaces within the vicinity.

A broad summary of the types of activities and structures that may be associated with the event itself is set out below. It is proposed that a final event layout plan be submitted to Council for approval 2 months prior to each event. This will allow for the detailed elements required for each event to be designed and coordinated with the event facilitators closer to the actual event taking place.

It is proposed to incorporate sponsors activities, hospitality areas, hospitality structures, gazebos marquees and vendor outlets as well as yachting related activities including community interactive areas such as virtual reality simulations and grinding machines. In port races and yachting events will also take place within the waterspace of the Waitematā Harbour and Hauraki Gulf.
The event venues will generally be open between 9am to 10pm during the event (and 11pm for noise events). These hours may vary subject to the detailed event planning for each regatta.

Each event will utilise some of the noise events provided for by the relevant planning controls, however the number of these events will be confirmed closer to the event. In accordance with standard noise event protocols within this vicinity, nearby owners and occupiers will be advised in writing of the event programme prior to each event.

The likely structures and activities proposed for the venues that comprise the event are listed below:

### Harbour Viaduct Precinct and Wynyard Precincts generally

- Welcome and Way-finding gantry structures (provide location and directional information to key facilities).
- The use of boat berthing and pontoons for vessel arrivals.
- Race Officials boat berthing within existing berths.
- Media boat berthing within existing berths.
- All on water activities associated with the event.

### Eastern Viaduct and Te Wero Island

- The main stage, media stage, screens, speakers, hospitality vendors on Te Wero Island.
- Team exhibition areas, public activity venues.
- General public access.
- Welcome and Way-finding signage tower and entry gantry (to provide location and directional information to key facilities) in consultation with Eastern Viaduct operators including the NZ Maritime Museum.
- Road closure for general traffic at the Quay Street entry on days where significant spectators and visitors are expected in consultation with Eastern Viaduct operators including the NZ Maritime Museum.
- The existing parking spaces on Te Wero Island which are utilised by berth holders will be provided for in another location in consultation with the waterspace managers/berth holders. Access to existing berthing will also be provided for through a management arrangement with berth holders.

### Halsey Street Extension Wharf, Western Viaduct Wharf and Hobson Wharf extensions together with the Wynyard Wharf bases

- As outlined above, these locations will be utilised to accommodate the syndicate bases and associated hardstand areas.
- Public access to the 10m wide public accessways along the northern edge of the Halsey Street
Extension Wharf, Western Viaduct Wharf and Hobson Wharf Extension Wharf. Public access to the Wynyard Wharf bases will not be available due to public safety and risk issues.

- The VEC will be utilised as the race office and media centre as well as the infrastructure support base for the event.
- LED screens are proposed on the facades of bases 1 and 5.

**Karanga Plaza**

- Welcome and Way-finding gantry and signage structures (provide location and directional information to key facilities).
- Public Activation Areas.
- A race score board will also be placed in the vicinity of the VEC entrance.

**Event Branding**

- Gantry structures around the event venue.
- Flags are proposed to be located around the perimeter of Te Wero Island, Eastern Viaduct (outside the 10m surrounds of the heritage bridge), Hobson Wharf, Halsey Street Extension Wharf, Western Viaduct Wharf and the Viaduct Promenade up to HQ. Banners are proposed in the same locations with the addition of the southern edge of the Karanga Plaza steps.
- Team sponsor branding towers are proposed to be located adjacent the bases.

**General Area Wide Event Infrastructure**

- Temporary lighting poles and lights.
- Signage for vessel and event sponsors, hospitality and merchandising, public information and all other associated signage.
- The sale of hospitality and other merchandise, food and beverage at any of the above locations.
- Portable toilets will be located in appropriate locations around the event venue. Where these toilets are situated they will be properly screened by good quality materials.

**5.14 LEGACY**

Hosting the AC36 provides an opportunity to continue the transformation of Auckland’s downtown waterfront, and to leave a long-term legacy for Aucklanders and visitors.

The next America’s Cup events are an exciting opportunity for Auckland to showcase the harbour and New Zealand’s sailing technology. Once the events are over, Auckland will also enjoy some significant legacy benefits:

- Upgraded public spaces and access additional areas of the waterfront from Hobson and Halsey wharves;
• Permanent wharves and sheltered water space for existing and future water-based events (as demonstrated on the draft event calendar included in Attachment 31);
• Potential long-term base for ETNZ, and flexible water-side building for community and maritime uses;
• Long term infrastructure for marine uses – fit-out and haul-out facilities (Wynyard Point marine precinct);
• Additional berths for recreational and tourism uses, and as attractors to the waterfront; and
• Relocation of Sealink and other maritime uses, freeing up Viaduct and Wynyard Basins for other uses.

This next phase of waterfront regeneration builds on previous long term planning undertaken by various public entities where a working waterfront is combined with recreation, visitor and event activities. These will link the city to the sea and reflect New Zealand’s marine heritage and culture.

Under current lease agreements, in the next five years, the last of the bulk liquid storage tanks will depart from Wynyard Precinct, completing the vision of generous public spaces where people can experience the harbour through access to the coastal edge without needing a boat. The city’s valuable marine industry will continue be located within the Wynyard and Viaduct Harbour Precincts, in support of the Waterfront Plan goals of a sustainable, accessible working waterfront.

The transformation of this locality from an industrial area to the Viaduct Harbour has been a successful legacy outcome of pervious international events. Since the 1994 Whitbread Round the World stopover initiated the creation of a new public destination on Viaduct Harbour, major international events have resulted in the ongoing transformation of Auckland’s waterfront.

Previous America’s Cups in 2000 and 2003 were focussed around the Viaduct Harbour and resulted in significant activation of the area and a popular destination for New Zealanders and visitors. This resulted from proximity to hospitality areas, tourism activities and public areas in close proximity to syndicate bases. This enables the public to be visually connected to the bases and the racing yachts themselves. These elements combine to create the ‘village atmosphere’ associated with successful America’s Cup events.
Subsequently, the Rugby World Cup 2011 introduced Aucklanders to the regenerated Wynyard Quarter, with the Wynyard Crossing bridge connecting together the wider downtown waterfront corridor (Britomart, Queens Wharf, Princes Wharf, Viaduct Harbour and Karanga Plaza, Viaduct Events Centre, North Wharf, Silo Park) for events and new public spaces.

Following Rugby World Cup 2011, a continuous programme of events, festivals and more informal activation has continued to draw almost 2 million visitors a year to the city’s waterfront public spaces. Demand for event space is growing, along with Aucklanders expectations for access to the water, and places to walk, cycle, relax and play with a view of the Waitematā Harbour. Event space with access to calm water and an area of flat wharf deck which is not compromised by competing uses (cruise ship berthing, ferry terminal) will provide for this growing demand.
Design and development of the new waterfront spaces delivered by the America’s Cup – particularly Hobson and Halsey Wharves – will build on the success (and learnings) of the Wynyard and Viaduct Harbour Precincts, using a ‘place-making’ approach to design, management and activation of public spaces.

In addition to the dedicated America’s Cup facilities, Council have advised that they will also be progressing (earlier than envisaged) critical work in the downtown area to support a successful event. That work includes upgrading the Quay Street seawall, new public transport facilities (bus and ferry), a new waterfront public space in the ferry basin, relocation of pier 3 and 4 to Queens Wharf West and improved Quay Street streetscape. It is also proposed to remove parking from the Eastern Viaduct and undertake improvements to this area to form a quality public open space area.

6.0 CONSENT DURATION

A term of 10 years is sought for Bases 2, 3, 4, 5, 6, 7 and 8 for a period from commencement of consent, which is expected to be in late 2018. This is to provide for these bases as temporary bases for the AC36 event and to ensure that they are able to remain for AC37 should ETNZ be victorious in their defence of the AC36 Cup challenge.

Consent is sought for the remaining coastal marine structures including: the wharf extensions to Halsey/Western Viaduct Wharf; Hobson Wharf and the hardstand areas between Wynyard wharf and ‘land’; the breakwaters; and Base 1 as the new permanent home for ETNZ; for a period of 35 years. This provides for legacy use of this public waterfront wharf space for the maximum duration possible under section 123 of the RMA. Likewise, it is anticipated that the other regional permits will also be issued with a 35-year duration.

The temporary events periods sought are specifically limited to two terms of 6 months the first commencing in December 2020 and culminating in May 2021. The second event will commence 2 to 3 years post May 2021 and culminating 6 months following initiation. The 6 month period is sought in order to enable the America’s Cup regatta and all supporting yacht races in addition to the pack in and pack out periods for both land and water based structures/activities.

7.0 PROPOSED CONDITIONS

Mitigation measures are recommended throughout the specialist reports and in the assessment of effects above to ensure adverse effects are appropriately avoided, remedied or mitigated. In many instances these involve the preparation of management plans at a stage when further details are various aspects of the AC36 infrastructure and event are developed.

A suite of proposed conditions is included in Attachment 32 that captures all of the mitigation measures and management plans addressed in the specialist reports and assessment of effects.
These have been structured under the following headings to reflect the implementation of the necessary consents:

- General;
- Construction conditions;
- Post construction requirements; and
- Pre-occupation conditions.

8.0 EXISTING ENVIRONMENT

8.1 INTRODUCTION

The following section outlines the relevant elements of the existing environment relating to the location of the AC36 base infrastructure. As noted throughout the report, the venues include the Wynyard Precinct, the Viaduct Harbour Precinct and the City Centre/General Coastal Zones.

8.2 LANDFORM & VISUAL SETTING

Pre-1840 the natural landform of the Auckland Isthmus and particularly the current downtown waterfront area featured a number of headlands and valleys that connected with the CMA and included rivers and streams that flowed into it. The northerly aspect provided an attractive setting for occupants in combination with enriched climatic conditions. The highly fertile soils were also attractive for cropping purposes. Since European colonisation, the area now known as the “City Centre” waterfront has been subject to numerous reclamations and wharf structure development in order to facilitate flat land adjacent the coastal marine area for vessel berthage and loading/unloading purposes. Additionally, a number of commercial developments and activities have established in support of the thriving commercial conditions that existed. Development included large scale crane structures designed to unload cargo from ships.

Further, this area has been significantly redeveloped since 1996, when development works for the Round the World Stopover race and the 2000 America’s Cup regatta commenced. These works involved dredging, reclamations, declamations, decontamination, wharf and berthage construction and other structures within the CMA.

As a result, the locality is a highly modified coastal environment which is dominated by commercial and public activity in conjunction with commercial and recreational boating. This includes Westhaven Marina, Wynyard Precinct, Viaduct Precinct, the Central Wharves Precinct and the Port Precinct. The dominant activities include marine, fishing and port activities and structures, food, beverage, entertainment, retail and accommodation activities, cruise ship terminals, berthage, public access and events.
From the CMA, the water’s edge is dominated by vessels, wharfs, public access and reclamations. Beyond this sits the natural landform of the Auckland Isthmus and the dominant large scale commercial and residential buildings. The Symonds Street and Albert Street ridges combined with the Queen Street Valley still remain the dominant landform elements behind the modified water’s edge.

8.3 EXISTING USES, BUILDINGS AND PUBLIC ACCESS

The Viaduct Harbour was redeveloped in the 1990s to support the Americas Cup defence. The opening up of this area signalled the beginning of the rediscovery and increased accessibility of the waterfront to Aucklanders and visitors. Subsequent planning and development by local councils from 2000 facilitated further development of land, infrastructure and buildings and the activation of this area with a wide variety of activities. Importantly, significant areas of public access were provided in order to enable access to and along the coastal edge of the City Centre waterfront.

A summary of existing uses and development is provided below:

**Hobson Wharf**
- NZ Maritime Museum which is a single level structure open to the public. It showcases New Zealand’s maritime history. A memorial to Sir Peter Blake was added to the museum at its northern end. The addition is a contemporary piece of architecture designed by Pete Bossley Architects
- Food and beverage and retail outlet along the southern edge of the wharf/land interface with an entertainment venue on the second level
- Berthage for vessels along both the eastern and western edges
- Public access around wharf edge
- Wave attenuation structures

**Princes Wharf**
- Cruise ship berthing along the eastern wharf edge and other vessel berthing along the western edge
- Multi-level mixed-use building up to 36m above wharf level. The building is occupied by a customs clearance facility, the Hilton Hotel, residential apartment accommodation, restaurants and bars, retail outlets, offices and an elevated public outlook area at the northern face of the building. Carparking is also provided within the building and at ground level in-between the two building structures
- Ground level public access along the western and northern edges of the wharf
**Eastern Viaduct**

- At-grade public parking area
- Temporary event space
- Vessel berthing for charter boats and private vessels
- Two-level retail and office building
- KZ7 Yacht monument
- Public access along coastal edge

**Te Wero Island**

- The scheduled historic Viaduct lifting bridge
- At-grade parking area for berth holders
- Temporary event space
- Vessel berthing for charter boats and private vessels
- Public access along coastal edge
- Connection to Wynyard Crossing pedestrian and cycle lifting bridge

**Viaduct Harbour Precinct (not specifically mentioned elsewhere)**

- Multi-level commercial buildings occupied by office, retail, food and beverage, health & fitness, community and entertainment activities
- Multi-level residential accommodation buildings
- Two multi-level carpark buildings (Fanshawe Street and Pakenham Street East)
- Vessel berthing for charter boats and private vessels
- Tepid Baths public swimming pool
- Waitemata Plaza and Market Square
- Public access along the waterfront edge promenades
- Public infrastructure including roads, footpaths and public toilets

**Halsey Street Extension Wharf & Western Viaduct Wharf**

- Three level Viaduct Events Centre with ancillary and temporary parking
- Vessel berthing for marine and fishing industry. This comprises a 20m wide waterspace license area to Sanford along the western edge of Halsey Street Extension Wharf and Western Viaduct Wharf. This licence expires in September 2026. Further a 20m wide waterspace license area to Moana Fisheries (Auckland Fishing Port Limited) exists along the southern edge of the Western Viaduct Wharf. This license expires in September 2026. The license areas are shown on the plans in the section below
- Public access along the coastal edge
- Events space
• Berthage for barges
• Wave attenuation structures
• Control box for the Wynyard Crossing bridge

**Karanga Plaza**
• Public Open Space
• Trees and vegetation
• Events space
• Public stairs to CMA for swimming
• Public access along coastal edge
• Public infrastructure services including information and toilets
• Interactive community facilities

**99 Halsey Street**
• Multi-level Park Hyatt Hotel under construction
• Public access along the waterfront edge promenades

**75-81 Halsey Street**
• Multi-level residential development
• Public access along the waterfront edge promenades

**21 Viaduct Harbour Avenue**
• Multi-level Sofitel Hotel
• Public access along the waterfront edge promenades

**Block of land bound by Jellicoe Street, Halsey Street, Daldy Street and Madden Street**
• ABS Bank office building
• ASB Waterfront Theatre
• Sanford Fishing Industry building and carpark
• Public lane

**North Wharf**
• Vessel berthing for a variety of vessels including at times the fishing industry and other commercial and recreational vessels
• Public access along coastal edge
• Single level buildings occupied by food and beverage, retail and entertainment activities

**Wynyard Wharf**
• Panuku Lease Area (operated by POAL) for vessel berthing for commercial port vessels, including bulk liquid vessels
• Pipe network to transport liquids from vessels to wharf and land
• Access to Seaplane
• Sealink lease areas and ferry support building/structures as well as the Sealink vehicle ramp. Sealink has a lease over the southern third (approximately) of Wynyard Wharf and a coastal license for the adjoining waterspace (for the vehicle ramp). The wharf lease currently expires in November 2024, which the coastal license expires in December 2019 (with a 5 year renewal right to December 2024)
• Bridge connections to Brigham Street

Wynyard Precinct – North of Jellicoe Street & West of Brigham Street
• Stolthaven Bulk Liquid Storage terminal
• BST Bulk Liquid Storage terminal
• Sail NZ operation
• Temporary ASB/Sanford carpark
• Fletcher Concrete and Infrastructure batching plant
• Sanford slipways
• Heritage Boats (Vos & Brijs) slipways
• Titan Marine Steel Industrial buildings and berthage
• Silo Park and Marina and public access to the coastal edge

The key features of the area are:
• The Viaduct Harbour and Wynyard Precincts contain a residential population and a significant commercial population across a range of businesses
• A public destination and a place to attract tourism and visitor activities – restaurants, bars, maritime museum, appreciation of the “theatre of the water”, charter vessels and activities
• Water-base tourism activities, including charter boats
• An east west connection – from City Centre to Wynyard Quarter and beyond for commuters and visitors (by foot or bike)
• A working waterfront – fishing vessels, marine industry refit and repair
• A location to host major and other events.

The area is also characterised by ongoing change, development and re-development.

8.4 OWNERSHIP, OCCUPATION AND LEASE AGREEMENTS
Viaduct Harbour and the Wynyard Wharf South water space are affected by a complex arrangement of existing waterspace occupation permits, leases and management agreements. These are important to understand in order to understand the waterspace obligations, rights and implications for the proposed development and existing occupation and license holders.

Initially, in 1991, POAL was granted a S384A (RMA) Deemed Coastal Permit for the waterspace
previously managed by the Auckland Harbour Board (under the previous Harbour Board Act) across Auckland City Centre Waterfront. The extent of the permit is shown in red on the plan below. This permit expires in 2026. Since that time additional permits have been granted over parts of this waterspace for specific management purposes as this part of the waterfront has been developed for additional uses such as events, public access, recreational, commercial and tourist vessels, commercial and residential uses. The further development of this part of the waterfront has been undertaken in consultation with POAL. The occupation permits, leases and licenses that have been granted to facilitate this development are outlined below.

Figure 9: Original POAL 5384A Deemed Coastal Permit – Expires 30 September 2026

The relevant existing occupation permits, waterspace agreements and coastal licenses are shown in the plans below and outlined in the table below. Where various agreements and/or licenses are outlined in the table below they are located below the ‘parent’ occupation permit under which the agreements/licenses have been granted. The description below should be read in conjunction with the maps. The references to Waterfront Auckland are now Panuku Development Auckland (Panuku) as successor to Waterfront Auckland.
### Table 2: Summary of existing Occupation Permits/Leases/Licenses for Auckland City Centre Waterfront

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<th>Year Granted</th>
<th>Holder</th>
<th>Detail</th>
<th>Expiry</th>
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<td>S384A Deemed Coastal Permit across Auckland City Centre Waterfront</td>
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<td>Sealink</td>
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<td>Sanford</td>
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<td>2026</td>
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<td></td>
<td>VHML</td>
<td>Waterspace Management Agreement over Inner Viaduct Harbour Waterspace</td>
<td>2033</td>
</tr>
<tr>
<td>4.</td>
<td>1991</td>
<td>Auckland Maritime Museum Trust Board</td>
<td>S12 Hobson Wharf West and north Edge Waterspace Occupation Permit</td>
<td>2026</td>
</tr>
<tr>
<td>5.</td>
<td>1991</td>
<td>POAL</td>
<td>S12 Hobson Waterspace South Occupation Permit</td>
<td>2026</td>
</tr>
<tr>
<td>6.</td>
<td>1991</td>
<td>POAL</td>
<td>S12 Hobson Waterspace North Occupation Permit</td>
<td>2026</td>
</tr>
<tr>
<td>7.</td>
<td>1995</td>
<td>POAL</td>
<td>Princes Wharf Lease (Special Act)</td>
<td>2095</td>
</tr>
</tbody>
</table>

The plan (Figure 7) above outlines the various occupation permits. The relevant occupation permits for the western edge of Wynyard Quarter are set out on the plan below (refer to drawing 3233847-DC-003 at Attachment 3).
Figure 10: Existing Occupation Permits for Wynyard Quarter West

The relevant waterspace management agreements and coastal licenses are set out on the plan below. These are also identified in the table above.

Wynyard Wharf is owned by Panuku and the northern two thirds is leased to POAL, while the southern third (approximately) is leased to Sealink (refer Figure 11 below).
The wider City Centre Waterfront is similar to the Wynyard Basin area, in that it is highly modified and based on reclaimed land or wharf structures that eventually connect with the historic natural landscape. The waterfront was developed through a series on reclamations as identified in the plan included above (refer Section 4.1) and as identified in the Waterfront Plan. In summary this includes the following (from east to west):

**Port Precinct**

The Ports of Auckland operation is based here on reclaimed land and wharfs. This includes a container port and vehicle shipping terminal, storage facility and port structures including 90m high crane structures and a batching plant.

**Central Wharves**

This includes Marsden Wharf (berthage and loading/unloading of goods), Captain Cook Wharf (berthage and loading/unloading of goods), Queens Wharf (Cruise ship berthing and customs clearance building, the Cloud structure and the ferry terminals/berthage) and Princes Wharf (described above).
Risk and hazardous industry

Industrial development, including facilities storing dangerous goods have been situated on land within Wynyard Precinct since the early 1920’s. Since the commissioning of the Wiri pipeline in the mid 1980’s hazardous industry has progressively shut down or relocated from Wynyard precinct, providing the opportunity for a mix of land uses to establish within the area.

Three bulk liquids terminals remain in Wynyard Precinct, operated by BST and Stolthaven which import hazardous liquids (i.e. flammable and/or toxic) materials as well as non-hazardous substances (such as vegetable oils) by ship or road tanker. Hazardous goods are unloaded from ships berthing at the northern (outer berth) section of Wynyard Wharf. The southern part of the wharf (inner berth) is used for non-hazardous cargo unloading and fuel bunkering. Unloading is primarily undertaken using a piping system which is currently located both above and below the wharf structure. At present the public are generally excluded from the Wynyard wharf area with the exception of Sealink vehicle ferry and Auckland Seaplane passengers, which both provide for controlled public access to the southern part of the wharf.

Products are stored at each bulk liquids’ terminal and exported to customers, largely in road tankers, using both Hamer and Brigham Streets. Various other related activities such as drumming and blending also take place on some sites.

In 2011, as part of the Stolthaven’s acquisition of the Shell site lease, monomer products and other toxic liquids were relocated from the former Marstel facility at Brigham Street to the former Shell terminal storage tanks located at the northern tip of Wynyard precinct. This relocation increased the separation distances to existing and proposed developments within the precinct.

The three remaining bulk liquid terminals will move out of the area over time as their leases expire. Stolthaven will be decommissioning their operation adjacent to Wynyard Wharf from mid-2021 – 2022 with BST decommissioning prior to their lease expiry in 2025. The Stolthaven operation over the northern part of Wynyard Precinct (former Shell site), will be decommissioned by 2022.

The Sanford fish processing plant is located within the block bound by Jellicoe, Halsey, Daldy and Madden streets. This includes a closed loop ammonia refrigeration system, with associated potential for toxic gas release. The Sanford business also includes a large public fish market and public dining areas. A number of other public uses have established around the fishing plant including the ASB Waterfront Theatre, the ASB head office building and various entertainment and dining areas located on Jellicoe Street. Sanford has a perpetual lease for the facility identified below and will continue to operate at Wynyard Precinct for the foreseeable future.

The location of the hazardous industry sites is shown in Figure 12 below:
Viaduct Harbour Precinct and Wynyard Precinct

These precincts are outlined in detail above.

Westhaven Precinct

This precinct includes Westhaven Marina, coastal boardwalks, St Mary’s Bay beach and berthing for commercial and recreational vessels as well as refuelling facilities. The Westhaven Marina is one of the largest in the southern hemisphere and provides for a wide variety of craft through piled berthing and pile moorings.

The wider Waitematā Harbour and Hauraki Gulf features a mixture of highly modified to unmodified coastal areas and coastal environment. The area provides for both recreational and commercial activities in order to meet the needs of the wider community.

The broader City Centre is the most intensively developed commercial centre in New Zealand. It features high rise commercial and residential towers mixed with low rise heritage buildings. The mixed use nature of the City Centre enables all types of activities to be provided for within the underlying sloping ridge and valley landform.
8.6 NAVIGATION

Existing navigation within Wynyard Basin comprises vessel movements into the Viaduct Harbour entrance to berthage within the Outer Viaduct Harbour or alternatively passage through the Wynyard Crossing Lifting Bridge and into the Inner Viaduct Harbour to berthage. The Outer Viaduct Harbour provides berthage for private vessels, recreational vessels as well as berthage for the marine and fishing industry. The Inner Viaduct Harbour provides berthage for charter vessels, private and recreational vessels and marine industry vessels. The Wynyard Crossing Lifting Bridge is managed by 24 hour operators who operate from a control booth on the Halsey Street Extension Wharf. The positioning of a single entrance at the northern end of Viaduct Harbour serves the dual purpose of minimising the possibility of waves entering the Harbour and providing easy control of access. The maximum length of vessel permitted within the harbour is 55m.

During events, the waterspace within Viaduct Harbour and berthage along the wharfs is often used for vessels associated with the event including race boats, support craft and vessels associated with race management. These events include the Volvo Ocean Race Stopover, previous America’s Cup regattas and the International Boat Show.

The northern edge of the Halsey Street Extension Wharf and the Western Viaduct Wharf is currently used to berth two barges, while the western edge of Halsey Street Extension Wharf is used to load, unload and berth the fishing fleet. North Wharf is used for a variety of vessel berthage including the fishing fleet, recreational or other commercial vessels.

Wynyard Wharf is used for bulk liquids and hazardous cargo, general bulk cargo, bunkering and lightering of vessels, unloading and servicing large fishing vessels, discharge and distribution of sand and building material, general lay-up and repair. Coastal oil tankers of up to 183m long berth at the northern end of the wharf. The southern end of the wharf is also used as berthage for the Sealink ferries, which transport goods and vehicles to and from the Hauraki Gulf Islands, via a ramp from the CMA to Wynyard Wharf. The seaplane also loads and unloads passengers in the vicinity of the Sealink ferry ramp. The southern end of the wharf is also used to berth navy ships (from time to time) and mid-sized vessels including large super yachts.

To the west of Wynyard Wharf is Westhaven Marina and this marina provides berthage for approximately 1,500 vessels. Many informal recreational boat races take place in the harbour waterspace north of the marina. Further north, some passing vessel traffic includes bulk carriers taking cargo to and from the Chelsea Sugar Works. Overall, the Waitematā Harbour is a busy navigation channel with the Marine Vessel survey indicating that over a four day period including the weekend in November 2017 that 2941 vessels passed a reference line across the harbour from Freemans Bay. 367 of these were ferries or cruise boats and the majority (1892) were recreational motorboats with only 50 transiting within Freemans Bay.

Hobson Wharf and Princes Wharf and are used for the berthing of vessels associated with the
Maritime Museum, the Rapaki vessel (which also acts as a breakwater) and the Spirit of New Zealand. A number of other recreational, private and commercial vessels berth here from time to time.

The dredged depths of waterspace along this part of the waterfront are suitable for existing purposes and vary from 3m to 13m within the Wynyard Basin area. The locality is relatively exposed to north-easterly winds which results in the need to create breakwaters at various locations in order to provide calm water within the harbour. Wave attenuation devices are currently located around the Halsey Street Extension Wharf. The wind conditions from this direction blow over the exposed Waitematā Harbour and can generate noticeable waves, even white caps on fine days.

The vessels and structures have a functional and operational need to be located in this part of the waterfront due to the requirement for calm water to undertake their activities. The current waterspace between and along the wharf structures provides for the safe and efficient navigation of vessels within in this part of the City Centre waterfront.

8.7 CULTURAL AND BUILT HERITAGE

Pre-1840 Māori occupied the Auckland Isthmus landscape with the interface between land and the CMA being of significant importance for trade, interaction, transport and food gathering. While there were a number of Pa and other cultural heritage elements along the original coastline, there are none in the vicinity of the proposed works associated with this application. This is understandable given the proposed works involve extensions to existing wharf structures which adjoin existing reclamations or dredging of areas that have been previously dredged. The Auckland Unitary Plan does not identify any sites or places of significance to Mana Whenua in the vicinity of the proposed works.

In terms of heritage, the only identified scheduled item in the AUP in vicinity of the AC36 bases is the Western Viaduct lift bridge, abutments and control shed. This is scheduled item (ref # 02068) and includes a 10m site surrounds protection area. The bridge connects Te Wero Island with the Eastern Viaduct.
It is also noted that the E10 Mt Eden Viewshaft passes over the development site but is not affected by the proposed development.

8.8 NATURAL ENVIRONMENT

The following summary outlines the relevant existing environment elements of the natural environment insofar as they apply to the proposed development.

Hydrodynamics and sediment processes

The Waitematā Harbour extends from the harbour entrance at North Head some 25 kilometres
inland. A well-defined tidal channel exists and the overall catchment area is approximately 440km². The harbour experiences high tide approximately every 12.4 hours. In terms of flushing of the Inner Viaduct Harbour, the flushing time varies between 32-50 hours (spring tide conditions) to 46-64 hours (neap tide conditions). Generally flushing times less than 96 hours are considered to be “good”, while flushing times between 96-240 hours are considered “fair” and greater than 240 hours indicates “poor” flushing.

The waves in the Wynyard Basin area (Freemans Bay) are generally sheltered from ocean swells, however wind waves are experienced by the north east and north west winds across the harbour. The area is protected from southerly winds by existing topography and the built form of the City Centre. As a result average wave height varies between 0.1m to 0.8m. The development area is affected by wakes particularly from commercial ferries. This will require considered wave attenuation measures in order to provide the required calmness for AC vessels and other recreational craft.

In terms of sedimentation, in this area sedimentation is driven by fine sediments in stormwater and coastal margins. For the Viaduct Harbour there is one stormwater outfall into the Inner Viaduct Harbour, which carries flow from the Daldy Street catchment. This catchment includes raingardens which remove sediment. Further a 2.7m diameter stormwater outfall from Freemans Bay discharges beneath North Wharf at the southwestern corner of Wynyard Wharf South water space. The stormwater is not treated and localised sedimentation is evident.

For the Viaduct Harbour, sedimentation rates are approximately 18-36mm per annum for the Inner Harbour and 36-55mm per annum for the Outer Harbour. For Freemans Bay the per annum sedimentation rates vary between 17-33mm for east and north east, up to 130mm for centre and south west and 0-50mm for the Halsey Street Extension Wharf and North Wharf. These are generally considered to be low for other city waterfront sites identified in the Coastal Processes and Dredging Technical Report (Attachment 14).

Maintenance dredging is undertaken regularly within the Wynyard Basin in order to maintain acceptable drafts for vessels using the waterspace.

**Ecology**

The existing shorelines around the proposed development area are highly modified with the majority of exposed surfaces and ‘shores’ consisting of wharves, support structures, concrete slabs, timber and steel piles extending approximately 5m above and 4.5m below low tide level. There are also floating marina berths at water level. The shoreline has undergone considerable man-made change for over a century.

The ecology of the area comprises the following:

- Organisms of the seabed
- Biota inhabiting seabed sediment
- Fauna inhabiting varied man-made structures
- Seabirds
- Marine mammals

Examples of the above include barnacles, oysters, green algae, cyanobacteria, periwinkles, sea squirts, chitons, black sea slugs, sponges, hydroids, paddle weed, tube works, mussels, bryozoans and hydrozoans.

On the western side of Wynyard Precinct and within Westhaven Marina, there are also white fronted terns, red billed gulls, a dolphin siting, a leopard seal siting, NZ fur seals and a killer whale siting.

**Water quality**

In terms of water quality, sampling was undertaken at two locations within the Inner Viaduct Harbour and two locations within the Outer Viaduct Harbour. These were compared with water quality around the Chelsea Sugar Refinery, which is considered “excellent” based on the water quality index developed by the Canadian Council of Ministers for the Environment.

The water clarity for both the inner and outer harbours resulted in a turbidity similar to Chelsea with total suspended solids ranging from less than 3 to 6 g/m$^3$ in the inner harbour to 6 to 10g/m$^3$ in the outer harbour, both being within the lower range reported at Chelsea (4.8 to 20.0g/m$^3$).

In terms of nutrients, nitrogen was slightly higher than Chelsea while phosphorous and chlorophyll levels were similar to Chelsea.

Trace elements, such as dissolved copper, zinc and lead were found at low levels. These elements are not monitored at Chelsea.

**Geotechnical**

A significant number of previous investigations have been undertaken in and around the proposed development site and these have been utilised for this application. The projects that have involved such investigations are set out in the Geotechnical Report which forms part of this application (refer Attachment 25). The investigations range in date from 1959 to 2017.

The information obtained from boreholes undertaken in conjunction with these applications has been used to determine sandstone foundation levels for the concept design of the currently proposed structures and any specific geotechnical requirements for those structures.

The soil profile generally comprises Waitemata Group rock at relatively shallow depths which are overlain in places with residual Waitemata Group soils and recent marine sediments. Depths of
sediments found were approximately 0 to 1m deep and were thicker beneath the remainder of the wharf structures in the area. The average thickness beneath the Halsey Street Extension Wharf and Western Viaduct Wharf was approximately 3m.

The underlying Waitemata Group rock varies from 5m below CD to around 8m below CD in the area of Halsey Street Extension Wharf, Western Viaduct Wharf and Hobson Wharf.

For Wynyard Wharf works, as the Wynyard Precinct reclamations were undertaken across an old eroded river valley, the depth of Waitemata Group rock was encountered at relatively deep levels being 20-23m below CD.

Further geotechnical investigations will be carried out to confirm the assumed bedrock levels for the preliminary and detailed design of the structures.

8.9 TRANSPORT AND TRAFFIC

Wynyard Basin is accessed through the local road network of Halsey Street, Beaumont Street, Jellicoe Street and Brigham Street. Halsey Street and Beaumont Street are accessed from Fanshawe Street and indirectly from Viaduct Harbour Avenue. The constraints on access to Wynyard Quarter have resulted in a heavy reliance on travel demand management to minimise commuter vehicle trips during peak hours. Restrictions have also been placed on office activity floor area to further support this approach. A Wynyard Quarter Traffic Management Association has been established to manage traffic within all of Wynyard Quarter and to promote travel to the quarter by means other than private vehicle.

Halsey Street daily traffic volumes were recorded as 8,978 in March 2015. Hamer Street daily traffic flows are in the order of approximately 2,000 vehicles, while Brigham Street daily traffic flows are in the order of 900 vehicles. Fanshawe Street daily traffic flows are in the order of 27,000 vehicles.

On street parking spaces exist throughout Wynyard Precinct and Viaduct Harbour Precinct.

Access to Wynyard Basin is also available for pedestrians and cyclists via the Wynyard Crossing Lifting Bridge. This bridge is accessed from Te Wero Island, the Eastern Viaduct and Quay Street/Lower Hobson Street. Public car parks in the vicinity include the Beaumont Street Carpark, the Downtown Carpark, the Fanshawe Street Carpark, the Victoria Park Markets Carpark, the Viaduct Carpark and the Pakenham Street East Carpark.

There are a number of key industrial, commercial and community activities that affect the traffic environment in the Wynyard Basin area, these are noted below:

- Bulk Liquids Industry
- Fishing Industry
- Marine Industry
These activities generally manage traffic movements within their own areas and combine to produce the overall traffic environment affecting the Wynyard Basin. Some of the activities directly interface with each other and require careful management of traffic to ensure efficiency, safety and security. The Viaduct Events Centre, located on Halsey Street Extension Wharf manages its vehicular traffic (including servicing) with the fishing and marine industry traffic, through a carefully articulated traffic management plan. All traffic to the Halsey Street Extension Wharf is managed at the Halsey Street entrance point. Any future traffic through this entry point will require careful traffic management.

Similarly, the Sealink ferry traffic requires management of vehicles queuing to board the ferry in addition to trucks that are transporting goods to and from the Hauraki Gulf Islands. Events are generally managed for temporary periods to ensure permanent activities are not significantly disrupted. Examples include the Volvo Ocean Race Stopover, where traffic is managed on Quay Street and Halsey Street.

At present there are also a number of construction projects underway within Wynyard Quarter and as a result, management of construction traffic is an ongoing day to day element of the Wynyard Quarter traffic environment.

In terms of public transport, existing bus services include the Northern Busway buses along Fanshawe Street, and the City Link between Wynyard Quarter and Karangahape Road. Additional bus services are planned for 2018. These will provide connections to Newmarket, Remuera, Glen Innes, Ellerslie and Panmure. Ferry connections are available via Sealink and the Queens Wharf ferry terminal (across Wynyard crossing). Rail connections are also available from Britomart (across Wynyard Crossing).

8.10 NETWORK UTILITIES AND INFRASTRUCTURE

A summary of existing services servicing Wynyard Basin is set out in the Stormwater & Services Technical Report (refer Attachment 19) prepared by Beca. This report addresses stormwater drainage, flooding and overland flows, water supply, wastewater, power, telecommunications and product lines. A brief summary of these is provided below and reference to the technical report should be made for full details.

In terms of stormwater, the Halsey Street Extension Wharf and Western Viaduct Wharf stormwater is directed to dropper pipes which are connected to collector pipes before discharging into the CMA, except for the Halsey Street Extension Wharf where the pipes connect to nine underwater sumps prior to discharging. For Wynyard Wharf and Hobson Wharf, discharge is direct to the CMA.
For water supply, power and communications, all four wharves have existing connections which will be extended to provide for this proposal. In terms of wastewater, existing pipes that connect to the public wastewater system run along the wharves and Brigham Street and will be utilised to provide for the wharf extensions.

Further, there are existing live and disused product lines for bulk liquids that run along Wynyard Wharf. These connect to the tanks within the Wynyard Precinct via pipe bridges between Wynyard Wharf and Brigham Street (i.e. over the CMA) and over Hamer Street. There is also pipework running along the Brigham Street seawall.

9.0 CONSENT REQUIREMENTS

9.1 INTRODUCTION

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

- Auckland Unitary Plan (Operative in Part)
- Plan Change 4 to the Auckland Unitary Plan
- National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health
- Auckland Council Regional Plan: Coastal section

Without limiting this application being for all necessary resource consents, resource consents appear to be required at least under the following provisions below. Resource Consent is being sought to enable the proposal (as described in this report) and the application intends to include all necessary consents for those activities to occur. If further consent matters are identified post lodgement of the application, these should also be considered as forming part of the application.

9.2 AUCKLAND UNITARY PLAN (OPERATIVE IN PART)

Consent is required for the reasons identified below.

NOTE: The activity tables in the Precincts specifies the activity status for land use and development activities pursuant to section 9(3) of the Resource Management Act 1991 and the activity status for works, occupation and use in the coastal marine area pursuant to sections 12(1), 12(2) and 12(3) of the Resource Management Act 1991, including any associated discharges of contaminants or water into water pursuant to section 15 of the Resource Management Act 1991, or any combination of all of the above sections where relevant.

Occupation of the CMA is sought for the area identified in drawing 3233847-DC-004 appended at Attachment 3. The relevant activity status in relation to the occupation of the area is identified below.
9.2.1 Precincts

Viaduct Harbour Precinct – Chapter I211

Resource consent is required under sections 9(3) and 12(1), 12(2), and 12(3)) of the RMA for the following reasons in Chapter I211:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Reason for consent</th>
<th>Activity Status</th>
</tr>
</thead>
</table>
| I211.4.1.(A6) | Capital works dredging  
The proposal involves 75,000m$^3$ of capital dredging within the CMA to provide for the water depths required for the AC36 race boats and associated craft. The activity status under the precinct provisions supersede the provisions in the Zone. Subject to rule I211.4.1.(A6) Capital works dredging requires consent as a restricted discretionary activity. | Restricted discretionary          |
| I211.4.1.(A27) | Wave attenuation devices  
Breakwater structures are proposed to be located on the south-western corner of the new wharf and on the east of the Hobson Wharf extension. Additionally, wave attenuation panels will be fixed to the proposed observation wharf structures. As such consent is sought subject to rule I211.4.1.(A27) as a restricted discretionary activity. | Restricted discretionary          |
| I211.4.1.(A28) | Observation areas, viewing platforms and boardwalks  
Viewing areas will be provided for within the wider wharf extension area. The Viaduct Harbour precinct provides for these activities specifically as restricted discretionary superseding the Zone provisions. Subject to rule I211.4.1.(A28) Public observation areas or viewing platforms require consent as a restricted discretionary activity. | Restricted discretionary          |
| I211.4.1.(A30) | New pile moorings established after 30 September 2013 including occupation and use by the vessel to be moored  
Pile moorings will likely be required to provide berthage associated with the AC36 activities. Subject to rule I211.4.1.(A30) New pile moorings established after 30 September 2013 including occupation and use by the vessel to be moored require consent as a restricted discretionary activity. | Restricted discretionary          |
| I211.4.1.(A35) | Coastal marine area structures or buildings not otherwise provided for  
Subject to rule I211.4.1.(A35) Coastal marine area structures or buildings not otherwise provided for, in this case the extension of Hobson Wharf and the permanent ETNZ base located on top of the wharf structure, require consent as a discretionary activity. | Discretionary                    |
### Table 3: Reasons for Consent- Viaduct Harbour Precinct

<table>
<thead>
<tr>
<th>Rule</th>
<th>Reason for consent</th>
<th>Activity Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>I211.6.1 Temporary activities - events</td>
<td>Subject to Rule C1.9 (2), infringement of standards requires consent as a restricted discretionary activity. In this case the event components of the proposal will not comply with the temporary activities events standard at Rule I211.6.1 with respect to duration and noise. This therefore requires consent as a restricted discretionary activity. <em>Note: The event activity is subject to Chapter E40, with the additional standards applying to events within the Viaduct Harbour Precinct.</em></td>
<td>Restricted discretionary</td>
</tr>
</tbody>
</table>

**Wynyard Precinct – Chapter I214**

Resource consent is required under sections 9(3) and 12(1), 12(2), and 12(3) and Section 15 of the RMA subject for the following reasons in Chapter I214:

### Table 4: Reasons for Consent- Wynyard Precinct

<table>
<thead>
<tr>
<th>Rule</th>
<th>Reason for consent</th>
<th>Activity Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>I214.4.4.1 (A12) - Events</td>
<td>The event will attract more than 1000 people and is longer than 21 days in Area E and Area 6. Consent is required as a restricted discretionary activity.</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td>I214.4.4.1 (A13) – Major Marine Event</td>
<td>The major marine event longer than 60 consecutive days is not provided for and subject to C1.7 is a discretionary activity.</td>
<td>Discretionary</td>
</tr>
<tr>
<td>I214.4.1.(A19) – Marine and port activities</td>
<td>Marine and port activities are provided for as a restricted discretionary activity in sub precinct F.</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td>I214.4.1.(A35) – Any activity not otherwise listed that has a functional need to located in the CMA</td>
<td>Any activity not listed as a permitted, controlled, restricted discretionary or non-complying activity which has a functional need to locate in the coastal marine area is proved for as a discretionary activity within the CMA.</td>
<td>Discretionary</td>
</tr>
<tr>
<td>I214.4.2.(A39) – Capital Works Dredging</td>
<td>Subject to rule I214.4.2.(A39) Capital works dredging of 75,000m³ required to establish the Wynyard basin area is proved for as a restricted discretionary activity, where located in the Wynyard Precinct, this supersedes the zone provisions in chapter F2.</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td>I214.4.2.(A41) Marine and port facilities</td>
<td>Marine and port facilities associated with the activity of the bases and the accommodation of vessels and related activities within the Wynyard basin, including...</td>
<td>Restricted discretionary</td>
</tr>
</tbody>
</table>
### Table 4: Reasons for Consent - Wynyard Precinct

<table>
<thead>
<tr>
<th>Rule</th>
<th>Reason for consent</th>
<th>Activity Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>I214.4.2.(A47)</td>
<td>movable cranes, wharves and other associated structures on both Land and in the CMA require consent as a restricted discretionary activity. This supersedes the zone provisions (noting that Marine and port ancillary structures and services are provided for as permitted under (A40)).</td>
<td>Controlled</td>
</tr>
<tr>
<td>I214.4.2.(A49)</td>
<td>The removal of buildings on land requires consent as a controlled activity. The removal of pipe bridges and associated structures are considered broadly as buildings (being all permanent structures) for the purpose of this provision. It is noted that removal of coastal marine structures within the CMA is permitted in the Wynyard precinct.</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td>I214.4.2.(A51)</td>
<td>The upgrading and any alteration required to Wynyard Wharf, and any existing coastal marine structures required to be altered (such as the existing wharf structures) to enable the proposed structures to be constructed, requires consent under this rule as a restricted discretionary activity.</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td>I214.4.2.(A52)</td>
<td>Pipe bridges require consent under this rule as a restricted discretionary activity.</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td>I214.4.2.(A61)</td>
<td>The proposal involves works within Brigham Street which will require the reinstatement of the road. Roads or lanes are provided for as a restricted discretionary activity on land.</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td>I214.6.12 (7)</td>
<td>The bases on Wynyard Wharf will exceed the height standards for the wharf of 9m, being approximately 15m in height to accommodate the functional requirements of the raceboats. This requires consent as a discretionary activity under this rule.</td>
<td>Discretionary</td>
</tr>
<tr>
<td>I214.6.12 (7)</td>
<td>Subject to Rule C1.9 (2), infringement of standards requires consent as a restricted discretionary activity. In this case the proposal incorporates buildings</td>
<td>Restricted discretionary</td>
</tr>
</tbody>
</table>
### Table 4: Reasons for Consent- Wynyard Precinct

<table>
<thead>
<tr>
<th>Rule</th>
<th>Reason for consent</th>
<th>Activity Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>I214.6.13 Public Accessways - Wharves</td>
<td>Subject to Rule C1.9 (2), infringement of these standards requires consent as a restricted discretionary activity. Subject to I214.6.13 (1) and (2) Public Accessways - Wharves, the proposal restricts public access along the southern edge of the Western Viaduct Wharf, the northern edged of Halsey Street Extension Wharf and the eastern edge of Wynyard Wharf. Subject to I214.6.13 (3) Public Accessways - Wharves, the proposal includes buildings on the eastern edge of Wynyard Wharf. This therefore requires consent as a restricted discretionary activity.</td>
<td>Restricted discretionary</td>
</tr>
</tbody>
</table>

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9.2.2 **Overlays (Chapter D)**

No reasons for consent are identified in relation to the overlay applicable to the site for the reasons identified in the Assessment Tables at Attachment 6.

9.2.3 **Auckland-Wide (Chapter E)**

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Rule/Infringement</th>
<th>Activity Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>E4</td>
<td>Other discharges of contaminants</td>
<td>Subject to rule (A15) the discharge of contaminants onto or into land and/or into water not otherwise provided for by a rule in the Plan is sought in relation to the potential need for stockpiling of dredge material on land prior to being taken to landfill (where contaminated) or for construction purposes associated with the ground improvements.</td>
</tr>
<tr>
<td>E7</td>
<td>Taking, using, damming and diversion of water and drilling</td>
<td>The proposal involves groundwater level control associated with groundwater diversion required for the ground improvement enabling works. As such consent is sought as a restricted discretionary activity subject to rule E7.4.1(A20) [Note the specific standards are addressed in the AC36 Groundwater Technical report]</td>
</tr>
<tr>
<td>E7</td>
<td>Taking, using, damming and diversion of water</td>
<td>Ground improvements are required as a component of the proposal and will involve excavations below groundwater levels which do not achieve the permitted</td>
</tr>
<tr>
<td>Chapter</td>
<td>Rule/Infringement</td>
<td>Activity Status</td>
</tr>
<tr>
<td>---------</td>
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</tr>
<tr>
<td>and drilling</td>
<td>standards as identified in the Groundwater Technical Report as a result consent is sought as a restricted discretionary activity subject to Rule E7.4.1(A28). [Note the specific standards are addressed in the AC36 Groundwater Technical report]</td>
<td></td>
</tr>
<tr>
<td>E8 Stormwater-Discharge and diversion</td>
<td>The proposal involves the diversion and discharge of stormwater from impervious areas associated with the new wharf structures. Consent is sought subject to Rule E8.4.1(A10) for discharge and diversion not otherwise provided for as a Discretionary activity.</td>
<td>Discretionary</td>
</tr>
<tr>
<td>E11 Land disturbance – Regional</td>
<td>Subject to Rule E11.4(A9) The proposal will involve earthworks of greater than 2,500m² within the Sediment Control Protection Area (the site is located in a Sediment Control Protection Area being within 100m landward of the coastal marine area).</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td>E12 Land disturbance – District</td>
<td>Subject to Rules E12.4.1(A6) and (A10) the proposal involves earthworks over an area exceeding 2500m² with a volume greater than 2500m³ and requires consent as a restricted discretionary activity.</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td>E12 Land disturbance – District</td>
<td>The works infringe the standards at (E12.6. Standards) are located within the coastal yard and will take place involving contaminated soil, subject to rule C1.9 (2) non-compliance with the are considered as a restricted discretionary activity.</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td>E14 Air quality</td>
<td>Earthworks and the construction, maintenance and repair of public roads and railways not meeting the general permitted activity standards requires consent subject to rule E14.4.1(A82) as a restricted discretionary activity. Consent is conservatively sought due to the potential for objectionable odours to be released as a result of works in contaminated soils.</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td>E15 Vegetation management and biodiversity</td>
<td>The proposal involves the potential removal of street trees (one being identified as potentially greater than 3m in height) located along the western side of Brigham Street. This tree is located within 150m of MHWS and subject to E15.4.1 (A22). Consent is therefore required as a restricted discretionary activity.</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td>E17 Trees in roads</td>
<td>The proposal involves works within the road corridor of Brigham Street within which street trees are currently located. While the ground improvement works will seek to retain these trees where possible, dependent on the final methodology and the need to maintain vehicle access in this location, the removal of the trees may be required. As such consent is conservatively sought</td>
<td>Restricted discretionary</td>
</tr>
</tbody>
</table>
### Table 5: Reasons for Consent- Auckland wide

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Rule/Infringement</th>
<th>Activity Status</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>E17 Trees in roads</strong></td>
<td>subject to rule E17.4.1(A10) to remove any trees potentially greater than 4m in height (or 400mm in girth).</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td><strong>E23 Signs</strong></td>
<td>The proposal will involve works within the rootzone of the street trees on Brigham Street. As construction methodologies are yet to be developed compliance with the permitted standards cannot be confirmed. As a result, consent is conservatively sought to infringe these standards subject to rule E17.4.1(A8).</td>
<td>Restricted discretionary</td>
</tr>
</tbody>
</table>
| **E25 Noise and vibration** | The proposal involves construction works which will result in exceedances of the noise and vibration standards applied to the Coastal Marine Area zone and Business – City Centre zone as specified in E25.6. Standards as set out below:  
  - 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 and containing an activity sensitive to noise that is occupied during the works exceeding the limits identified within tables E25.6.27.1 and E25.6.27.2  
  - Construction activities within the Business – City Centre zone, which result in noise levels received at 1m from the façade of a building within the General Coastal Marine Area exceeding the limits identified within table E25.6.27.1  
  - Construction activities within the Business – City Centre zone exceeding 15 consecutive calendar | Restricted discretionary |
Table 5: Reasons for Consent- Auckland wide

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Rule/Infringement</th>
<th>Activity Status</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>days, which result in noise levels that when measured for any 30 minute period 1m from the façade of any building within the Business – City Centre zone exceeding the limits identified within table E25.6.28.2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Construction activities within a road exceeding 15 consecutive calendar days, which result in noise levels received at 1m from the façade of a building within the General Coastal Marine Area exceeding the limits identified within table E25.6.27.1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Construction activities within a road exceeding 15 consecutive calendar days, which result in noise levels that when measured for any 30 minute period 1m from the façade of any building within the Business – City Centre zone exceeding the limits identified within table E25.6.28.2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Construction activities which result in vibration levels that exceed the identified levels within table E25.6.30.1</td>
<td></td>
</tr>
<tr>
<td>E30</td>
<td>Contaminated land</td>
<td>Discretionary</td>
</tr>
<tr>
<td></td>
<td>The discharges of contaminants into air, or into water, or onto or into land not meeting the controlled activity Standard E30.6.2.1 require consent as a Discretionary activity under rule E30.4.1(A7). The soils disturbed as part of the enabling works (ground improvement works and installation of services) are known to be potentially contaminated due to the material used in the reclamation of the area, former uses of the area and documented contaminated material spills and no Detailed Site Investigation of the particular area has been undertaken.</td>
<td></td>
</tr>
</tbody>
</table>
### Table 5: Reasons for Consent- Auckland wide

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<thead>
<tr>
<th>Chapter</th>
<th>Rule/Infringement</th>
<th>Activity Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>E31 Hazardous substances</td>
<td>The general coastal marine zone where the AC36 bases will be located is subject to the quantities applicable to more sensitive zones. As such the thresholds for the storage of flammable liquid substances (class 3) are low. The general coastal marine zone where the AC36 bases will be located is subject to the quantities applicable to more sensitive zones. As such the thresholds for the storage of flammable liquid substances (class 3) are low. Hazardous facilities that store or use hazardous substances above the specified thresholds for controlled activity and restricted discretionary activity status in the activity tables or are not otherwise provided for require consent as a discretionary activity, in this instance consent is sought to enable a volume exceeding the specified thresholds for the GCMA zone subject to rule (A7). Additionally, the relocation of the pipe bridges and pipe lines associated with the ship to share conveyance of substances are not specifically excluded from the definition of a hazardous facility as they convey a range of substances (not petroleum or gases alone). As such consent is conservatively sought (subject to (A7)) as a discretionary activity to relocate these lines.</td>
<td>Discretionary</td>
</tr>
<tr>
<td>E33 Industrial and trade activities</td>
<td>All 8 AC36 bases will involve ‘Boat or ship construction, repair or maintenance’ and as such are a listed ITA. Due to the total activity area exceeding 5000m² they are classified as high risk. Consent is conservatively sought subject to rule E33.4.3(A9) to enable flexibility in design and a framework approach to be taken to the development of environmental management plans for the temporary bases 2 to 8 and the permanent base 1 for ETNZ.</td>
<td>Discretionary</td>
</tr>
<tr>
<td>E33 Industrial and trade activities</td>
<td>As the activity is identified as a new high Risk ITA discharges associated with the activity area are considered as a Discretionary activity under rule E33.4.2(A24).</td>
<td>Discretionary</td>
</tr>
<tr>
<td>E36 Natural hazards and flooding</td>
<td>The proposal involves the location of buildings and structures (including temporary construction facilities and structures associated with the ground improvement</td>
<td>Restricted discretionary</td>
</tr>
</tbody>
</table>
Assessment of Environmental Effect
America’s Cup 36 Base Infrastructure and Event

9.2.4 Coastal – General Coastal Marine Zone (Chapter F)

Consent is required for the reasons detailed below, please also refer to those consent matters identified under the precinct provisions supersede the provisions in the underlying zone. For further detailed assessment please refer to the Assessment Tables Appended as Attachment 6.

Table 5: Reasons for Consent- Auckland wide

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Rule/Infringement</th>
<th>Activity Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>E36 Natural hazards and flooding</td>
<td>works) and building and structures on land for the Event period, within the area defined as the coastal erosion hazard area. Consent is therefore required under E36.4.1(A4) as a restricted discretionary activity. The proposal also involves ground improvement works which act in the manner of coastal protection. Therefore, consent is sought under these rules.</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td>E36 Natural hazards and flooding</td>
<td>The ground improvement works on the coastal edge have an effect of maintaining the stability of the coastal edge, and the existing seawalls located on the eastern side of the reclamation consent is therefore conservatively sought for these structures as hard protection structures. Resource consent is therefore required under Rule E36.4.1(A20).</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td>E40 Temporary activities</td>
<td>The Auckland Council Geomaps shows three overland flow paths from west of Brigham St discharging across the road and into the harbour. The GIS map also incorrectly shows a flood prone area between Brigham St and Wynyard Wharf. This is part of the Waitematā Harbour and is not a flood prone basin. The proposal includes works within the overland flow paths and while these structures are located below ground and within the CMA consent is sought in relation to these flow paths subject to rule E36.4.1(A42).</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td>E40 Temporary activities</td>
<td>The proposal involves two temporary activity periods of 6 months duration to provide for the AC36 and potentially AC37 including set up and pack down and associated challenger series. Temporary activities which are undertaken in public places and on private land for more than 21 consecutive days within the area of the City Centre and Metropolitan Centres require consent subject to Rule E40.4.1(A6).</td>
<td>Restricted discretionary</td>
</tr>
</tbody>
</table>
Table 6: Reasons for Consent - Coastal

<table>
<thead>
<tr>
<th>Activity table / Rule</th>
<th>Reason for consent</th>
<th>Activity Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>F2.19.2 Depositing and disposal of material</td>
<td>The proposal involves piling and the construction of structures requiring excavation within the CMA. In some instances, material from excavations or spoil removed from Pile holes may be retained within the immediate site area before it is removed from the site area. Consent is therefore sought for this temporary deposition of material subject to rule F2.19.2 (A10) Coastal marine area depositing of material not otherwise provided for.</td>
<td>Discretionary</td>
</tr>
<tr>
<td>F2.19.4 Coastal marine area Disturbance</td>
<td>The ground improvement works on the eastern side of Wynyard Point may interface with the Coastal Marine Area and result in disturbance of the foreshore and seabed. Additionally the proposal involves the construction of structures involving piling within the CMA. Consent is therefore sought subject to rule F2.19.4 (A37) for disturbance not otherwise provided for.</td>
<td>Discretionary</td>
</tr>
<tr>
<td>F2.19.8 Use and activities</td>
<td>Consent is sought subject to Rule F2.19.8 (A94) for parking on coastal marine area structures other than as provided for as a permitted activity, being parking for the loading and unloading of deliveries to syndicate bases located on the coastal marine structures, not being captured by parking provisions within the Wynyard Precinct or Viaduct Harbour Precinct Rules.</td>
<td>Discretionary</td>
</tr>
<tr>
<td>F2.19.8 Use and activities</td>
<td>The proposal involves impact piling associated with the wharf extensions. Subject to rule F2.19.8 (A114) Underwater blasting, impact and vibratory piling, marine seismic surveys, consent is sought as a restricted discretionary activity.</td>
<td>Restricted discretionary</td>
</tr>
</tbody>
</table>

(Note: activity table 10 provides the activity status for both occupation of common marine and coastal area under s12(2) (by those structures located below MHWS) and the use (s12(3)).

| F2.19.10 Structures | Consent is sought subject to chapter F2 for hard protection structures in the under rule F2.19.10(A142) | Discretionary     |
| F2.19.10 Structures | Observations and viewing areas are not more specifically provided for in the Wynyard Precinct and are likely to be a component of the Halsey/Western Viaduct Wharf extension. As such consent is sought as a discretionary activity subject to rule F2.19.10 (A143). | Discretionary     |

9.2.5 Business - City Centre Zone (Chapter H)

No reasons for consent are identified in relation to the Business-City Centre Zone for the reasons identified in the Assessment Tables at Attachment 6.
9.3 PLAN CHANGE 4 TO THE AUCKLAND UNITARY PLAN

Plan Change 4 to the Auckland Unitary Plan is an Administrative Plan Change proposed by Auckland Council that aims to correct technical errors and anomalies within a number of existing policies, rules, overlays and precincts and the GIS Viewer of the Auckland Unitary Plan (Operative in part). It was notified on 28 September 2017. Hearings are to be held from 30 January 2018.

Plan Change 4 provides amendments to AUP provisions relevant to the proposal including:

- Chapter I214 Wynyard Precinct: Re-introduction of viewshafts to the Wynyard Precinct plans which were accidentally left off the Decision version of the Precinct Plans
- Permitted activity status for removal of trees not otherwise addressed in the Vegetation activity table.

However, the proposed amendments to provisions in Plan Change 4 do not trigger the need for any additional resource consents for the proposal.

9.4 OPERATIVE REGIONAL COASTAL PLAN

The proposal is located within the Port Management Areas 2A and 4A as identified in the Planning Maps appended to Attachment 1. The extension to the Western Viaduct Wharf and Hobson Wharf are located within Area 2A while the infill on Wynyard Wharf South is located within area 4A. The waterspace of both areas 2A and 4A is utilised by the proposal. The provisions in Chapter 25 and the objectives and policies in chapters 28 and 30 are applicable to the proposal as well as the general provisions for activities, structures, disturbance and discharge of contaminants as included in chapters 10, 11, 12, 15, 16, 20, 21, 34 and 35.

The Operative Regional Coastal Plan defines Port activities as “...Navigation, anchoring, mooring, berthing, manoeuvring and servicing (including repairs and maintenance) of vessels and barges, the embarking and disembarking of passengers, loading, unloading and storage of cargo and the use of buildings or structures associated with these activities.” The AC36 bases and associated berthing of race boats, support boats, superyachts and other craft are considered to be provided for under this definition and therefore provisions in the Port Management Areas are considered accordingly. The same approach is applied to the consideration of Chapter 23 Marinas. The proposal is not considered to meet the definition of a Marina, and while providing marine type piers and pontoons this is considered to facilitate the berthing of boats associated with the Port activity and as such the provisions of chapter 25 are applied\(^2\). Non-port activities are also identified in the form of the temporary event periods (two times 6-month periods). The relevant consents are identified below.

\(^2\) Refer to section 23.1 of the Auckland Council Operative Regional Coastal Plan
### Table 7: Reasons for Consent - Operative Coastal Plan

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Rule/Infringement</th>
<th>Activity Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chapter General</td>
<td>Occupation by any activity generally defers to the activity status of that activity within the CMA and in this case the port management areas 2A and 4A. Subject to rule 10.5.9 Occupation by any activity specified as a discretionary activity by another rule in this plan requires consent as a discretionary activity. Occupation of the area identified in drawing 3233847-DC-004 (A sliver of the eastern most part of the Halsey Wharf Extension, Hobson Wharf Extension, breakwaters and associated waterspace)</td>
<td>Discretionary</td>
</tr>
<tr>
<td>Chapter Activities</td>
<td>Subject to rule 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. In this case the proposal fails to meet condition e. in relation to the remediation of the seabed within a 7 day period (associated with construction activities) and will not achieve compliance with the Noise requirements of chapter 35.</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td>Chapter Structures</td>
<td>Subject to rule 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, is provided for as a discretionary activity. The extension of the Western Viaduct Wharf and Hobson Wharf require consent under this rule.</td>
<td>Discretionary</td>
</tr>
<tr>
<td>Chapter Structures</td>
<td>Subject to rule 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 is provided for as a discretionary activity. In this case the extension of Wynyard Wharf South to both temporarily and permanently bridge the waterspace between Wynyard Point and the existing Wharf and the likely upgrading and repair to this structure are considered to be subject to this rule.</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td>Chapter Disturbance Dredging</td>
<td>Subject to rule 15.5.10, capital works dredging required to facilitate the development of the waterspace within the outer Viaduct, access channel and the Wynyard Wharf South Waterspace (outside of Coastal Protection Areas 1 and 2) requires consent as a Discretionary activity.</td>
<td>Discretionary</td>
</tr>
<tr>
<td>Chapter Disturbance Other</td>
<td>Subject to rule 16.5.17, any disturbance of the foreshore or seabed, including excavation, drilling and tunnelling that is not provided for as a permitted, controlled, discretionary or noncomplying activity in any other rule contained in this chapter is provided for as a restricted discretionary activity.</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td>Chapter 19 Taking,</td>
<td>Subject to rule 19.5.5, the taking, use or diversion of inner</td>
<td>Discretionary</td>
</tr>
</tbody>
</table>
### Table 7: Reasons for Consent - Operative Coastal Plan

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Rule/Infringement</th>
<th>Activity Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use, Damming or Diverting Water</td>
<td>Coastal water (except as allowed by Rules 19.5.1 and 19.5.3.) is provided for as a discretionary activity. The proposal may require the temporary diversion of coastal waters to enable construction and works along the eastern side of Wynyard point within the coastal marine area. Consent is therefore sought under this rule.</td>
<td>Discretionary</td>
</tr>
<tr>
<td>Chapter 20 Discharges of Contaminants</td>
<td>Subject to rule 20.5.6 Any discharge of contaminants, other than as provided by another rule in this chapter require consent as a discretionary activity. Consent is conservatively sought under this rule for stormwater discharges from the additional impervious areas.</td>
<td>Discretionary</td>
</tr>
<tr>
<td>Chapter 25 Port Management Area (2A and 4A)</td>
<td>The proposal involves ‘Port activities’ but fails to comply with the permitted activity criteria at 25.5.14 and is not identified as a non-complying activity. The proposal is identified as infringing the noise standards, signage provisions and structures will exceed the height requirements for Wynyard Wharf. The proposal will exceed the 14-day limit in any six month period for the placement of temporary buildings or structures outside of the Viaduct Harbour, as permitted under rule 25.5.14.h. And the temporary event (including buildings and structures) will occupy venues within the coastal marine area for more than the permitted 20 days, inclusive of the time required for the establishment and removal of all structures and activities associated with the activity (for a period of two times 6 months for the event), as permitted by 25.5.15.a Therefore the activities associated with AC36 are, subject to Rule 25.5.25 considered as Restricted discretionary activities.</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td>Chapter 25 Port Management Area (2A and 4A)</td>
<td>The erection of new structures including the wharves, breakwaters, pontoons, and associated buildings, structures, deck furniture and cranes fails to comply with the permitted activity criteria at 25.5.14 (and is not identified as a non-complying activity) is identified as a Restricted discretionary activity subject to rule 25.5.26.</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td>Chapter 25 Port Management Area (2A and 4A)</td>
<td>The proposal involves the use of the waterspace for temporary events (as defined) over a period of 10 years with two event periods. Subject to Rule 25.5.34 this is provided for as a restricted discretionary activity.</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td>Chapter 25 Port Management Area (2A and 4A)</td>
<td>The proposal includes the non-port activity of a temporary event (not identified as a non-complying activity in Rule 25.5.52) which will generate an average daily traffic generation of 100 movements or more subject to rule</td>
<td>Restricted discretionary</td>
</tr>
</tbody>
</table>
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</tr>
</thead>
<tbody>
<tr>
<td><strong>Chapter 25 Port Management Area (2A and 4A)</strong></td>
<td>25.5.36 this is provided for as a restricted discretionary activity.</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td><strong>Chapter 25 Port Management Area (2A and 4A)</strong></td>
<td>The proposal involves the location of bases 6-8 on Wynyard Wharf as part of AC36 this involves the use of the wharf and adjacent water space but as noted above does not involve public access/amenities subject to rule 25.5.38 this is provided for as a restricted discretionary activity.</td>
<td>Restricted discretionary</td>
</tr>
<tr>
<td><strong>Chapter 25 Port Management Area (2A and 4A)</strong></td>
<td>The proposal includes the location of multiple structures within the CMA which are not expressly provided for as permitted activities as such consent is sought as a discretionary activity subject to rule 25.5.40.</td>
<td>Discretionary</td>
</tr>
<tr>
<td><strong>Chapter 25 Port Management Area (2A and 4A)</strong></td>
<td>The proposal involves repair and maintenance to Wynyard wharf of a scale of which will be refined (current comprising spalled concrete and corroded reinforcement. Strengthening of the existing wharf may be required at specific locations (such as, installation of additional piles, deck / beam thickening, etc for tower cranes) in order to accommodate the increased loads in these areas. As such consent is sought under rule 25.5.41 as a discretionary activity.</td>
<td>Discretionary</td>
</tr>
<tr>
<td><strong>Chapter 25 Port Management Area (2A and 4A)</strong></td>
<td>Rule 25.5.42 provides that 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 is a discretionary activity. In this case the temporary event period is identified as a non-port activity and the use of base 1 (as a permanent home for ETNZ) is ancillary to the primary function of this building which will provide a future marine/sailing education and learning area which has a functional need to be located within the CMA at this location.</td>
<td>Discretionary</td>
</tr>
<tr>
<td><strong>Chapter 25 Port Management Area (2A and 4A)</strong></td>
<td>The wharf extensions between Wynyard wharf and Wynyard point is required to enable the port activities undertaken as a part of the AC36 event and will remain following the event. The temporary placement of the bases and other bridging structures while assumed to be provided for above could alternatively be considered under this rule. As such consent is sought as a discretionary activity.</td>
<td>Discretionary</td>
</tr>
<tr>
<td><strong>Chapter 34 Signs</strong></td>
<td>Subject to rule 34.5.8 consent is required for signage (within Port Management Areas) which does not comply</td>
<td>Restricted discretionary</td>
</tr>
</tbody>
</table>
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<tbody>
<tr>
<td></td>
<td>with any or all of the Conditions for Permitted Activity Rule 34.5.4 and for advertising signage. As the bases and AC36 village area will require signage for the syndicates and their sponsors, this requires consent as a restricted discretionary activity. Consent is also sought under rule 34.5.9 as the AC36 event will involve additional signs advertising the event in the coastal marine area, which are erected for the period that the event or activity is being undertaken, which do not comply with any or all of the conditions of Rule 34.5.7. This also requires consent as a restricted discretionary activity.</td>
<td></td>
</tr>
<tr>
<td>Chapter 35 Noise</td>
<td>Pursuant to Rule 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.</td>
<td>Discretionary</td>
</tr>
</tbody>
</table>

9.5 NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH (NESCS)

Pursuant to Regulation 11 Discretionary Activity consent is required under the NESCS for 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.

It is proposed to undertake works along the eastern edge of Brigham Street to facilitate the syndicate bases 6, 7 & 8. This area is considered to contain contaminated soil. Further works are also proposed around the Brigham Street/Jellicoe Street intersection on land which is also contaminated.

9.6 OVERALL ACTIVITY STATUS/BUNDLING

As all matters associated with the proposal are interrelated, it is considered appropriate that the consents be bundled and considered together on a comprehensive basis. Overall, a discretionary activity resource consent is required for the proposal.

9.7 OTHER CONSENTS REQUIRED

An application for an exemption from the Auckland Council Signs Bylaw is included in this application in case any of the signage does not meet the bylaw standards and is not provided for under the AUP. The assessment of the relevant provisions of the bylaw is assessed under the ‘other matters’ section of this report.
10.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

10.1 STATUTORY MATTERS

10.1.1 Overview

The following section analyses the relevant statutory provisions that apply to the application and the locality. Significantly, these are the provisions of the RMA and associated policies and plans that relate to resource consents. The RMA sets out the statutory framework, within which resources are managed in New Zealand. The framework sets out a hierarchy of tests that must be passed in order for resources to be utilised, either on a temporary or permanent basis. Section 104 of the RMA sets out the matters for consideration when assessing a resource consent.

Under section 104(1) of the RMA, when considering an application for resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to:

(i) Any actual and potential effects on the environment of allowing the activity;
(ii) The relevant provisions of a national policy statement;
(iii) A New Zealand Coastal Policy Statement;
(iv) A regional policy statement;
(v) A plan or proposed plan; and
(vi) Any other matter that the consent authority considers relevant and reasonably necessary to determine the application.

Overall, the proposal is to be considered as a discretionary activity. Section 104B states that a consent authority may grant or refuse consent and if it grants consent may impose conditions under section 108 of the Act.

The following assessment addresses the other relevant provisions of Section 104(1) of the RMA.

10.1.2 Weighting of proposed plan changes: Auckland Council Unitary Plan

The Auckland Unitary Plan was made operative in part on 15 November 2016 however the Regional Coastal Plan (which forms part of the Unitary Plan) requires approval from the Minister of Conservation pursuant to Section 152(2)(b) of the Local Government (Auckland Transitional Provisions) Act 2010 and Clause 18(3) of Schedule 1 of the RMA. The provisions of the Regional Coastal Plan are beyond challenge and have been forwarded to the Minister for approval however, at the time of writing, the approval has not been confirmed.
This report includes an assessment under the Auckland Council Regional Plan Coastal (ARP:C). Given the status of the AUP Regional Coastal provisions, which have been through the AUP process with decisions made and no appeals are outstanding, significantly more weight should be placed on these provisions and little or no weight placed on the ARP:C.

10.1.3 Permitted baseline and existing environment

The proposal does not rely on a permitted baseline and there are no unimplemented consents that would affect the existing environment (as described in Section 8 of this report) or the proposal.

10.2 CHARACTER AND AMENITY

10.2.1 Introduction

The RMA defines amenity values as those natural or physical qualities and characteristics of an area that contribute to peoples’ appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes. The character and amenity of the locality is determined by the immediate and surrounding uses, activities and structures. It is also important to recognise the planning direction for a particular area as set out in the relevant regulatory planning documents. The construction and operation of the proposed AC bases, the AC36 event itself and the legacy uses are relevant character and amenity considerations.

Wynyard Basin is located on the western half of the City Centre waterfront and falls within both the Wynyard and Viaduct Harbour Precincts. It is bordered to the west by sub-precinct F in Wynyard Precinct and to the east by the Viaduct Harbour Precinct boundary. In terms of the Auckland Regional Plan: Coastal, the City Centre waterfront is managed by Port Management Areas (2A and 4A). The Port Management Area approach was adopted to manage and facilitate marine and port activities along the City Centre waterfront in recognition of the rights granted through the deemed POAL S384A coastal occupation permit. This historic approach is now carried through into the Auckland Unitary Plan and sets out the character and amenity expectations for this part of the waterfront.

The City Centre waterfront comprises a number of marine and non-marine related activities. These include the following (from east to west):

- The Ports of Auckland and associated major re claimations and wharfs (Hobson & Captain Cook);
- Queens Wharf public open space, event and entertainment venues, cruise ship terminal, berthing and passenger services and the regional passenger ferry terminal;
- Princes Wharf entertainment, food and beverage and accommodation activities and hotel
along with public promenades;

- Eastern Viaduct and Te Wero Island reclaimed public open spaces;
- The Maritime Museum and Hobson Wharf vessel berthing;
- Viaduct Harbour accommodation, office and food and beverage activities, marina berthing and public open spaces, including reclamation and declamation;
- Halsey Street Extension Wharf and Western Viaduct Wharf including the Viaduct Events Centre and Marine & Fishing Industry berthing;
- North Wharf food and beverage activities, berthing;
- Wynyard Quarter and Wynyard Wharf bulk liquids vessel berthing/unloading, ferry terminal/access ramp/berthing, seaplane operation, accommodation, office and food and beverage activities, berthing and public open spaces, including significant relocations; and
- Westhaven Marina berthing structures, offices, food and beverage and marine activities, yacht clubs, relocations and breakwaters, public boat ramps, public walkways and marina support activities.

The coastal environment (water and the adjacent land) is highly modified in this location (on the edge of the largest city centre in New Zealand and on the same waterfront axis and New Zealand’s largest port), although the Waitematā Harbour waterspace retains an element of naturalness. From a character perspective, the open waterspace transitions to the man-made built up nature of the coastal edge (through relocations, wharves and structures) to the original landform, which is occupied by high density development. When viewed from the CMA, the water’s edge is dominated by vessels, wharves, public access and relocations. Beyond this sits the natural landform of the Auckland Isthmus and the dominant large scale commercial and residential buildings. The Symonds Street and Albert Street and Ponsonby ridgelines combined with the Queen Street Valley still remain the dominant landform elements behind the modified water’s edge.

This application involves extensions to existing wharves (Halsey Street Extension Wharf, Western Viaduct Wharf, Hobson Wharf and Wynyard Wharf), the construction of ancillary structures and temporary/permanent AC36 yacht syndicate bases above the proposed wharf extensions within the CMA of both the Wynyard and Viaduct Harbour Precincts. Proposed activities include vessel storage, repair and maintenance along with construction, the event itself and legacy uses.

### 10.2.2 Planning Context

The proposal is located within the Wynyard and Viaduct Harbour precinct boundaries and does not protrude into the water space beyond the northern extent of the Wynyard Precinct land or Princes Wharf.

The AUP policy direction differentiates between coastal areas of outstanding natural character and
other areas of the coastal environment and encourages the maintenance and enhancement of amenity values as follows:

- Avoiding adverse effects of activities on natural character in areas with outstanding natural character, or outstanding natural features and outstanding natural landscapes (B82.1.).

- Avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects of activities on natural character or natural features and natural landscapes in all other areas of the coastal environment (B8.2.2).

- Avoiding or mitigating sprawling or sporadic patterns of subdivision, use and development by concentrating subdivision, use and development within areas already characterized and where natural character values are already compromised (B8.3.3(2)(a).

- Maintaining or enhancing the open space, recreation and amenity values of the coastal environment, by enabling the provision of facilities in appropriate locations that enhance public access and amenity values and maintaining and enhancing public access (B8.4.1, ).

- Require structures to be of a scale, location and design that is appropriate to its context, and designed to minimise impacts on natural character and amenity values and to generally fit with the character of any existing built elements, including the use of material and colours (f2.16.3).

This character and amenity value distinction is carried through to the Viaduct and Wynyard Precincts which provide the following direction for the development of the coastal area:

- Encouraging buildings to engage with the waterfront while ensuring that building height is of an appropriate scale to the waterfront location, compliments the height of adjacent development in the Viaduct Harbour and Wynyard Quarter while maintaining significant views of the water (l211.3, 1214.3(1)-(3)).

- Promoting excellence and diversity in architecture and urban design that enhances the relationship of buildings with public open space, and reflects the coastal, topographical, and historical qualities of the precinct (1214.3(5)).

- Encouraging design that reflects the marine location and promoting the important role the marine and fishing industries play in defining the character and amenity of the precinct (1211.3(3), 1214.3(9), 1214.3(10)).

- Ensuring that sufficient and suitably located land, wharf, waterspace and appropriate, convenient and adequate navigation and berthing facilities are provided to accommodate the current and future operation and growth of the marine and fishing industries and maritime passenger operations (l211.3(1), l214.3(13)).

- Recognising the significant local and regional socio-economic benefits associated with providing high-quality waterfront public open space and events (l214.3(15)).

The policy direction recognises the need to promote high quality built form of an appropriate scale which engages with open space while maintaining a ‘working waterfront’ for the marine and fishing.
industry. The presence of marine related activity contributes significantly to the existing waterfront character in terms of the activity itself and through the presence of existing marine related buildings and structures. This is recognised by policies 1214.3(9), 1214.3(10), which specifically encourage development and design that is reflective of the precinct’s maritime location and which recognise the important role the marine and fishing industries play in defining the character and amenity of the precinct.

In giving effect to the Wynyard Precinct policy direction, the AUP provides for wharves and buildings within the area proposed within this application (restricted discretionary activities within Wynyard Precinct and discretionary activities within Viaduct Harbour Precinct), with the maximum permitted height being 18m above mean sea level (approximately 15m above wharf deck level) in both precincts (although it is noted that the maximum permitted height on Wynyard Wharf is 9m above wharf deck level). In terms of building heights, detailed inquiries with ETNZ have enabled parts of the building heights to be reduced below the 15m height envelope and have also enabled modulation of the design to enable variation in building height, frontages and activation. This will enable compliance on the Halsey Street Wharf and Hobson Wharf extensions but not on Wynyard Wharf (this matter is addressed further below) The maximum height of bases will be 15m above wharf deck level.

Building on these policies, the relevant assessment criteria against which effects are required to be assessed for the Halsey Street Extension Wharf and Western Viaduct Wharf extension and associated buildings (being within the Wynyard Precinct - I214.8.2(9)) are summarised below, grouped into key themes:

**Contributing to Sense of Place**

- The extent to which buildings, respond positively to the existing and planned form and character of the surrounding area and significant natural landforms and landscape features and skyline.
- Within the Wynyard Precinct:
  - Create an integrated open space network that is adequate to meet the needs of the overall development area;
  - The extent to which the building complements its waterfront setting and where practicable, maintain views to the CMA, particularly the identified viewshafts.
- The extent to which the design recognises the functional requirements of the activity.

**Creating a Positive Frontage**

- The extent to which buildings have clearly defined public frontages that address the street and public open spaces to positively contribute to the public realm and pedestrian safety, through building orientation and design and the placement of activities.

**Creating Visual Interest**

- The extent to which buildings:
o Are high quality and designed as a coherent scheme;
o Provide visual interest and variety through building placement, form, and architectural detail; and
o Use durable and quality materials and integrate signage.

**Cultural Identity**

- The extent to which development integrates mātauranga and tikanga into the design of new buildings and public open spaces.

**Functional Need**

- For buildings on the Western Viaduct Wharf and within the Coastal Marine zone, whether it can be demonstrated that the purpose for which the structures are required cannot reasonably or practically be accommodated on the land or by existing structures in the coastal marine area.

**Open Space and Public Access**

- Where practicable, enhance public access to the coastal marine area.

The relevant assessment criteria for the Hobson Wharf extension and associated buildings (being within the Viaduct Harbour Precinct - I211.8.2(9)) are the same as above. The functional need criteria also apply to buildings or structures within the General Coastal Marine zone.

These identified themes form the basis of the evaluation of character and amenity effects below.

### 10.2.3 Evaluation of land use and built character and amenity effects

This section provides an evaluation of the land use and built character and amenity effects of the proposal based on the themes identified above. A range of specialist reports inform this evaluation, including in particular the Urban Design Report prepared by McIndoe Urban ([Attachment 9](#)), the report prepared by Boffa Miskell ([Attachment 11](#)) that assesses effects on natural character, landscape and visual amenity and the Alternatives Assessment ([Attachment 7](#)).

It is noted that the amenity effects of construction will be of a limited duration with noise and lighting effects addressed at sections 10.14 and 10.15 below. Such effects will be managed through control of noisy construction activities, a construction management plan (which manages construction effects to an acceptable level) and the design of lighting to avoid spill, glare and brightness on nearby sensitive uses.

The design of all bases is as set out in the Architectural Drawing Set (refer [Attachment 2](#)) and addressed in the Architectural Statement (refer [Attachment 9](#)). The syndicate bases have been designed in accordance with Design Guidelines and the functional requirements specified by ETNZ.

These design criteria are proposed to guide the final development of the bases and public spaces. The proposed base designs prepared by Moller Architects, employ these design criteria, including
the potential signage ‘areas’ associated with the proposed buildings. The base designs have been prepared following detailed discussions with ETNZ and therefore represent the functional need requirements for the bases in addition to the visual amenity outcomes for this locality. Overall, the proposed designs are considered suitable for consenting purposes. Should the syndicates accept the design of the bases without change, the consent holder would only need to provide final drawings outlining the following matters:

a) Building materiality, colour and finish;

b) Building façade detailing and treatment for elements fronting wharf public space areas;

c) Yard and security fencing design; and

d) Event branding.

These drawings and associated information would be submitted to Council for approval, prior to construction.

However, given that the syndicates are not finalised as yet and have not had an opportunity to review the designs, it is proposed to incorporate flexibility into the design finalisation process for all of the bases. This will enable amendments to the design of the bases subject to meeting specific criteria (set out in the proposed conditions) relating to building height, building footprint, yard areas and the Design Guidelines (included as Attachment 10). This option would also require design review through Panuku’s Technical Advisory Group, who have reviewed all built form and public space proposals on Panuku’s lands within Wynyard Precinct to date.

**Contributing to Sense of Place**

The ‘sense of place’ or character of an area is defined by a number of factors, including its land use, built form and landscape features. The existing character of the site and its surrounds are detailed above. In terms of land use, the area has a strong marine and open space land use character by virtue of its location on the harbour edge. The existing built form reflects this land use with lower scale buildings set within areas of open space.

As detailed in the Landscape and Visual Effects Assessment, the landscape in this area is highly modified, albeit the interaction with the water provides a degree of naturalness. There are no Outstanding Natural Landscapes or areas of High Natural Character. A detailed assessment of the effects of the proposal on landscape features and values is addressed in section 10.4 below.

It is considered that the proposal, including the wharf extensions, associated buildings, structures and open space, and proposed activities will be consistent with the planned land use and built character of the area and will contribute to its distinctive ‘sense of place’ for the following reasons:

- The proposed use of the wharf and buildings will be for marine related activity, which is consistent with the existing and planned land use character of the area. The proposed
continuation of marine activity, and its flow on effects for buildings and structures will make a positive contribution to the future land use character of the area.

- The proposed wharf extensions will follow the general form and geometry of the existing wharf structures and will therefore contribute to visual integration and cohesion of the wharf structures.
- The form of the proposed buildings will reflect the marine related land use and function, being low scale (up to 15m above wharf deck level), with a simple and integrated design.
- The ancillary structures and berthing facilities will extend the visual prominence of boats and related facilities in the area. This provides visual amenity for pedestrians and is consistent with the land use and built character of the existing Viaduct Harbour.
- In ‘legacy mode’, Bases 2-5 will revert to a flexible hardstand area, which will be consistent with the existing use of Halsey Street Extension Wharf, provide for events and enable views out to the Waitematā Harbour.
- A network of public open space promenades around the perimeter of the wharves will be provided, which will enhance recreational opportunities, provide new viewing locations toward the harbour and build on the strong open space character and function of the area.
- All bases will be designed to allow the public to directly ‘experience’ the maritime use of the buildings.

In relation to building form, it is noted that the proposal will be consistent with the policies of the City Centre zone, Wynyard Precinct and Viaduct Harbour Precinct that seek to transition building height down towards the waterfront. Bases 1-5 will be within the permitted height limit (15m above wharf deck level). While Bases 6-8 will infringe the 9m building height limit, the proposed maximum height of 15m for these bases will be lower than the existing industrial silos and any potential future buildings further west (27m maximum height limit) and will provide an appropriate transition to the water’s edge.

Providing opportunities for views of the water from the land is a key component of the existing and planned character of the area and is important to ensuring that development complements its waterfront setting. Views are discussed in detail in Section 10.4 of the report below, however, views to the water will be maintained as a result of the proposal, although some views to the harbour and more distant landscape features will be temporarily obscured from public areas by Bases 2-5. Once these bases are decommissioned, views across Halsey Street Extension Wharf to the Waitematā Harbour will be largely as existing.

**Creating a Positive Frontage**

The proposed architectural drawings (Attachment 2) and the proposed Design Guidelines (for any departure from these plans will ensure that the buildings achieve a positive frontage to the proposed public open spaces along Hobson Wharf and Halsey Street Extension Wharf. The architectural drawings have been developed in accordance with the design guidelines. These require the final design of the approved buildings, or any alternative designs for the bases, to demonstrate the following:
Provide interactive frontages of buildings to streets and public open spaces taking into account the internal functions of the base, the status, prominence and function of the adjoining space, safety and security requirements and the functional need of marine and port activities;

• Locate publicly relevant facilities within each base at ground level, where they will best contribute to adjoining public space; and

• Provide building openings and elements that overlook and provide for natural surveillance.

Yard enclosures are required for each of the bases for operational reasons. The Design Guidelines provide specific guidance for these enclosures to ensure that they do not detract from the quality and amenity of adjoining public spaces. Methods to achieve this include limiting the height of yard enclosures to 2.0m and ensuring they are visually permeable.

Creating Visual Interest

The proposed Design Guidelines, particularly Guideline 5, will ensure that the final design of the proposed buildings provide visual interest. This can be achieved in a variety of ways and Guideline 5 lists a variety of techniques, including modulation of building height and/or form, offsets of façade planes and roof form modulation, amongst others. This will ensure that the detailed design of the proposed buildings are of high quality and provide visual interest.

Signage will be required on the buildings for identification and legibility. The detailed signage proposals are yet to be developed, however, Design Guideline 6 will require a consistent and coherent approach to be developed. Signage might potentially utilise super-graphics, projection, light effects, flags and/or banners, as appropriate.

Cultural Identity

There are opportunities to integrate mātauranga and tikanga into the design of new buildings and particularly within the proposed public open spaces. This is addressed in the Design Guidelines and opportunities can be explored as part of detailed design.

Functional Need

The proposed extensions to Wynyard Wharf and Halsey Street Extension Wharf and associated buildings are subject to an additional criterion in the Wynyard Precinct and General Coastal Marine zone, in relation to the purpose of the structure and whether it can be reasonably or practicably accommodated on the land or by existing structures in the coastal marine area. A range of alternatives have been assessed for the location of the Bases (refer Attachment 7). This evaluation concludes that there are no reasonably practicable alternatives for locating the Bases taking into account the functional requirements of the bases (including sheltered waterspace and deep water), construction feasibility relative to the timing of the event, the operational requirements of the hazardous industry, cost and potential landscape and visual effects. The alternatives are addressed in detail in Section 12 of the report.

Open Space and Public Access
An extensive public open space network is proposed, which is shown in Figures 14 and 15 below. A new open space is proposed to be located at the northern end of Hobson Wharf (1900m² including 330m² of breakwater). A 10m wide pedestrian access will be provided on the northern edge of Halsey and Hobson Wharves. During the event, the laneway between Bases 4-5 will be the primary connection point to the northern promenade, via the existing pedestrian access around the Viaduct Events Centre. The northern end of Hobson Wharf will be accessed via the existing pedestrian access on the western side of Hobson Wharf from Quay Street.

The proposed open space on Hobson Wharf is appropriately located on the northern side of the wharf and will be well defined by the permanent Base 1 building that will house ETNZ to the west. The location optimises accessibility, sunlight access, shelter and views. Activities within and around the Base 1 building will provide opportunities to activate and enliven the open space and serve to draw people out to the water’s edge. This will contribute to the diverse range of recreational experiences currently in the area.

The proposed open space network is accessible from the existing pedestrian network. The layout supports legibility of the open space network and this can be further enhanced through the detailed design of the public realm. Proposed Design Guideline 1 will ensure that the detailed design of the open spaces achieves this.

During the event, viewing areas for the event are proposed to be provided within the open spaces, which will further activate and enliven the waterfront. Following the event, on-going activity within the Base 1 building will activate the adjoining open space, while the Halsey Street Extension Wharf will revert to a flexible hard stand area that can be used for events or similar activities.

![Figure 14: Showing the proposed open space network in ‘event mode’](image)
The layout of the open spaces relative to buildings has been considered in terms of safety and Crime Prevention Through Environmental Design (CPTED) issues in the Urban Design report. In summary, Base 1 is designed to provide overlooking of the adjoining public space such that a good degree of safety would be achieved. Similarly, for the remaining bases, the intent is to ensure a reasonable degree of transparency and locating building entries where they front onto public spaces. These matters are addressed in proposed Design Guidelines 2-4.

Overall, it is considered that the proposal will enhance public access to the CMA by increasing the amount of open space available within this part of the waterfront, which logically integrates with the existing open space network, is accessible, and contributes to a diverse and high quality range of recreational opportunities on the waterfront.

The Base 1 Building

The Base 1 building is proposed to be a permanent building that will house ETNZ. In contrast to previous regattas there is less need for privacy and security of syndicate bases, as all boat designs are standard. This has enabled the design of the Base 1 building to be more transparent, which will ensure the building contributes to visual interest and safety through greater glazing and activity to adjoining public spaces.

The building design for Base 1 is high quality and is visually integrated with the form of the adjoining Maritime Museum building on Hobson Wharf. The bulk of the building will be broken down with different architectural treatment for the building fronting the eastern public open space and the boat sheds further west. A generous ground floor height is proposed a good degree of glazing will be provided on the ground floor frontages to open spaces, which will contribute to visual interest and safety. Simple and varied roof forms are proposed, which will further contribute to visual interest.
For these reasons, the proposed design of the Base 1 building will make a positive contribution of the area’s sense of place, and will provide a positive frontage and visual interest.

### 10.2.4 Summary

The extensions to the Halsey Street Extension Wharf, Western Viaduct Wharf and Hobson Wharfs will add wharf surface area into the existing waterspace in Wynyard and Viaduct Harbour. The site plans and photosimulations (refer Attachment 1 and 2) indicate that the effects of the proposed works can be managed so that the resulting wharf space and buildings will provide a vibrant area with modulated and distinctively designed buildings that have active edges, particularly on public interfaces (through glazing active uses and balconies). Furthermore, in contrast to previous regattas, public interaction and viewing of syndicate bases and AC36 racing boat launches will be readily available and encouraged.

As a result, from an overall land use and built character perspective the proposed wharf extensions and associated buildings/structures are appropriate within this location and will contribute positively to the locality by increasing public amenity, interest and vibrancy to the new development. In particular, the proposed land use will be consistent with the existing marine and open space focussed land use character of the area, which the built form and ancillary structure will also reflect.

While the proposal will alter the character of the immediate locality, by creating more intensive use of this part of the waterspace, it is considered appropriate within the highly modified character of this central city area. Further, the existing occupation permit anticipates this location being used for marine and port purposes, which have a functional need to be located here, while buildings are anticipated on the Western Viaduct Wharf.

No expansion north of the existing port management areas or waterfront precinct boundaries is proposed.

In terms of amenity, the following elements of the proposal will improve people’s appreciation of
the area:

- The additional public access to the coastal edge, the plaza around the ETNZ base and the ability to view AC36 boats being launched and lifted out of the harbour before and after races
- Potential for the public (particularly children) to access the ETNZ base and interact with yacht racing equipment
- Active edges with the syndicate bases where the public can view and appreciate base operations
- Landscaping of the public access areas
- The establishment of additional vessel berthing and views of visiting vessels
- High quality designed syndicate bases
- Additional calm waterspace

The above elements will ensure positive amenity outcomes whilst ensuring any character effects have been appropriately taken into account. The proposed Wynyard Basin development will contribute significantly to the aesthetic appeal of this part of the waterfront and will continue to provide for the social outcomes of Auckland’s maritime community. Further, the development will also provide for improved social and amenity outcomes for a wider range of the community, as it will provide benefits that are broader than just maritime users. It will benefit visitors and other occupants of the locality, while appropriately managing adverse effects on other occupants.

Overall, it is considered that the extension of the wharves and establishment of ancillary structures together with the proposed activities (construction, operation, event and legacy activities) will result in minor adverse effects on land use and built character and amenity. There are also a number of positive amenity effects that will result from the proposal. Activities and development proposed as a part of this application are consistent with the existing and planned character of the area and are considered to be an appropriate form of development in this part of the CMA.

10.3 VISUAL AND LANDSCAPE, DOMINANCE & SHADING

10.3.1 Introduction

The proposed wharf extensions, buildings and associated structures will be visible from nearby surrounding areas given their location at the northern edge of existing wharf structures within Wynyard and Viaduct Harbour Precincts. This will change the natural character, landscape values and visual amenity of the area and will give rise to both positive and adverse effects on the environment.

Boffa Miskell has undertaken a comprehensive assessment of the landscape and visual effects of the
Relevant Features of the Existing Environment

The existing environment of the site and surrounding area, including its landform, built environment and natural features has been described in detail in the preceding sections of the report above. The existing landscape context is characterised by maritime and recreational activities centred around the Viaduct and Wynyard Harbours. While there are a wide mix of uses in the wider area, the key features of the environment that inform the assessment of the landscape and visual effects are the highly used and valued public access to the waterfront and the views into the Viaduct Harbour and visual connection to the Waitematā Harbour and the North Shore.

Planning Context

Giving effect to the NZCPS, the AUP Regional Policy Statement, General Coastal Marine Zone, City Centre Zone, Viaduct Harbour Precinct and Wynyard Precinct contain various objectives and policies that are relevant to the assessment of the landscape and visual effects of the proposal. The key objectives and policies are summarised as follows:

- Avoiding adverse effects of activities on natural character in areas with outstanding natural character, or outstanding natural features and outstanding natural landscapes (B8.2.1.).
- Avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects of activities on natural character or natural features and natural landscapes in all other areas of the coastal environment (B8.2.2).
- Avoiding or mitigating sprawling or sporadic patterns of subdivision, use and development by concentrating subdivision, use and development within areas already characterized and where natural character values are already compromised (B8.3.2(a).
- Requiring structures in the General Coastal Marine Zone to be of a scale, location and design that is appropriate to its context, and designed to minimise impacts on natural character and amenity values and to generally fit with the character of any existing built elements, including the use of material and colours (F2.16.3).
- Encouraging buildings to engage with the waterfront while ensuring that building height is of an appropriate scale to the waterfront location, provides a height transition and compliments the height of adjacent development in the Viaduct Harbour and Wynyard Quarter while maintaining significant public views of the water (I211.3 (10), 1214.3(1),(3)).

It is noted that an explanation of the RPS objectives and policies includes (B8.6. Explanation and principal reasons for adoption) includes the following, which is of relevance to the assessment of natural character within highly modified areas of the coastal environment:
Highly modified areas of the coastal environment still contain elements or features that contribute to their natural character. This may be vegetation, a significant landform, or in areas such as the waterfront, tidal movement and sights and sounds of the sea. Use and development in such areas should avoid significant adverse effects and avoid, remedy or mitigate other effects on the elements or features that contribute to the natural character value of that area.

The site or surrounding area is not located within area of Outstanding Natural Landscape or Outstanding Natural Character or Features and therefore Policy B8.2.1 is not relevant. The key policy directive of the AUP in this case is therefore to avoid significant adverse effects on natural character as it is defined for this particular coastal environment, and avoiding, remedying or mitigating other adverse effects on natural character.

Of relevance to landscape and visual amenity values are the policies directed at ensuring building form transitions to the waterfront edge and ensuring development responds to the site’s context and waterfront setting and maintains significant views to the water.

![Figure 17: Showing the proposed building form transition to the waters edge.](image)

This policy direction provides context for the assessment of landscape and visual effects below.

### 10.3.2 Effects on natural character

The coastal environment surrounding the site (wharves and breakwater structures) and reclaimed land based elements, patterns and processes are highly modified. There are no remnants of naturalness (abiotic, biotic or perceived) associated with the land with any perceived naturalness derived from the landscape features as part of the existing or proposed open space network and the interaction with the water.
In terms of other natural character elements, it is noted that the proposed development area is not a pristine coastal environment such as one may experience in the outer Hauraki Gulf islands or on undeveloped parts of New Zealand’s coastline.

Taking into account the nature of the existing environment, Boffa Miskell conclude that the potential adverse effects of the proposal on the actual (abiotic and biotic) level of naturalness are likely to be very low.

In relation to perceived naturalness, Boffa Miskell is of view that, while the proposal will visibly add to the number of structures within the area and reduce views to the wider harbour from some public places, this is acceptable within the context of the site’s highly modified coastal environment and the proposal’s consistency with the maritime function of the area. Following the removal of Bases 2-8, views to the Harbour from public places will be similar to the existing view. For these reasons, Boffa Miskell conclude that the potential adverse effects on the perceived level of naturalness for the period that Bases 2-8 are in place would be moderate-low and low once the Bases are removed.

While the potential adverse effects of the proposal on natural character are likely to be low once the Bases are removed, it is noted that the proposal efficiently builds on existing wharf structures in a coherent manner in an area that are already highly modified and compromised. This avoids sprawling or sporadic patterns of subdivision, use and development within the CMA as sought by Policy B8.3.3(2)(a).

### 10.3.3 Effects on landscape values

Landscape effects result from natural or induced change in the features or overall character of the landscape. Landscape character is the distinct and recognisable pattern of elements that occur consistently in a particular landscape. It reflects particular combinations of geology, landform, soils, vegetation, land use and human settlement.

Acknowledging that there will be a change to the landscape as a result of the proposal, and that there are limited landscape features of value within the area, the key consideration is the effects of the proposal on the wider landscape and seascape character and the extent to which the proposal can integrate with the wider urban landscape.

Boffa Miskell conclude that the proposal will have moderate adverse effects on the wider character of the Waitematā Harbour during the period when Bases 2-8 are in place, and a low level of effects following their removal. The overall level of change to the landscape setting will be moderated by the association with the America’s Cup and the activities that surround the event, including activities within the bases on the proposed wharf area between events. When Bases 2-8 are decommissioned, views to the Waitematā Harbour will be similar to the existing situation from surrounding public places, which supports their assessment that the potential adverse effects on landscape values will be low following their removal.
While the proposal will change the existing landscape, the effects of this on the environment are considered to be acceptable when viewed in the context of the highly modified coastal environment and the marine-related nature of the proposed activity. In this regard it is noted that the proposal sits within the CBD of New Zealand’s largest city, an area where growth, activity and events are encouraged through the AUP policy direction. The proposed wharf structures and buildings are located within water space where the consolidation of existing and new infrastructure and buildings are provided for through the relevant precincts, in contrast to general areas of the Coastal Marine zone.

10.3.4 Effects on visual amenity

Protected Views in the AUP

As described above, the AUP seeks to limit the loss of ‘significant public views’ from the City to the harbour and adjacent landscape features, and protect public views within and to the area (objectives and policies I211.3 (10), 1214.3(1),(3)). While there is no specific description of ‘significant public views’, the City Centre Street Sightlines and the precinct Viewshaft rules refer to views from public spaces. The City Centre Street Sightlines rule addresses buildings on streets to maintain views to the wider harbour while the Viewshaft controls establish a series of internal viewing points to the inner Viaduct and Wynyard basin areas. There is no policy direction, nor intention in the City Centre zone or Viaduct and Wynyard precinct provisions to maintain private views to the coastal environment or wider landscape. In this respect, it is noted that the purpose of the height control is to achieve an appropriate scale in relation to streets, compliment the character or sense of place and provide a transition in height to the City centre in the foreground, with no reference to maintaining views. Furthermore, permanent marine related buildings (15m maximum height limit) are enabled as a restricted discretionary activity on the Halsey Street Extension Wharf and Western Viaduct Wharf, subject to demonstrating that the buildings cannot be reasonably accommodated on land or other wharf structures. Therefore, while views from privately owned areas remain relevant, they must be considered within this policy context which is focussed on identified views from public spaces.

City Centre zone – Street Sightlines

Two street sightlines in the City Centre zone traverse the site, being Sightline 15b and Sightline 23 as shown in Figure 18 and 19 below. These controls were originally drafted to control structures over roads (such as pedestrian overpasses or sky bridges). They apply only to streets and do not apply to the site given its location within the General Coastal Marine zone. Notwithstanding this, the following comments are made:

- The proposed Base 1 building is located below the viewing level of Sightline 15b, which will enable views over the building to the harbour; and
- Street Sightline 23 is already significantly compromised by the presence of the Park Hyatt building (under construction) and the Viaduct Events Centre on Halsey Street Extension
Wharf, such that the views of additional structures on Halsey Street Extension Wharf would be largely obscured by those buildings. Notwithstanding this, contrary to the plan drawing, it appears from the sketch supporting this sightline in the AUP (refer Figure 20 below) that the intention is to protect views from Fanshawe Street, through Bouzaid Way to the inner Viaduct Harbour, and not further beyond.

Figure 18: Showing Street Sightline 15b

Figure 19: Showing Street Sightline 23

Figure 20: Showing the view from Sightline 23.
Viewshafts in the Wynyard and Viaduct Harbour Precincts

Precinct Plan 6 of the Wynyard Precinct and Precinct Plan 5 of the Viaduct Harbour Precinct show the protected viewshafts from land to water. The purpose of these viewshafts is to maintain significant views of the water and adjacent areas from the Precincts to give effect to the AUP policies discussed above.

Figure 21 below shows the location of the viewshafts relative to the proposed structures. The majority of the viewshafts will be maintained as a result of the proposal, however, minor infringements to the viewshafts along Wynyard Wharf are necessary to accommodate Bases 6 and 7. The following comments are made in respect of these infringements:

- Proposed Bases 6 and 7 will not completely obstruct the identified viewshafts and views to the water will be enabled from Brigham Street through the hardstand areas between the buildings.
- The laneways that the viewshafts relate to have not been constructed and can be adapted to respond to the location of the bases in the unlikely event that the laneways are proposed to be constructed within the 10 year consent period. Council is also intending to notify a plan change this year to give effect to the Waterfront Masterplan refresh which identifies the land west of the proposed bases as open space. As part of this process, the location of viewshafts is likely to be revised, noting that the open space will provide more flexibility for the location of future viewshafts.
- Given that the laneways have not been constructed and development of the area to the west is not currently occurring, it is unlikely that there will be a significant level of pedestrian activity within this part of the Precinct while the bases are in place. The likely low volume of pedestrians in this area will minimise the actual adverse effects arising from this infringement.
Analysis of Visual Effects

Visual effects result from changes to specific views and the visual amenity experienced by people. When evaluating the significance of these effects it is important to consider the level of change in relation to the sensitivity of the viewing audience. Boffa Miskell has undertaken a comprehensive analysis of the visual amenity effects of the proposal from a range of surrounding public and private viewpoints. This evaluation is based on visual simulations that show the view from these points of the existing environment compared with the proposal.

In summary, the adverse visual effects primarily arise as a result of the buildings on Bases 2-5 obscuring the view from public locations to the south, including the Viaduct Events Centre as well as parts of the main east-west promenade, particularly from an area on North Wharf and from the Wynyard Crossing Bridge. This effect is temporary as the Base 2-5 buildings will be removed at the end of the 10 year consent period. While the building on Base 1 partially obscures the water from some of these views it is located adjacent to the Maritime Museum buildings and often seen in the context of Princes Wharf, which also becomes a backdrop in views from the Wynyard Crossing bridge, lessening the adverse visual effect of this permanent building. Views from private residences, including The Point, Lighter Quay and The Quay will also be affected in a similar way, however, it is noted that the AUP policy direction and controls do not address views from private land, as discussed above.
Following the 10 year consent period and the removal of Bases 2-8, a larger area of wharf on the Halsey Street Extension Wharf will become a flexible hard stand area and can be utilised for a range of existing and new events as well as passive recreation. Importantly, the majority of the views out from the key public walkway and private viewing locations will be similar to the existing view, while the new areas of wharf will provide for new public viewpoints out to the Harbour. For this reason, Boffa Miskell conclude that the long term visual amenity effects from the identified viewpoints will be low adverse to neutral.

In addition, the proposal seeks to create traditional wharf type structures with exterior piles and depth to the wharf in order to create a traditional wharf shadow as opposed to a structure which has flat concrete edges which are more reminiscent of higher levels of significant human intervention. This will ensure that the proposed wharf structures as seen from locations to the north will be visually consistent and is shown in Figure 22 below.

![Figure 22: Showing the typical existing wharf edge detail, which the proposed wharf structures will be consistent with](image)

10.3.5 Summary

The proposal will give rise to a visual change in the environment and will change the nature of existing views to the CMA from surrounding areas. The appropriateness of the change in this environment depends on site specific and policy considerations.

The existing environment is highly modified and there are no natural features other than the landscaped areas within the existing open space network. The AUP anticipates buildings on the
Halsey Street Extension Wharf and Hobson Wharf by specifying a building height of up to 15m (albeit on a narrower building platform). Building on the existing Halsey Street Extension Wharf and Hobson Wharf up to this height would have a similar effect of creating a built edge on the water and potentially limiting views to the wider Waitematā Harbour.

Notwithstanding this, the AUP seeks to maintain significant views to the water and ensure development responds to its waterfront setting. The AUP implements this policy by identifying specific viewshafts in the Wynyard and Viaduct Precincts and street sightlines in the City Centre zone. While views to the wider Waitematā Harbour will be partially obscured during the event (10 year duration), the proposal will generally comply with the viewshaft controls in the Wynyard and Viaduct Harbour Precincts applying to the site and therefore views to the water in the harbour area, as well as boats and marine activity, consistent with the planned land use character of the area, would be maintained. Where there are infringements along Wynyard Wharf, the effects of this are considered to be acceptable given that the buildings will be temporary, a significant policy change to this area is proposed, and there is unlikely to be a significant pedestrian activity in this area while the buildings are in place. It is also noted that the proposal will maintain views to the water as intended by the City Centre Street Sightlines control.

While outlook over the seascape (both nearby and distant) from public and private viewpoints will be affected by the proposed development, the change in view will be towards or over the AC36 race village. The purpose designed buildings and the theatre of the water created by the America’s Cup race boats will create a new visual and physical attraction into this part of the waterspace, providing a different form of visual amenity that can be considered positive. This would assist in mitigating the temporary loss of wider views to the Waitematā Harbour. Following the event, views to the wider harbour from key public vantage points would be similar to the existing views.

The proposed wharf, coastal structures and building additions are considered to be visually coherent with existing development within this part of the waterfront and consistent with the city centre waterfront morphometry.

Taking this into account, it is considered that the actual and potential effects of the proposed activity on the environment in relation to landscape and visual amenity will be acceptable.

10.4 ECONOMIC

The potential economic effects will relate to the construction of the AC36 base infrastructure, the regatta itself, the legacy uses and the spin off effects for the local, regional and national community.

While it is difficult to quantify the economic effects associated with the event itself (as opposed to the economic effects that would otherwise occur without the event), there have been a number of scenarios that have been modelled by Market Economics on behalf of the Ministry of Business, Innovation and Economic Development (MBIE).
The updated Market Economics report (December 2017) assesses economic effects from one event under a variety of scenarios (based on a variety of inputs) and it is concluded that the economic effects could be significantly positive or minor adverse.

10.5 SOCIAL AND CULTURAL

10.5.1 Social effects

The potential social effects of the America’s Cup relate to the impacts and benefits of the infrastructure and events on people who work, live and visit the area and more broadly on the general public.

The America’s Cup is an established international yachting event which is likely to attract a global television broadcast audience of millions of people. It is anticipated that the event will attract eight syndicates given Auckland’s track record in successfully hosting past America’s Cup events. The America’s Cup has become an important part of New Zealand’s sporting and cultural identity.

Figure 23: Image of Viaduct Harbour during previous America’s Cup regattas in Auckland

Locating the new syndicate bases within the Wynyard and Viaduct Harbour Precincts will assist in creating a village like atmosphere on Auckland’s CBD waterfront, a hallmark of previous America’s Cup events in Auckland.
Being an international yachting race, it is envisaged that visitors from a variety of ethnic and cultural backgrounds will be attracted to the village. As a result, it is considered that the village will take on a multi-cultural feel for the duration of the event. The event will also promote the use of the coastal marine area for recreational boating purposes, as some visitors will arrive to the event on their own private boats and/or will travel out to the harbour to view the racing on race days.

The location of the bases on Wynyard Wharf, Hobson Wharf and the Western Viaduct Wharf extension will ensure that the general public have the opportunity to freely view the syndicates (and America’s Cup boats) and this in turn will see the utilisation of the public spaces and infrastructure in and around Viaduct Harbour and Wynyard Quarter. These include Karanga Plaza, Wynyard Quarter public places, North Wharf, Eastern Viaduct, Te Wero Island, the waterfront promenades, the Viaduct Events Centre, Wynyard Crossing, the Maritime Museum and Princess Wharf. The bars and restaurants of Viaduct Harbour, North Wharf, Wynyard Quarter and Princes Wharf are also expected to be well patronised during the event.

Further, as part of AC36, the public will be provided with additional public access and viewing areas in and around the syndicate bases located on the Halsey Street Extension Wharf and ETNZ’s base on Hobson Wharf. The proposed design of the buildings and permeability of the compound areas will maximise the public’s ability to view the activity within the syndicate bases and the launching of boats for race day.

The success of past regattas has been attributed to the village like atmosphere created on Auckland’s waterfront; a positive for the syndicates competing in the event as well as for the general public’s ability to view and ‘get amongst’ the action on race days.

AC36 is likely to attract all types of visitors who are interested in sailing or who simply enjoy the carnival of attending waterfront events. Visitors may participate in organised events as part of the America’s Cup race days or may wander around the America’s Cup village viewing the yachts and ‘soaking up’ the atmosphere. Hospitality, merchandising and food and beverage facilities will also be available for visitors. Existing restaurants, café’s, bars and food and beverage outlets will all benefit from the influx of people, both during the build-up to and on race days.

The location of the syndicate bases will also maximise the opportunity that the event represents to New Zealand, while also ensuring that the new syndicate bases provide maximum exposure for syndicate sponsors, which is an important consideration for returning and new challengers.
As detailed in the report above, Wynyard Wharf is used for bulk liquids and hazardous cargo, general bulk cargo, bunkering and lightering of vessels, unloading and servicing large fishing vessels, discharge and distribution of sand and building material, general lay-up and repair. Coastal oil tankers berth at the northern end of the wharf. Modifications to the infrastructure on this part of the wharf will enable these activities to continue unaffected during the construction of the base infrastructure and during the event.

The southern end of Wynyard Wharf is also used as berthage for the Sealink ferries, which transport goods and vehicles to and from the Hauraki Gulf Islands. A new facility for Sealink is proposed to be established on the western side of Wynyard Point and is the subject of a separate resource consent application. The seaplane located on the southern end of the wharf is proposed to be relocated to another part of the waterfront. An alternative location is to be confirmed through discussions between Panuku and the operator.

The northern edge of the Halsey Street Extension Wharf and the Western Viaduct Wharf is currently
used to berth two barges, while the western edge of Halsey Street Extension Wharf is used to load, unload and berth the fishing fleet. A new berthing facility is also proposed to be established on the western side of Wynyard Point for the fishing industry so berthing remains unaffected and is the subject of a separate resource consent application.

The Viaduct Events Centre is an established venue for many events, functions and conferences. Construction activity will result in some disruption to the normal operations of the venue, including the associated parking located on Western Viaduct Wharf. The applicant is working with the Viaduct Event Centre to minimise disruption during the construction period and provide alternative parking arrangements. During the event itself, the events centre will become part of the core infrastructure required to successfully host the America’s Cup event.

With regard to berth holders on Te Wero and the Eastern Viaduct, berthing, parking and access arrangements for these persons will be the subject of further consultation and the relevant waterspace managers in order to ensure an appropriate outcome is reached to facilitate access to the berths.

The extension of Hobson Wharf and the removal of the Rapaki and replacement with a breakwater will cause some disruption to the operations of the New Zealand Maritime Museum. Discussions with the maritime museum have been positive and it is anticipated these can be adequately avoided and mitigated through the methodology and management of the construction programme.

The lead up to the event and the event itself is likely to have some impact on those who live in the area, including residential apartments located in the Viaduct Harbour and on Princes Wharf. Construction effects may result in some temporary impacts and disturbance; however, these effects are proposed to be mitigated through specific management plans for the duration of the construction activity. Public access through the area will be maintained, albeit diverted during specific construction activity, ensuring that residents will be able to continue to move through the area and maintain their community and social networks. During the event, it is inevitable that large crowds will congregate in the area to be a part of the race day event, resulting in some temporary disruption to local residents, however these impacts will be mitigated by a suite of event plans designed to comprehensively manage the logistics of event days. Many of the residential apartment buildings surrounding the water will have great vantage of the fun and activity that the cup racing will bring.

Overall, the potential to attract a wide range of visitors from a variety of backgrounds to this international event is considered to create significant positive social effects on the community. The global television audience is forecast to reach several million viewers and therefore has significant ability to promote Auckland as capable of hosting global international sporting events.
10.5.2 Public access

The AUP includes requirements for the provision and maintenance of public access at ground level to the Wynyard Precinct wharves. This includes a 10m public accessway along the western, northern and eastern edge of the Halsey Street Extension Wharf, a 10m public accessway on the southern edge of the Western Viaduct and an 8m public accessway on the eastern edge of Wynyard Wharf.

Access is required to be available at all times, however, access can be temporarily restricted from time to time for security, safety and operational needs associated with marine and port activities, maritime passenger operations or temporary events.

During the America’s Cup event, people’s ability to access the western and eastern edges of the existing Halsey Street Extension Wharf will be maintained and a 10m wide pedestrian access will be provided along the northern edge of the expanded Halsey Street wharf. During the event, public pedestrian access will also be provided between Sheds 4 and 5 linking the northern pedestrian access to the existing public access on the eastern side of the Viaduct Event Centre.

![Figure 25: Image showing public access to northern edge of wharf extensions](image)

Public access along the southern edge of the Western Viaduct will be restricted due to the need for the compound areas of the syndicate bases to directly access the adjoining water space. While this will result in some temporary restriction of public access during the AC36 event, public access will be restored when the syndicate bases are no longer in use and the temporary bases are removed.

New, permanent, public access will be created along the eastern and northern edges of the Hobson Wharf extension around the new ETNZ Base 1 building and will link the existing public connection on the western side of Hobson Wharf.

Public access along Wynyard Wharf is not proposed, primarily due to the proximity of hazardous facilities and the need to manage risk presented by hazardous or dangerous activities and facilities.

In addition, it is anticipated that public access to existing parts of Wynyard, Halsey Extension and
Hobson Wharves may be restricted during construction as required for health and safety reasons.

Overall, it is considered that people’s ability to access the water’s edge will be maintained and enhanced through a series of legible public accessways that connect to the wider public open space network established in around the waterfront area. This series of public accessways will not only provide views to the harbour, but will also allow people to view the activity and operations taking place in the syndicate bases during the event, activating and enlivening the waterfront.

10.5.3 Cultural effects

There are no sites or places of significance to mana whenua identified in the AUP in the vicinity of the proposed works. However, there were a number of Pa and other cultural heritage elements along the original coastline prior to the reclamation of the waterfront.

While there are no identified cultural sites within the application site, the Waitematā Harbour is, and continues to be, of great cultural, historical and spiritual importance to mana whenua.

It is understood that mana whenua have aspirations for harbours redress. These include restoration and enhancement of the mauri of the harbour and the exercise by mana whenua of rangatiratanga and kaitiakitanga.

The applicant has sought to engage with mana whenua groups in relation to impact of the proposals on cultural values and mitigations measures. The outcome of this engagement is outlined in the Consultation Summary documents included in Attachment 29.

Consultation with mana whenua will be on-going through the duration of this consent process. It is also the intention of applicant (Panuku) to have an ongoing, constructive relationship throughout the development and event. This will provide the opportunity to explore further opportunities for environmental mitigation (if required) and positive opportunities for cultural expression and kaitiakitanga as part of the proposal.

Based on on-going engagement with mana whenua, it is considered that the design of the proposal and conditions proposed will appropriately mitigate adverse effects to a level where there are negligible effects on cultural values.

It is considered that issues relating to rangatiratanga are more appropriately addressed by the government and/or Council outside of this resource consent process at the governance level.

10.6 Historic heritage and special character

There are no historic heritage sites affected by the AC36 proposal. The Cultural Heritage Inventory Lists the following items:
• 536 - Structure Breakwater - Maritime site.
• 404 - Ship Hulk Kaniere/Kanieri - Maritime Site.
• 18539 - Dredge Driving Wheel (Whakarire) Maritime Site.
• 401 - Ship Hulk – Chelmsford - Maritime Site.
• 18610 - Industrial Oil Tanks - Historic Structure.
• 541 - Western Wharf/Wynyard Wharf - Maritime Site.

These items appear to have been identified as non-statutory items of interest through the original Wynyard Quarter Plan Change 4 process. Although this document is non-statutory, it does assist to identify character elements across the precinct including bollards and eye pins on wharf structures. It is unclear as to whether this study covered Wynyard Wharf and whether such character elements exist on that wharf structure. If such items are found, it is the intention of Panuku to relocate any of significance to assist to preserve the marine industry character of the precinct. An advice note to this effect has been included as part of the consent conditions attached as Attachment 32.

There is no reference to the above listed items in the Auckland Unitary Plan. As set out in section 6.7, the only identified scheduled item in the AUP in vicinity of the AC36 bases is the Western Viaduct lift bridge, abutments and control shed. This is scheduled item 02068 and includes a 10m site surrounds protection area. The bridge connects Te Wero Island with the Eastern Viaduct. No alteration of this scheduled item is proposed, and no works are proposed within the 10m site surrounds.

On this basis, it is therefore considered that the proposal will not result in adverse effects on historic heritage values.

10.7 EFFECTS ON TREES

As set out in the proposal section the ground improvement works along a portion of Brigham Street will impact on the existing street trees at this location. The proposal seeks to retain the trees if practicable but due to the need to enable works within the wider road corridor consent it is conservatively sought to undertake works within the root zone and/or to remove these (Pohutakawa) trees.

In the event that works are required within the rootzone of the trees it is proposed to implement best practice arboricultural practice. Through consultation with the relevant Council representatives (Parks Arborist) works would be undertaken to ensure effects on the trees are mitigated to the extent practicable.

Should the trees be required to be removed they will be assessed as to their suitability to transplant to another location within the Wynyard Precinct or surrounding area. This is a practice which has been successfully implemented in prior developments within the Precinct area. The suitability of
trees to transplant is understood to depend on the size and condition of the tree and the contaminants identified in the soils immediately surrounding the root ball. Following the completion of works street trees will be replaced along the western side of Brigham Street in consultation with relevant stakeholders.

As the trees will be retained if at all practicable (and protected during construction works), or replaced should their removal be required, it is considered that the effects are less than minor and will temporary in nature for the duration of the ground improvement works.

10.8 COASTAL PROCESSES

10.8.1 Introduction

The proposal involves activities and structures within the CMA within a highly modified port environment in proximity to existing wharves, marine activities and within an area that has been subject to both capital and maintenance dredging. A comprehensive assessment of the likely and potential effects on coastal processes has been undertaken simultaneously by Beca and Tonkin and Taylor (T+T) with wake/wave modelling inputs provided by Cardno. The aim of this duel assessment is to provide a robust cross checking of modelling and the ability for comparison of these results.

In addition to the Report(s) attached at Attachment 14 an assessment of the coastal environmental impacts has been undertaken by Golder Associates (Attachment 15). This report is complementary to the coastal processes assessment, providing context and analysis of the likely and potential effects on water and sediment quality as well as ecology. The ‘Coastal Environmental Effects’ report provides an assessment of the existing physical and biological environments and considers the effect of the proposal in relation to water quality, sediment disturbance, effects of sediment deposition and effects of ecology. Associated with Coastal Activities and structures is the disturbance of the seabed, discharges and the potential for temporary deposition, capital dredging (discharges associated with this) and piling noise and vibration effects on marine mammals are dealt with separately in Attachment 22.

Existing environment context

As identified in section 7 of this report the existing environment within which the proposal is located is highly modified, accommodating a range of marine based activities including the Ports of Auckland, commuter ferry services, marina activities and providing for a range of recreational activities within and adjacent to coastal waters. The tidal range in the Waitematā Harbour is identified as is the volume of seawater exchanged in every tide (the tidal prism) is approximately 160 million m$^3$ being roughly 35% of the harbour volume.
Modelling approach

Two key approaches have been applied to inform the considerations of the coastal processes and dredging report:

- Hydrodynamic modelling of tidal flows (carried out by Tonkin and Taylor Ltd and Beca Ltd); and
- Wave and wake modelling (carried out by Cardno Pty Ltd).

Hydrodynamic modelling of tidal flows in the lower Waitemata Harbour, including Viaduct Harbour (Inner and Outer areas), Freemans Bay and west of Wynyard Point/Westhaven Marina, has been undertaken for the AC36 project. Tonkin and Taylor Ltd and Beca Ltd have used independent modelling software (Mike3 Flexible Mesh and Delft3D Flexible Mesh/RMA2, respectively) with agreed input information, parameters, and calibration data. The agreed reflection and transmission coefficients applied are discussed in the respective reports.

Wave and wake modelling was undertaken by Cardno Pty Ltd. The work particularly focussed on wakes. This is in order to capture for consideration the longer period wake that tends to ‘excite’ vessel movements is problematic for the creation of a tranquil water space.

Flushing or Residence Time

The Coastal Processes and dredging report concludes that there will be a degree of change in relation to basin flushing times as a result of the proposal. However, these effects are limited in extent and limited in terms of the scale of the change when considering the existing environment and identified as acceptable when applying PIANC (2008) guidelines. These effects are examined in turn below. There are three modelling approaches applied to the consideration of basin flushing times and are discussed in depth in the reports appended at Attachment 14. In summary they include:

- Ratio of Basin Surface Area to Entrance Cross Sectional Area;
- Tidal Prism Ratio; and
- e-folding method.

The PIANC guidance (2008) referred to in the consideration of flushing times, suggests that the ratio of basin surface area to the cross-sectional area of the entrance to the basin should achieve a certain range, in this case a figure of greater than 200 and ideally 400. This approach identifies that the proposal improves the ratio for the Wynyard Wharf South water space and for the outer Viaduct harbour while the inner viaduct harbour remains unchanged.

Flushing times associated with the tidal prism ratio are again based on the PIANC 2008 guidelines

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and recommends that the ratio of the volume of water entering the basin during the flood tide to the total basin volume at spring high tide should be at least 0.25, and preferably 0.35. Modelling results indicate that presently the basins have ratios of 0.31 to 0.41 (30-40% of water is exchanged per tide). Applying this measure, the proposal results in a decrease in the volume of water exchanged for the outer Viaduct by 18% and 4% in the Wynyard Wharf South water space due to the increased depths (increasing the total volume of this water space). However, the resulting values for the Outer Viaduct and Wynyard Wharf South water space remain above the PIANC specified lower limits. The ratio for the Inner Viaduct remains unchanged.

Flushing times are also assessed using an e-folding method which is explained in the Coastal processes and Dredging Report. Essentially this model calculates the time required for the water to reach a dilution level of 37%. The Coastal Processes Report identifies that e-folding estimates do not allow for wind, boat movement or baroclinic forcing and are considered to be a conservative estimate for relative comparison purposes as these additional factors could support a greater flushing exchange.

Currently the time required to achieve a 37% dilution in the central Viaduct Harbour is between 32-50 hours for a spring tide and 46-64 hours for a neap tide. The Beca and T+T models have returned slightly differing results when modelling the impacts of the proposal likely due to the use of a predicted tide in the Beca model and a constant tidal range applied in the T+T report. The T+T results reflect a greater degree of change. Overall the results from both models indicate the following effects in terms of flushing:

- Increased e-folding times are identified for both the Inner and Outer Viaduct Harbours;
- The increased times for the Inner and Outer Viaduct remain within or better than the “fair” 240 hour band (as recommended in the PIANC 2008 Guidelines);
- E-folding times are unchanged or improved for the western area (Site 10) of the Wynyard Wharf South waterspace. This is considered to be due to the circulation regime in this area; and
- The balance of the Wynyard Wharf South waterspace is likely to experience a slightly longer E-folding time but the recommended dilution requirement (37%) is still likely to be achieved in less than three tidal cycles.

Broadly the modelling indicates that while there is likely to be some change in the flushing times for the Inner Viaduct, Outer Viaduct and Wynyard Wharf south water space all values remain acceptable in terms of the recommended PIANC criteria.

This criterion is identified as being conservative and is not able to reflect more complex factors such as boat movements and wind. Incorporation of these elements is likely to refine the likely flushing values and may potentially reduce flushing times. Overall the effects of the proposal on flushing times are considered to be moderate. Further context is provided in terms of the flushing time below in the discussion on water quality (Section 10.9.2).
10.8.2 Water Quality

The measure applied above to the consideration of the flushing on water quality are the EPA (1985) and PIANC (2008) guidelines which provides a range of hours to categorise flushing times. These guidelines provide an indication for water quality, however more specific assessment of the ‘effects’ of the residence time (or flushing) of the water is considered to be merited and has been undertaken to better understand the likely and potential effects on water quality as a result of the identified increase in flushing times.

In order to inform an understanding of the effects on water quality an analysis of the existing water quality has been undertaken and water clarity, nutrients, chlorophyll-a (a measure of microalgal biomass), trace elements, organic carbon and dissolved oxygen levels are addressed in the Coastal Environmental Effects Report. The assessment concludes that the water quality in the Viaduct Harbour can be considered as ‘excellent’ and is reflective of the water quality in the wider Waitematā Harbour entering the proposal area. The report also identifies other sources which contribute to water quality in the basin area including stormwater outfalls, bilge water from vessels and potentially some groundwater inputs from the within the reclamation. While water quality based on current data is good, during wet weather stormwater discharges to the Inner Viaduct Harbour and Wynyard Wharf South water space (in the area of North Wharf) will change local water quality. This has been modelled but further field data is required to confirm the extent of local water quality changes during and after stormwater discharges, in particular, for the Daldy Street outfall which currently receives overflows from the combined sewer system.

The effects of the water quality in relation to the increased flushing times are discussed at section 6.4.6 of the Coastal Environmental Effects report. In summary the report identifies that:

- Chlorophyll - a concentration is used to measure biomass. Measurements taken in the Viaduct Harbour indicate that the basin is moderately productive at present. Decreased water exchange is identified as likely resulting in an increase in the biomass due to decreased dilution and an increased residence time. Applying a conservative approach due to the data available indicates the increased concentration is not anticipated to be identifiable to the casual observer.

- Stormwater discharges to the basin can include ‘contaminates’ which may result in changes to water quality. The effects of the proposal have been assessed with regard to the stormwater inputs identified within the proposal area. Overall, the assessment concludes that concentrations of total suspended solids (TSS) resulting from the Halsey street outfall (within the Viaduct Harbour) will not result in prolonged water clarity changes, with discharges having a poorer clarity dissipating in normal weather events. Larger stormwater events may result in prolonged impacts on clarity prior to dissipation of the stormwater discharge. Within the Wynyard Wharf South waterspace some clarity changes are considered to be identifiable due to the (currently) untreated nature of this discharge.
Copper and zinc levels in the stormwater discharges are considered likely to decline to the ANZECC (2000) marine trigger values (after reasonable mixing) in both the inner and outer basins.

Bacteria in stormwater discharges requires dilution to achieve recreational marine water quality levels (no single sample above 140 MPN/100ml). The Halsey outfall is expected to have a better quality of discharge with regard to bacteria than the Daldy Street outfall due to the treatment provided and the Daldy outfall receiving a combined sewer overflow. Based on the modelling undertaken for the Daldy Street outfall, results indicate that bacterial numbers will decline to a satisfactory level relatively quickly. However, it is noted that due to the connection with the combined sewer overflow where a stormwater event (of a considerable volume) results, if there is an exceedance of the specified guidelines, the water quality will likely return to acceptable levels after an increased period. This is considered to be between 24 hours in proximity to the Daldy Street outfall up to 48 hours Karanga Steps at the entrance to the Inner Viaduct Harbour.

In conclusion the effects of the proposal on water quality (reflecting the increased flushing times as a result of the location of structures within the proposal area) will result in minor changes to the coastal environment. In relation to algal growth this will be unidentifiable to the casual observer, and with respect to stormwater contaminants such as zinc and copper these are considered to be appropriately dispersed within the inner harbour and Wynyard Wharf South waterspace to achieve water quality standards. The dispersal of bacterial contaminates entering the inner basin and Wynyard Wharf South waterspace are expected to be dispersed within a reasonable timeframe. However water quality may be considered to be poor following a storm discharge from the Halsey or Daldy Street outfalls for a period following the storm event (an existing occurrence unaffected by the proposal). Water quality is after a period of time (24-48 hours) expected to improve to meet recreational marine water quality (green mode) guidelines.

As discussed in the Coastal Processes and Dredging Report flushing is only one parameter affecting water quality. Measures such as removal of jetsam and flotsam are also important in determining water quality and there are a range of mitigation measures available to address and mitigate effects on water quality.

In order to address this, the Coastal Environmental Effects report recommends that the results of further monitoring be utilised to inform the need for further mitigations for water quality. The preparation of an Inner Viaduct Harbour Environmental Management Plan which would broadly address key questions: What stormwater events result in wastewater overflows? Is water quality in the Inner Basin suitable for contact recreation? Does the state of contact recreation change in response to storm events? And does stormwater discharge to the Inner Viaduct Harbour result in identifiable water quality changes?. This plan is identified as being of benefit to multiple stakeholders and would form the basis for the implementation of further agreed mitigations over time.

When considering the existing nature of stormwater discharges within the proposal area; the
resulting effects on the existing environment; and the mitigations proposed to address water quality matters the effect had by the proposal, is considered to be appropriate and acceptable. The implementation of monitoring and preparation of a Management Plan is also more broadly identified as an opportunity to achieve a better understanding of water quality at this location. This, in turn, will also promote increased scrutiny and management of stormwater, to achieve positive environmental outcomes.

In simple terms with respect to water quality, the mitigations proposed are considered to appropriately address the effects and both mitigate and provide opportunity to remediate water quality within the Wynyard Basin.

**10.8.3 Tidal Flows and Current**

It is estimated that the average tidal flow volume in the main harbour channel is 7,200m$^3$/s. Tidal flows in the harbour generate currents, further, wind generated currents are also identified for the Waitematā Harbour.

In closer proximity to the proposal area the tide and current patterns are considered to be more ‘confused’ and an eddy system is identified within Freemans Bay (between Princes wharf and Wynyard Point) which occurs at certain points during the ebb and flow of the tides. This eddy provides a function of tidal flushing for the area which is greater than what which is experienced by the general emptying of the tidal prism. Currently this eddy system penetrates only slightly into Viaduct Harbour and for Outer Viaduct Harbour the eddy results in variable flows.

The assessment undertaken the Coastal Processes Report identifies that the proposal (including the dredging) will not affect tidal amplitude and phases. There will be a negligible change in the tidal prisms (volume of water exchanged) of approximately 1% for Freemans Bay, and approximately 0.03% of the lower Waitematā as a result of the location of the structures within the water space. Conversely, the dredging will increase the volume of the Outer Viaduct Harbour by 7% and the total harbour volume by 0.02%.

Modelling of the proposal both pre-and post-dredging has, across the two modelling processes (Beca and T+T) provided an upper and lower bound for the consideration of likely and potential effects. This modelling indicates that the main harbour current velocities are unlikely to be affected by the proposal while the outer Viaduct Harbour and Wynyard Wharf South water space will be subject to lower velocities due to the effect of the proposal on wave and wake penetration and the provision of deeper and more sheltered waters.

Effects on the velocity of flows to the inner viaduct are also reduced however the Coastal Processes and Dredging report notes that the exchange in this area is currently dominated by diffusion (the spreading of the flow) as opposed to the bulk movement of the tidal flow.

Overall the Coastal processes report concludes that based on the modelling results of both Beca and
T+T. the effects on the tidal flows and currents are localised and limited in scale. As such it is considered that the effects are no more than minor.

10.8.4 Waves and Wake Reflection

Waves affecting the proposal area are generated by westerly / northerly / easterly winds across the Waitematā Harbour. Modelling (undertaken by Cardno) has identified infrequent northerly wind waves, with wave heights within Freemans Bay of between 0.5 to 0.7m. Lower waves within Wynyard Wharf South waterspace are identified due to the sheltering effects of Wynyard Wharf. Some sheltering is provided between Hobson Wharf and Princes Wharf and the wave climate in the Viaduct Harbour is more sheltered with wave heights between 1.0m and 0.4m in the outer viaduct and less than 0.1m in the inner harbour.

In addition to waves the proposal area is affected by ferry (and other vessels) wakes generated within the wider harbour and adjacent ferry basin. Currently, wake heights propagate through Princes and Hobson Wharves into Outer Viaduct Harbour and wave reflection effects are identified as occurring in relation to the existing wharf structures.

The proposal will potentially result in the following effects on the proposal area and surrounding environment based on the results of modelling:

- Achieve a reduced wave height within the enclosed areas of Wynyard Wharf South water space and Viaduct Harbour which is the desired outcome for the proposal, providing sheltered water space for the race boats.
- Increase wave heights in the surrounding vicinity due to an increase in reflected waves. This will result in a minor change typically less than 0.1 m from the existing situation within Freemans Bay in the vicinity of the proposal. The changes are not anticipated to result in a discernible change to the existing sea state.
- There will be an increase in reflection in the Hobson and Princes wharf area. This small increase is expected to be difficult to detect as the sea state is relatively energetic in this area (as identified above). A slight increase in the energy from ferry wakes adjacent to the Maritime Museum (range -0.01 m to 0.03 m with an average increase of 0.01 m), is also anticipated however the scale of the change is considered unlikely to result in observable changes.
- The proposal may result in changes to the seabed and sediment transport patterns resulting from the increased wave heights. The infrequent occurrence is unlikely to result in changes to sediment transport patterns.

Overall the effects of the location of additional structures, breakwater and wave attenuation panels is anticipated to have no more than minor adverse effects when considering the existing environment, and will have positive effects in terms of achieving the desired tranquillity within the Wynyard Wharf South waterspace and the outer Viaduct Harbour.
10.8.5 **Sediment Processes and Sedimentation Effects**

The Coastal Environmental Effects Assessment considered sediment quality and the effects of sedimentation as well as the effects associated with construction processes such as dredging. The Coastal Processes Report addresses the behaviour of sediment associated with dredging (dredge plume) and sets out the disposal options.

The Coastal Processes and Dredging report identifies the existing sediment flux per tide. The main cause of sediment disturbance is attributed to vessel movements around low tides which disturb seabed sediments resulting in redepositing in waterfront basin areas (generally more tranquil waters). This is in part due to the cohesive nature of the marine muds, the sheltered nature of the project area, the water depths and the lack of significant currents due to tidal conditions or wave action. The report identifies that sedimentation rates observed across the locations post-2000 are low compared with other city waterfront sites.

Sediment quality is addressed in the Coastal Environmental Effects Report which applies the ANZECC (2000) sediment quality guidelines to an assessment of the sediment and provides commentary on the consideration of PAH and TBT with reference to more recent guidelines. Generally, sediments in the proposal area are described as sandy mud with some shell material, as depth increase the sediment becomes more course due to the tidal currents (muddy sands and courser material). The report also notes that within the proposal area the highest portion of sandy sediments were located within proximity to North Wharf within the Wynyard Wharf South waterspace area. This is concluded as likely being as a result of the stormwater outfall in this area (Daldy Street Outfall).

Sediment quality is considered in terms of organic carbon, arsenic, chromium, nickel, and cadmium with the trace element concentrations identified as being lower than ANZECC (2000) SQGV values. Copper, lead and zinc were also measured. Copper samples returned one exceedance, while lead concentrations were lower in surface sediments with exceedances identified in the North Wharf and Wynyard wharf area. Zinc also returned exceedances in the North Wharf Area (of the lower measure but not the higher measure) while all other samples were below the guidelines. Mercury samples from North Wharf and Wynyard Wharf also exceeded the lower guidelines but were within range of the SQG- High value. TPH concentrations identified are considered to be reflective of the Port environment within the Waitematā Harbour. PAH concentrations were found to be below the modified SQGV as were PCBs. A range of persistent organochlorine compounds were also tested for. Although copper concentrations were moderate, the samples from the North Wharf area contained variable concentrations of TBT (a historic antifouling paint). The variable concentrations likely arose because of the TBT being present in paint flakes.

Generally, samples in the North Wharf Area were found to have poorer quality than other sample locations. This is considered to be likely associated with the stormwater inputs to this area,
specifically, PAH concentrations were found to be most likely from pyrogenic (and mixed pyrogenic) sources. Overall the contaminant concentrations in the sediment samples reflected concentrations typical of a working port and marina environment. Some samples from the North Wharf area (compared to other locations) contained concentrations of some contaminants (such as lead, zinc and TBT) above sediment quality guidelines. This will be taken into account when determining the disposal options for the sediment.

**Short Term Sediment Processes and Sedimentation Effects**

*Sedimentation Associated with Construction Activities*

Construction processes will involve disturbances of the seabed which will lead to sediment disturbance such as:

- Suspension and transportation of suspended solids away from the site
- The release of pore water during excavation and disturbance
- The desorption of contaminants from sediment when suspended in the water column.

These potential effects are discussed with respect to the various activities undertaken.

Due to the methodology employed for piling, the level of disturbance from the placement of casings is considered to be minor. These casings will assist in minimising the loss of any concrete during the construction of the piles, and all sediment and rock fragments are assumed to be removed as part of this process. Effects from sedimentation on water quality associated with this work will be appropriately managed. The presence of concrete in the marine environment may result in localised elevation of the pH levels. This is an effect which has been previously studied in relation to the use of mudcrete in the coastal environment and any release is expected to be minor and dissipate quickly.

The potential for the release of nutrients and contaminants during the dredging process is typically assessed using the US Army Corps of Engineers elutriate test. Such testing has been carried out on a subset of the samples discussed earlier in term of existing sediment quality. The testing enables an understanding of what may be released from the sediment when disturbed and when sediment is released into the water column as a result of construction activities. The data collected is then compared with other data sets for the Auckland region.

The findings of the testing, and subsequent comparison indicate that:

- Dissolved inorganic nitrogen is the main inorganic nitrogen released. In this instance, ammoniacal nitrogen would not be expected to result in any water born toxicity after reasonable mixing which is considered to occur close to the point of the sediment discharge.
- There is no indication that trace elements identified in the sediments within the proposal area will have any adverse effects on water quality that would result in toxicity, subject to
the assessment applied.

- No acute or chronic effects are expected as a result of TBT concentrations released from sediment during disposal. This confirms that it is not necessary to undertake a further assessment of marine borne toxicity testing.

Suspended particals in the water column are also a common effect associated with dredging (and piling activities). In this case the level of effects is equitable to the extent of the activity. The piling activities are limited in extent, disturbing a relatively small area of seabed. As a result, the sediment loss to the water column is expected to be low. Sediment losses during dredging activities have the potential to disturb more sediment. The dredging methodology employed can influence the sediment loss. In this case dredging will be undertaken by a backhoe dredger followed by sweeping bar, this is consistent with past practice for capital dredging in the wider Ports area. The advantages of backhoe dredging are that it reduces the amount of water incorporated and therefore reduces the disturbance of sediments and turbidity associated with the process.

_Dredging_

The Coastal processes and Dredging Report estimates that the dredge volumes are expected to be achieved over a 4-6 month period, and will be subject to management plans which will address the method, quantity, areas, chemistry of proposed dredged sediments; require notifications to be provided to relevant parties; require monitoring; and contain the confirmation of the location and method for disposal. A sediment plume could result from the dredging operations or as a result of overflow from the hopper barge. The plume would be dispersed in the Waitematā Harbour. The likely release of sediment is discussed at section 6.4 of the Beca report and concluded to be approximately 1800 tonnes, which when compared to the 600,000 tonnes of sediment that moves in and out of the harbour during the anticipated dredging period is less than 1% of the total sediment volume. An assessment of the effects of this sediment loss from the dredging activity is then assessed in the Golder Coastal Environmental Effects Report and discussed in detail below. Overall the Coastal Process and Dredging Report confirms that subject to the implementation of a dredging management plan the effects overall can be considered to be less than minor.

Water quality monitoring during dredging (and other activities) has been undertaken on many occasions in the Waitematā Harbour. Based on this prior understanding of sediment quality and behaviour the Coastal Environmental effects report considered it likely that sediment suspended in the Outer Viaduct Harbour will be transported by tidal currents and it is likely that sediments will leave the Viaduct Harbour and re-settle within the Wider Port basins. Elevated levels of TSS may occur close to the dredge area (based on past experience) however this occurs within a limited area and downstream of this area (~200m) the TSS levels previously recorded for dredging in this environment were comparable to the current TSS levels in the outer Viaduct (with no dredging activities). As a result, off-site changes in water quality are not expected to be discernible or in any way significant.
Sediments disturbed are generally re-deposited at some point and can have an effect on the benthic fauna inhabiting the seabed in other areas. The scale of effects depends on how much sediment is dispersed, what the loading of this sediment is on any one area, and the ability for the fauna living in this area to tolerate the effects of the sediment. Much of the sediment deposition is likely to occur within the local area being dredged (where the sediment is disturbed). Based on the quantity (depth) of sediment anticipated to be deposited over the timeframe and the identified tolerance of the community in this area no significant effects are identified.

The settlement of suspended particles off site should also be considered in relation for the potential effects on off-site sediment quality (through the dispersal of contaminants). In this case sediment leaving the site is likely to be transported to the Port area. Due to the existing sedimentation processes within the wider port area, the nature of sediments already located in this area and the quality of sediment (as discussed above) it is unlikely that the proposal will result in any off site adverse sediment quality changes.

**Long Term Sediment Processes and Sedimentation Effects**

The proposal (associated structures and wave panels) is identified as increasing sedimentation in several locations within the proposal area and surrounding environment.

**Beneath Wharf Structures**

Sedimentation will increase beneath the proposed wharf extensions, infills and breakwaters due to water flows being reduced by the piles, other structures and wave panels. Sedimentation in these areas is broadly considered to be beneficial to sedimentation in the wider area as the collection of sediment in this location removes sediment more generally from harbour waters.

**Wynyard Wharf South Water Space**

As a result of the increased tranquillity created within the Wynyard Wharf South waterspace areas it is anticipated that sedimentation rates will increase slighting from that which is currently experienced. A comparison is made in relation to existing shipping berths to the north of the wharf.

**Outer Viaduct**

For the Outer Viaduct Harbour the proposal will result in lower flow velocities through this water space as a result of achieving increased tranquillity through the implementation of wave panels and breakwater structures. This increased tranquillity is expected to increase sedimentation rates (brought in by tidal flows) up to approximately 40-60 mm/year compared with 36-55 mm/year at present.
Inner Viaduct

Sedimentation in the Inner Viaduct is influenced by the separation of this area from the main harbour and therefore sediment sources. Monitoring undertaken over the period when the Outer Viaduct harbour was constructed indicated that development of this area has had very little impact on the Inner Viaduct Harbour. As such an increase in sedimentation from 18-36 mm/year to 25-40 mm/year is anticipated for this area.

Summary Sediment Processes and Sedimentation Effects

The effect on sedimentation processes and effects resulting from sedimentation associated with the proposal are overall considered to be minor when taking into account the quality of sediment within the proposal area, likely off-site effects on water quality and sediment quality and the effects on benthic fauna. A summary of the analysis below supports this conclusion as follows:

**Short Term:**
- The results of elutriate testing considering the effects of the suspension and transportation of suspended solids away from the site, the release of pore water during excavation and disturbance and the desorption of contaminants from sediment when suspended in the water column have shown that during dredging there will be some constituent released. The most significant constituent will be ammoniacal-nitrogen which will be reduced well below the ANZECC (2000) guidelines with minor amount of dilution. Trace element and PAH concentrations are low and as a result no chronic effects are considered to occur.
- The effect of construction activities on water quality are anticipated to be localised with any contaminates dispersing quickly within the immediate surrounding area.
- Sediments transported off site are likely to settle in the port area and are not identified as resulting in significant effects on water or sediment quality.
- The volume of sediment lost during dredging operations is less than 1% of the total sediment movement within the harbour over the period of the dredging campaign. This is considered to result in less than minor effects.
- A dredging monitoring plan will be implemented to confirm and monitor any effects resulting from dredging activities.
- The effects of sedimentation on benthic fauna will be limited due to the localised deposition of sediments and the volumes anticipated to be deposited, this is considered acceptable due to the tolerance of the identified communities in the area.

**Long term:**
- The deposition of sediment within the Wynyard Wharf South water space, Inner and Outer Viaduct Harbour are proposed to be managed as they are currently through the continued practice of maintenance dredging (subject to existing consents).
- As with construction activities the effects of sedimentation in the long term on benthic fauna are not considered to be of particular concern due to the tolerance of the identified communities in the area.
### 10.9 ECOLOGY

#### 10.9.1 Marine Ecology

Effects on marine ecology have been considered in the Coastal Environmental Effects Assessment (Attachment 15) including effects on habitat, the intertidal environment, subtidal environment, seabirds, fisheries and marine mammals.

**Habitat**

The dredging works associated with the proposal will result in immediate changes to the benthic habitat. The Coastal Environmental effects report concludes that following dredging it will take several years for the benthic community to re-establish. This area will continue to be dominated by a tolerant community considered to have low ecological value due to the existing nature of the environment which is subject to vessel movements and maintenance dredging. This community forms a part of the wider ecosystem of the Waitematā Harbour. Habitat loss due to the location of new structures is considered relatively small (~200m²) due to the limited footprint of the new wharf piles. Effects on benthic habitat are likely to be affected by a change in substrate composition or through a change in available light. The effects associated with the additional areas shaded by the new wharf structures are considered to result in the loss of existing algal communities which act as a food supply for some species (due to increased shading). It is considered likely that the communities under the new structures will change to reflect the current fauna currently seen under the event centre (Halsey wharf). Overall when applying the EIANZ criteria to the nature of effects this identifies an overall effects rating of very low.

**Intertidal environment**

The current intertidal habitats within the proposal area are identified, based on an EIANZ ranking, as being of low quality. The proposal will result in the establishment of new structures including concrete and wooden piles and wave panels. These new structures are likely to be colonised and will support intertidal communities in a manner similar to the existing communities identified within the proposal area. Effects on the existing intertidal environment are summarised below:

- New structures located on the northern face of Halsey/Western Viaduct Wharf and Hobson Wharf will result in existing piles experiencing shading from the new structures. The existing community on these piles will shift to being that of a shaded community and new communities will likely form on the new structures reflective of the levels of light available.
- In the Wynyard Wharf South area, the proposal locates wharf decking over the existing open water space. This will increase the shading experienced by this area. Given the low values identified in the existing environment at this location the overall effects of this aspect of the proposal are not considered to be significant.
• The installation of pontoons will result in the creation of localised shading effects and where pontoons are located there may be increased shading associated with vessels at the berth. In turn the pontoons provide a new non-tidal habitat for a range of macroalgal species and a range of fauna.

Based on the EIANZ ranking the effects on the intertidal environment are considered to have an overall ranging of low.

Seabirds, fisheries and marine mammals

Seabirds identified within the proposal area include ‘at risk species’. However, there were a low number of coastal birds within the AC36 proposal area. This is likely due to the modified nature of the environment and disturbance from people and vessels. The identified roosting sights for the coastal birds are located to the west of the Wynyard point area and will be unaffected by the proposal.

Fisheries are described in the Coastal Environmental Effects Report as providing for a range of fish species and habitat. There are no specific fish species present that are dependent upon the habitat within the proposal area or that specifically utilise the area.

As discussed in the Coastal Environmental Effects Report a range of marine mammals are identified as been recorded in the Hauraki Gulf with two leopard seals sighted in the proposal area during site investigations.

Effects on the aforementioned species are overall considered to be low as discussed below:

• No lighting concerns in relation to ecological resources have been identified within the proposal area. The management of lighting to achieve the AUP requirements and effect on human users of the wider environment will also manage effects on local biota.
• None of the identified bird species utilise the viaduct harbour as a unique habitat; there are no known nesting sites and limited roosting sites.
• There are no specific fish species present that are dependent upon the habitat within the proposal area or that specifically utilise the area.
• Effects of construction activities on marine mammals are considered specifically in relation to acoustic effects which are concluded in the noise and vibration assessment at section 10.14 to be suitably managed.

10.9.2 Marine Biosecurity

Approximately 260 non-indigenous marine species have been identified in New Zealand. Areas such as ports are often focal points for ‘marine introductions’ due to the frequenting of these areas by international vessels. A number of non-indigenous species were identified within the proposal area. The Coastal Environmental Effects Report identifies that no specific biosecurity issues have been
identified in relation to the proposed dredging and construction works as no threat species have been identified. However, the Report recommends that during the decommissioning of any structures following the AC36 events (or AC37) that biosecurity matters are considered. This can be addressed through the implementation of conditions of consent requiring this assessment to be carried out upon decommissioning.

Biosecurity is also considered with respect to the proposed disposal of dredge material. As set out in the Coastal Processes and Dredging Report the existing Coastal Resource Ltd permit is to be utilised where disposal of material to sea is required. Materials which do not meet the conditions of the permit for sediment quality and biosecurity will be disposed of to landfill by truck.

Overall, biosecurity risks are considered to be low or negligible for the proposal.

10.9.3 Terrestrial Ecology

Some of the works associated with the proposal will occur on land. The effects on terrestrial resource have been considered. There are no identified terrestrial resources identified with in the proposal area. As such no specific adverse effects are identified.

10.10 NAVIGATION AND SAFETY

10.10.1 Introduction

An assessment of navigational safety and utility has been undertaken by Navigatus Consulting (see Attachment 16). This report considered the design factors, existing uses and constraints and effects on a range of maritime users.

A consideration of existing marine traffic has been informed by the marine traffic survey undertaken by Beca and appended as Attachment 17. The results of the survey interpreted by Navigatus conclude that the harbour is moderately busy noting that traffic volumes will likely increase over the summer months. The report notes that heavy traffic is routinely seen in the harbour in association with regatta such as the Auckland Anniversary Regatta and other specialist events. Control of the water space is identified as being subject to the Maritime Transport Act 1994 and the Harbourmaster routinely manages the waterspace over busy periods.

The Viaduct Harbour consisting of the Outer and Inner Viaduct Harbour as well as Lighter Quay, is used by a number of recreational and commercial vessels. These vessels are currently subject to a limitation of length imposed by the Harbourmaster. Presently the Viaduct offers calm water conditions although it is noted that wakes affect areas of the outer viaduct due to the passing of vessels in the wider Freemans Bay area.

The Auckland fishing fleet are currently located within a portion of the Outer Viaduct Harbour and
along the northern frontage and western side of the Halsey Street Extension Wharf and Western Viaduct Wharf. The fishing fleet are proposed to be relocated to the western area of Wynyard Point subject to a separate and concurrent consent application.

The Wynyard Wharf presently provides berthing for the petrochemical tankers operated by Coastal Oil Logistics Limited (COLL) with pilotage and tug support provided by the Ports of Auckland Limited. The tankers always require tug assistance to arrive and depart and must be able to propel by means of their main engines. The specific operational requirements for the tankers are discussed in section 3.2.4 and 5.1.7 of the Navigational Safety and Utility report. In addition to the tanker berth the Sealink and Seaplane operations currently run from the southern portion of Wynyard Wharf. Both operations will be relocated to enable the development of this water space.

Princes Wharf also provides for berthing or larger vessels, some of these vessels utilise tugs to berth, requiring an associated manoeuvring area. To the south and west of Princes wharf on the eastern side of Hobson wharf several vessels currently berth on finger pontoons including the Spirit of New Zealand. A large historical floating crane (the Rapaki) is permanently moored to the north of the museum. This barge is reported to be only partially effective at protecting the other moored historical vessels associated with the Maritime Museum on Hobson Wharf.

10.10.2 Utility of Design

The design of the Wynyard Wharf South water space and the Outer Viaduct Harbour has been progressed with the aim of achieving tranquil waters for race boats and supporting vessels. The Navigatus report addressed the suitability of the design, berthing arrangements and provisions for differing vessels dependent on their manoeuvrability and size. The proposed Wynyard Wharf South Waterspace is considered to appropriately provide for the race boats maintaining and entry of 40m to enable access for the race boat and enabling manoeuvring within the basin and providing suitable water depths. This is demonstrated in the constraints map appended to the report. The waterspace provided within the outer viaduct (catering to bases 1-4) is considered suitably provide for the race boats and their access to and from the water to the head stand areas.

The provision for vessels to be accommodated on the north of the Halsey Wharf extension and Hobson Wharf extension is also discussed. The report recommends that the conditions will be such that mooring will only be suitable for vessels large enough to ride comfortably on bow lines in open water conditions; shallow depth will also limit the types of vessels able to utilise this area.
10.10.3 Maritime Safety and effects on maritime users

Effects associated with construction activities

The proposal will utilise barges for construction activities and will likely increase the level of traffic in the area of the construction sites. It is noted that with respect to dredging activities within the wider Wynyard Basin area maintenance dredging is currently and routinely undertaken in this area. The Navigatus Report notes that construction traffic is relatively common place within this area of the Waitemata Harbour and effects on Marine traffic are routinely managed by contractors overseen by the Harbormaster. Notifications and management plans are typically associated with these activities and a similar management plan will be utilised for the proposal. Mitigations such as placement of buoys and temporary beacon lights, the use of means to prevent glare and reflection or confusion with navigation lights from construction related lights and area flood lighting, as well as operational communications are all commonly utilised as part of a Maritime Safety Management Plan. The development of a Maritime Safety Management Plan in consultation with the Harbormaster and other users of the water space is recommended by the Navigational Safety and Utility Report. This is proposed to be offered as a condition of consent. Construction traffic effects on the wider harbour have also been considered and are considered to be managed through routine traffic management of the Waitemata Harbour.

Overall the effects of construction activities on marine safety and operation are considered to be acceptable based on the provisions of a Maritime Safety Management Plan to be developed in consultation with the relevant parties.

Access channel

The access channel has been considered in relation to the AS3962 guidelines and overall the proposed dredging of the access channel is considered to improve the safe access to the Viaduct Harbour. This access channel will be subject to Navigational Aids. The proposal will increase the length of the entrance into the Outer Viaduct harbour. This is considered to result in some restriction in navigational visibility for vessels. However, this is considered to be mitigated through the proposed enhancement to the marina operational control which currently operates within the Viaduct Harbour.

Tanker operations (Wynyard Wharf)

The eastern Wynyard Wharf breakwater providing for sheltered water space for the Wynyard Wharf South water space will impinge on the existing manoeuvring area for the tankers on the northern portion of Wynyard Wharf. However, Port of Auckland has confirmed (as well as providing their written approval for the proposal appended at Attachment 30) that operational limitations related to tidal currents and wind speeds can be imposed to manage this berthage and tanker operations. The Navigational Safety and Utility report notes that wind restrictions are routine and tide related restrictions not uncommon for commercial ports and similar restrictions apply at other ports in New
Zealand. The proposal is not considered to impact the dredged water depth or other mooring requirements associated with this berthage.

**General Public safety and use**

The report notes that overall the proposal will support and potentially increase general public safety (on land/structures) through the provision of additional wharf furniture such as barriers and lifebuoys and through the relocation of the more commercial operations (the vehicle ferry and commercial fishing boats) currently located in close proximity to public use and recreation areas.

The legacy of the proposal is not expected to see an overall increase in the maritime traffic in the harbour and aside from the short-term effects associated with the construction activities (involving the use of barges) the Navigational Safety and Utility Report concludes that there should be no discernible impact on harbour users from a navigational safety perspective. The Marine Traffic Survey also confirms that there are low volumes of marine traffic from the harbour entering into the waterspace where the wharf extensions are proposed.

In relation to the event it is expected that the AC36 races (and supporting events) will see a notable increase in both recreational and commercial small boat traffic in the Waitematā Harbour in much the same way as prior events. These have been effectively managed and similar planning can be expected to be effective for future events.

**Princes Wharf Operations**

Due to the maintenance of the berthage along the western side of Princes Wharf the impact of the proposal on Princes Wharf operations is considered to be minimal.

**Users of the Maritime Museum Area**

The proposal involves the removal of the floating crane at the north end of the Maritime Museum, which will be replaced by a permanent breakwater. The removal of the floating crane will avoid the need to have large anchors placed near Princes Wharf and overall may have a positive effect of reducing navigational hazards in this area. Water conditions in this area will be on the whole improved, although due to the location of wave panels on the eastern side of Hobson Wharf there may be some wave reflection in this area associated with wakes. Consultation with Maritime Museum regarding the proposal is ongoing (refer Section 13).

**Viaduct Harbour Users**

Viaduct Harbour users will see an increase in traffic during the event period. This will require a range of vessel traffic control measures to be implemented similar to those employed for prior events, due to visibility restrictions owing the increased length of the entrance into the Outer Viaduct and the location of the Base building atop these wharf structures. Harbour Control will be resourced and enhanced accordingly to address this – noting that the harbour entrance is currently controlled.
Those operations immediately displaced by the AC36 infrastructure within the Outer Viaduct Harbour may find alternate berthage within the Viaduct Harbour and Lighter Quay area.

10.10.4 Summary

In summary the proposal is considered to appropriately provide for maritime navigation and safety while achieving the required tranquil water environment for the race boat berthing, subject to the below mitigation measures:

- A Maritime Safety Management Plan will be provided to ensure the effects associated with construction activities are suitably managed.
- Viaduct Harbour control will continue their active role in managing access to and from the Viaduct Harbour.
- The preparation and implementation of a management plan for the Wynyard Wharf South water space.

10.11 ENVIRONMENTAL RISK AND PUBLIC SAFETY

10.11.1 Introduction

As described at section 8.0 above, three hazardous material bulk storage facilities are currently located to the north of Jellicoe Street which will be decommissioned between mid-2021 – 2025. The existing Sanford facility, including a closed loop ammonia plant, is also located on the southern side of Jellicoe Street which is likely to remain in operation for the foreseeable future.

The AC36 proposal involves the establishment of infrastructure and the hosting of the event itself near these existing operations. The following assessment is prepared on the basis that all hazardous facilities are still full operational during the AC36 event in 2021. For subsequent AC36 events it is likely that all hazardous facility operations will either be decommissioned or will be in the process of decommissioning.

10.11.2 Quantitative Risk Assessment - Wynyard Precinct

As part of the rezoning of Wynyard precinct between 2007 - 2010, the risk associated with existing hazardous industry was carefully considered, with Sherpa Consulting finalising the Wynyard Quarter Quantitative Risk Assessment (QRA) in June 2010⁴. As there are no specific risk assessment guidelines in New Zealand, the QRA assessment generally follows the methodology established by

⁴ Quantitative Risk Assessment Wynyard Quarter Risk Profile, June 2010, Sherpa Consulting
the NSW Department of Planning (DoP)\textsuperscript{5}. A QRA Addendum Report (December 2010)\textsuperscript{6} was subsequently prepared to address the relocation of hazardous product from the former Marstel site to the former Shell site by Stolthaven as described at Section 8.0 above.

QRA’s address three types of risk criteria:

* **Individual Fatality Risk** - representing the probability of a specified level of harm (usually fatality or injury) occurring to a theoretical individual located permanently at a particular location, assuming no mitigating action such as escape can be taken.

* **Injury/Irritation Risk** – representing the likelihood of exposure to threshold values of heat radiation, explosion overpressure or toxicity (ie injury risk). The QRA notes that this criterion is not widely adopted or as consistently accepted as individual fatality risk criteria.

* **Societal Risk** – being a measure of the probability of incidents affecting an actual population (rather than a theoretical individual as in individual risk).

The QRA notes that the criteria are deliberately conservative to ensure that the risk imposed by hazardous industry (regarded as involuntary risk exposure) is low in comparison to the voluntary risk exposures people accept in every-day life (such as crossing a road).

The Wynyard QRA (prepared for the original plan change) shows the individual fatality risk contours and the societal risk results (expressed in the form of a graph) which have been used to guide land use planning decisions in the Wynyard Precinct. The QRA has been prepared on a very conservative basis noting, for example, that the societal risk profile assumes full development of Quarter areas 4 and 5, notwithstanding the fact that existing hazardous industry leases expire in 2025.

The Wynyard QRA includes a number of recommendations including:

- minimising population densities around Sealink;
- the development of an emergency response plan for the area;
- ensuring that emergency access is available for vehicles along Brigham Street and Hamer Street; and
- ensuring that emergency access/egress for any activities occurring on Wynyard Wharf is not restricted.

These recommendations have been implemented as part of the development of the area to-date.

A further QRA report has also been undertaken by Sherpa Consulting addressing major events within

\textsuperscript{6}Quantitative Risk Assessment Wynyard Quarter Addendum, December 2010, Sherpa Consulting
the Jellicoe Street Silo Park area. This report concluded that no additional societal risk assessment was required for events unless proposals involved an increase in population in the bulk liquid terminals area north of Silo Park or the cumulative number of events exceeded 80 days per year.

10.11.3 Planning Context

The Wynyard QRA was used to inform the planning provisions applying to Wynyard Precinct developed by Auckland Council as part of Plan Change 4. The focus of the planning provisions is to require new activities and buildings to be designed and located to avoid unacceptable levels of risk while balancing the need to maintaining and enhancing the significant economic function of marine, fishing and other industries and to provide for a mix of activities and experiences for all people including events and entertainment activity for the social and economic benefit of the wider Auckland region. The Wynyard Precinct provisions divide the land and water space into a number of different areas to manage risk issues while also giving effect to the other relevant objectives and policies of the plan. These areas are shown on Precinct Plan 10 in Figure 26 below:

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7 Quantitative Risk Assessment Wynyard Quarter, Major Events Societal Risk Implications, August 2001, Sherpa Consulting
In summary, the following activity classifications are of relevance to the AC36 proposal:

- events of any size and entertainment facilities are classified as a non-complying activity within Sub-Precinct F and Risk Area 5;
- events and associated buildings that attract more than 1,000 people at any one time or occupy a venue for a maximum cumulative duration of more than 21 days, is classified as a restricted discretionary activity within Risk Areas 4 and 6;
- marine and port activities are classified as a restricted discretionary activity within Sub-Precinct F;
• marine and port activities are classified as a permitted activity on all wharf structures and within the coastal environment.

The proposed AC36 bases fall within the definition of ‘marine and port activities’ which includes “the navigation, anchoring, mooring, berthing, manoeuvring, refuelling, storage, servicing, maintenance and repair of vessels, embarking and disembarking of passengers”.

Overall the Wynyard Precinct provisions manage risk associated with risk sensitive activities while enabling the operation of marine and port activities and providing for events to be undertaken within Wynyard Basin and on wharf structures.

For those activities classified as a restricted discretionary activity, a number of risk related criteria apply. For an event, these criteria relate to the duration, demographic and number of people attending the event, and whether measures outlined in an emergency evacuation management plan appropriately avoid or mitigate unacceptable levels of risk. No risk related criteria apply to marine and port activities within Sub-Precinct F while marine and port activities on Halsey St Extension Wharf, the Western Viaduct Wharf and within the Coastal Marine zone are permitted.

10.11.4 Assessment of proposal

As set out in section 5.0, the AC36 event involves the construction of infrastructure and the hosting of events within the Wynyard Basin area within proximity to existing hazardous industry operations. Specifically, this involves construction of Bases 6, 7 and 8 on Wynyard Wharf and within the coastal marine space between the wharf and Brigham Street.

As described at section 5.0 above, Bases, 6, 7 and 8 are proposed to be single bases, accommodate between 60 - 100 staff and contractors. No events will be undertaken with these activities proposed to be held at the Viaduct Events Centre or at another suitable venue nearby. Public access will be restricted to Bases 6 – 8, with only staff and certified contractors permitted to enter these areas. The use of these bases, will be similar to other permitted marine activities, such as boat building.

The event itself will be held within the public areas of Wynyard Precinct, including parts of the proposed Halsey and Hobson wharf extension areas and within the adjacent coastal environment. This aspect of the proposal is therefore classified as a restricted discretionary activity, being an activity anticipated by the AUP.

To address the environmental implications associated with risk from hazardous industry, Sherpa have prepared a Quantitative Risk Assessment addressing the proposal which is attached as Attachment 20.

The Sherpa report concludes that although the levels of individual and societal risk increase, risk can be mitigated to an acceptable level subject to the following:
1. Bases 6, 7 and 8 are designed and assessed by a suitably qualified engineer to provide fire resistance to an external hydrocarbon fire. The minimum design to be adopted should ensure that there is sufficient time for an alarm and evacuation to occur without structural compromise or ignition of the building occurring. (Note that this is a minimum design intent and may not protect the asset to a degree sufficient for its continued use after the event and a higher standard may be adopted as required by the development proponent).

2. Egress shall be provided and emergency response procedures defined and implemented to allow safe evacuation of the bases in the event of a fire or toxic release from the terminals, pipelines or DG wharf.

3. The Emergency Evacuation Plan as required in recommendation 2 be implemented prior to the bases being occupied and all team members accommodated within the bases should be inducted and be familiar with the Emergency Evacuation Plan.

4. The total in each base is restricted to a maximum of 100 people per base.

5. There are no public events held within the bases.

6. No public access is permitted along Wynyard Wharf.

7. The Americas Cup event and public parking is limited to the land area south of the BST site.

8. Adequate access for emergency service vehicles is maintained to the area north of Jellicoe Street.

9. The review of the Emergency Evacuation Plan Wynyard Quarter Auckland should ensure that the egress / evacuation arrangements for superyachts in the vicinity of Sanford and potentially affected by an ammonia leak are included.

These recommendations have been accepted by the applicant and adopted as part of the conditions attached as Attachment 32. Specifically, these conditions require:

- Bases 6, 7 and 8 shall be designed and assessed by a chartered engineer to provide fire resistance to an external hydrocarbon fire.
- A limitation on the total number of people at any one time at Bases 6, 7 and 8 to a maximum of 100 persons per base, up to a cumulative maximum of 300 persons for the Wynyard Wharf South area.
- Restriction of the use of Bases 6, 7 and 8 to Marine and Port Activities as defined in the Auckland Unitary Plan.
- The completion of a comprehensive emergency plan for the Wynyard Wharf South area, including an evacuation plan and the maintenance of emergency access routes along the eastern side of Wynyard Wharf and Brigham Street.
- A review and update of the Emergency Evacuation Plan Wynyard Quarter Auckland, to address egress / evacuation arrangements for superyachts in the vicinity of the Sanford...
fishing plant.

An event management plan will also be prepared as part of the conditions attached as Attachment 32, which will ensure that appropriate management processes are implemented to address public safety.

The proposed conditions also address the relevant assessment criterion for events and structures identified as a restricted discretionary. The event management plan and traffic management plan in combination with the conditions described above will ensure that management processes are implemented to appropriately avoid or mitigate unacceptable levels of risk.

Additionally, in order to safely and practically accommodate bases 6-8 on Wynyard Wharf and confirm the ongoing operation of the Bulk Liquid facilities on Wynyard Point it is necessary to ensure continuity of the pipelines that connect the vessels to the bulk liquid storage facilities. This will involve removal of the southern pipes and the southern over road bridge structure and the erection of new pipes/connections.

This matter has been assessed in the technical report prepared by 4Sight Limited titled Impact Assessment Hazardous Substances Regulations (refer Attachment 20). The report indicates that new underground pipes, under wharf pipes or a new over road structure (or a combination) is required to facilitate ongoing pipeline connections between the vessels and the bulk liquid storage tanks.

These structures will be subject to further design and confirmation of operational requirements. This process is facilitated through the proposed Replacement Bulk Liquid Transfer Pipelines condition. Overall, the report concludes that the relocation of the pipelines will likely reduce the risk profiles of the current pipelines including risks associated with their current location.

Overall therefore it is concluded that environmental risk will be mitigated to an acceptable level, while appropriate measures will be established to avoid public safety effects.

10.12 TRANSPORTATION

10.12.1 Introduction

The America’s Cup 36: Traffic and Transport Technical Report for Consent Application, Wynyard Basin and Ferry & Fishing industry Relocation Facility report prepared by Beca and included Attachment 18 provides comprehensive detail and assessment of the likely transportation matters and effects as a result of the proposal.

10.12.2 Construction Traffic and Trip Generation

As detailed in the Traffic and Transport Technical Report, construction traffic will involve heavy construction trucks, light construction vehicles (vans/utes) and construction staff trips.
The report details the construction vehicle movements spread between the Wynyard Precinct and Hobson Wharf with predicted combined typical daily vehicle movement peaking in a 6 month period during the middle of the 18 month construction at 98 movements (49 vehicles), being heavy trucks and van/utes associated with the construction but excluding staff movements.

Predicted combined typical daily staff movements are detailed as 194 movements within the peak 6 month construction period. It should however be noted that staff movements can be undertaken in a variety of ways and would include staff commuting by walking, running, cycling, taking public transport, ride shares and private vehicles. Therefore this trip number does not equate to 82 vehicles.

In addition to these trip movements in the immediate vicinity of the works zone, dredging operations may require approximately 5,000m³ of potentially contaminated material to be transported to landfill. If this is the case, it is likely that an area remote of the main works area will be utilised to offload material from dredging barges to trucks. This is likely to be a commercial port and would therefore have minimal impact in terms of additional vehicle movements from that facility, given that the estimated truck movements associated with the disposal would be in the order of 50 trips per day.

As detailed in the Traffic and Transport Technical Report, it is intended to use the Construction Traffic Management Plans (CTMP) to ensure that the impacts of construction traffic movements on the road network are minimised. The CTMP will be prepared in consultation with the nominated contractors prior to the commencement of relevant works and would include measures to mitigate the impact of construction traffic on the safe and efficient operation of the road network, such as restricting hours of vehicle movements to avoid peak traffic hours and identifying vehicle routes to avoid use of certain roads or require turns in a particular direction. A Preliminary CTMP is included as an Attachment to the Traffic and Transport Technical Report.

In addition to the CTMP, a Construction Staff Travel Plan (CSTP) will also be prepared. The CSTP will assist in managing the way in which construction staff travel to the construction sites, encouraging the minimisation of single occupancy vehicle trips into and out of the Wynyard Precinct. The CSTP will outline measures for contractors to provide information and/or incentives to construction staff to encourage the use of public transport, ride sharing, cycling and walking/running for their commute to work. Given that no commuter parking for staff is intended to be provided on the construction site, the use CSTP also plays an important role in ensuring that staff are aware of their travel options and avoid seeking parking within the construction area.

The requirement for the preparation of CTMP and CSTP documents is offered as conditions of consent in order to ensure that these documents are prepared and submitted to Council for approval, and subsequently adhered with, to ensure that the mitigation of construction associated trip generation is implemented.

With such mitigation measures imposed it is considered that the trip generation associated with the...
construction phase of development can be appropriately mitigated to ensure that there is no more than minor adverse effect on the safe and efficient operation of the transport network.

### 10.12.3 Syndicate Base and Superyacht Traffic and Trip Generation

It is estimated that each syndicate base will have on average approximately between 100-110 staff associated with it (noting Bases 6-8 will have no more than 99 staff present at any one time). This equates to approximately 850 staff across the 8 bases or 1,600 commuter trips to and from the bases per day. Due to the accessibility of the location the likelihood that many staff will take up accommodation in close proximity to the bases, the report anticipates that only 25% of the movements would be via vehicles. It is anticipated that the captain and crew of superyachts will stay on board the yacht and there will be little associated trip generation, with the assumption of 4 vehicle movements per day associated with each of the up to 30 superyachts berths for pickups/drop offs of crew and visitors.

The proposals do not provide for staff commuter or visitor parking associated with the syndicate bases or superyachts, which will limit the number of vehicle trips associated with the operational facilities. The Traffic and Transport Technical Report outlines that Syndicate Staff Travel Plans (SSTP) will be prepared to manage single occupancy vehicle trips in and out of the Wynyard Precinct and encourage the use of alternative transport modes such as public transport, carpooling, cycling and walking. Given that there is no car parking at the bases it is anticipated that most of the commuter trips will involve alternative transport modes to a use of provide motor vehicle.

In addition to the potential trip generation by staff, bases and superyachts will require deliveries and servicing. The traffic report estimates 15 vehicles (30 vehicle trips) per base per day will be generated at peak operation and is likely to be lower pre-event. Superyachts are anticipated to have only 2 deliveries (4 vehicle trips) each per week. Specific delivery/loading zones are identified within the Traffic and Transport Technical Report for the bases and superyachts. To mitigate the effects of delivery and servicing vehicle trips associated with the base operation and superyacht berthing it is intended that Servicing and Delivery Plans (SDP) will be required, outlining where servicing will take place, what times and measures to manage deliveries to ensure that they are booked in to avoid multiple delivery vehicles arriving at the same time intending to use the same delivery/loading area.

The requirement for the preparation of SSTP and SDP documents is offered as conditions of consent in order to ensure that these documents are prepared and submitted to Council for approval, and subsequently adhered with, to ensure that the mitigation of trip generation, and servicing and delivery operations during the operation of development is implemented.

With the mitigation measures of SSTP and SDP imposed, it is considered that the effects can be appropriately mitigated to ensure that there is no more than minor adverse effect on the safe and efficient operation of the transport network.
10.12.4 Spectator Traffic and Trip Generation

The number of spectators associated with an event of the scale of the America’s Cup is anticipated to be significant. Although it is not possible to estimate an exact number of spectators attending the event, it is anticipated that there will be a high public transport mode share, given the excellent public transport accessibility of the site. This public transport accessibility will assist to limit the number of vehicle trips associated with spectators and will be supported by measures to discourage car travel to the event and particularly into Wynyard Precinct.

An Event Management Plan (EMP) will be implemented which will outline measures to mitigate the effects on the transport system of the number of spectator trips associated with the event. The EMP will provide details of the management of public transport routes, such as additional services and associated provisions, information delivery and media coverage on travel options etc. The EMP will be prepared prior to the event and will likely involve wider public and stakeholder engagement in its preparation.

The requirement for the preparation of EMP document is offered as conditions of consent in order to ensure that the documents is prepared and submitted to Council for approval, and subsequently adhered with, to ensure that the mitigation of trip generation associated with the event is implemented.

With the mitigation measures of EMP imposed, it is considered that the effects can be appropriately mitigated to ensure that there is no more than minor adverse effect on the safe and efficient operation of the transport network.

10.12.5 Parking, Servicing and Delivery Provisions

There is no parking proposed to be provided as part of the development for staff or visitors associated with the construction, operation or events. Furthermore there will be no spectator parking provided during the event. The AUP does not require parking to be provided for development within the Business – City Centre zone, Wynyard Precinct or Viaduct Harbour Precinct. While the bases and wharves are actually located outside the Business – City Centre zone within the Coastal Marine Area, given the relationship it is considered that no parking is appropriate. As outlined in the Traffic and Transport Technical Report there are a number of public parking facilities within the surrounding environment. Furthermore, the location has high level of public transport, cycle and pedestrian accessibility, which makes the need for parking at the site unnecessary.

Existing parking associated with the ferry and fishing industry activities on the wharves will be removed and is likely to be re-provided as necessary together with their replacement facilities which are subject to a separate consent application.
Existing permanent parking provision associated with the VEC will be relocated within the Halsey Street Extension Wharf space during both construction and post construction. Existing temporary event parking provision will be reduced. There is the possibility that Regional Facilities Auckland (RFA) or Panuku will seek to provide suitable locations for such temporary event car parks in proximity to the VEC on other land that they control. This matter will be addressed as part of further discussions within the Council groups involved. However, it is considered that there are numerous public parking facilities within the area that can provide adequate parking provision to mitigate the loss of parking on the wharf.

Overall, it is considered that given the locations high accessibility, links to the CBD and high level of public transport provision that the effects of not providing parking and reducing existing parking provisions on the wharves would be negligible.


Due to the location of the construction sites within the popular waterfront area of the City, construction traffic entering the sites will be required to cross over highly pedestrianised areas. Measures to raise the awareness of both pedestrians and cyclists will be included in the CTMP. These can include advisory signs for pedestrians and cyclists travelling east-west on the footpaths and shared path to look out for construction vehicles at the crossing points.

The construction sites and construction vehicle access requirements, together with the continuation of vehicle access requirements to the VEC will require the closure of pedestrian spaces on the Halsey Street Extension Wharf, Western Viaduct Wharf and Wynyard Wharf during construction. The closure of public access to areas of construction is common place. However these areas are protected by rules of the AUP which would promote the public access of these areas. Hobson Wharf will also likely require closure of any public access during the construction phase of the development. There are no rules providing protection of public access along Hobson Wharf under the AUP. The closure would have only minor adverse effects due to the temporary nature of the closure (maximum 18 month construction timeframe) and that there are other locations on the waterfront that can be accessed that provide views into the Inner Waitematā Harbour, across to the North Shore and of a working waterfront, such as Princes Wharf, Queens Wharf, North Wharf and Quay Street.

Pedestrian access to NZMM and VEC will be maintained throughout the construction phase, with the CTMP likely to detail how the provisions are maintained.

As detailed in the Traffic and Transport Technical Report, the generous width of the shared pedestrian and vehicle areas on the Halsey Street Extension Wharf will continue to provide sufficient space for the delivery vehicles and any vehicles movements associated with the VEC to coexist with pedestrian movements along the Halsey Street Extension Wharf space during the pre-event and events, as well as during for the legacy arrangements. Likewise, pedestrian access along Hobson Wharf, although not protected by the AUP, is sufficiently wide to provide for pedestrian access and
delivery vehicles to the ETNZ syndicate base to co-exist. Furthermore, the SDP will manage the number of service and deliver vehicles accessing the wharves, avoiding excessive numbers of vehicles on the wharves at any particular time and seeking to schedule servicing and delivery vehicle trips outside peak pedestrian times.

Provision for secure bicycle parking will be provided within each of the syndicate base areas as part of the final design of the bases. The number of spaces provided will be identified for each base through the SSTP. This will allow sufficient provision to be made for staff that identify cycling as a mode of travel to work and additional spaces to be added if the SSTP monitoring identifies that additional provision is required. In addition to secure bicycle parking, end of trip facilities will be provided within each base also.

The Traffic and Transport Technical Report outlines the existing and future anticipated public cycle and pedestrian routes to and from the development and event locations. The proposal does not involve any upgrade to these facilities as they are considered appropriate for the future demand created during construction and operation of the bases and during the event. Syndicate bases on Wynyard Wharf will be provided with safe access to the bases as part of the design of those bases. The Traffic Management Plan (TMP) associated with the event will provide appropriate temporary measures during the event, which may include specific road closures or restrictions to provide safer environments for pedestrian and cyclists.

Through the use of management plans such as the CTMP, TMP and SDP it is considered that the conflict between vehicle traffic generated by construction, operational and AC36 event, and cyclists and pedestrians, will be appropriately managed to be mitigated to a level where any adverse effects would be negligible.

10.12.7 Access and Manoeuvring

Construction traffic and access will be managed by the CTMP. This document will ensure that the controls on construction vehicle routes and manoeuvring mitigate adverse effects and particularly conflicts with other road users and pedestrians. In general the construction vehicles will utilise existing roads to access the sites in compliance with road rules. Where entering and existing worksites onto public roads or spaces the CTMP would manage movements appropriately and may include the use of banksmen. With such activities managed by the CTMP it is considered that there will be negligible adverse effects arising from construction vehicle access and manoeuvring.

In general, the proposed access routes for service and delivery traffic to and from the syndicate bases during operation and the event will be via existing roads and vehicle access points. In the case of the bases on Halsey Street Extension Wharf and Hobsons Wharf, the vehicles will also need to transverse the wharf structures to the location of the loading/delivery areas. Controls to manage these movements and manoeuvring on the wharves will be included in the SDP.
The wharves where vehicles will be manoeuvring will be generally flat, constructed out of concrete and appropriate engineered to carry the weight of vehicles. The width of access routes to delivery and loading spaces will be sufficient width to provide for two way movement of vehicles and ensure appropriate sight lines, avoiding conflict between vehicles travelling in opposite direction or at junction points. The wharf and road areas will be appropriate lit to ensure a minimum level of lighting for safety.

It is considered, with the SDP managing service and delivery vehicle movements associated the syndicate bases, that the provisions for access and manoeuvring are appropriate.

10.12.8 Public Transport

The proposed construction sites, syndicate bases and event area are well served by the existing public transport provisions, which include ferries, trains and buses. The existing public transport provisions are considered appropriate to provide sufficient capacity for construction worker and pre-event syndicate base workers to commute to and from work.

During the event, it is anticipated that specific measures will be put in place through the EMP to ensure that there is sufficient capacity within the network. This is a common situation with large events, such as was the case with the hosting of the Rugby World Cup games in Auckland in 2011. With the EMP managing specific measures for additional public transport capacity during the event it is considered that any adverse effects on public transport will be negligible.

10.13 NOISE & VIBRATION

10.13.1 Construction

The America's Cup 36 Auckland 2021 Construction Noise and Vibration Assessment report prepared by Marshall Day Acoustics and included Attachments 22, 23 & 24 provide comprehensive detail and assessment of the likely construction noise and vibration matters and effects as a result of the proposal.

Noise associated with the construction of the wharf extensions, required ground improvement and construction of the syndicate bases 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.

Airborne noise

The location of the construction areas and sensitive receptors identified within Construction Noise and Vibration Report fall within both the Business – City Centre zone and the Coastal Marine Area.
As such, under the AUP different permitted activity standards apply to different areas of the construction work and to different sensitive receivers. Given the city centre context of the proposed development locations and the sensitive receptors, despite that some of the area is located within the Coastal Marine Area zone, it is considered that acceptable levels of airborne construction noise across all works areas as measured at any sensitive receptor without requiring mitigation measures would be consistent with those applied for construction works in the Business – City Centre zone received at sensitive receptors within the Business – City Centre zone. This is also consistent with the permitted standards for construction noise within the RCP, with the exception that the RCP uses a measurement of $L_{A10}$ whereas the AUP uses $L_{Aeq}$. These acceptable levels of construction noise across all works areas as measured at any sensitive 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 6.30am – 10.30pm (day)</td>
<td>75 dB $L_{Aeq}$, 90 dB $L_{A\text{max}}$</td>
</tr>
<tr>
<td>Saturday 7am – 11pm (day)</td>
<td>80 dB $L_{Aeq}$, 90 dB $L_{A\text{max}}$</td>
</tr>
<tr>
<td>Sunday 9am – 7pm (day)</td>
<td>65 dB $L_{Aeq}$, 85 dB $L_{A\text{max}}$</td>
</tr>
<tr>
<td>Other times 10pm – 7am (night)</td>
<td>60 dB $L_{Aeq}$, 75 dB $L_{A\text{max}}$</td>
</tr>
</tbody>
</table>

The Construction Noise and Vibration Report outlines a number of the construction activities and their predicted airborne noise levels. In relation to the anticipated construction activities, except for piling and concrete cutting, all other construction activities are predicted to generally comply with both the daytime and night-time construction noise limits listed in Table 8 above at all sensitive receivers.

Although the exact method of piling has not been confirmed at this stage, it is considered that piling and concrete cutting activities have the potential to exceed the standard 75 dB $L_{Aeq}$ weekday daytime construction noise limit for brief periods.

The Construction Noise and Vibration Report notes that brief intermittent exceedances during pile driving activities are predicted at the following occupied commercial buildings:

- Northern façade of the NZMM: Above 75 dB $L_{Aeq}$ for approximately 3 of the 6 months piling phase, 2 – 3 weeks of that above 80 dB $L_{Aeq}$, and up to 90 dB $L_{Aeq}$ for the closest few piles/days.
- Northern façade of the Viaduct Events Centre: Above 75 dB $L_{Aeq}$ for approximately 2 – 3 weeks of the 10 months piling phase, with none of that period above 80 dB $L_{Aeq}$.
- Western most North Wharf restaurants: Above 75 dB $L_{Aeq}$ for approximately 1 week of the 10 months piling phase, with none of that period above 80 dB $L_{Aeq}$.
It is further noted in the Construction Noise and Vibration Report that the Saturday daytime construction limit of 80 dB $L_{Aeq}$ would enable the predicted airborne noise levels for piling to comply at the VEC and North Wharf restaurants. Conversely, the report also notes these activities would significantly exceed the Sunday daytime noise limit of 65 dB $L_{Aeq}$, and furthermore, while the nighttime noise limit of 60 dB $L_{Aeq}$ is not relevant for these commercial receivers (assuming they are not occupied for noise sensitive activities), piling and concrete cutting activities these activities would exceed at residential receivers further afield, such as at Princes Wharf.

The Construction Noise and Vibration Report explains that activities which have a distinctive impulsive or tonal character, such as impact pile driving, rock breaking and concrete cutting, can cause significant adverse effects when undertaken at night-time, even when complying with the construction noise limits. As such, it recommends these activities are avoided at night.

A Construction Noise and Vibration Management Plan (CNVMP) has been prepared in draft outlining measures to ensure best practice methodology is used during the construction works to ensure that the construction works as far as practical and feasible meet the noise limits included in Table 8. Once the final detail of the works programme and methodology has been settled upon, this document will be updated. The final CNVMP will manage works during the night-time period including measures such as preventing pile driving and concrete cutting activities. The CNVMP will also provide specific mitigation measures to mitigate adverse effects of exceedances of the airborne noise levels in Table 8 on sensitive receptors such as the NZMM, VEC and North Wharf restaurants.

The requirement for the preparation of a final CNVMP document is offered as conditions of consent in order to ensure that the document is prepared and submitted to Council for approval, and subsequently adhered with, 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 8 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 mitigate to ensure that there is no more than minor adverse effects on sensitive receivers.

**Underwater noise**

The Construction Noise and Vibration Report 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 or RCP providing maximum levels for underwater noise, it is known to affect the health and wellbeing of marine fauna, particularly mammals.
The Construction Noise and Vibration Report 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 Construction Noise and Vibration Report 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 mitigate to ensure that there is no more than minor adverse effects on marine mammals.

**Vibration**

As outlined in the Construction Noise and Vibration Report, the AUP provides permitted standards for levels of vibration. The predicted levels of vibration from the potential construction methodologies involving impact and vibrating piling have the potential to generate high vibration levels at receivers within short distances. No appreciable vibration is predicted to be received from other construction activities.

The NZMM and the Bulk Storage Terminals are identified in the Construction Noise and Vibration Report as being within the indicative distances to comply with vibration limits at building foundations. Other buildings within the vibration amenity setback distances potentially include the North Wharf restaurants, the Viaduct Events Centre and occupied offices on the west side of Brigham Street, but it is considered that the effects of vibration on these receivers are below the level at which damage may occur.

The Construction Noise and Vibration Report outlines mitigation measures that could be included in the CNVMP, including measures such as pre and post-construction condition surveys on the NZMM building and contents; procedures to undertake vibration monitoring and, if necessary, a review to determine whether vibration levels can be reduced by using a smaller impact hammer, or using vibro piling in place of impact piling; and communication of the timing of the activity in advance.

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

**10.13.2 Operational**

The America’s Cup 36 Auckland 2021 Event and Legacy Noise Assessment report prepared by Marshall Day Acoustics and included in Attachment 23 provides comprehensive detail and assessment of the likely noise effects as a result of the AC36 event and other legacy activities.
The day-to-day activities within the syndicate bases are considered to comply with the noise levels applicable under the permitted standards. It is therefore considered that the syndicate base operation will have no adverse effect in terms of noise.

Under the AUP, both the Viaduct Harbour Precinct and the Wynyard Quarter Precinct have standards which provide for relaxed noise limits for a limited number of events, which are classified as High Noise Events and Medium Noise Events. The noise levels at sensitive receivers predicted within the Event and Legacy Noise report for noise events anticipated during the AC36 event will generally will comply with these limits, with the exception of controls related to low frequency noises relating to the Viaduct Harbour Precinct. It is understood that these control low frequency controls were imposed in the AUP for the purpose of controlling low frequency noise from indoor events where other frequency noise is attenuated by the building.

It is considered in the Event and Legacy Noise report that low frequency limits are not considered necessary for the anticipated outdoor noise events, as the overall dBA limits will effectively control the low frequency noise. Additionally, there are minor differences between the noise event controls for the Wynyard Precinct and the Viaduct Harbour Precinct, in terms of the measure that is used. As such, a condition of consent is proposed imposing the following consistent noise limits on High Noise Events and Medium Noise Events as part of the overall AC36 event, providing a consistent measure and level:

- High noise events: 82 dB L_{Aeq} and 90 dB L_{A01}
- Medium noise events: 72 dB L_{Aeq} and 80 dB L_{A01}

The condition will also limit the number of noise events as per the permitted standards under the AUP.

It is considered with such a condition in place that the anticipated outdoor noise events will result in a no more than minor adverse effect on sensitive receivers.

It is anticipated that legacy events will operate within the permitted noise standards or obtain separate resource consents as necessary.

10.14 LIGHTING

A lighting assessment has been provided as part of the application and forms part of the Beca Base Infrastructure Technical Report. The report assesses the effects of lighting proposed as part of the construction of the AC36 base infrastructure, the event lighting and the legacy lighting.

For construction, it is proposed to undertake potentially noisy construction during standard construction hours and non-noisy construction outside of these times, given the condensed construction time frame required to complete the syndicate bases, the wharves and breakwaters before the end of 2019. Construction lighting proposed to enable the detailed work required for this
project (on wharves and waterspace) will require lighting between 100-150 lux (lumens per square metre). Construction lighting will include temporary light poles around the Wynyard Basin works area, with zero tilt floodlights (orientated parallel to the ground). All light will be projected below the horizontal plane. It is proposed that the flood lights be 12-18m above wharf structures or 10m high if located on barges. The zero tilt high mounted approach will reduce glare and spill and no lighting will be directed to the night sky.

Sensitive uses are located to the south and east and 1.5km north across the harbour. The avoidance of light into the night sky will limit any spill and glare. Any light spill towards the Princes Wharf apartments indicate that initial horizontal and vertical illuminance will be less than 10lux. This complies with the AUP. Specific details of construction lighting will be able to be managed through the proposed Construction Environmental Management Plan.

For the Event it is noted that the event area around the Eastern Viaduct, Te Wero Island and Gateway Plaza are already well illuminated at night. Temporary lighting is proposed as part of the event in order to provide sufficient lighting for event visitors at night as well as for safety, security and nighttime working purposes. The various venues that make up the event location have existing lighting sources. These will be complemented by additional temporary lighting at the following locations:

- The Eastern Viaduct;
- Te Wero Island including the stage and LED screen at the eastern end of Te Wero Island; and
- The team bases.

The temporary lights will be attached to lighting poles between 6 metres and 10 metres high and will be directed away from residential units in the vicinity, in order to avoid any potential nuisance issues. It is anticipated that the lights will be in operation each night of the event and will cease at approximately 10pm, except when there is a concert programmed, which will occur infrequently during the event.

The pole mounted lights will be directed below the horizontal plane and will therefore not create adverse spill or glare effects. Temporary feature lighting for events and television broadcasting will require specific luminaires which will not necessarily be directed below the horizontal plane. Such lights do however, have excellent beam control and will only be utilised for specific time periods during the event.

For the legacy use of the structures, similar zero tilt luminaires (or other suitable replacements) will be utilised. The lights will be set up and designed so that there will be negligible effects on nearby sensitive uses.

Overall, it is concluded that sufficient lighting is required for safety, security and working purposes as well as for the event and legacy uses. The potential adverse effect of such lighting is considered
to be less than minor as the lights will either be directed below the horizontal or will be contained and of relatively short duration. There will be negligible light spill onto residential properties or any effect on traffic safety, navigation or visual amenity.

10.15 INFRASTRUCTURE

Beca have prepared a Stormwater & Services Report that addresses the infrastructure effects resulting from the proposed development. The following summary outlines the sufficiency of the infrastructure proposed for the development.

10.15.1 Stormwater, Industrial Trade Activity, and Hazardous Substances

Stormwater from the wharf extensions will be collected and treated prior to discharge. The treatment devices will be designed to remove 75% of total suspended sediment. The treated stormwater will then be diluted by tidal flows within the wider harbour. There will be negligible scour and erosion effects from the discharge as the discharge points are in water depths of at least 3m and are seaward of the shoreline.

For the proposed industrial trade activities and hazardous substances, it is proposed to store all hazardous substances in an internally bunded compound. In addition to this, an Environmental and Hazardous Substance Management Plan and a Spill Response Plan are recommended as conditions of consent. These plans will set out protocols and procedures (e.g. storage and use of product, boat wash down procedures, waste management) designed to manage any potential adverse effects and discharges into the CMA. Matters to be included in these plans are provided within the Beca Report. Overall, any effects from these activities are considered to be appropriately managed.

10.15.2 Water Supply

It is estimated that the bases and vessels associated with the event will utilise up to 90,000 litres of water per day via a combination of potable water for syndicate bases, potable water for associated vessels and wash down water for the AC36 yachts. Fire & Emergency NZ have recommended that the bases be sprinklered because of the nature of carbon fire fires. In order to service the bases a ring main is proposed around the Western Viaduct Wharf extension, while a single water main (extension from Hobson Wharf will serve Base 1. The Wynyard Wharf bases will be connected to the existing water main on Brigham Street or the water main north of the bases on Wynyard Wharf. There is sufficient capacity to accommodate the base requirements.

10.15.3 Wastewater

Daily wastewater generation is expected to be in the vicinity of 85,000 litres per day. As a result, a pump station, rising main and tank suspended beneath each wharf are expected to be required,
owing to the distances to the nearest manholes (300m or more). A pump out facility is also proposed for the super yachts berthed at Halsey Street Extension Wharf. A new manhole is proposed at the landward end of the Halsey Street Extension Wharf and Wynyard Wharf to facilitate connection to the existing wastewater network. There is sufficient capacity to accommodate the base requirements.

10.15.4 Power & Communications

Connections will be provided to each syndicate base by individual pedestals. Cables will be protected by ducts suspended beneath the wharf decks. Connection points are readily available around the works areas. During the actual event, it is proposed that mobile generators will be used in combination with mains power. The use of generators is important as they significantly supplement electricity provision to the area and avoid over utilising the existing land based infrastructure. There is sufficient capacity available to provide for the power and communications requirements of the proposal.

Overall, the development will be adequately serviced by infrastructure and any adverse effects from the provisions of these services will be negligible. Conditions have been drafted to address the relevant infrastructure requirements and these are included in the draft conditions attached to this application.

10.16 NATURAL HAZARDS AND CLIMATE CHANGE

10.16.1 Introduction

Resource consent is sought in relation to coastal hazards, the provision of hard protection structures (in the form of ground improvements and breakwaters), and for works within overland flow paths. The activity status of the relevant consent matters is identified as restricted discretionary with the matters of discretion/assessment criteria identifying the following key matters for consideration:

- The information available in relation to the hazard;
- The likelihood of a hazard event occurring, its magnitude and duration, the consequences of the event;
- Effects on other property or people;
- Effects on public access, landscape and other environmental values;
- The consideration of the effects of climate change;
- For coastal hazards the ability to relocate/ adapt and the duration for which consent is sought;
- For hard protection structures the extent to which the structure avoids, remedies or mitigates effects and the consent duration and whether it is necessary for the functional and operational needs of the activity or whether an adaptive management approach can
be achieved;

- For flood hazards any change in flows (depth or velocity) the capacity of the flow path and the long-term management of the flow path.

Natural hazards are addressed in the Technical reports at several points. In the Attachment 13 the Base Infrastructure Report, Attachment 14 the Coastal Process and Dredging Report, Attachment 19 in the Stormwater and Services report, and in Attachment 25 the Geotechnical report with respect to ground stability hazards.

The likely projected effects of climate change are also considered in relation to their impacts on rainfall and weather systems (such as wind speeds). The technical reports have been prepared with reference to the recent Ministry for the Environment (2017) Coastal Hazards and Climate Change: Guidance for Local Government (Ministry for the Environment 2017), which has informed the consideration of varying sea level rise scenarios assessed in relation to coastal hazards.

Furthermore, it is noted that Panuku Development Auckland has developed a Climate Change Adaptation Strategy (2015) which identifies risks and opportunities for addressing coastal hazards. This adaptation approach is complementary to the AUP, recent National Guidance (MfE Report 2017), and Parliamentary Commissioner for the Environment’s report in 2015 titled Preparing New Zealand for rising seas: Certainty and Uncertainty.

Broadly the proposal takes into account the coastal hazard and climate change risks (namely sea level rise) in the context of the existing environment, including the wider waterfront area and the current use and development in this area. The proposal also accommodates the functional requirements of the maritime activities by providing a design solution:

- Suitable for the existing exposure to coastal hazards with present day sea levels;
- Identifies the likely effects of sea level rise on the structures over time; and
- Identifies suitable mitigations for potential future effects which can be implemented based on consent timeframes or in response to effects experienced.

10.16.2 Coastal hazards (Including Tsunami Hazards)

Coastal hazards include storm inundation, erosion and, as specified in the New Zealand Coastal Policy Statement, Tsunami. The AUP identifies Tsunami hazards as a lower frequency hazard event and does not include any rules or specific policy direction in relation to this hazard. Emergency management procedures are currently employed for the Auckland CBD and waterfront areas. The central city area and wharves are subject to ‘red’ and ‘orange’ zones for emergency management purposes. The proposal will rely on emergency management planning (evacuation) and actions to address Tsunami Hazard risks. This accords with the existing management approaches and is considered appropriate when considering the policy context.
Coastal Storm Inundation with present day sea levels is mapped in the Auckland Council Geomaps Viewer as affecting a small portion of lower Brigham Street and Karanga Plaza. Storm surge and extreme storm tides are addressed in Attachment 14, the Coastal Processes and Dredging report. The 1% AEP inundation event (with present day sea levels) is anticipated to reach a level of 4.1CD. As the proposed wharf structures have CD levels of 5 to 5.5m, they would not be inundated in a present day 1% AEP event.

The Coastal Processes Report considers overtopping taking into account a range of likely scenarios (factoring in northerly wave events, storm tides and sea level rise components). The report concludes that the level of overtopping likely to be experienced will be generally acceptable for the 35 year period sought in relation to the wharf structures, however, provision may be needed for the lower levels or base design of buildings and additional mitigations may be required to address overtopping toward the end of the consented lifetime of the structures (wharves). Beyond 2050 the report identifies that the raising of the wharf deck may be required and as a result the wharf structures have been designed to enable this to be undertaken and the deck incrementally raised if required (subject to a further consent process).

This adaptive approach is founded on the need to provide wharf extensions which achieve a coherent link to the existing wharfs and adjacent land. The ability to further adapt the structures dependent on the rate of sea level rise and overtopping experienced aligns with the most recent national policy guidance and is consistent with the AUP when considering sea level rise of 1m over a 100 year timeframe; the proposed use of the structures for marine and port activities and the duration of consent being sought. Furthermore the proposed structures will be designed for the conditions in which they are to be located (dependent on the location within the proposal area and function of the structures) and will be managed to ensure that risks to people, other property, infrastructure and the environment are appropriately mitigated. For the reasons above the risk of adverse effects associated with coastal hazards is considered to be appropriately addressed and the concept of adaptive management supported by the proposed approach.

With respect to coastal erosion the proposal is located within a highly modified area of the Waitematā Harbour. The land to the east and west of the site area is protected by a variety of hard protection structures which have been constructed over the past 100+ years as this area of the waterfront has developed. Seawalls and other protection structures do not have an indefinite life however it is generally assumed that due to the level of investment and the wider benefits derived from the central city and waterfront area that maintaining the integrity of the existing structures can reasonably be anticipated. It is noted that storm inundation remains a challenge for coastal locations and that continued adaptation to this coastal hazard may be required regardless of the maintenance of hard protection structures dealing with erosion. To this end, the proposal assumes the ongoing fortification of the wider site area and adjoining land. As such the Coastal Processes Report concludes that Coastal erosion is not considered a relevant risk for this project.
10.16.3 **Hard Protection Structures**

In terms of the location of new protection structures within the project area (including breakwaters and wave panels) the effects of these structures have been considered in terms of effects on adjoining land/seabed. At section 5.3.3 of the Coastal Processes Report the assessment concludes that a modelled change was identified but that the effects are likely to be low, such as some localised scouring. When taking into account the location, the effects of this are considered to be minor and are isolated in nature.

The works associated with the existing seawall will be undertaken over a limited timeframe and access will be retained along Brigham Street for essential uses. Upon completion the road will be reinstated. The installation of breakwaters has implications in terms of the (tranquil water) environment that they facilitate and the impacts that may be had on navigation or coastal processes. This is addressed more specifically in preceding sections of this assessment. Similarly visual impacts and those on natural character have been addressed comprehensively above in section 10.4.

Overall the potential for adverse effects associated with the installation of hard protection structures in the form of ground improvements landward of the existing seawall, breakwaters and wave attenuation are considered to be low due to; the highly modified environment; the likely maintenance of other adjoining hard protection structures; and as noted elsewhere, the ability to maintain both public access a navigable water space.

10.16.4 **Flood hazards**

Flood hazards are considered in the Stormwater and Services Technical Report at Attachment 19. The assessment assesses floodplains, overland flowpaths and provides comment in relation to flood prone areas also. In term of floodplains (1% AEP) none are identified as being present within the application area. Likewise, the Report identifies that there are no overland flowpaths located on the existing wharf structures and that these structures are located at the seaward ‘end’ of the catchment. Overland flow paths are however identified traversing Brigham Street adjacent to Wynyard Wharf discharging into the harbour.

With respect to flood prone areas the Report notes that the GIS map also incorrectly identifies a flood prone area between Brigham St and Wynyard Wharf noting this is not a flood prone basin.

The potential for flood hazards to result in flooding of, damage or nuisance to, other properties is considered to be negligible due to the location of the site at the bottom of the catchment and the ability to manage the existing overland flowpaths during construction (ground improvement activities) along Brigham Street.
10.16.5 Land stability

Land stability is addressed in Attachment 25 the Geotechnical Report, which identifies that the perimeter structures in proximity to the Wynyard Wharf area of the proposal (the historic reclamation of Wynyard Point) have relatively low static factors of safety and they may also be susceptible to liquefaction during an ultimate limit state (ULS) earthquake. This is largely due to the Wynyard Quarter reclamation (undertaken in the 1920s-1930s) being comprised mainly of hydraulically-placed material within a perimeter bund.

Investigations within this area had previously identified that further stabilisation of the Wynyard Point seawalls would be required to support the future planned outcomes for the Point.

When considering the design for the proposal the use of ground improvements was identified as a means to ensure the proposed new structures (Wharf area) would be protected from the potential effects of liquefaction. Generally, the Auckland Area is assumed to have a low seismic hazard (earthquakes) risk and there are no rules included in the AUP which relate specifically to earthquake hazards as there are in other parts of New Zealand. However further investigations to inform detailed design (for the ground improvements) will be undertaken in January 2018 which will increase the understanding of the improvement works required to ensure that the works are the most effective and efficient to achieve the identified outcome.

The planned ground improvement works while having the primary intention of protecting the new structures in the event of lateral spreading (subject to an earthquake event) they will have the overall effect of improving the stability of the land to the west of the works and may serve to enable future use of the area through the reduction of land stability risks.

Furthermore, it is noted that the proposed wharf structures will be founded in the underlying Waitemata Group rock identified below the proposal area as recommended by the Geotechnical report.

10.16.6 Summary

Overall the natural hazard effects, including the risk of adverse effects, are considered to be appropriately avoided or mitigated through:

- The management of activities where they are located in proximity to flow paths;
- The approach taken to ground improvement works resulting in an improved stability for Wynyard Point and appropriately designed structures;
- The localised and minimal effects of the proposed hard protection structures; and
- The adaptive approach taken to the management of coastal hazards taking in to account the location within the CMA and the functional requirements of the proposal and the duration of the consent.
10.17 LAND DISTURBANCE & CONTAMINATION EFFECTS

Drawing 3233847-DC-001 included in Attachment 3 shows the extent of land disturbance proposed as part of the development. The main area of land disturbance is for the purpose of ground improvement works on Brigham Street, with land disturbance in other secondary areas for the purpose of service installation, ground/groundwater investigations, and potentially foundations for fencing and street furniture, such as lighting and signs.

As detailed in the Base Infrastructure Technical Report prepared by Beca and included in Attachment 13 an Erosion and Sediment Control Plan (ESCP) will be prepared for the proposed land disturbance activities and implemented during the land disturbance activities to prevent excessive erosion and ensure the containment of sediment from the land disturbance areas, maintaining the quality of receiving waters.

The areas of land disturbance are within land that has been reclaimed since 1840 or later, and not identified of archaeological importance. It is therefore considered there is reduced chance of accidentally discovering sensitive material. However, in the event that sensitive material is accidentally discovered, appropriate accidental discovery protocols will be followed. The following of accepted accidental discovery protocol in the event of finding any sensitive material is offered as a condition of consent.

The America’s Cup 36: Preliminary Site Investigation (Contamination) for Resource Consent Application: Wynyard Basin and Ferry & Fishing Industry Relocation Facility report prepared by Beca and included in Attachment 26 identifies that the areas of proposed land disturbance have been subject to contamination from hydrocarbons, oil spills, gas works waste, and heavy metals. As such, all areas of ground disturbance have been identified ‘at a more likely than not’ level of certainty to have had an activity on the Hazardous Activities and Industries List (HAIL) undertaken on them. There may be a potential risk to human health and the environment during the disturbance of the land and therefore the proposed works requires adequate management, controls and remediation. Furthermore, due to the contaminated nature of the ground there may be a risk to human health associated with the future occupation of areas of contaminated land, which also requires management.

As part of the Contamination report a Remediation Action Plan (RAP) document has been prepared by Beca to provide controls and management procedures to mitigate potential effects on human health and the environment that may arise with contamination of land during construction and its future use. It is proposed that a Detailed Site Investigation (DSI) will be undertaken to characterise further the potential contamination associated with HAIL areas and enable the revision of RAP to allow for variability in site conditions.

Measures detailed in the RAP, updated on the basis of the findings of the DSI prior to any land disturbance works, will ensure that the proposed land disturbance and the proposed future
occupation of the land will be undertaken in a manner that appropriately protects the environment from the spreading of contaminated material and human health. The proposed ESCP will be required to align with requirements in the RAP to ensure the containment of contamination any in stormwater runoff from site.

The requirement for the preparation and implementation of an ESCP, the undertaking of DSI and the updating of the RAP are offered as conditions of consent in order to ensure that the documents are prepared and submitted to Council for approval, and subsequently adhered with, to ensure that the appropriate controls, management and remediation procedures are implemented.

With the mitigation measures of ESCP and updated RAP imposed, it is considered that the effects can be appropriately mitigate to ensure that there is negligible effect on the environment from the disturbance of the contaminated and human health from the disturbance and future occupation of the contaminated land.

It is acknowledged that the Maori culture places significant levels of importance in the mauri or life giving capacity of land and water and therefore mana whenua have an interest in the control of contamination and protection of water quality. As detailed in section 13 the applicant has sought to engage with mana whenua groups in relation to impact of the proposals on cultural values and mitigations measures. The outcome of this engagement is outlined in the Consultation Summary Documents included in Attachment 29 while it is intended that consultation with mana whenua will be on-going through the duration of this consent process.

Based on engagement to-date with mana whenua, it is considered that the mitigation measures proposed involving the controls, management and remediation procedures included in the RAP and ESCP, as well as following accepted accidental discovery protocols should any sensitive materials be found, will appropriately mitigate adverse effects to a level where there are negligible effects on cultural values.

10.18 GROUNDWATER DIVERSION EFFECTS

The Geotechnical Report included in Attachment 25 identifies that liquefaction mitigation and/or slope stabilisation will be necessary to protect structures on or adjacent to the existing reclamation. This is required in order to mitigate the effects of excessive displacements and or damage, in the event of an earthquake. The ground improvements options identified for the proposal will infringe the permitted activity standards of the AUP as detailed in the Groundwater report prepared by Beca and included in Attachment 27 which provides comprehensive detail and assessment of the likely groundwater and settlement matters and effects associated with these works.

In summary, Groundwater Report details that negligible adverse effects are anticipated from the ground improvement proposals on the basis that:

- Pile holes are expected to be cased and either locally dewatered for only very short periods
(days) or will be constructed as wet pours with no dewatering.

- There is negligible up-gradient driving head and groundwater levels under Wynyard Wharf are expected to be principally controlled by the harbour and local soil conditions.
- The stabilisation will be parallel, or at an oblique angle to the direction of groundwater flow and hence is unlikely to act as a dam.
- Modelling of changes in groundwater flow associated with previous in-situ stabilisation in the Wynyard Quarter area indicates typically less than 0.2 m of mounding (i.e. less than seasonal / tidal range in this area) and subsequent monitoring during and post-construction has not indicated any mounding that can be attributed to stabilisation (i.e. previous modelling is conservative).
- If the modelled mounding were to occur, the groundwater level would remain deeper than 1.2 m below ground level and no buoyancy effects on services or surface structures (e.g. tanks) are anticipated.

Groundwater level monitoring is proposed to be undertaken prior to, during and post-construction in order to confirm the anticipated groundwater outcomes in terms of effects on groundwater. In the event that there is unanticipated groundwater mounding or drawdown noted in this monitoring, actions will be undertaken to address the effect. These actions will be included in a Groundwater Monitoring and Contingency Plan (GMCP) which will set out the practices and procedures to be adopted to ensure groundwater effects are mitigated. The Groundwater Report outlines a number of conditions, including the preparation of a CMCP, groundwater monitoring requirements, alert levels triggers and corresponding actions, and reporting.

It is proposed to offer these as conditions of consent in order to ensure that the GMCP document is prepared and submitted to Council for approval, and subsequently adhered with, to ensure that the appropriate controls, management and remediation procedures are implemented, along with the other recommended actions.

With the mitigation measures of GMCP and other actions outlined as recommended conditions, it is considered that any effects can be appropriately mitigate to ensure that there is negligible effect on the environment or surrounding buildings and services from the outlined ground improvement options.

While it is acknowledged that the Maori culture places significant levels of importance in the mauri or life-giving capacity of water and therefore mana whenua have interest in the control of groundwater, in this case there the proposal is not considered to dam groundwater flow and there is no, or only minimal dewatering. As detailed in section 13 the applicant has sought to engage with mana whenua groups in relation to impact of the proposals on cultural values and mitigations measures. The outcome of this engagement is outlined in the Consultation Summary Documents included in Attachment 29. It is intended that consultation with mana whenua will be on-going through the duration of this consent process.
Due to the groundwater diversion not resulting in a damming of groundwater and that there is no or only minimal dewatering involved, based on engagement to-date with mana whenua, it is considered that the mitigation measures proposed involving the GMCP and other actions outlined as recommended conditions will appropriately mitigate adverse effects to a level where there are negligible effects on cultural values.

10.19 SUMMARY OF EFFECTS

The above effects assessment has considered all elements of the proposal including construction, operation, the event and legacy activities and uses. These effects are also comprehensively assessed in the supporting technical reports. Overall, the adverse effects of the proposal are considered to acceptable. Further, the proposal will have significant positive effects.
11.0  STATUTORY DOCUMENTS (SECTION 104(1)(B))

The following analysis addresses the relevant statutory documents that are applicable to this application.

11.1  NEW ZEALAND COASTAL POLICY STATEMENT (2010)

The NZCPS sets out the relevant issues that are applicable to the coastal environment of New Zealand. Importantly, formulation of policy documents such as regional policy statements and coastal provisions must give effect to the NZCPS provisions. The AUP and ARP: C provisions have been prepared in accordance with the NZCPS and as the consent status of structures and activities within the CMA are either permitted, restricted discretionary or discretionary activities, it is considered that they would be consistent with the objectives and policies of the NZCPS.

In addition to the requirement for policy documents to give effect to the NZCPS, it states that a consent authority, when considering an application for a resource consent, must subject to Part 2 of the Act, have regard to any relevant provisions of the NZCPS. In order to assist with that assessment, a full detailed assessment of the NZCPS is included in Attachment 28 to this application.

The following is a summary of the assessment of the provisions of the NZCPS that are relevant to the proposal.

Overall, the proposal is considered to be consistent with the objectives and policies of the NZCPS. The proposal meets the requirements of the NZCPS by providing for structures and activities within the coastal environment that facilitate the AC36 event within Auckland. This will support the social, economic and cultural wellbeing of the wider community and is able to adequately manage any adverse effects of on the coastal environment and the nearby community. The proposal will result in extension of existing wharf structures, public access, new buildings, structures and activities within the coastal marine area. The proposed development results a large number of positive effects, while any adverse effects will range from negligible to moderate in scale, on the coastal environment.

Coastal Processes

The proposal will require dredging of parts of the harbour and structures within the CMA. These structures will include wave attenuation devices in order to provide calm water within the proposed basin areas. Whilst the wave attenuation devices will improve the calmness of the waterspace is will also affect the harbour flushing times. An appropriate balance needs to be struck between water calmness and the resulting ecological and water quality effects. The Coastal Environmental Effects Report prepared by Golder Associates indicates that any dredging effects will result in recolonization commencing relatively quickly which is consistent with previous and ongoing dredging activities in this part of the waterfront. A stable state community will however generally take several seasonal cycles. Overall, the ecological value of the area is considered to be low and the magnitude of effects...
considered to be moderate in the immediate term but recovery to pre-disturbance level is anticipated. Therefore, the overall effects rating is assessed as being very low in the Coastal Environmental Effects Report.

Further, any loss or changes in habitat (benthic, intertidal) will be very low or low in scale and are therefore considered to be acceptable based on the EIANZ ranking. Generally, in dredged areas of this nature, recolonization will occur relatively quickly. This is supported by ongoing maintenance dredging, which occurs within the Wynyard Basin area quite regularly and has not resulted in adverse ecological outcomes to date. This is not expected to change as a result of the localised dredging proposed as part of this application.

In terms of water quality, Beca have managed a harbour hydrodynamic modelling analysis exercise (undertaken by Cardno in Australia and peer reviewed by T&T) that has assessed the harbour flushing times resulting from the proposed structures within the waterspace. This will have an effect on the ecology of the area and on water quality. The results indicate that flushing times will be good to fair across the waterspace affected by the proposed development. The Inner Viaduct Harbour area (Lighter Quay waterspace) will experience an increase in flushing time which will still remain within the “fair” category and that any changes to nutrient levels or algal growth would remain well below the reported range for New Zealand Harbours (<0.004 b/m³ Innes et al 2010). Any increase in biomass is not anticipated to be observable to the casual observer.

Sedimentation rates expected within the Wynyard Basin are within around 60 mm per year on average with localised areas up to 140 mm per year. For the outer Viaduct Harbour, the additional tranquillity and lower flow velocities caused by wave panels is expected to increase sedimentation rates up to 40-60 mm per year compared with 36-55 mm per year at present. The limited availability of sediment within these areas is considered to be a positive element in retaining sedimentation levels to a reasonably low level. The tables in the Beca Coastal Processes and Dredging Technical Report identify the difference in existing versus proposed sedimentation levels at various locations and the report confirms that the level of change will be no more than minor and that standard maintenance dredging, which is already undertaken within these areas, will ensure that any effects of sedimentation do not create significant adverse environmental effects or effects that are other than minor.

There is predicated to be no change in contaminant discharge into the CMA as a result of the proposed development as all additional stormwater from the new wharf structures will be filtered (to ensure the removal of contaminants) prior to discharge and all hazardous substances will be stored within a self bunded facility within the syndicate base hardstands.

The potential effects of sea level rise and storm surge (in addition to coastal erosion and tsunami hazards) has also been considered in the design of the wharf levels and associated buildings. While the wharf additions are to be erected at the same levels of the existing wharves, provision has been made within the pile design to enable a future 1m to be added to the wharf levels in 2 or 3 increments.
over the next 100 years. Also sufficient mitigation measures (building use and evacuation procedures) are proposed to ensure that risk from tsunami hazards is adequately mitigated.

Overall, the waterspace will retain its life supporting capacity as any changes to coastal processes created by the proposed development are considered to be minor and are able to be adequately mitigated.

**Character & Amenity**

As detailed throughout this report, the proposed development will result in wharf extensions, new structures, berthage and activities within a part of the coastal environment which is highly modified and which is not located in an area of outstanding or high natural character, landscape or features. Further there are no viewshafts, sightlines or regionally significant viewshafts that are impacted by the proposal. While outlook over the seascape (both nearby and distant) from public and private viewpoints will be affected by the proposed development, the change in view will be towards or over the AC36 race village. The intricately designed buildings and the theatre of the water created by the America’s Cup race boats will create a new visual and physical attraction into this part of the waterspace.

As a legacy outcome, (once the temporary bases are removed) the wharves and waterspace will be used a waterspace events area. This is consistent with the Waterfront Plan adopted by the Auckland Council as part of the Auckland Plan. The works will occur in parts of the city centre waterfront that are within existing waterfront precinct boundaries or port management areas and protrude less into the harbour than existing relocations or wharves on either side. Further, the proposed extensions sit comfortably within the wider City Centre waterfront morphometry.

The proposal has been developed so that intrusion into the coastal management area by the additional wharf features and breakwaters, and buildings above the wharves, is reduced as far as is practicable. The proposed works will facilitate syndicate bases for the America’s Cup 36 regatta and have a functional need to be within the coastal environment. Furthermore, the establishment of syndicate bases and the operation of a yachting race regatta within the coastal environment is an expected and anticipated part of the CMA and reflects the types of activity that would be undertaken within the coastal environment. While the proposal will require the amendment to some vessel passages, any adverse effects are considered to be manageable and mitigated by use of standard navigation techniques. The replacement use of the AC36 bases will still be for vessel use and water-based events (which require calm water) in the future.

Overall it is considered that the proposed works will be acceptable within the surrounding and existing landscape/coastal environment as the works will not protrude noticeably into the wider Waitematā Harbour or the navigation channel and will be constrained within the northern extent of the existing reclamation and wharf structures to the east and to the west and within the existing Waterfront Precinct and port management area boundaries.
Public access to and along the water’s edge will also be enhanced by the proposed development. Both during the event and in the legacy outcome, the public will be able to access the water’s edge and maintain a visual and physical relationship with the CMA. A benefit of wharf structures in this regard is that it will enable the wider public, visitors and occupants of the area (who do not have access to a boat) to travel further into this part of the seascape and experience this part of the Wynyard Basin, which they may otherwise not be able to experience.

![Diagram](image)

**Figure 27:** Diagram representing Public Plaza and wharf space and Green Space (Boffa Miskell)

Overall, for the above reasons and the assessment of the NZCPS in **Attachment 28**, I consider the proposal to be consistent with the NZCPS.

### 11.2 NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT (NPSFM)

As noted in the preamble to the National Policy Statement for Freshwater Management 2014, updated August 2017 (NPS-FM), the NZCPS “addresses issues with water quality in the coastal environment”. The AC36 infrastructure project is proposed within the coastal environment and no streams or other fresh water bodies are affected. Therefore, the application falls within the
jurisdiction of the NZCPS.

However, to the extent that, as noted in the NPS-FM, the management of coastal water and fresh water requires and integrated and consistent approach, the application is consistent with the AUP (OiP) provisions relating to stormwater management that have been implemented by Auckland Council to give effect to the NPS-FM.

11.3 HAURAKI GULF MARINE PARK ACT 2000

The relevant provisions of the HGMPA that relate to this application include its purpose and the impacts on the management of the Hauraki Gulf. The applicable subsections relating to the purpose of the HGMPA aim to integrate the management of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments and to establish objectives for the management of the Hauraki Gulf. Additionally, it is a purpose of the HGMPA to recognise the historic, traditional, cultural, and spiritual relationship of the tangata whenua with the Hauraki Gulf and its islands.

The HGMPA addresses similar issues to the NZCP, however the HGMPA focuses on the life supporting capacity of the Hauraki Gulf and recreation as reflected in Section 7(2) and Section 8(f). Further, section 10 of the HGMPA requires that the national significance and management directives in sections 7 & 8 are to be treated as a NZCPS for the Hauraki Gulf. This means that the relationship between the Hauraki Gulf, its islands and catchments and the ability of the Gulf to sustain the life supporting capacity of the environment are matters of national significance.

The following sections of the HGMPA set out the relevant parts of section 7 & 8 that relate to this application are:

7. Recognition of national significance of Hauraki Gulf—
   (1) 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.
   (2) The life-supporting capacity of the environment of the Gulf and its islands includes the capacity —
      (a) 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:
      (b) to use the resources of the Gulf by the people and communities of the Gulf and New Zealand for economic activities and recreation:
      (c) to maintain the soil, air, water, and ecosystems of the Gulf.

8. Management of Hauraki Gulf—
   To recognise the national significance of the Hauraki Gulf, its islands, and catchments, the objectives of the management of the Hauraki Gulf, its islands, and catchments are—
(a) the protection and, where appropriate, the enhancement of the life-supporting capacity of the environment of the Hauraki Gulf, its islands, and catchments:

(b) the protection and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments:

(c) the protection and, where appropriate, the enhancement of those natural, historic, and physical resources (including kaimoana) of the Hauraki Gulf, its islands, and catchments with which tangata whenua have an historic, traditional, cultural, and spiritual relationship:

(d) the protection of the cultural and historic associations of people and communities in and around the Hauraki Gulf with its natural, historic, and physical resources:

(e) the maintenance and, where appropriate, the enhancement of the contribution of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments to the social and economic well-being of the people and communities of the Hauraki Gulf and New Zealand:

(f) the maintenance and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments, which contribute to the recreation and enjoyment of the Hauraki Gulf for the people and communities of the Hauraki Gulf and New Zealand.

Overall, it is considered that the proposal is consistent with the provisions of the HGPMA. The proposal is utilising the physical resources of the Gulf to provide marine and port activities, facilities and infrastructure that will be beneficial to the social and economic well-being of the public, occupants of the area, visitors and the sailing and boating community. The provision of America’s Cup base infrastructure, breakwaters, wave attenuation devices and berths is designed to provide suitable facilities for the syndicate bases, the AC36 regatta and future legacy uses (water based events that require calm waterspace).

The proposal will therefore continue to provide for and expand on social and recreational opportunities in the coastal marine environment. While the waterspace will contain additional structures that will affect existing boating movements, suitable safe navigation channels will remain within Wynyard Basin.

As outlined above under the NZCPS assessment, the proposed works will impact coastal processes, character, amenity and public access, however the adverse effects are considered to be negligible to moderate, while positive effects will also be achieved.

Importantly, safeguarding the life supporting capacity of water is identified as a purpose of the RMA (Section 5(2)(b)) and is specifically recognised as a matter of national significance under the Hauraki Gulf Marine Park Act (Section 7, 8 and 10). Further, the RPS, the AUP and the ARP: C also recognise the life supporting capacity of marine ecosystems particularly within the Hauraki Gulf and require integrated management of use and development to ensure ecological values and life supporting capacity are protected and where appropriate, enhanced (Section B8.5 – Objectives and Policies).
In terms of the proposal, the relevant consideration is whether it affects the life supporting capacity of the environment of the Hauraki Gulf to an extent where it will not be sustained. The proposed wharf extensions, coastal structures, wave attenuation devices and filtered stormwater discharges are considered an appropriate use of this part of the coastal marine area (as they will be appropriately managed) and will not adversely affect the sustainable life supporting capacity of the CMA. The Coastal Environmental Effects Report and the Coastal Processes Report confirm that any effects on the CMA and its life supporting capacity will be minor.

In terms of the provision of the historic, traditional, cultural, and spiritual relationship of the tangata whenua of the Gulf with the Gulf and its island, Panuku have undertaken initial consultation as part of the Panuku Mana Whenua consultation forum, where the proposal was presented and discussed. Further, as part of the MACA requirements, the details of the resource consent application were sent to the iwi that have registered customary title rights over this part of the CMA.

It is envisaged that ongoing consultation with iwi will occur through the design, consent and development phase of the project. It is also proposed that Te Aranga Design principles be incorporated into the public space areas proposed as part of this development. This has been proposed as part of the design guidelines prepared for this application which are recommended as conditions of any consent granted.

The Wynyard Basin development will occur within a highly modified environment as described above in this report. Therefore there are no identified historic features, apart from the historic lifting bridge (which is not affected by the proposed development). The new development, establishment of syndicate bases and the reconfiguration of existing berths will result in an appropriate use of this waterspace, which is located within the boundaries of the waterfront precincts and the port management areas. The wharf extensions do not protrude further than the adjacent Wynyard Point reclamation or Princes Wharf. The extensions are also considered to be visually cohesive with the wider City Centre waterfront morphometry and are therefore considered acceptable.

11.4 AUCKLAND UNITARY PLAN (OPERATIVE IN PART)

11.4.1 Chapter B Regional Policy Statement

The Regional Policy Statement in the Auckland Unitary Plan- Operative in Part identifies nine issues of regional significance for resource management in Auckland. These issues are as follows:

1. Urban Growth and Form;
2. Infrastructure, Transport and Energy;
3. Built Heritage and Character;
4. Natural Heritage (Landscapes, Natural Features, Volcanic Viewshafts and Trees);
5. Significance to Mana Whenua;
6. Natural Resources;
The regional issues of relevance to this application are considered to be Issues (1), (2), (3), (4), (5), (6), (7) and (9). These matters are assessed below:

<table>
<thead>
<tr>
<th>B2 Urban Growth &amp; Form</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Objectives &amp; Policies</strong></td>
</tr>
<tr>
<td>The relevant objectives and policies are noted as follows:</td>
</tr>
<tr>
<td>B2.2.1 &amp; B2.2.2 – Urban Growth &amp; Form</td>
</tr>
<tr>
<td>B2.3.1 &amp; B2.3.2 – A Quality Built Environment</td>
</tr>
<tr>
<td>B2.5.1 &amp; B2.5.2 – Commercial &amp; Industrial Growth</td>
</tr>
<tr>
<td>B2.7.1 &amp; B2.7.2 – Open Space &amp; Recreational Facilities</td>
</tr>
<tr>
<td>B2.8.1 &amp; B2.8.2 – Social Facilities</td>
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</tbody>
</table>

**Assessment:**

The proposed Wynyard Basin concept is premised on moderate extensions to, or utilisation of existing wharf structures in order to establish the required 8 yacht syndicate bases for AC36 (five to be two boat syndicates and three to be single boat syndicates). The structures and buildings will be located in part of the City Centre waterfront that is recognised as a tourist hub and water based events area in the Waterfront Plan. This is in recognition of the calm waterspace available and the modified nature of this part of the region’s waterfront edge, which forms the foreground to the high density built form of the City Centre to the south. The proposed development will result in a visually coherent extension to the Halsey Street Extension Wharf and Hobson Wharf structures, with the proposed buildings complying with the allowable 15m (above wharf deck) height limits of the AUP. While the proposed syndicate bases on Wynyard Wharf are higher than the AUP height limits, these buildings will be located within the existing wharf extent and will be set against the backdrop of the existing bulk liquid storage tanks in Wynyard Quarter.

As a result the proposed development responds positively to the intrinsic qualities and physical characteristics of the site and area, including its setting. The photosimulations (refer Attachment 1) demonstrate the visual outcomes of the proposed development from a range of nearby and wider public and private viewpoints. While the proposed development will impact upon some viewpoints I note that no viewshafts, regional viewshafts, sight lines or areas of outstanding/high natural character, landscapes or features will be affected by this proposal.

The design of the AC36 village around Wynyard Basin will meet the functional and operational needs of the intended use, including the legacy use (calm waterspace for water based events). The syndicate bases and associated berthing require boat sheds and hardstand to be of a specific dimension to enable the race yachts to be lifted into and out of the water, masts to be removed and boats to be able to traverse a flat solid area into the boat sheds. The shed are required to be of a suitable height (15m indicated by ETNZ as being acceptable) with door entries up to 10m in height to enable the boats to access the sheds and be placed on cradles to enable repairs and maintenance. Internal minimum head heights of 11.5m are required to enable work on the boats whilst on the cradles with sufficient space for overhead gantries. Other amenity requirements for the syndicate bases for each of the teams are also required in order to
enable the successful functioning of an America’s Cup syndicate. Details of these requirements are set out on the plans submitted with the application and design assessment above in this report.

Facilitation of the AC36 events and associated activities will support industrial growth and economic development in the form of marine industry support to the repair and maintenance of the race yachts and support craft, the super yacht refit industry as well as the hospitality and tourist industries. These positive outcomes can be facilitated whilst appropriately managing interfaces with nearby sensitive activities such as the Princes Wharf, Viaduct Harbour and Wynyard residential uses. Appropriate management of construction, operation and event activities will ensure and potential reverse sensitivity effects are avoided. The wharf additions and syndicate base sizes/dimensions have been minimised as far as practicable in order to mitigate any potential effects on surrounding uses and to ensure the efficient use of the waterspace and wharf infrastructure.

The recreational needs of this part of the seascape includes recreational craft and water based events. While there will be some displacement of the open waterspace with wharves and coastal structures, safe navigation passage will remain. The wharf additions to the Halsey Street Extension Wharf and Hobson Wharf will facilitate public access to the water’s edge, however this is not possible on Wynyard Wharf due to public safety and environmental risk (from bulk liquid storage) reasons. The combination of public access to the water’s edge with the additional recreational asset being developed (initially for the America’s Cup and subsequently for water based events) will ensure that open space and social facility provisions of the RPS are met.

**B3 Infrastructure, Transport & Energy**

**Objectives & Policies**

The relevant objectives and policies are noted as follows:

B3.2.1 & B2.3.2 – Infrastructure
B3.3.1 & B3.3.2 – Transport

**Assessment:**

The proposed wharf extensions and new buildings within the CMA will be connected to existing water supply, waste water, telecommunications and power infrastructure on land. Sufficient capacity is available to provide for such networks (as confirmed by the Beca report). It is also proposed to establish a stormwater network beneath the wharf extensions. The structures will be designed to direct stormwater to catch pits where stormwater filtration devices will be established. The filters will remove potential contaminants prior to clean stormwater being discharged into the CMA. The bases also store and use hazardous substances associated with boat repair and maintenance. The substances will be stored within self bunded facilities in order to ensure no accidental discharges into the CMA. Overall, these methodologies will ensure the health and safety of communities and amenity values.

Construction and operation traffic matters will require careful consideration in order to ensure that effects on the Wynyard Precinct developers/owners and occupies as well as the VEC and Fishing Industry are appropriately managed or if necessary some activities are relocated. Traffic management measures (both construction and operational) are proposed as part of the application and will ensure amenity values and health and safety of people and communities are appropriately addressed.
**B4 Natural Heritage**

**Objectives & Policies**

The relevant objectives and policies are noted as follows:

B4.3.1 & B4.3.2 – Viewshafts

**Assessment:**

The E10 Mt Eden Volcanic Cone viewshaft passes over the proposed development area at a height of approximately 58 – 60m above mean seal level. The proposed development will reach a maximum of 18m above sea level (15m above existing wharf deck levels) and will therefore not affect the volcanic cone view shaft.

There are no areas of outstanding natural features of landscapes that are affected by this proposal.

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**B6 Mana Whenua**

**Objectives & Policies**

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
B6.4.1 & B6.4.2 – Maori Economic, Social & Cultural Development
B6.5.1 & B6.5.2 – Protection of Mana Whenua Cultural Heritage

**Assessment:**

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 and also by the Auckland Council. This consultation is ongoing and iwi values and any areas of concern have been taken into consideration. The consultation summary documents attached to this application set out the engagement with mana whenua over the past year as part of the Waterfront Plan refresh and more recently engagement on the America’s Cup planning and delivery. A workshop on this project was held in September 2017 and a hui on 18 December 2017.

Panuku has also undertaken consultation requirements required under the MACA Act 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 around Wynyard Basin. Regardless, the proposed development aims to minimise impacts on the coastal marine area and seabed as far as is practicable, whilst ensuring that the event can be successfully operated. The Coastal Environmental Effects assessment concludes that the ecological and water quality effects of the proposed development fall within the negligible to minor range and are
therefore acceptable. Further, any additional stormwater discharge will pass through filtration devices and will not therefore adversely affect the CMA.

**B7 Natural Resources**

**Objectives & Policies**

The relevant objectives and policies are identified below:

- B7.2.1 & B7.2.2 – Indigenous Biodiversity
- B7.4.1 & B7.4.2 – Coastal Water, Freshwater & Geothermal Water

**Assessment:**

The Wynyard Basin area is not identified as an area of significant indigenous biodiversity value. It is a modified environment where dredging and coastal structures (wharves)/reclamations have occurred previously and where ongoing use and development (including maintenance dredging, wharf repairs and pile structures) occurs.

The Wynyard Basin area does not include indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System. Further, there are no areas of predominant indigenous vegetation in the coastal environment or habitats that are important during vulnerable life stages of indigenous species. The ecology of the area comprises mainly organisms in the sea bed, biota inhabiting seabed sediment, fauna inhabiting varied manmade structures, seabirds and marine mammals. The proposed works which involve dredging, wharf construction and coastal structures are common within this part of the city centre waterfront and have not resulted in significant adverse effects on the ecology of the area and the ecology of the area recolonises after works are complete. As a result there are no anticipated changes resulting from the proposal to any indigenous biodiversity within the development area.

The coastal waters of the Wynyard Basin have been subject to an integrated management approach since the Wynyard Quarter planning provisions were notified in 2007. This process involved an integrated planning approach between the land use and coastal (district and regional) provisions. Two respective plan changes were notified and progressed through the regulatory process at the same time. This process was followed by the Auckland Unitary Plan preparation and notification process where the district and regional provisions were also progressed at the same time. The outcome has been the integrated management of use and development of coastal waters by ensuring water supply, stormwater and wastewater infrastructure is provided for in areas of growth. The proposed infrastructure needs of the development can be provided by connections to existing infrastructure while stormwater discharge will be provided for by discharge to the CMA (via filtration to remove contaminants). As a result, the proposed development will not significantly increase adverse effects in this environment.

The proposal does not conflict with any of the provisions of the National Policy Statement: Freshwater Management.

In terms of water quality, sampling was undertaken at two locations within the Inner Viaduct Harbour and two locations within the Outer Viaduct Harbour. These were compared with water quality around the Chelsea Sugar Refinery, which is considered “excellent” based on the water quality index developed by the Canadian Council of Ministers for the Environment. Therefore, even though this body of water has
been affected by human activities, the water quality remains at an excellent standard. The effects from the proposed development will increase the harbour flushing times in some areas (particularly the Inner Viaduct Harbour), however the Coastal Environmental Effects Report concludes that the effects of this will result in effects (such as algal growth) that are within the range reported for New Zealand harbours and the increase in biomass is not considered to be acceptable to the casual observer.

Stormwater effects will be managed by filtration of contaminants prior to discharge and regular maintenance of the filtration devices (in order to ensure their effective operation). Further, the proposed buildings, wharves and coastal structures will be constructed from inert materials, which will avoid potential adverse effects on the receiving coastal waters. Wastewater discharges will be accommodated within the existing wastewater network.

**B8 Coastal Environment**

**Objectives & Policies**

The relevant objectives and policies are identified below:

- 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

**Assessment:**

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.

In summary the Wynyard Basin area has been modified over a number of years since first being established and importantly since it was transformed into a mixed use visitor and events destination for the 2000 and 2003 America’s Cup regattas. As a result, this locality cannot be considered as retaining a high level of naturalness or natural character. Nor can it be restored or rehabilitated to an area of high and outstanding natural character as the City Centre waterfront of Auckland is provides for a number of services including the ferry terminal, cruise ship terminal, marine and fishing industries, POAL, water based events, tourism and hospitality activities. If these were not provided along the City Centre waterfront they would need to be provided elsewhere and would create effects on potentially unmodified coastal areas.

The Waterfront Plan also acknowledges the waterspace subject to this application as being a tourist hub and an area where water based events are to be facilitated. A major factor in contributing to these uses is the availability of calm water, proximity to hospitality services and unencumbered event space.

The proposed development represents a logical extension to and utilisation of existing wharves within Wynyard Basin. The buildings thereon and the associated coastal structures and activities will represent a development that is visually coherent with existing use and development within this part of the CMA and which provides a logical extension to public access to the water’s edge around the wharf extensions. The proposed buildings will create negligible to moderate adverse effects however it is considered that
these effects will be mitigated by the building design, modulation, height and separation distances to nearby sensitive uses. Further, no viewshafts or sightlines are impacted by the proposed development.

Overall, the proposed AC36 event and associated base infrastructure will contribute positively to the social, economic and cultural well-being of a wide variety of people and communities. In particular, the parts of the community that have a functional need to be located in the CMA will be provided for by this application, including participants, employees, visitors and tourists to the AC36 event. Such activities cannot be located in a location that is separated from the CMA unless suitable yacht extraction facilities are available and a solid flat surface to the syndicate bases is available.

In terms of public access, the proposal provides for public access along the coastal edge of the proposed wharf extensions except for Wynyard Wharf (public access restricted for safety and security purposes). For the Western Viaduct Wharf extension, a 7m wide public accessway is proposed between Syndicate Bases 4 and 5. This will lead to a 10m wide public accessway along the northern edge of the Western Viaduct Wharf extension. On Hobson Wharf, access will be available to an informal public plaza area which will have access to the coastal edge and which will then access the northern edge of the Hobson Wharf extension via a 10m wide public walkway.

This form of public space and/or access is compatible and consistent with the character of the city centre waterfront and is similar to public access and public space provision in other nearby parts of the waterfront where access to wharf edges is available to the public subject to appropriate management procedures.

Assessment of the HGMPA provisions is provided above and it is considered that the proposal is complementary to the provisions of this Act.

### B10 Environmental Risk

#### Objectives & Policies

The relevant objectives and policies are identified below:

- B10.2.1 & B10.2.2 – Natural Hazards & Climate Change
- B10.3.1 & B10.3.2 – Hazardous Substances
- B10.4.1 & B10.4.2 – Contaminated Land

**Assessment:**

This section of the RPS addresses natural hazards and climate change, hazardous substances and contaminated land. The issues relating to sea level change, storm surge, erosion and tsunami have been addressed in detail above in this report and sufficient mitigation measures are recommended to mitigate potential adverse effects in these areas.

The syndicate bases will store hazardous substances within internally bunded storage facilities. These will be located within the hardstand areas adjacent to the base buildings. The bunding facility will ensure any adverse effects are appropriately remedied or mitigated. An additional element of the proposal will be to reconstruct the pipelines from Wynyard Wharf to the bulk storage facilities across Brigham Street. At present two over road pipeline facilities exist over Brigham Street. It is proposed to reconstruct these existing pipelines so that the existing service that transports bulk liquids to the southern terminal is retained via pipelines over Wynyard Wharf or along the western side of Brigham Street. Compliance with
relevant Hazardous Substances legislation and standard Hazardous Substance use, transport and storage protocols will ensure any potential adverse effects are appropriately managed.

The proposed land based works will most likely require works on contaminated land. A Remediation Action Plan has been prepared to ensure any potential adverse effects are adequately mitigated.

Overall, the proposed development is considered to be complementary to the relevant ARPS objectives and policies. The proposal is complementary to the Waterfront Plan and will be designed and constructed in a manner which acknowledges the values of the coastal landscape in which it sits and will be acceptable within the existing character of the locality.

11.4.2 AUP Objectives and Policies

Under the AUP consideration is required to be given to the Wynyard and Viaduct Harbour Precinct provisions as well as the relevant zone, Auckland-wide and Overlay objectives and policies. The relevant objectives and policies are considered in the tables below.

Precincts

The proposed structures and activities associated with the Wynyard Basin development are located within the Wynyard and Viaduct Harbour Precincts. The only part of the proposal within the Viaduct Harbour Precinct is the Hobson Wharf extension, the adjoining breakwater, permanent syndicate base 1 and the small portion of temporary syndicate base 2 and the associated area of wharf. The remainder of the proposal falls within the Wynyard Precinct.

<table>
<thead>
<tr>
<th>I214 Wynyard Precinct &amp; Chapter I211 Viaduct Harbour Precinct</th>
</tr>
</thead>
<tbody>
<tr>
<td>The objectives and policies for the Wynyard and Viaduct Harbour Precincts are set out in Chapter I of the AUP. The provisions within each Precinct cover similar themes and are addressed together under the assessment headings below. It is noted that policy 9 of the Viaduct Harbour Precinct which relates to water quality and ecology is assessed under the Auckland-wide objectives and policies on this matter.</td>
</tr>
</tbody>
</table>

Social & Economic

As with any development of this scale and nature, there will be effects on existing and planned uses that will require management in order to ensure the objectives and policies of the relevant planning documents are maintained. In this application, the new marine and port activities (AC36 Base Infrastructure) and facilities will need to be provided for in a manner that enables coexistence with existing regionally significant marine and fishing industries and ferry operations. The proposed development will also need to interface positively with the existing vibrant community in this part of the waterfront, including its public spaces.
In order to achieve this, it is proposed to relocate the existing fishing industry berthing and the ferry operation to the western side of the Wynyard Precinct. The details of this relocation are set in the FFIRF application, which has been lodged at the same time as this application. The relocation is required to facilitate the hardstand, syndicate base buildings, berthing and calm waterspace required for the AC36 event. Policy 13 of the Wynyard Precinct seeks to ensure sufficient and suitably located land, wharf and waterspace are provided for the current and future growth of the marine and fishing industry and maritime passenger operations, including Sub-precinct C, North Wharf, the southern face of the Western Viaduct Wharf and the western face of the Halsey Street Extension Wharf together with the waterspace to be used primarily for the fishing industry. Policies 11 and 12 of the Wynyard Precinct seek to enable a diverse range of activities, high quality visitor experiences, entertainment and events. Additionally, recognition of the significant local and regional socio economic benefits associated with high quality public open space on the waterfront and events is required. At the same time, these policies are to be achieved while maintaining the economic importance of industry and the operational and access requirements of industry.

When considering all the outcomes sought, the proposed development of Wynyard Basin and the FFIRF present an overall solution that addresses the objectives and policies whilst acknowledging that the berthing listed in policy 13 will not be available. Notwithstanding that, alternative berthing and wharf space is proposed within the FFIRF application. Overall, the facilitation if this project achieves the socio-economic benefits envisaged, whilst also adequately providing for the requirements of the marine, fishing, ferry and bulk liquids industry.

It is also proposed to utilise the southern half of Wynyard Wharf for temporary bases 6, 7 and 8. Wynyard Wharf is currently used for commercial berthing, including for the unloading of bulk liquids. This includes unloading liquids from tankers via pipelines that pass over the CMA and over Brigham Street (via an overhead gantry) into the bulk liquids industry storage sites. The proposed use of Wynyard Wharf for the syndicate bases has been assessed against berthing and dangerous goods requirements. This has confirmed that sufficient berthing is available for the coastal tankers (longest ships) that unload on the wharf and that sufficient separation distances are available to satisfy dangerous goods legislation. As a result the industry that utilises Wynyard Wharf will still be able to adequately operate alongside the introduction of the temporary syndicate bases. Additionally, the pipelines will be reconfigured (potentially along the western side of Brigham Street) in order to maintain services to the Bulk liquids facilities.

The marine and port activities and facilities required for the event have a functional need to be located within the coastal marine area and the Auckland Council’s Waterfront Plan identifies this location as the area where water based events tourism activities are to be facilitated. The fishing industry may return to the locality, once the AC event usage is completed.

The proposed development will positively contribute towards the vibrancy of the local and wider community and will provide an area for events and entertainment activity. Alongside the event activity that will occur, associated benefits for the marine industry will occur through the repair, maintenance and refit of vessels including super yachts. This will provide social and economic benefits for the wider Auckland Region.
The AC36 event will also benefit people who work, live and visit the area and more broadly on the general public. Being an international yachting race, it is envisaged that visitors from a variety of ethnic and cultural backgrounds will be attracted to the village (both domestically and internationally). As a result it is considered that the village will take on a multi-cultural feel for the duration of the event. The event will also promote the use of the coastal marine area for recreational boating purposes, as some visitors will arrive to the event on their own private boats and/or will travel out to the harbour to view the racing on race days.

The public access benefits of the proposal include access to and along the additional wharf space extension of Hobson Wharf and the Halsey Street Extension Wharf. This includes a plaza area at the eastern edge of the Hobson Wharf extension (to the north of the NZ Maritime Museum) and a connection 10m wide public accessway on the northern edge of this wharf extension. A similar 10m wide public accessway will also be established along the northern edge of the addition to the Halsey Street Extension Wharf. Access to these public areas may need to be restricted from time to time for safety or security purposes, however this will be managed to ensure public access is available for the majority of the time particularly when the event is taking place. Public access will not be available on Wynyard Wharf, owing to environmental risk factors from the bulk liquids storage facilities.

A detailed Navigation Report has been prepared by Navigatus to confirm that navigation and berthing outcomes for recreational and commercial vessels remain acceptable within the affected waterspace.

Overall, the waterspace will continue to be available for a wide range of vessels and uses and with the relocation of the ferry and fishing industry to the western edge of the Wynyard Precinct, it is considered that the potential conflicts between different uses is adequately provided for. Overall, the principle of maintaining a working waterfront will continue to be achieved over the Precinct.

**Built Form & Integrated Development**

The built form objectives and policies are referred to and addressed in the effects assessment above. The policy direction recognises the need to promote high quality built form of an appropriate scale which engages with open space while maintaining a ‘working waterfront’ for the marine and fishing industry. In giving effect to the Wynyard and Viaduct Harbour Precinct policy directions, the AUP provides for wharves and buildings within the area proposed within this application (restricted discretionary activities within Wynyard Quarter and discretionary activities within Viaduct Harbour Precinct), with the maximum permitted height being 18m above mean sea level (approximately 15m above wharf deck level) in both precincts (except for Wynyard Wharf). In terms of building heights, these have been able to be reduced below the maximum permitted height and have also enabled modulation of the design to enable variation in building height, glazed frontages in some areas and activation. The unique design of the syndicate bases, as represented in the drawings at Attachment 2 will create interest from nearby occupiers and visitors and will also contribute positively to the existing maritime ‘sense of place’ and identity of the waterfront precincts. The proposed uses (marine and port activities and events) will further positively contribute to the existing and planned ‘sense of place’ and continue marine activity in this vicinity. The proposed building heights will also enable a suitable transition in height from the surrounding area to this waterfront location.
In terms of building design, if the buildings comply with the plans submitted with the application, then the final design submitted for building consent, will only need to provide final materials and finishing, façade treatment, yard and fence design and signage for approval by Council.

However, if the design of the bases depart from the architectural design drawings (Attachment 2) the revised design will be subject to complying with the consent conditions which address building height, footprint, yards the design guidelines, which establish the general design intentions for the base buildings (temporary and permanent) and public spaces. The guidelines address design coherence, quality, scale and visual interest. The design of the base syndicates and public spaces will be reviewed by the Panuku Technical Advisory Group, who have reviewed all development within Wynyard Quarter to date. Should there be a desire to develop base designs outside these parameters then a s127 variation of consent condition or a new s88 resource consent will be required.

The proposed marine architecture and layout of the syndicate bases have been designed in an integrated manner and will also enhance the relationship of buildings with the open waterspace while reflecting the coastal environment of the precincts. Further the wharf layout will be complementary to the existing waterfront morphometry and will not protrude further than the northern extents of the Wynyard Reclamation (to the west) and Princes Wharf to the east, or the waterfront precinct/port management area boundary.

With regard to Wynyard Wharf, while the buildings are above the permitted height limit, they are only proposed as temporary structures and will remain visually coherent (in terms of mass and scale) with the surrounding landscape including the bulk liquids storage tanks to the west. Parts of the buildings 6 & 7 will be located within the viewshafts over Wynyard Wharf, however as the buildings are separated by the hardstand areas associated with each base, views from land to the CMA will be retained. Further, as development of the land to the west has not yet commenced the lanes that the view shafts are aligned to have not as yet been established and there is little public activity in the locality. This will continue as these bases will not have hospitality activities owing to the proximity of the bulk liquids.

Boffa Miskell have prepared a Landscape and Visual Assessment and accompanying visual simulations. In summary, the adverse visual effects primarily arise as a result of the buildings on Bases 2-5 obscuring the view from public locations to the south. This effect is temporary as the Base 2-5 buildings will be removed at the end of the 10 year consent period. While the building on Base 1 partially obscures the water from some of these views it is located adjacent to the Maritime Museum buildings and often seen in the context of Princes Wharf, lessening the adverse visual effect of this permanent building. Views from private residences, including Princes Wharf, The Point, Lighter Quay and The Quays will also be affected in a similar way, however, it is noted that the AUP policy direction and controls do not address views from private land. Therefore, while views from privately owned areas remain relevant, they must be considered within this policy context which is focussed on identified views from public spaces.

While outlook over the seascape (both nearby and distant) from public and private viewpoints will be affected by the proposed development, the change in view will be towards or over the AC36 race village. The intricately designed buildings and the theatre of the water created by the America’s Cup race boats will create a new visual and physical attraction into this part of the waterspace, providing a different
form of visual amenity that can be considered positive. This would assist in mitigating the temporary loss of wider views to the Waitematā Harbour. Following the event, views to the wider harbour from key public vantage points would be similar to the existing views. There will be no loss in significant public views from the city to the harbour as a result of this application.

In terms of the event, it is proposed to establish event related activities and structures on the Eastern Viaduct, Te Wero Island and Gateway Plaza. All structures will be temporary and removed after the event.

Overall, it is considered that acceptable built form outcomes will be achieved by the proposed development.

**Public Open Space, Pedestrian Access, Street Quality & Safety**

Policy 16(b) within the Wynyard Precinct seeks a network of coastal edge promenades and pedestrian accessways enabling access to an along the coast comprising a minimum of 20m, with the exception of Sub-precinct C. Policy 2(b) of the Viaduct Harbour Precinct seeks to maintain and enhance public access to the water’s edge. The 20m width correlates with the minimum 20m requirement for esplanade reserves, however it is inconsistent with the general approach used for the water’s edge in the Wynyard and Viaduct Harbour Precincts. The coastal edge promenades have generally varied between 8 – 12m in width.

The proposal establishes a 10m wide pedestrian accessway along the northern edges of the extension to the Western Viaduct Wharf and Hobson Wharf. This is consistent with rule I 214.6.13 within Wynyard Precinct which requires a 10m public accessway along the existing northern edge of Halsey Street Extension Wharf. The public are able to access this coastal edge through a 7m wide public walkway in between bases 4 and 5. The public accessway along the northern edge of Hobson Wharf can be accessed via the proposed plaza area at the northern end of the NZ Maritime Museum.

Overall, the proposal is consistent with public open space provisions.

**Risk & Public Safety**

Proximity to the bulk liquids industry storage terminals and Wynyard Wharf creates environmental risk and public safety issues that are required to be considered when establishing uses on Wynyard Wharf. The applicant has commissioned risk engineering experts to review the proposal and advise of mitigation measures that should be accommodated in order to facilitate the proposed marine and port activities in the locations proposed.

Marine and port activities are permitted on Wynyard Wharf and the CMA, while marine and port facilities require a restricted discretionary activity consent. The experts recommend that the syndicate bases have emergency evacuation plans and processes in place, there be no restrictions for emergency vehicle access, bases 6, 7 and 8 are fire resistant and that bases 6, 7 and 8 only be used for staff related marine and port activities.

These measures are recommended as conditions of any consent granted and form part of the applicant’s proposed conditions. Consideration of all required separation distances and measures under the recent
HSNO and HSWA legislation will be had to ensure that the proposal meets these requirements.

Overall, the proposal is acceptable under the Risk and Public Safety provisions.

**Remediation**

It is proposed to undertake earthworks and remediation on land within Wynyard Precinct and dredging within the waterspace of both precincts. The dredged volume is anticipated to be in the order of 75,000m$^3$.

A preliminary site investigation report has been submitted with the application which confirms contaminated land within the work area within Wynyard Precinct. Initial investigations also conclude levels of contamination within the CMA works areas. A Remediation Action Plan has been prepared which sets out protocols and procedures for working in areas of contaminated land. Further the report advises that all contaminated soil will be taken to an approved landfill. Contaminated dredge material will also be taken to land and transported by truck to an approved landfill unless it can be utilised as mudcrete material for any nearby reclamations.

Overall, the proposal is acceptable under the Remediation provisions.

**Reverse Sensitivity & Amenity**

The relevant objectives and policies mainly deal with providing for the continued operation of industrial activities and management of temporary or permanent accommodation. Policy 31 also requires new development to protect and enhance amenity values of specified existing and future public interfaces.

In this instance, it is not anticipated that the proposed development will result in reverse sensitivity effects as any effects on the bulk liquids industry can be adequately mitigated and the proposed development can be constructed and operated alongside the Viaduct Events Centre in an acceptable manner subject to suitable construction and traffic management plans (which are proposed as conditions of consent).

Overall, the proposal is acceptable under the Reverse Sensitivity & Amenity provisions.

**Transport**

In addition to the assessment below, as assessment of the Auckland-wide transport objectives and policies has been undertaken and is included under the Auckland-wide assessment further below.

In Wynyard Precinct, the transport provisions are related to minimising private vehicle movements into and out of the Precinct during peak hours. The provisions also encourage walking, cycling and passenger transport and the improvement of public connectivity. Access to ferry terminal facilities is to be maintained and enhanced, while the safe and efficient operation of Fanshawe Street is to be protected.

Detailed traffic management measures have been proposed to ensure that both construction and operational traffic will not affect the efficient operation of the traffic network. Such measures include restrictions on some traffic movements during peak hours, encouragement of travel demand management measures for staff and identification of alternative parking locations. Additionally, during
the event road closures will likely be in place on Quay Street and within Wynyard Quarter for public traffic as opposed to occupants of the area. Additionally, public messages will be advertised over all forms of media encouraging the public to utilise public transport to access the venue.

Overall, the proposal is acceptable under the Precinct Transport provisions.

Zones

**Chapter H8– Business – City Centre Zone**

The City Centre Zone only includes areas of land (as opposed to the CMA and wharves) that are subject to the application. This mainly includes land that is proposed to be used for the event and land used for site enabling works. This includes the Eastern Viaduct, Te Wero Island, Karanga Plaza, parts of Brigham Street and a construction yard area off Brigham Street. The objectives and policies that relate to Auckland-wide matters (e.g. earthworks) and addressed under the Auckland-wide objectives and policies below.

The zone objectives and policies are grouped into objectives and policies that apply to all Centres, the Mixed Use Zone, the General Business Zone and the Business Park Zone. Following that the City Centre Zone objectives and Policies are identified. Therefore, many of the objectives and policies do not relate to this application. The relevant objectives and policies are assessed below. Importantly, the proposal will not compromise the centres and corridors policy approach that the AUP is based upon.

Objective H8.2(3) and Policy H8.3(3) seek to achieve development that positively contributes towards planned future form and quality, creating a sense of place. This matter is addressed under the Precinct objectives and policies and under the Built Form Character and Amenity Effects section. The area is also subject to the City Centre Street Sightlines (Policy H8.3(36), however these are not compromised by the proposed development. Overall, the proposal is consistent with these objectives.

The community’s social and economic needs (Objective H8.2(4)(a) and Policy H8.3(15) 7 (19), (21)) are assessed the Precinct objectives and policies and under the Social & Cultural and Economic Effects section. The proposal is consistent with these objectives.

Policies H8.3(12) & (23(c)) recognise the functional and operational requirements of activities and development. The AC36 event infrastructure and the event itself has a functional need to be located in calm waterspace. The proposed location for the event meets that requirement and is considered to be appropriate.
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 safety or operational needs. In relation to the relevant objectives and policies the following comments are made:

- Public access is provided on the new wharf structures, excluding Wynyard Wharf where it is restricted due to the risk from nearby hazardous industries. The berths within the Viaduct Harbour and adjacent to the wharves within the Wynyard Basin will continue to be managed for fishing industry, recreational, commercial and port vessels, as is the current arrangement.
- Occupation of the CMA by the vessels, syndicate bases and wharves associated with the AC36 Event have an operational and functional 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 watersapce for operational needs and ensure effective functioning.
- The proposal seeks to provide the required base 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 recreational and entertainment functions and the proposals are considered to be consistent with these attributes and the wharf and marina
- The CBD location provides the necessary land based access and infrastructure to support the proposed development and use.
- As a legacy the area will be available for other activities and events, such as The Boat Show and Volvo Ocean Race which also utilise the CMA. It is intended that the wharf structures will revert to public spaces when there is not an event occurring, consistent with the use of the existing wharves.
- While the proposal provides for additional berthing capacity within the Wynyard Basin associated with the AC36 event for visiting supporting Superyachts, the proposals do not seek to provide additional permanent marina expansion
- A 10 year period is sought for the proposed bases 2-8 and any associated structures spanning the water space between the existing Wynyard Wharf and land (Brigham Street) for a period of from commencement of consent, which is expected to be in late 2018. This provides for the investment in these bases as temporary bases for the AC36 event to remain and be reused for AC37, should ETNZ be victorious in their defence of the AC36 Cup challenge.
- Consent is sought for the other coastal marine structures including the wharf extensions to Halsey/Western Viaduct Wharf, Hobson Wharf and the hardstand areas between Wynyard wharf and ‘land’, the breakwaters and Base 1, for a period of 35 years to provide the legacy use of this public waterfront wharf space for the maximum duration possible under section 123 of the RMA. Occupation of the CMA and other regional permits are also sought for a period of 35 years to align with the anticipated period of the wharf structures so that consents expire simultaneously.
- 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:

- ETNZ has advised of syndicate base requirements in order to provide appropriately for the functional operation of the bases and the hosting of the AC36 Event. These requirements mean that there is no practical alternative but to accommodate these facilities within the CMA, as the requirements are unable to be accommodated appropriately on the existing waterfront infrastructure.
- The location of the structures within the Wynyard Basin avoids the waterfront infrastructure encroaching into the harbour channel area, with all wharf extensions being within the existing wharf area extent and not projecting out past Princes Wharf or Wynyard Point.
- Public access is provided onto the northern portions of the Halsey Street Extension Wharf and Hobson Wharf. Public access to Wynyard Wharf however will be restricted for public safety reasons, until risks associated with the nearby hazardous industries has been removed.
- Navigational requirements of other commercial and recreational uses within the area are maintained with the proposed design and location of the proposed structures within the CMA.
- The wharves have been designed and design guidelines prepared to ensure that the structures within the CMA are appropriate taking into consideration the modified environment and the functional and operational needs of the AC36 Event.
- The structures have been designed to incorporated provision for coastal hazards and anticipated sea level rise for the 35 year period of the consent, with an adaptive management approach taken thereafter.
- Proposals do not involve further coastal foreshore protection beyond areas already protected by seawalls.

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.

**Depositing and disposal of material**

The relevant objectives and policies are located in sections F2.3.2 and F2.3.3 of the AUP. These objective 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 policies the following comments are made:

- Proposals do not involve further coastal foreshore protection beyond areas already protected by seawalls.
- The proposals involve the potential temporary depositing of clean pile bore material on the CMA floor in areas that will subsequently be dredged which would remove the material, ensuring no longterm material deposition within the CMA.
- The proposal does not involve undertaking beach replenishment and does not involve any disposal of material in the Hauraki Gulf Marine Park.
- Any contaminated material will be removed via barge and trucked to an appropriate fill site rather
than deposited in the CMA preventing the spread or discharge of contaminants.

- The works areas do not involve any scheduled sites, Historic Heritage Overlay or Sites and Places of Significance to Mana Whenua Overlay and will not affect an identified surf break.
- The clean pile boring material from within the CMA will only temporarily be deposited on the CMA floor and will not affect navigational channels or navigational safety.
- No solid inorganic waste will be deposited within the CMA.
- The areas of the work sites where deposition will potentially occur are highly modified and not particularly sensitive to changes.
- Available alternative disposal techniques, including stabilisation, use as mudcrete, or disposing of the material on land will be considered through the CMP and may be implemented if a feasible alternative.
- The depositing of material would not be in a dispersive environment, however the material would be clean and later removed in dredging activities so would not result in any adverse effect needing mitigation.
- The depositing of the pile boring material will not significantly impact on the ecological function of the area, other established activities or water quality promoting algal blooms as the disposal would take place within the work zones and would be temporary in time and removed as part of the dredging proposals.

On the basis of the above assessment, it is considered that the proposed development accords with the relevant objectives and policies identified in sections F2.3.2 and F2.14.3 of the AUP.

**Dredging**

There are four specific policies associated with dredging (F2.4), which generally seek the following outcomes:

- Adverse environmental effects are avoided, remedied, or mitigated.
- Adequate water depth is provided and maintained, particularly in navigation channels, around structures, and marinas, to ensure safe and efficient navigation, use and operation of activities in the coastal marine area.
- The safe and efficient operation of infrastructure and marinas are enabled, through undertaking dredging where necessary.
- The risk of flooding or erosion, including from channels, river mouths or drainage systems, is minimised.

The proposed dredging will occur within a highly modified environment subject to frequent maintenance dredging. The capital dredging activities are required to maintain and provide for a depth of water required for the raceboats and associated vessels.

All dredge areas are located within close proximity to existing structures and within the water space between Wynyard Point and Princes Wharf within the wider port and waterfront area.

The proposal area is subject to sediment sources from the wider Waitemata Harbour. There is also potential for sediment to be introduced through the stormwater outfalls located within the proposal area and assessment of sediment quality has been undertaken. The effects of dredging have been considered above and it is consulted that the effects on the dredging activities on the benthic environment, water and sediment quality within the immediate area and ‘off site’ are considered to be minor. Mitigations are proposed to minimise effects as far as practicable including a dredging management plan and the undertaking of monitoring of effects. Effects of dredging activities on navigational safety are also considered...
to be mitigated through the implementation of management plans. The proposed capital dredging activities are considered to accord with the policy direction set out in the objectives.

**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 policies the following comments are made:

- Activities included in the proposal involving disturbance of the sea floor are primarily piling and dredging associated with the development of new wharf and breakwater structures and dredging for ship clearances. These will be temporary in duration.
- The area is a highly modified environment with no significant ecological habitat present.
- Dredging management plan will be used to manage the duration of dredging activities, time that it undertaken and provide monitoring processes to ensure marine mammal safety.
- 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.

**Discharges**

The relevant objectives and policies are located in sections F2.11.2 and F2.11.3 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 policies the following comments are made:

- Stormwater discharges from the impervious wharf and syndicate base structures into the CMA will be discharged via proprietary treatment devices and will subject to management practices, in order to ensure that the stormwater discharges do not discharge contaminants into the CMA and protect the quality and life supporting capacity of the water.
- Discharges of sediment that are unavoidable will occur during the dredging and seabed disturbance activities. These will be minimised through the use of appropriate best practice methodology as identified in the dredging management plan.
- As detailed in the coastal processes and dredging report included in Attachment the sediment created through the seabed disturbances activities will quickly dissipate and settle within close proximity avoiding significant adverse effects on water quality and the life supporting capacity of the coastal environment.
- There are no discharges of wastewater into the marine environment proposed as part of the proposal
- Wastewater pumpout station will be provided for the use of vessels to avoid ships from discharging into the marine environment. Management of the berthing will ensure that there is no discharge into the marine environment while at berth.

On the basis of the above assessment, it is considered that the proposed development accords with the
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:

- **Untreated sewage**: A wastewater pumping station is provided for the emptying of wastewater from vessels associated with the new berths avoiding the need to discharged untreated sewage from vessels into the Marine Area. The proposal is considered to accord with the relevant policy direction (F2.12).

- **Bio-fouling**: The proposals do not seek to provide for discharges of hull bio-fouling from in-water cleaning. Visiting yachts berthing within the proposed development will need to comply with the relevant standards, or obtain separate consent, to ensure that the risk of introducing contaminants is minimised. The proposal is considered to accord with the relevant policy direction (F2.13).

- **Water transport**: The Sealink ferry operations which currently operate from the south end of Wynyard Wharf are relocating to new purpose built facilities being proposed as part of a separate consent. It is therefore not considered that any specific facilities designed for the use of car ferries will be required. Furthermore, the construction of the new wharf extensions does not preclude transport operations from the wharves post Event. The proposal is considered to accord with the relevant policy direction (F2.17).

- **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).

Auckland Wide

| Chapter E1 – Water quality and integrated management and Chapter E2 – Water quantity, allocation and use |

Chapter E1 of the AUP sets out the policy approach for rules contained in various chapters which seek to manage adverse effects on water quality. Overall, the objectives seek to maintain water quality where it is excellent or good and progressively improve water quality over time in degraded areas. Further, the policy direction seeks that the mauri of freshwater is maintained or progressively improved and stormwater networks are managed to protect public health and safety and to prevent or minimise adverse effects of contaminants on freshwater and coastal water quality. In relation to the relevant objectives and polices the following comments are made:

**Freshwater quality and ecosystem health interim guidelines**

- The proposal involves the discharge of stormwater from wharf structures which are in part considered to contain industrial or trade activities. Mitigations in the form of both built design and management plans are proposed to manage the potential risk of contaminates entering
Assessment of Environmental Effect

America’s Cup 36 Base Infrastructure and Event

Stormwater management

- The proposal involves the development of impervious areas within the coastal marine area. The design of the stormwater system in this location is reflective of the constraints the environment presents (being located on a wharf structure). Effects are managed on site at the bottom of the terrestrial stormwater catchment and will not result in adverse effects on the wider network or exacerbate any identified flood hazards.
- Discharges from the additional wharf areas will be treated by propriety stormwater devices removing (as far as practicable) contaminants from this discharge. Additionally, maintenance of devices will enable the removal of litter and other larger contaminants.
- The proposal does not involve high contaminate generating activities, will use inert roofing material and will have limited vehicle access to structures within the CMA. The proposal will not result in any identified effects on groundwater recharge, or fresh water bodies.
- Overall the proposal is considered consistent with the relevant policy direction on stormwater quality, implementing a best practice approach that responds to the inherit limitations of the project area and is assesses as appropriate in terms of the actual and potential adverse effects on water quality. It also presents an opportunity to encourage a greater understanding of the interface between the land and the CMA, supporting Aucklander’s relationship with the harbour and the values (including recreational values) associated with coastal waters.

Groundwater

- Pile holes are expected to be cased and either locally dewatered for only very short periods (days) or will be constructed as wet pours with no dewatering.
- The level of any potential dewatering associated with the ground improvement activities will be of a volume and period insufficient to cause any ground settlement resulting in damage to any buildings.
- As the land is contaminated, the potential dewatering will be undertaken in accordance with the controls of the Remedial Action Plan (RAP) and the methods and procedures within it to protect the spread of contamination within the groundwater.
- While the location is adjacent to the costal environment it is not anticipated that the potential dewatering will significantly change the level of saltwater intrusion into the groundwater.
- In the event that the groundwater diversion resulted in mounding of groundwater, the groundwater level would remain deeper than 1.2m below ground level thereby not exacerbating
surface flooding.

Wastewater

- The proposal will utilise existing wastewater infrastructure through new connections which has been confirmed as being adequate to cater for the proposed development. No wastewater is proposed to be discharged to the coastal environment.

Wastewater treatment plants

- The proposal involves wastewater pump stations which will convey wastewater from the new facilities to the wider wastewater network and does not involve any treatment plants.

Wastewater network overflow discharges

- The proposal involves a pump station, rising main and tank suspended beneath each wharf. This purpose designed infrastructure will be suitable to address wastewater flows. There is sufficient capacity to accommodate the base requirements.
- As discussed in the Technical reports the Daldy street outfall currently provides an outfall for wet weather overflows of the wastewater system. While beyond the project scope the social and recreational value placed on this area of the waterfront by the public may provide an additional catalyst to improve the quality of discharges at this location.

On-site and small scale wastewater treatment and disposal

- On-site wastewater treatment and disposal is not proposed as part of the development.

Other discharges

- The proposal involves works within the coastal marine area which involve discharges associated with construction works and dredging activities. Management plans are proposed to ensure that works are carried out in accordance with best practice well understood techniques the anticipated effects of which are considered to be appropriate and acceptable, in particular in regard to the receiving environment. Overall, effects will be limited in duration and physical extent.

On the basis of the above assessment, it is considered that the proposed development accords with the relevant objectives and policies identified in Sections E1.2, E1.3 of the AUP.

Chapter E7 – Taking, using, damming and diversion of water and drilling

The objectives and policies contained within chapter E7 refer to the objectives and policies under chapters E1, E2, D3 and D8. Chapters D3 and D8 relate to the high-use stream management areas overlay and wetland management areas overlay. These are not relevant to the application areas. With regards to the relevant objectives and policies from Chapter E1 and E2, refer to the assessment relating to these sections above. It is concluded in relation to the relevant objectives and policies relating to the water take and diversion aspects of the development that the proposals accord with the policy direction for these activities.
Chapters E11 and E12 – Land Disturbance – District & Regional

The relevant objectives and policies are located in sections E11.2, E11.3, E12.2 and E12.3 of the AUP. These objectives and policies relate to the management of earthworks to ensure that they are undertaken in a manner which minimises sediment generation, avoids remedies or mitigates adverse effects on the environment and cultural heritage, and protects the safety of people and stability of nearby buildings. In relation to the relevant objectives and policies the following comments are made:

- All construction work, including land disturbance activities, will be undertaken within controlled construction sites that will exclude public access to ensure their safety and accord with Occupational Health and Safety requirements to ensure that the safety of workers is protected.
- CTMP will include be prepared and implemented, including measures to mitigate against potential conflicts between pedestrians and construction vehicles related to land disturbance activities.
- The RAP will include controls and procedures to be followed to ensure the safety and health of worker and public during land disturbance of land which is contaminated.
- Appropriate measures will be followed during the land disturbance earthworks including adhering to accidental discovery protocols should any items of cultural significance or sensitive material be discovered during the land disturbance activities.
- Land disturbance activities involving disturbance below the groundwater level will be undertaken in accordance with the management procedures and controls included in the GMCP and associated offered conditions to ensure the stability and safety of surrounding buildings and structures.
- It is not anticipated that the scale of land disturbance activities proposed will require additional monitoring of regional water quality.

On the basis of the above assessment, it is considered that the proposed development accords with the relevant objectives and policies identified in Sections E11.2, E11.3, E12.2 and E12.3 of the AUP.

Chapter E14 – Air quality

The objectives of chapter E14 seek to maintain and improved air quality, ensure human health, property and the environment are protected from significant adverse effects manage incompatible uses and development to manage adverse effects on air quality from discharges of contaminants into air and avoid or mitigate reverse sensitivity effects. The operational requirements of infrastructure are also recognised and provided for. Policies require that in relation to the discharge of contaminants to air that the best practicable option for emission control and management practices are adopted and a precautionary approach taken where there is uncertainty and a risk of significant adverse effects or irreversible harm to the environment from air discharges. The proposal is considered to accord with the policy direction for the following reasons:

- The conservative application for an air discharge permit is considered to reflect and align with this policy direction.
- The proposal includes mitigations designed to manage the potential for discharge to avoid and mitigate actual and potential effects on human health and the wider environment. A Remediation
Action Plan details the measures proposed to manage works in contaminated areas.

- Specific actions will be imposed on site to manage air discharge, with such measures in place it is considered that the proposal will appropriately safeguard the environment from significant discharges of contaminants to air in accordance with the policies.

On the basis of the above assessment, it is considered that the proposed development accords with the relevant objectives and policies identified in Sections E14 of the AUP.

## Chapter E15 – Vegetation management and biodiversity

The relevant objectives and policies are located in sections E15.2 and E15.3 of the AUP. These objectives and policies relate to the maintenance and enhancement of ecosystems and indigenous diversity values. In relation to the relevant objectives and policies the following summary comments are made:

- The proposal involves both the removal of vegetation in proximity to mean high water springs and more generally works within the coastal marine area and on land which interact with marine ecology.
- The potential removal of trees is required as a ‘last resort’ option in relation to the groundworks associated with Brigham Street. These trees have, with the exception of the larger southern tree, been recently established at the site and are of a limited size and form. The proposal seeks to retain these trees where possible, and transplant and replace trees where it is not practicable to retain them. This is considered to appropriately mitigate the effects of removal and maintain the biodiversity values associated with these trees.
- There are no specific effects identified on marine mammals, with the exception of the potential of noise to affect them, which can be appropriately managed though the CNVMP and best practice techniques to mitigate the effects of underwater noise.
- The area of the works is a highly modified environment and is not considered to be a unique indigenous habitat or an ecosystem vulnerable to change as a result of the proposals.
- Effects on water quality are mitigated through management techniques and use of best practice to ensure that the natural ecological functioning of the area is not significantly adversely affected.

On the basis of the above assessment, it is considered that the proposed development accords with the relevant objectives and policies identified in Sections E15.2 and E15.3 of the AUP.

## Chapter E17 – Trees in roads

The relevant provisions in the AUP relate to protecting the cultural, amenity, landscape and ecological values of trees in road; the quality and extent of tree cover in roads; and that the safe and efficient development, maintenance, operation and upgrading of the transport system and utilities is enabled while maintaining the overall ecological and amenity values provided by trees in roads. The following comments are made in relation to the applicable provisions:
• The street trees potentially required to be removed or have works within the rootzone by the proposals do not provide any significant ecological habitat and are located in a highly modified environment. There provide limited quality and extent of tree cover and the potential loss of ecological habitat can be remedied through replacement planting following the completion of works.

• Should the trees be required to be removed they will be assessed as to their suitability to transplant to another location within the Wynyard Precinct or surrounding area. In the event that this is not possible the loss of amenity through the removal of the tree will be remedied by replacement street trees as part of the remediation of the road environment following completion of construction works.

• The trees to be potentially removed are required to be removed to facilitate the ground improvement works for the development. In the event that ground improvement works is required the trees will only be remove in the event that there is no practical alternative to the removal of the trees.

• Consultation with mana whenua groups continues to be undertaken in relation to cultural effects. However, removal of street trees is common place throughout the City and generally mitigated through replacement planting.

It is considered that the proposed development will be appropriate in terms of the relevant applicable provisions.

**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 but is clearly 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 as discussed in section 4.0 of this report.

The three objectives of the two chapters are set out below:

- E18.2.0.(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
The proposal is considered to accord with the objectives for the following reasons:

- 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 with any perceived naturalness derived from the 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. Areas to the west of the proposal area (Wynyard Point) are identified as providing for future park areas. While the proposal does not directly implement this objective it broadly supports realisation of this outcome for the wider waterfront area and provides an event space separate from the planned greenspace to the west.
- 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 located 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.

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 significant adverse effects. The proposal is reflective of the existing environment and the modified nature of this 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 locate in a manner which provides direct water access from the Bases. This is considered to be appropriately located in the central waterfront area. The proposal is consistent with the policy direction and appropriately located within the wider waterfront area.

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**Chapter E22 - Artworks**

The proposal does not include any specific artworks however more generally the proposal seeks to deliver buildings for the bases which support the outcomes of the Artworks Objectives seeking to create an inspiring, thought-provoking, culturally vibrant and enjoyable environment. It is further noted that the proposal creates further opportunity for artworks to be considered and located within the wider waterfront area.

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**Chapter E23 - Signs**

The relevant objectives and policies are located in sections E23.2 and E23.3. These objectives and policies relate to the protection of visual amenity, and traffic and pedestrian safety. In relation to the relevant objectives and polices the following summary comments are made:

- As with most sporting events, advertising is a significant aspect of the America’s Cup to provide sponsors brand exposure for their investment and plays a significant role in creating a vibrant sense of place around the event. Sponsor brand exposure and team identification signage is therefore considered appropriate to be included as part of the comprehensive building design of the syndicate
The design guidelines for the syndicate base buildings and public space will manage the signage on and around syndicate bases requiring a consistent and coherent approach to team branding to assist legibility of the team bases and expression of the America’s Cup as a major international event, in order to protect the visual amenity.

Specific Event related signage during the Event period will be managed through the EMP to ensure the safety of pedestrians and the road network operation.

On the basis of the above assessment, it is considered that the proposed development accords with the relevant objectives and policies identified in Sections E23.2 and E23.3 of the AUP.

**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 polices the following summary comments are made:

- Construction lighting will include temporary light poles around the Wynyard Basin works area, with zero tilt floodlights (orientated parallel to the ground). The zero tilt high mounted approach will reduce glare and spill and no lighting will be directed to the night sky.
- Any light spill towards the Princes Wharf apartments indicate that initial horizontal and vertical illuminance will be less than 10lux, which complies with the AUP standard and would be considered acceptable to maintain the amenity.
- For the Event it is noted that the event area around the Eastern Viaduct, Te Wero Island and Gateway Plaza are already well illuminated at night. Temporary lighting proposed as part of the event in order to provide sufficient lighting for event visitors at night as well as for safety, security and night-time working purposes will be attached to lighting poles between 6 metres and 10 metres high and will be directed away from residential units in the vicinity, in order to avoid any potential nuisance issues.
- It is anticipated that the additional Event lights will be in operation each night of the event and will cease at approximately 10pm, except when there is a concert programmed, which will occur infrequently during the event.
- For the legacy use of the structures, similar zero tilt luminaires (or other suitable replacements) will be utilised. The lights will be set up and designed so that there will be negligible effects on nearby sensitive uses.

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 polices the following summary comments are made:

- Offered conditions of consent setting maximum noise level limits and a Construction Noise and
Vibration Management Plan (CNVMP) will ensure that construction noise levels and event noise levels will be maintained at levels suitable to protect sensitive 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 and providing for anticipated noise events during the AC36 event.

- It is considered appropriate to have maximum construction noise levels reflective 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 and it is therefore considered appropriate to apply consistent limits for the proposed works as would be applied to sensitive receivers within the Business - City Centre zone.
- Proposed controls for Noise Events generally align with the permitted standards of the AUP, with the main exception relating to removing the low frequency controls as they are not considered necessary for the anticipated outdoor noise events, as the overall dBA limits will effectively control the low frequency noise.
- 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 E26 - Infrastructure**

The objectives for infrastructure seek the following outcomes:

- Benefits of infrastructure are recognised.
- The value of investment in infrastructure is recognised.
- Safe, efficient and secure infrastructure is enabled, to service the needs of existing and authorised proposed subdivision, use and development.
- Development, operation, maintenance, repair, replacement, renewal, upgrading and removal of infrastructure is enabled.
- The resilience of infrastructure is improved and continuity of service is enabled.
- Infrastructure is appropriately protected from incompatible subdivision, use and development, and reverse sensitivity effects.
- The national significance of the National Grid is recognised and provided for and its effective development, operation, maintenance, repairs, upgrading and removal is enabled.
- The use and development of renewable electricity generation is enabled.
- The adverse effects of infrastructure are avoided, remedied or mitigated.

The proposal involves the provision of (marine) infrastructure in terms of wharf facilities which will be utilised by the public following the AC36 event. It also interfaces with existing infrastructures services in the form of wastewater power and potable water. When considering the objectives and policies of chapter E26 the proposal is considered to accord for the following reasons:

- The proposal build on the existing wharf infrastructure located within the wider waterfront area.
- The further investment reflects the values already place in the wider waterfront area both at a regional and national level.
- Safety and security of the proposal are considered in term of the built design and in relation to the supply and servicing. Adequate water supply is available to services the proposal and wastewater systems are also confirmed to appropriately provide for discharges from the base areas.
• The proposal acknowledges and reflects best practice design and is not considered to result in any adverse effects on the wider infrastructure network.

On the basis of the above assessment, it is considered that the proposed development accords with the relevant objectives and policies identified in section E26 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 objective 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 policies the following summary comments are made:

• The location of the proposed development and AC36 Event has a high level of public transport accessibility which avoids the need to provide need to provide private vehicle parking for commuter trips to and from work or for spectators and there will be no private vehicle parking provided as part of the development for construction workers, syndicate base staff or spectators. This minimises the number of vehicle trips and assists to manage the effects of traffic generation on the transport network.

• CSTP and SSTP will be prepared in order to provide information to staff on available modes of transport and encourage the use of a range of transport options other than the use of single occupancy private vehicles. In addition, the EMP will also seek to manage the effects on the transport network by providing specific measures for spectator movements during the AC36 Event to ensure that the transport network has adequate capacity.

• Due to the nature of the activities, construction vehicle movements and operational deliveries and servicing trips associated with the construction and operation of the proposals will be necessary. However, in order to avoid impacts on the transport network, particularly in relation to intersection operation and provisions for pedestrians and cyclists, these movements will be managed through the use of CTMP and SDP, with controls such as limiting time of deliveries, vehicle routes and requiring warning signage.

• The proposed syndicate bases will include end-of-trip facilities and have cycle parking provision for cyclist. The provision of these facilities will be identified and managed through the SSTP.

• The proposal does not involve any new vehicle accesses or alteration to existing accesses. Vehicles accessing the syndicate bases will access and transverse the wharves from the existing road network via existing access arrangements.

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.

**Chapter E29 - Emergency management area – Hazardous facilities and infrastructure**

The Auckland wide provisions for emergency management areas apply to selected sites identified in the chapter. The Bulk hazardous liquids facilities located within the Wynyard Precinct are subject to specific policy direction in the Wynyard Precinct. This has been considered elsewhere in this assessment. The proposal is considered to accord with this policy direction and based on the mitigations proposed in this application and the anticipated future of the bulk liquid facilities (as acknowledged by the precinct provisions) is appropriate in terms of risk and reverse sensitivity considerations.
As noted above the Wynyard precinct is subject to specific provisions and policy direction with the aim of achieving/implementing the outcomes sought in relation to the future development of the Wynyard precinct and the management of risks from hazardous facilities and industry. These facilities are not identified in chapter E29 and therefore the policy direction in the precinct is considered to play a similar and more bespoke role.

### Chapter E30 – Contaminated Land

The relevant objectives and policies are located in sections E30.2 and E30.3 of the AUP. These objectives and policies relate to identification of contaminants and management or remediation during development. In relation to the relevant objectives and policies the following comments are made:

- The preliminary site investigation report included in Attachment 26 has identified the site as potentially contaminated due to material used in the reclamation of the land and past land use activities.
- A DSI will be undertaken to understand the exact nature of each area of land disturbance and the document will be submitted to Council for the inclusion of the details of contamination on the public register.
- The RAP included in the America's Cup 36: Preliminary Site Investigation (Contamination) for Resource Consent Application: Wynyard Basin and Ferry & Fishing Industry Relocation Facility report has been produced for the land disturbance activities proposed and will be updated following the completion of a DSI. The RAP document provides procedures, controls and measures to be undertaken during the land disturbance activities to ensure avoidance, remediation or mitigation of potential adverse effects on the environment and human health.

On the basis of the above assessment, it is considered that the proposed development accords with the relevant objectives and policies identified in sections E30.2 and E30.3 of the AUP.

### Chapter E31 - Hazardous substances and Chapter E33 - Industrial and trade activities

The hazardous substances chapter contains one objective and two policies. These provisions are aimed at providing for the use of hazardous substances and recognising the benefits derived from the use of such substances while ensuring that adverse effects are mitigated and risks minimised. The management of hazardous substances are identified as locating, designing and constructing facilities to avoid and mitigate risks, identifying and assessing risks to ensure that they do not result in unacceptable levels of risk and considering the associated transport effects. Policy 2 also provides for the maintenance of separation distances between hazardous facilities and more sensitive land uses to ensure that risks are managed.

The consideration of the hazardous substances objectives and policies is relevant both in relation to the storage and use of substances at the Bases and the relocation of the Pipelines and pipe bridges but also more broadly in relation to the proximity to the Bulk Hazardous substances storage facilities located within the Wynyard Precinct.

The Sherpa report appended at Attachment 20 (and discussed above) addresses the risk from the hazardous facilities to the surrounding land. Policy 2 identifies a consideration of reverse sensitivity which would therefore apply to the location of more sensitive activities within this identify risk area. In other areas of the city zoning is the primary tool utilised to locate potentially conflicting land uses. The current arrangement in Wynyard precinct is more complex due to the existing industry incrementally being incrementally
replaced by public, residential and more people intensive uses as the hazardous facilities are decommissioned. The policies in Chapter E31 are intended to apply broadly and in this instance, it is considered that the policies in the Wynyard precinct provisions provide more detailed guidance and direction for the management of uses. Overall, the proposal is considered to achieve the intent of the objectives:

- Through the management of uses within areas identified as being 'at risk' providing for marine and port activities only, limiting base occupancy, not encouraging public access to the eastern area of the Basin (noting this area remains a public road) and ensuring that built design and the implementation of emergency management planning is utilised to mitigate risks; and
- Where hazardous substances are intended to be stored within the bases, within internally bunded storage facilities, designed to comply with the relevant requirements under HSNO and HSWA. The mitigation of risk to people, property and the environment both within and beyond the site is considered to be appropriately addressed.

The proposal also involves the relocation of the pipelines that facilitate ship to shore transfer of bulk liquids from Wynyard Wharf to the bulk storage facilities across Brigham Street. It is proposed to reconstruct these existing pipelines so that the existing service that transports bulk liquids to the southern terminal is retained via pipelines over Wynyard Wharf or along the western side of Brigham Street. The pipelines broadly considered as a component of the wider hazardous facility will be designed and operated as required under HSNO and the HSWA requirements and will be informed by any additional built design requirements to adequately address risks. As such this relocation of an existing lines (and bridges) is considered to achieve the objectives and policies of chapter E31.

With respect to industrial and trade activities, the one objective of chapter E33 seeks to first avoid adverse effects on land and water resources or otherwise minimise effects where it is not otherwise practicable to avoid them. The policies require the management of activities, including their storage use and disposal. Where possible measures are to be implemented to dispose of contaminate to the trade waste network and otherwise, reduce contaminate volumes and treat manage and monitor activities to ensure that adverse effects on land and water are minimised.

The proposed syndicate bases are identified as ITA activities due to the boat repair and maintenance undertaken within them. While the bases are located in a sensitive environment, in close proximity to the CMA, they are subject to management protocols surrounding the use of hazardous substances and contaminate. All areas have stormwater systems including propriety devices designed to manage stormwater and ensure this is treated before being discharged to the receiving environment. Discharge to the wastewater system is not considered practicable due to the location of the structures and the associated infrastructure available. Overall the proposal is considered to aspire to achieve the aspirational objective and accord well with the minimisation the potential for effects through build design and management practices should an event occur. The proposal also accords with the policy direction and where the disposal to the trade waste is not possible treatment is provided prior to discharge of stormwater and monitoring is proposed.

**Chapter E36 – Natural hazards and flooding**

The objectives and policies of E36 seek to manage risks associated with natural hazards (including flood hazards, coastal hazards, land instability and wildfire). In urban areas development is to occur only where risks are not increased, where practicable reduced and climate change effects are taken into account.
Infrastructure that has a functional need to locate in hazard areas is enabled where the risk of adverse effects to other people, property, are sought first to be avoided and the residual effects otherwise mitigated to the extent practicable. The objectives seek to safely maintain the conveyance function of floodplains and overland flow path and utilise where practicable natural features in preference to hard protection structures to manage natural hazards. The policy direction requires a consideration of risk, including the risk to the activity or development itself, exacerbation of hazards and the likely nature of the hazard overtime.

For coastal hazards policies seek to include a consideration of adaptive management in relation to infrastructure. Broadly this is considered applicable to the provisions of wharf structures. Risks are also south to be managed through location, design and management. In this case an adaptive management approach is able to be achieved through the review of wharf deck heights over time and built design and management are available to manage potential effects associated with overtopping or the need to manage the exposure of people in these areas. The proposal takes account of likely climate change effects considering the latest national guidance and the sea level rise inclusion in the AUP. This is then considered in terms of the use of the structures proposed, the existing environment and the duration of consents sought.

In relation to defences against coastal hazards, it is noted that the proposal is located within a highly modified area of the harbour and the proposal area is subject to existing hard protection structures with protection structures of various forms being located to the east and west of the proposal area. As such there are no natural systems available to manage coastal erosion hazards and maintenance and use of hard protection structures is not in this environment considered to restrict public access or result in effects (such as erosion or scour) on the adjacent land.

The proposal is not affected by floodplains and will maintain the conveyance function of overlay flow paths located along the eastern side of Wynyard Point.

With respect to land instability the proposal seeks to improve the existing conditions through the installation of ground improvements along Brigham street. This provides a benefit to the proposal and to the future use of this land, thereby reducing risks. Overall the risk of adverse effects are considered to be appropriately mitigated by the duration of consent and ability to consider further adaption in design and the functional requirements of the activities locating within areas potentially affected by coastal hazards. As such the proposal is considered to accord with the policy direction.

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**Chapter E40 – Temporary activities**

Chapter E40 includes five objectives which broadly seek to provide for temporary activities subject to appropriate management and controls. Objectives support temporary activities and events which contribute to a vibrant city and enhance the social, environmental, economic and cultural well-being of communities. The proposed AC36 events are considered to positively contribute to the vibrancy of the city located within the city centre area. The proposal also accords with objectives 2 and 3 and will, subject to event management plans, be managed to ensure that effects on amenity values, communities and the natural environment are minimised.

With respect to policy 5 which specifically requires events involving large numbers of people locate in areas where there is capacity to safely host large numbers of people the proposal is considered to both align with this for the AC36 event but also provide for future opportunities to host events in the waterfront location. Due to the location of the proposal in close proximity to public transport linkages the proposal is also considered to strongly accord with the subsection of the policy.
Overlays

The following overlays have been considered in relation to the proposal due to the location of these features either adjacent to (City Centre Port Noise Overlay), over (Volcanic Viewshafts and Height Sensitive Areas Overlay) or within but not adversely impacted by the proposal.

- D14 Volcanic Viewshafts and Height Sensitive Areas Overlay
- D17 Historic Heritage Overlay
- D25 City Centre Port Noise Overlay

The proposal is considered to accord with the objectives and policies of the aforementioned overlay chapters for the following reasons:

- The proposal is located below the Mt Eden Volcanic viewshaft, with no aspects of the proposal likely to infringe upon the floor of the view shaft.
- The proposal is located in proximity to the Te Wero/Western Viaduct lifting bridge, the proposal is not considered to directly impact this Heritage feature or the Extent of Place other than providing for spectators to traverse this area during the event and general use of the water front area. Temporary signage (and other structures) will be required within the general vicinity of Te Wero Island but will be subject to a management plan which will ensure that the placement and design of signs are managed and respond to the surrounding environment in order to mitigate potential adverse effects.
- Furthermore the event supports the continued maritime use of the area to which the Lifting bridge relates.
- No modification or works are proposed within the immediate vicinity of the Wind tree being the Extent of Place associated with the Wind Tree located to the immediate west of the proposal area.
- Although the development locations are located within the City Centre Port Noise Overlay, the development does not involve the development of activities sensitive to noise.

Assessment Criteria

The relevant assessment criteria have been considered in detail as part of the assessment in other parts of this report including the assessment of effects and the assessment of objectives and policies. The criteria have also been considered within the numerous technical reports prepared and submitted in support of the application.

Overall, it is considered that the proposal is appropriate under the relevant assessment criteria of the AUP.
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.

11.5 AUCKLAND REGIONAL PLAN: COASTAL

Objectives & Policies

As the AUP coastal provisions have not as yet been approved by the Minister of Conservation, consideration of the ARP: C is required. The Council have advised that the Regional Coastal Plan provisions of the Unitary Plan are with the Minister of Conservation for approval and it is anticipated that formal approval may be received in the near future.

The ARPC sets out the relevant provisions for managing occupation, use and development of the CMA. Many of the objectives and policies address similar matters to the AUP or are addressed in detail above in this report. The following assessment references the relevant part of the above report as appropriate.

The ARP: C controls dredging, water quality, discharges, coastal process, occupation, structures and activities within the CMA. The plan contains a comprehensive set of objectives and policies relating to these matters. These provisions will, however become inoperative once the Auckland Unitary Plan coastal provisions become operative.

Under the ARP: C, the City Centre waterfront is managed by a series of Port Management Areas. The proposed development is located within Port Management Areas 2A and 4A (refer figure below).
The Port Management Areas provide for a comprehensive and integrated planning approach for the City Centre waterfront in order to facilitate an appropriate structure for the many competing interests in this waterspace. The ongoing use of this waterspace as a “working waterfront” underlies the provisions of the Port Management Areas, whilst acknowledging the progressive change that is occurring in this area.

The Port Management Area 2A objectives and policies seek to recognise the wide range of port activities using this area (including maritime transport). The provisions also seek to provide for and enhance where practicable, public access opportunities, whilst acknowledging public safety and security concerns. This Port Management Area also seeks to maintain and enhance navigation and berthing for recreational and commercial activities including the marine and fishing industry. These issues have been addressed above and on balance it is considered that the proposed development will enable a wide variety of waterspace users, including water based events and the marine/fishing/ferry industry to continue to operate in the nearby vicinity.

In terms of visual amenity, the provisions seek to maintain and enhance visual amenity and visual links between the City Centre and the harbour, and to maintain the view of the CMA between Queens Wharf and Princes Wharf. Objective 28.3.8 provides for the mixed use nature of Viaduct Harbour as a place of special character within Auckland, which attracts people to the harbours edge. Similar provisions regarding the provision of the marine and fishing industry berthing as provided
for the AUP are also included in the ARP: C. The policies also seek to avoid buildings or structures where they will result in significant visual intrusion into views from public areas across the harbour or from the harbour to the outer Waitematā Harbour.

The proposed development will result in buildings and structures to the north of the existing Halsey Street Extension Wharf and Western Viaduct Wharf. The impact of these buildings on views and visual amenity has been reviewed by Boffa Miskell in their landscape and visual effects report. The report concludes that while some adverse effects will be moderate (for a temporary period while the temporary base buildings are in place) other adverse effects will be low to moderate and there will also be positive effects.

Policy 28.4.20 states that the Western Viaduct Wharf shall be used for activities that maintain its use as a public space, which is compatible with the fishing industry. Additionally, views across the wharf are to be maintained by avoiding visually intrusive public structures such as buildings. In this regard, it is noted that the resource consent for the Viaduct Events Centre supersedes these provisions and established a detailed framework for the use of this wharf for events, the marine and fishing industries and occasional use for overflow parking for large scale events. Therefore the wharf is not used as a public space. Regardless, the proposed development replaces the existing public accessway along the northern edge of the wharf with a new public accessway along the proposed wharf extension. This will be supported by a plaza space and public accessway along the northern edge of the Hobson Wharf extension and will result in an overall net benefit in terms of public access and views to the CMA.

Port Management Area 4A, includes Wynyard Wharf and the waterspace on the western side of Wynyard Precinct. It is proposed to locate bases 6 – 8 in this area. The bases are marine and port activities and have been designed and located to ensure the ongoing use of the wharf as a dangerous goods wharf where hazardous product is able to be unloaded from vessels and transported safely to the bulk liquids storage areas on land. Sufficient separation distances and building construction methods are proposed in order to ensure public and employee safety.

The dredged material from the area will either be re-purposed as mudcrete for a reclamation, disposed of under the Coastal Resources consent or disposed of to an approved landfill. All structures proposed as a part of the development such as wharves, syndicate bases, piles, berthage, breakwaters, floating pontoons, navigational aids and wave attenuation devices will all support marine and port activities. Occupation of the space is provided for by a variety of existing occupation permits which have a variety of expiry dates ranging between 2026 to 2047 plus the additional occupation areas being sought through this application.

The proposal also provides for significant public benefit through the provision of public accessways and a potential plaza area that will improve access to the harbour’s edge and the amenity of the locality. Vehicle parking and traffic associated with the proposal will be limited and low level and will be consistent with the provisions of the plan as it ensures access to the public accessway and the potential plaza area.
The proposal has taken into account the effects of potential natural hazard events, coastal inundation and sea-level rise and this has been modelled into the design level of the wharf extensions, while allowing for wharf deck levels to be progressively increased over the next 100 years. The Chart Datum level of +5.0 to +5.5m is considered to be acceptable by the project engineers.

There are a number of associated objectives and policies that also apply to this proposal and it is considered that the proposal is consistent with them.

The proposed development has a functional and operational need to be established within the CMA and will provide for the commercial and recreational needs of the community, including America’s Cup syndicate bases. Further, the proposed use and development of the Port Management Areas as proposed in this application will not adversely affect the life supporting capacity of the coastal environment to an extent that is other than minor.

Overall, the proposal represents an efficient use of the CMA and the proposed activities and structures are considered to be appropriate. For these reasons, the proposal is considered to be consistent with the objectives and policies of the ARP: C.

Assessment Criteria

The relevant assessment criteria have been considered in detail as part of the assessment in other parts of this report including the assessment of effects and the assessment of objectives and policies. The criteria have also been considered within the numerous technical reports prepared and submitted in support of the application.

Overall, it is considered that the proposal is appropriate under the relevant assessment criteria of the ARP: C.

11.6 NES SOIL

The NES (Soil) came into effect on 1 January 2012. All territorial authorities are required to give effect to and enforce the requirements of the NES (Soil) in accordance with their functions under the RMA relating to contaminated land. The resource consent requirements under the provisions of the NES (Soil) are discussed in relation to this application under Section 9.5 above.

The proposed land disturbance activities will allow for development of the syndicate bases in a manner that protects them from potential liquefaction hazards as due to the nature of the fill used in the reclamation of the land. Furthermore, it provides for the extension of services infrastructure and potential foundations for additional street furniture and fencing. Without the ground disturbance the development would not be capable of being undertaken and the city would not be able to host the AC36 Event. Although no DSI of the potential ground contamination has been undertaken it is considered that the from other nearby investigations the nature of anticipated
contamination is well understood and an appropriate DSI can be undertaken prior to land disturbance activities in order gain a better understanding of each proposed land disturbance area. A RAP included in the America's Cup 36: Preliminary Site Investigation (Contamination) for Resource Consent Application: Wynyard Basin and Ferry & Fishing Industry Relocation Facility report has been prepared based on the PSI and the anticipated contaminants. The development will be implemented in accordance with the requirements of the RAP, as updated following the completion of the DSI. The RAP will require workers involved in land disturbance activities to follow the appropriate procedures for working within contaminated material. In addition, the RAP will detail measure to protect the future users and occupiers of the sites. With such measures imposed on the consent as conditions of consent it is considered that the development will result in no significant risk to human health and accord with the NES (Soil).
12.0 CONSIDERATION OF ALTERNATIVES

To inform the Auckland Councils decision making process a comprehensive assessment of potential sites within the wider Auckland region was undertaken.

From this ‘long list’ a further investigation was undertaken in relation to selected waterfront locations. This included the following 5 ‘short listed’ options:

1. Halsey Wharf extension
2. Captain Cook West
3. Captain Cook East
4. a dispersed option across Halsey Wharf and Westhaven Marina
5. a dispersed option across Halsey Wharf, Hobson Wharf and Wynyard Point East (Wynyard basin)

Following the short-listed options, a further alternative option was presented as the ‘Wynyard Point’ option. The Wynyard Point option and Wynyard Basin options were presented to the Governing Body on the 14th of December 2017 where the Governing Body voted to progress the Wynyard Basin Scheme. A high-level analysis of the alternative options has been undertaken and is included with reference to Auckland Councils investigations at Attachment 7.

It is noted that the proposal is not considered to result in significant adverse effects, based on the suite of technical assessment provided in support of the application and as concluded in this report. However subject to section 105 of the RMA and acknowledging the Ministry for the Environments guidance document a consideration of both alternative locations, and the option of not proceeding have been undertaken in support of the application.

Section 105 ‘Matters relevant to certain applications’ states that if an application is for a discharge permit or coastal permit which contravenes section 15 (or section 15B), the consent authority must, have regard to both the applicant’s reasons for the proposed choice; and any possible alternative methods of discharge, including discharge into any other receiving environment.

As assessed in this application the proposed design best reflects the project objectives of achieving tranquil water space and a village environment. This application and the supporting reports demonstrate that the proposal can be achieved in a manner which avoids significant effects on the environment subject to the implementation of the key mitigations identified in this report.

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8 ‘A guide to preparing a basic assessment of environmental effects a guide to preparing a basic assessment of environmental effects’ (Ministry for the Environment 1999, Publication number: ME 767)

9 s105(1)(b)
More specifically, in relation to discharges the preceding assessment demonstrates that the discharges associated with the wharf structures (and ITA uses) and those associated with the construction effects of piling, dredging and locating structures within the Coastal Marine Area are considered to be appropriate. The proposed discharges implement best practice approaches to the management and treatment of stormwater and the management and treatment of dredge material. As such they are considered the applicant’s preferred choice for environmental and economic reasons.

13.0 CONSULTATION AND FEEDBACK

Panuku has undertaken general consultation with a wide range of stakeholders on the development and identification of a preferred option for the AC36 base infrastructure. This has included hui, workshops, briefings, meetings and letter drops. A full summary of the consultation undertaken is included as an attachment to this application.

A comprehensive consultation summary has been prepared recording those parties consulted and the purpose/outcome of the consultation. In addition, a separate report on consultation with mana whenua has been prepared which outlines engagement with mana whenua on AC36 planning and delivery.

Given the short timeframes between the confirmation of the preferred AC36 base infrastructure configuration by Auckland Council and the lodgement of the resource consent and this coinciding with the Christmas/New Year holiday period, the ability to further consult with parties has been limited. However care has been taken to ensure that key stakeholders have been consulted on the preferred option. Consultation with these and other parties will continue throughout the project.

Public notification is being sought for this application. It is anticipated that further consultation will occur with stakeholders following the public notification of the application.

Mana Whenua

Engagement with mana whenua has been undertaken by Panuku as part of the refresh of the Waterfront Plan (2012) undertaken in 2017. As part of this engagement Panuku worked with its Mana Whenua Forum to develop a set of waterfront goals, and to commit to the Te Aranga Maori design principles. More recently engagement has focused on AC36 planning and delivery. Not all mana whenua have participated in the engagement process to date.

Mana whenua have clearly stated that engagement on the city centre and waterfront programme should not form part of consultation on individual resource consent applications. There is a clear expectation from mana whenua that the council family will develop a specific consenting consultation approach that builds on the engagement to date and takes a collective approach to projects, rather than individual and ad hoc engagement on city centre and waterfront projects.
Panuku will continue consulting with mana whenua specifically on the AC36 base locations post lodgement of the resource consent given the constrained timeframes for the lodgement of the application.

**Emirates Team New Zealand (ETNZ) and the Royal New Zealand Yacht Squadron**

Council and Government staff have progressed discussions with ETNZ, particularly around the location options and the issues necessary to deliver fit for purpose infrastructure on the land and water and to provide a legacy outcome for Auckland and New Zealand.

**Ports of Auckland Limited**

Ports of Auckland is a member of the Auckland City Centre/Waterfront Project Control Group and Executive Steering Group where location options, design options, operational issues were discussed and feedback provided. General discussions have been progressed with POAL and their written approval for the base infrastructure and event, including the occupation POAL waterspace has been provided. The written approval is appended as Attachment 30 to this application and sets out that approval is provided (subject to s95E(3)(a)) for the base and event infrastructure for the 36th Americas Cup Regatta in Auckland.

**Regional Facilities Auckland (RFA)**

Panuku has met with Regional Facilities Auckland, who manages the Viaduct Events Centre (VEC) to discuss the operation of the facility both during construction of the base infrastructure and the AC36 event. The key issues discussed were the impacts on the operation of the venue and events, potential noise, traffic and construction/operation issues. Consultation with VEC will continue post the lodgement of the application.

**Viaduct Harbour Holdings Limited (VHHL)**

Panuku has engaged with VHHL as part of the workshop sessions held with key stakeholders. Further meetings have been held with VHHL following the confirmation of the preferred option to discuss the proposed wharf extension, location of built structures and building design and appearance. Consultation with VHHL will continue post the lodgement of the application.

**Viaduct Event Centre (VEC)**

Panuku has met with The VEC to discuss the operation of the facility both during construction of the base infrastructure and the AC36 event. The key issues discussed were the impacts on the operation of the venue and events, potential noise, traffic and construction/operation issues. Consultation with VEC will continue post the lodgement of the application.
New Zealand Maritime Museum (NZMM)

Panuku has met with the NZMM to discuss the operation of the museum both during construction of the base infrastructure and the AC36 event. The key issues discussed were the impacts on the operation of the venue including impacts on the adjacent waterspace.

Sealink

Panuku has consulted with Sealink providing a general briefing on the location of the base infrastructure and the impact on ferry operations on Wynyard Wharf. Further discussions have been held with Sealink to work through the relocation of ferry operations to Wynyard west including the requirements to provide for ferry operations from this location. Sealink has provided a letter of support for the application, which is included as part of Attachment 30. Consultation with Sealink will continue post the lodgement of the application.

Fishing Industry

Panuku has consulted with Sanford and Moana Fisheries providing a general briefing on the location of the base infrastructure and the impact on fishing berthage and operations on Halsey Extension Wharf and Western Viaduct Wharf. Further discussions have been held with the fishing industry to discuss the layout and requirements of the fishing industry for the relocation of the fishing fleet to alternative berthage. Consultation with the Fishing Industry will continue post the lodgement of the application.

Bulk Liquids Industry

Panuku has consulted with the bulk liquid industry on the location of the base infrastructure and the relocation of the ferry and fishing industry to Wynyard west. Consultation with Bulk Liquid Industry will continue post the lodgement of the application.

Specific Interest Groups

Interested Architects

Panuku has met with interested Auckland architects, including representatives from the NZ Institute of Architects, Urban Auckland and the Urban Design Forum, to discuss the confirmed option for the location of the base infrastructure. Key concerns raised include the proposed wharf extension, building location, bulk and design and legacy. Consultation with group will continue post the lodgement of the application.

Urban Auckland

Representatives from Urban Auckland were part of the Investment Logic Map workshops that were held in September. These sessions were focused on helping identify the problem and opportunity for Auckland through the AC36 event, APEC and other events. Representatives have participated in
stakeholder briefings where criteria for decision making and location options have been discussed. Key issues for this group include options that create incursions into the harbour.

Stop Stealing our Harbour

Representatives have had discussions with the Mayor and the Minster and have attended ‘walkarounds’ and participated in stakeholder briefings. Key issues for this group include options that create incursions into the harbour.

Wynyard Precinct Developers

Through established forums, Wynyard Precinct developers (Precinct, Fu Wah, Willis Bond, Goodmans Group) have been updated on the project process and next steps.

Marine Industry

Through established forums, the marine industry, particularly those located in Wynyard Precinct developers have been updated on the project process and next steps. Some marine representatives have been part of a marine working group that has fed information into the supporting studies for this project.

14.0 PART 2 MATTERS

Following the High Court decision in Davidson v Marlborough District Council there is currently no need to refer to Part 2 when considering a resource consent application, unless there is uncertainty, incompleteness or inadequacy in a higher order planning document (RJ Davidson HC), it is a useful check. However, that decision is subject to appeal. This report therefore provides an assessment of the proposal against Part 2.

The purpose of the RMA is to promote the sustainable management of natural and physical resources. As stated in section 5 of the Act, this means:

5(2) In this Act, sustainable management means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while —

(a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.

Whether the purpose of the RMA is being achieved consideration of the matters set out in sections 6, 7 and 8 of the Act.
Section 6 sets out matters of national importance relative to the natural character of the coastal environment, protection of outstanding natural features, protection of areas of significant public access along coastal marine areas, lakes and rivers, the relationship of Māori and their culture and traditions, protection of historic heritage and customary activities and management of significant risks from natural hazards. The proposal is considered above in relation to the relevant matters, the proposal is considered to be an appropriate use and development of land in this coastal location. Coastal hazard risks have also been assessed as acceptable, as such the proposal is considered to recognise and provide for these identified matters of national importance.

In terms of the relationship of Māori and their culture and traditions to the Waitematā, Panuku has undertaken initial consultation with mana whenua, where the proposal have been presented and discussed generally. Panuku will continue consulting with mana whenua specifically on the AC36 base locations post lodgement of the resource consent application and for the duration of the project. Further, as part of the MACA requirements, the details of the resource consent application were sent to the iwi that have registered customary title rights over this part of the CMA.

It is also proposed that Te Aranga design principles be incorporated into the public space areas proposed as part of this development. This is proposed as part of the design guidelines prepared for this application which are recommended as conditions of any consent granted.

Section 7 requires particular regard be had to ‘other matters’. Of relevance to this application are:

(b) the efficient use and development of natural and physical resources;
(c) the maintenance and enhancement of amenity values;
(f) the maintenance and enhancement of the quality of the environment; and
(g) any finite characteristics of natural and physical resources.

Section 8 requires the principles of the Treaty of Waitangi be taken into account.

The proposal provides for the efficient use and development of natural and physical resources. While the proposal does result in the expansion of structures in the CMA, the proposal has been developed so that intrusion into the waterspace by the additional wharf features and breakwaters, and buildings above the wharves, is reduced as far as is practicable. The proposed works will facilitate syndicate bases for the America’s Cup 36 regatta and has a functional need to be within the coastal environment and represents an efficient use of natural and physical resources. Furthermore, the establishment of syndicate bases and the operation of a yachting race regatta within the coastal environment is an expected and anticipated part of the CMA and reflects the types of activity that would be undertaken within the coastal environment.

Matters relating to any potential adverse effects on the environment and proposed mitigation are addressed in this report. While the proposal will alter the character of the immediate locality, by creating more intensive use of this part of the waterspace, it is considered appropriate within the highly modified character of this central city area. The proposal involves extensions to existing
wharves only. Further, the existing occupation permits, waterfront precinct boundaries and port management areas anticipated this location being used for marine and port purposes, which have a functional need to be located here. No expansion north of the existing port management areas or waterfront precinct boundaries is proposed.

As a result, from an overall land use and built character perspective the proposed wharf extensions and associated buildings/structures are appropriate within this location and will contribute positively to the locality by increasing public amenity, interest and vibrancy to the new development. In particular, the proposed land use will be consistent with the existing marine and open space focussed land use character of the area, which the built form and ancillary structure will also reflect. In terms of amenity, the proposal will improve people’s appreciation of the area. The proposal provides for enhanced public access to this part of the waterfront through the provision of public accessways along the northern edge of the wharf extensions. In addition, a public plaza area is created on the eastern side of Base 1 located on Hobson Wharf extension.

In terms of amenity values and the efficient use of natural and physical resources, the development achieves an appropriate balance which will allow for intensive use of this site while providing an appropriate level of amenity for adjoining sites and the wider Precinct.

The proposed development maximises the use of this finite resource and is therefore an efficient use and development of natural and physical resources. Detailed discussions have been undertaken with ETNZ in order to minimise syndicate base and hardstand dimensions as far as practicable whilst ensuring a usable and functional AC36 base infrastructure. The proposal will result in an appropriate use and development of this part of the coastal environment.

The proposal provides for the social and cultural wellbeing of the community including the relocation of the marine, fishing and ferry industry to an alternative facility in close proximity to their existing operations.

The proposal maintains the quality of the environment by ensuring that coastal processes and ecological effects are managed so that the water quality is not compromised and marine habitats are maintained.

Overall, the proposal satisfies the sustainable management of natural and physical resources purpose and principles of the Act.
15.0 OTHER MATTERS (SECTION 104(1)(c))

15.1 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 5 December 2017 seeking views on the proposal to enable the 36th America’s Cup to be held in Auckland (Attachment 29).

Prior to lodgement of this application, responses have been received:

i. Te Kawerau a Maki responded by email dated 11/12/17 that they may request a cultural impact assessment.
ii. Ngāti Kawau te Kōtuku, Te Uri o Te Aho, Ngāti Kuri, Te Waiariki Korora nga Hapū o Ngāpuhi-Nui-Tonu responded by email dated 11/12/17 that the applicant wants Panuku’s application put on hold.
iii. Ngati Whatua o Orakei responded by letter dated 21/12/17 that they do not take a view on Panuku’s proposed resource consent at this stage however, they expect to be consulted individually rather than as part of any wider group of iwi.
iv. Ngati Te Ata requested an onsite meeting which was undertaken in December 2017.

15.2 AUCKLAND PLAN

The City Centre is identified in the Auckland Plan as a key visitor destination and as New Zealand’s commercial, financial, education and cultural centre but at the same time is highlighted as a centre that needs to play a greater role in Auckland’s international competitiveness and future success. Strategic Direction 10 sets the goal of creating a stunning city centre; one that is economically dynamic, and full of life and activity that residents can call their home and businesses and visitors can flock to.

In support of the Auckland Plan’s vision of the world’s most liveable city, the strategic direction seeks to expand the City Centre into a highly desirable place to live, work, and invest in, and by adding to
Auckland’s identity and vibrancy.

The vision and outcomes in the Auckland Plan are aspirational, reflective of the 20-30 planning horizon. The proposal is supportive of the Auckland Plan vision and outcomes on the basis that hosting the America’s Cup will:

- Showcase Auckland to a global audience as a key visitor destination and attract international visitors.
- Strengthen Auckland’s reputation as a vibrant South Pacific waterfront city and a desirable place to live, work and invest in.
- Strengthen Auckland’s rich yachting history and strong association with the America’s Cup while demonstrating Auckland’s ability to host a global international sporting event.
- Contribute to Auckland’s tourism industry by attracting both international and domestic tourists during the AC event.
- Contribute to Auckland’s economy by attracting workers to support the tourism, hospitality, accommodation, service, marine and boat building industries.
- Contribute to Auckland’s social and cultural well-being and one that is full of life and activity by hosting an event that will provide local Aucklanders the opportunity to participate in organised events as part of the America’s Cup race days either on the water or around the America’s Cup village and wider waterfront.

City Centre Masterplan

The CCMP identifies that the waterfront has a unique role to play within the city centre due to its unique amenity, water access for recreation and concentration of water related businesses. The CCMP details that the waterfront is expected to be a major driver of Auckland’s economic future; both directly and indirectly supporting new fulltime jobs in Auckland through the tourism and events sectors.

At a high-level, AC36 contributes to the strategic direction of the CCMP as the hosting the America’s Cup continues the downtown waterfront’s transformation and provides a longer-term legacy for Aucklander’s through the creation of additional wharf space adjacent to a sheltered waterspace. In particular, Panuku’s legacy report identifies the following legacy benefits:

- Upgraded public spaces and access to the waterfront from Hobson and Halsey wharves.
- Permanent land and sheltered water space for existing and future water-based events, and potential long-term base for ETNZ.
- Additional berths for recreational and tourism uses, and as attractors to the waterfront.

This next phase of waterfront regeneration further contributes to the role the waterfront has in unlocking the potential of the city centre as a centre for business, entertainment and culture and builds on decades of planning that envisaged a public working waterfront that linked the city to the
sea, and reflected our marine heritage and culture.

The Waterfront Plan

The Waterfront Plan includes five specific goals to achieve the waterfront vision; a green-blue waterfront; a public waterfront; a smart working waterfront; a connected waterfront; and a liveable waterfront.

The opportunities and actions identified for the following goals are particularly relevant to AC36.

A blue-green waterfront

Sea level rise

Sea level rise associated with climate change is an identified risk for the waterfront area. The Waterfront Plan identifies that Wynyard Quarter is sufficiently high to prevent direct inundation from sea level rise but identifies that the key issues is that sea level rise, when combined with storm surges and heavy rainfall, could cause inundation from the stormwater system being unable to empty.

The Waterfront Plan references the guidelines issued by the Ministry for the Environment in 2009 however the application references the Ministry for Environment’s recently-released national guidance in 2017 with coastal hazards and climate change considered and measures identified to address them.

Remediation

Development in Wynyard Quarter has required both containment and removal of contaminated materials due to the contamination of land resulting from historic industrial and petrochemical uses.

AC36 responds to this strategic outcome. A preliminary site investigation has been concluded which confirms that soils and groundwater have been subject to contamination. A RAP has been prepared to provide management of identified risks and a detailed site investigation will be undertaken to enable the revision of RAP to address any variability in site conditions.

Water quality and stormwater

Improving the water quality of the Waitematā Harbour has been identified as a priority in the Waterfront Plan. The plan identifies that Auckland Council and Watercare Services Ltd have investment plans to meet increasing demands on infrastructure and to reduce the number of wastewater overflows, which currently occur in storm events due to the combined stormwater and wastewater system that exists in the central city.

AC36 requires stormwater infrastructure and new wastewater services as well as management of industrial and trade activities. The existing infrastructure has been assessed as having adequate capacity to accommodate the anticipated demands for AC36 and the effects of stormwater, potential
discharge from industrial trade activities and hazardous substance use associated with the event as being less than minor, therefore according with this policy direction.

A public waterfront

High-quality urban design and architecture

The importance of demanding good design in all development and creating a stunning city centre and enduring neighbourhoods is a priority in the Auckland Plan. The Waterfront Plan aims to deliver on this priority by creating a functional and beautiful city centre waterfront for Aucklanders, a waterfront that is distinctly New Zealand and reflects Auckland’s unique culture and South Pacific location.

Outstanding design and architecture (a goal of the Waterfront Plan) has been defined as developing attractive spaces, a coherent design across the waterfront, places of surprise and interest, and delivering comfortable public spaces with weather protection, seating, sun, pedestrian priority and traffic-calmed streets that are safe and full of activity.

The proposal contributes to the desired outcome of high-quality design and architecture through the proposed design and treatment of the temporary base infrastructure as shown on the drawings at Attachment 2 and through the inclusion of proposed building and public space guidelines to guide the architectural design of buildings within the proposed building envelopes. In addition, the design of each of the bases and compound yards is proposed to be reviewed by the Waterfront Technical Advisory Group, an established multidisciplinary panel that reviews all designs for public spaces or private developments in Wynyard Quarter.

The Base 1 building is proposed to be a permanent building that will house ETNZ. The proposed design of the Base 1 building will make a positive contribution to the northern part of Hobson Wharf and the area’s sense of place. The building will provide an active and visually interesting to this public area. The building has been designed to visually integrate with the form of the adjoining Maritime Museum building and the bulk of the building will be broken down with varied roof forms and different architectural treatments for the building fronting the eastern public open space and the boat sheds further west. A generous ground floor height and glazed areas are proposed which will contribute to visual interest and safety.

People-friendly public spaces/public access to the water

The Waterfront Plan supports the connection and expansion of the parks and public open spaces, linking the key parks and green spaces. A key objective of this Waterfront Plan is providing enhanced public access to the water by way of specific and frequent locations along the waterfront where people can access and engage actively with the water. The plan seeks to build on the network and success of existing public spaces such as those in Viaduct Harbour and Wynyard Quarter with new initiatives.
The opportunity to build on the park network with the waterfront as part of a blue-green network is a transformational move of the CCMP and Waterfront Plan. This includes the new Headland Park on Wynyard, the Daldy Linear Park providing a legible and accessible continuous landscape connection from Victoria Park northwards through the centre of Wynyard Quarter to the future Headland Park.

The 2012 Waterfront Plan identified opportunities to enhance the Viaduct experience for both residents and visitors. These opportunities included the projects listed in Figure 29 below, including an extension to the Halsey Wharf.

Figure 29: Waterfront Plan

The 2017 refresh of the Waterfront Plan maintains the vision and direction of both plans, and focuses on the next phase of delivery for the downtown waterfront corridor, mid-town area, central wharves and Wynyard Quarter. These focus areas are critical parts of Auckland’s city centre and waterfront and are key to unlocking growing expectations for public transport, waterfront access and high quality public realm. The 2017 refresh of the Waterfront Plan has signalled some amendments to the public open spaces proposed in the original 2012 plan, including reorienting headland park towards the city centre, the inclusion of Halsey Wharf as a possible extension and the upgrade of the public space on the Eastern Viaduct. The proposal provides for a smaller extension to Halsey Street wharf that that signalled in the 2012 Waterfront Plan.
With the exception of Base 1 (ETNZ base) the other base infrastructure will be designed to be removed or relocated, leaving new and expanded open spaces on Halsey and Hobson wharves overlooking the harbour. The projecting views and sheltered water space provide a different experience from the east-west journey along the Quay Street axis.

The new wharf structures will create another place for people to promenade and access the waterfront as part of an extended public space network around Viaduct and Hobson Wharf. It also provides hard-stand and water space that can accommodate specialist events without the need to temporarily relocate other users.

**Events and activation**

The Waterfront Plan identifies that tourism and events on the waterfront will have a significant economic impact on Auckland. The plan identifies that there is a need for a cohesive vision and strategy for events and activation at the waterfront with a wide range of new festivals and events being developed in conjunction with Auckland Tourism, Events and Economic Development, Regional Facilities Auckland, the events industry and other key stakeholders.

Panuku’s legacy report outlines that permanent land and water spaces create a legacy for Auckland, for existing and future water-based events in the Viaduct Harbour. In particular it identifies that the new spaces will:

- Allow for events with a longer duration and bigger footprint, without requiring temporary relocation of other uses and reducing the impact on the business as usual.
- Make it easier for Auckland to bid for large international events by providing certainty of site availability well in advance of the event (recognising that Queens Wharf cannot be used for events during the peak season as Queens Wharf becomes a secure zone for cruise ship servicing and access).
- Will create a permanent promenade around Hobson Wharf and new pedestrian spaces at the eastern end of the Viaduct Harbour, complementing plans for a ‘tourism hub’ of charter boats and water-based activities.

The legacy report also identifies that new wharf area will provide and could be utilised for a range of events including:

- Boat show (existing event, but with room to grow)
- Volvo Ocean Race (existing event, but with room to grow)
- Ocean swim events
- Triathlon
- Part of the marathon circuit
- Sailing dinghy nationals/Worlds
- Offshore power boats
- Kayak/Rowing 500m Sprint series
• Extreme Catamaran Series
• World Match Racing
• Etchells World Champs
• Waka Ama
• SUP events.

The versatility of the new wharf space is also considered to be a positive benefit to Auckland retaining and gaining other international maritime events in the future, such as

• Volvo Ocean Race stopover
• Tall Ship regatta
• International sailing and power-boat events.

**A smart working waterfront**

*Economic development and tourism/marine*

The waterfront is expected to be a major driver of Auckland’s economic future with its central location and high natural amenity values making it an attractive location for commercial and other activities.

The Auckland waterfront is also a working waterfront that functions as a centre for marinas and the marine and fishing industries. This includes marine activities such as recreational and commercial vessel berthing, vessel maintenance, superyacht refits, commissioning, dry storage and boat stacking facilities and marine retail, along with all commercial and leisure fishing and retail related businesses.

Westhaven provides around 2,000 marina berths, boat ramps, car parking, sailing club facilities, restaurants and marine related retail and business premises. There are berths for superyachts in the Viaduct Harbour and commissioning and mast-stepping facilities on Halsey Street Wharf extension. All of these elements contribute to Auckland’s distinctive and unique waterfront environment.

The Panuku legacy report draws on information provided by the marine industry, NZ Marine and Composites ITO and the 2017 Market Economic to highlight the following benefits of the America’s Cup on Auckland and the marine industry:

• The growth of the marine industry and increase in employment and apprenticeships in marine and related trades, for both recreational (white boat) and commercial boats (grey/black boats).
• The potential for New Zealand suppliers to provide components and services to all challenger teams – an opportunity for local boat builders, sail makers, mast builders, electronic component manufacturers and system engineering fit-out specialists. In addition, the further demand generated for recreational, charter and support boats, for
both the local and international market.

- The increase in the number of superyachts visiting New Zealand. And the benefits from vessel refit and servicing during those visits, but also the tourism and business investment generated by the superyacht owners.

**Downtown Plan**

The Downtown Framework is a document prepared by Auckland Council in 2014 to provide strategic context to specific downtown projects located in proximity to the Central Wharves. The purpose of the plan is to context for individual projects based on the Council’s strategic direction. The plan identifies the different projects.

The Downtown programme of works has been identified as critical work that needs to occur in the downtown precinct within the next three years in order to facilitate a successful America’s Cup. This work includes:

- Upgrade of the Quay Street seawall.
- Quay Street upgrade and public realm enhancements.
- New downtown public space between Princess Wharf and the ferry tees.
- Relocation of ferry piers 3 and 4 to Queens Wharf West as the first stage of reconfiguring the ferry basin.
- Britomart East bus interchange.

The Downtown Public Spaces project is progressing in conjunction with the other projects in this area. The first stage proposes a new public space adjacent to the Ferry Basin, which is funded by the sale of Queen Elizabeth Square. The reference design has been completed; integration with the seawall project is being discussed by the programme team and the technical consultants.

**15.3 SIGNAGE BYLAW EXEMPTION**

The following assessment is provided in case an exemption from Auckland Council’s Signs Bylaw is required as part of the proposal. Sections 28 & 29 of the Auckland Council Signs Bylaw sets out the process for exemptions from the bylaw. In this instance, an exemption is required for the AC36 event being held on Auckland’s downtown waterfront. The event will include corporate branding, advertising and directional signage on land and the CMA, associated with the event.

In terms of section 28(4) it is considered that an exemption from the general signs bylaw standards is appropriate as the bylaw does not contemplate or cover temporary signage for major international marine events and it is unreasonable to comply with the general bylaw standards for permanent signage.

In terms of the relevant matters to consider for exemptions as set out in section 29 of the bylaw, the following points are noted:
There are no specific relevant guidance provisions for major international events such as the America’s Cup and therefore the Council strategies and policies do not provide a great deal of assistance, other than the Council and central government support events of this nature.

The proposed signage will be similar to the previous America’s Cup events and other international marine events such as the Volvo Ocean Race (while taking account of technological advantages and current media requirements/trends) and are considered to be acceptable for the proposed temporary period of the event in this location.

The proposed signage will add to the vibrancy and village-atmosphere of the event. The impact on the visual amenity of the locality will be minor and temporary.

The standardised corporate livery of the event and the hospitality signage will be in place for a temporary period and will not result in long term adverse visual effects. The imagery from the site will be televised internationally and will provide positive images of downtown Auckland and the wider region.

The proposed signage will not offend against any relevant design guidelines or design assessment criteria.

The signage will not detract from any public place as it will be complementary to the purpose of the public spaces proposed to be used by the event. These spaces are downtown waterfront public areas that have been created to host marine and other events along Auckland’s waterfront.

The signage is sufficiently separated from the nearest residential buildings and will only be in place for a temporary period. As a result no adverse cumulative effects are envisaged.

No signage will be placed on any scheduled heritage item or within its surrounds.

Overall, it is considered that exemption from the signs bylaw is supported for signage associated with the temporary America’s Cup event.

15.4 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.

15.5 AUCKLAND HARBOUR BOARD (PRINCES WHARF) EMPOWERING ACT 1989

As outlined on the waterspace occupation permit plans submitted with this application, POAL was
granted a 100 year statutory lease (due to expire in 2095) under the above Act for the wharf and surrounding waterspace. Panuku is applying for an occupation permit that abuts the Princes Wharf waterspace but does not overlap it (apart from a small area of the eastern extent of the breakwater that is proposed to replace the Rapaki vessel). Further, it is not proposed to locate any wave attenuation devices on Princes Wharf as part of this application.

The Princes Wharf lease area is able to be encroached by way of structures and an occupation permit under the RMA, the latter being subservient to POAL’s s384A consent where it overlaps and is subservient to the lease from the Crown to POAL. It is noted that POAL’s written approval has been obtained and is appended at Attachment 30.
16.0 CONCLUSION

This application sets out the relevant assessment required for resource consent applications under the RMA. The plans and technical assessments submitted with the application have been provided in support of the application and in relation to the relevant criteria.

In terms of the RMA, all appropriate matters in section 104 are considered to have been addressed including the:

- Actual and potential effects: In particular there are a number of positive effects associated with the proposal and any adverse effects will range from negligible to moderate;

- The relevant provisions of a national policy statement: The proposal will be complementary to the objectives and policies of the New Zealand Coastal Policy Statement and in particular the coastal processes and character and amenity provisions;

- Regional policy statements: The proposal is complementary to the provisions of this document;

- The relevant provisions of any plan of proposed plan: On balance, the proposal is complementary to the objectives and policies of the relevant plans, whilst noting that the Operative ARP:C should be given little or no weight as the AUP provisions have been heard, decided upon and appeals resolved. The AUP coastal provisions are now only awaiting the Minister of Conservation's approval; and

- Any other relevant matters, including the Auckland Plan and the associated Waterfront Plan, which is an important statutory document that applies to the area subject to this application.

It is concluded that the proposal satisfies these matters and is in accordance with the relevant provisions of the statutory documents. Therefore, in accordance with sections 104, the grant of consent to this application for a discretionary activity is supported.

AUTHOR

UNIO Environmental Limited

Date: 15/01/2018