

AUCKLAND UNITARY PLAN OPERATIVE IN PART

Plan Change 102: Sites and Places of Significance to Mana Whenua Tranche 2a

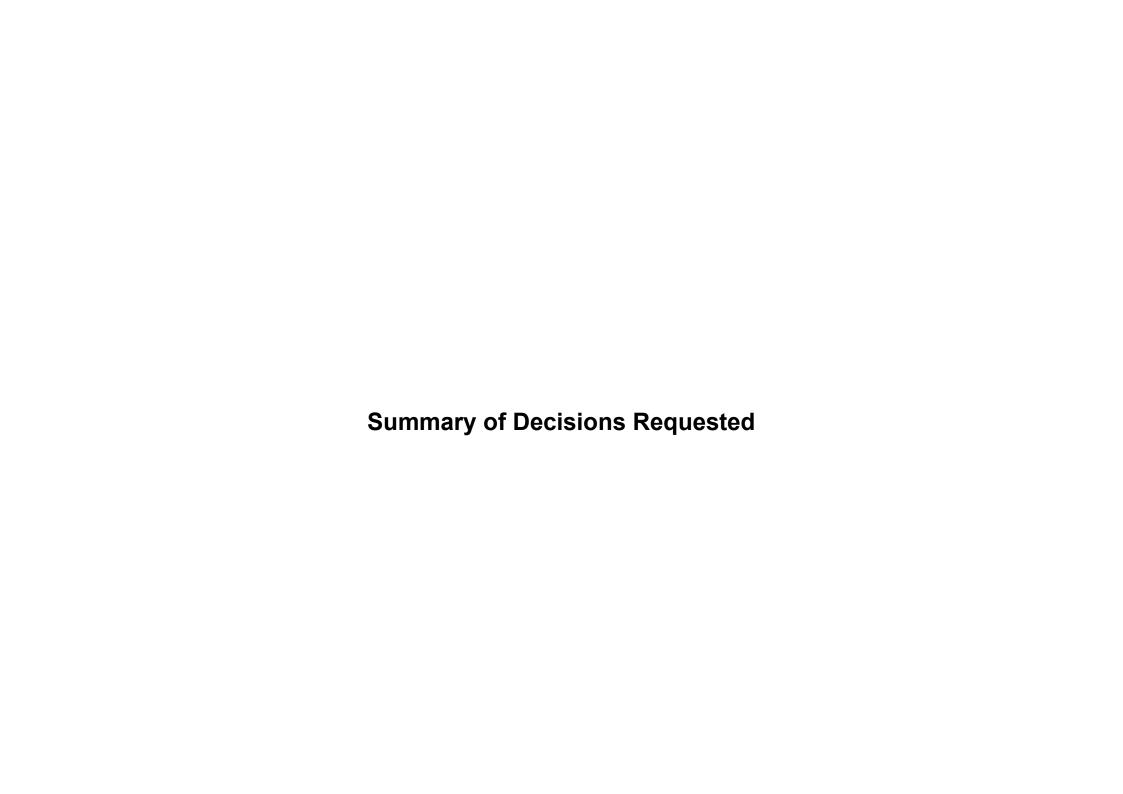
SUMMARY OF DECISIONS REQUESTED

Enclosed:

- Explanation
- Summary of Decisions Requested
- Submissions

Explanation

- You may make a "further submission" to support or oppose any submission already received (see summaries that follow).
- You should use Form 6.
- Your further submission must be received by 26 July 2024.
- Send a copy of your further submission to the original submitter as soon as possible after submitting it to the Council.

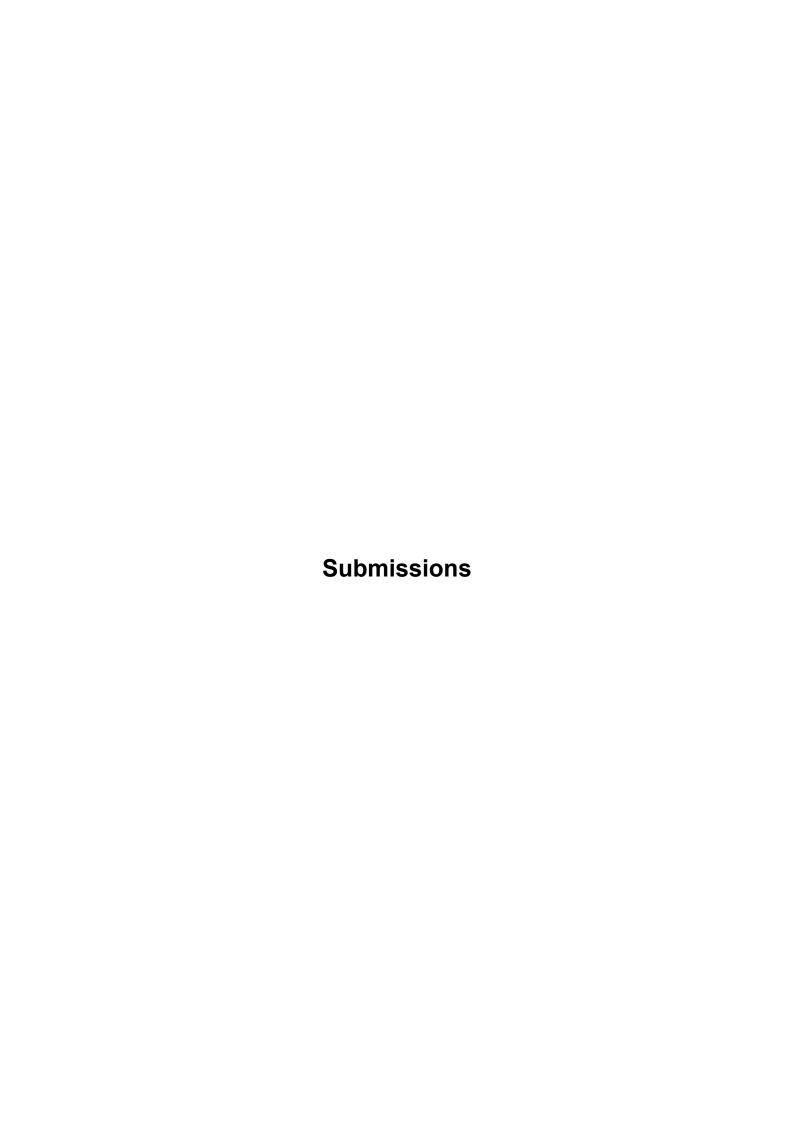




	Plan Change 102 - Sites and Places of Significance to Mana Whenua Tranche 2a Summary of Decisions Requested					
Sub#	Sub Point	Submitter Name	Address for Service	Summary of Decisions Requested		
1	1.1	Te Kawerau A Maki	Edward.Ashby@tekawerau.iwi.nz	Approve the plan change without amendments		
2	2.1	Qiping Sun	sunqp@hotmail.com	Decline the plan change		
3	3.1	Mt Rex Shipping Limited	geoff.england@boffamiskell.co.nz	Amend the mapped extent of Manukapua to reduce its coastal marine area extent		
3	3.2	Mt Rex Shipping Limited	geoff.england@boffamiskell.co.nz	Include a description of Manukapua within the plan change to acknowledge its cultural significance and recognises the adjacent sand extraction activities occuring.		
4	4.1	Stevenson Aggregates Limited	jo.young@stevenson.co.nz	Approve the plan change without amendments		
5	5.1	John Darroch	john@nhvaluers.co.nz	Decline the plan change		
6	6.1	BA Trustees Ltd	bjamb88@gmail.com	Decline the plan change		
7	7.1	Carlaw Campus Limited Partnership	pa@planningfocus.co.nz	Decline the plan change		
8	8.1	Karaka Harbourside Estates Limited & Pararekau Island Limited	andrew.frost@rossholdings.co.nz	Supports Pahurehure Islands but seeks amendment to location reference in schedule		
8	8.2	Karaka Harbourside Estates Limited & Pararekau Island Limited	andrew.frost@rossholdings.co.nz	Amend Schedule 14.1 to reflect the most recent archaeological assessments undertaken by KHEL and PIL		
8	8.3	Karaka Harbourside Estates Limited & Pararekau Island Limited	andrew.frost@rossholdings.co.nz	Amend the mapped extent of Pahurehure Islands to exclude causeways and easement areas that provide for vehicles, active modes of access and network utilities		
9	9.1	Domain Gardens Ltd	simon@berrysimons.co.nz craig@berrysimons.co.nz	That the section of Waipapa Awa on the Domain Gardens' property is not included in the schedule		
9	9.2	Domain Gardens Ltd	simon@berrysimons.co.nz craig@berrysimons.co.nz	Clearly identify the relevant Mana Whenua group to be consulted with for proposed resource consent and other planning processes affecting Waipapa Awa.		
10	10.1	Ngāti Whātua Ōrākei Trust	Philw@nwo.iwi.nz	Approve Plan Change 102 with amendments		
10	10.2	Ngāti Whātua Ōrākei Trust	Philw@nwo.iwi.nz	Include a specific requirement that only the 'appropriate' or 'correct' hapū which are recognised as 'tangata whenua' are engaged with for development proposals within identified SSMW		
10	10.3	Ngāti Whātua Ōrākei Trust	Philw@nwo.iwi.nz	For the sites Te Rae o Kāwharu and Waipapa Awa, Ngāti Whātua Ōrākei be listed as the 'correct' hapū in the 'Nominated by Mana Whenua' column of Schedule 12		
10	10.4	Ngāti Whātua Ōrākei Trust	Philw@nwo.iwi.nz	Retain Te Rae o Kāwharu as notified		
10	10.5	Ngāti Whātua Ōrākei Trust	Philw@nwo.iwi.nz	Reduce the spatial extent of the SSMW overlay for Waipapa Awa so it applies only to open/daylighted part of the stream and those on public land		



	an Change 102 - Sites and Places of Significance to Mana Whenua Tranche 2a ummary of Decisions Requested					
Sub #	Sub Point	Submitter Name	Address for Service	Summary of Decisions Requested		
11	11.1	Foodstuffs	adevine@ellisgould.co.nz	Alter the proposed site extent of Te Wai o Ruarangi to align with the most seaward of title boundaries and the current mean high water springs for portions of the site adjoining their Oruarangi Road and Landing Drive properties		
12	12.1	Gloucester Industrial Park Limited	mattn@barker.co.nz	Approve the plan change without amendments		
13	13.1	Winstone Aggregates	tyler.sharratt@winstoneaggregates.co.nz	Amend the extent of Manukapua to avoid the consented sand dredging activity area over the Taporapora banks		
14	14.1	R B Takeoff LP	james@southparkcorp.co.nz legal@southparkcorp.co.nz	Amend the extent of Te Wai o Ruarangi to reflect the surveyed mean high water springs boundary (provided) as it relates to 530 and 546 Oruarangi Road so it does not apply to the private property		
15	15.1	Auckland International Airport Limited	joy.morse@aucklandairport.co.nz	Amend the extent of Te Wai o Ruarangi to exclude areas landward of the indicative Coastal Marine Area line as it relates to Auckland Airport land and existing stormwater infrastructure servicing Auckland Airport land.		
16	16.1	Tel Properties Nominees Limited	graeme.lundie@cbre.co.nz	Decline the plan change		
17	17.1	Summerset Villages (Parnell) Limited	poppy.mitchell-anyon@russellmcveagh.com	Reduce the spatial extent of the SSMW overlay for Waipapa Awa so it applies only to daylighted part of the stream and not over the Summerset site		
17	17.2	Summerset Villages (Parnell) Limited	poppy.mitchell-anyon@russellmcveagh.com	The scheduling (planning constraints) of Waipapa Awa be limited to the surveyed extent rather than the whole of any property it passes through.		
17	17.3	Summerset Villages (Parnell) Limited	poppy.mitchell-anyon@russellmcveagh.com	Identify the specific matters/ issues that apply to each scheduled site (as opposed to broadly all issue generically in the Mana Whenua Overlay).		
17	17.4	Summerset Villages (Parnell) Limited	poppy.mitchell-anyon@russellmcveagh.com	Amend the activity status for new buildings and structures in the undaylighted portion of the Waipapa Awa that intersects the Summerset site from Discretionary to Controlled Activities (with associated matters of control introduced).		
17	17.5	Summerset Villages (Parnell) Limited	poppy.mitchell-anyon@russellmcveagh.com	Identify broader AUP provisions relevant to each site and amendments to the activity status of other activities in the Auckland-wide provisions of the AUP that the Mana Whenua Overlay implicates to ensure that it does not result in more onerous provisions than currently apply.		
18	18.1	Allan Matson	allan.matson1@gmail.com	Decline the proposed overlay over the Grey Lynn Library site (474 Great North Road).		
19	19.1	Parnell Community Committee (Inc)	parnellpcc@gmail.com	Approve the scheduling of both Waipapa Awa and Te Rae o Kāwharu		
20	20.1	Louis Scott	Louis-jf-scott@outlook.com	Repeal the Manukau Harbour Control Act 1911		



From: Unitary Plan
To: Unitary Plan

Subject: Unitary Plan Publicly Notified Submission - Plan Change 102 - Edward Ashby

Date: Wednesday, 29 May 2024 8:45:44 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Edward Ashby

Organisation name: Te Kawerau A Maki

Agent's full name:

Email address: Edward.Ashby@tekawerau.iwi.nz

Contact phone number: 0226026630

Postal address:

Henderson Auckland

Submission details

This is a submission to:

Plan change number: Plan Change 102

Plan change name: PC 102 - Sites and Places of Significance to Mana Whenua Tranche 2a

My submission relates to

Rule or rules:

ΑII

Property address: All

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Protecting iwi sites of significance is a matter of importance linked to Article II of the Treaty, national significance under the RMA Part 2, UNDRIP, and a matter of importance in the RPS. Council is legally and morally obliged to proactively protect and schedule such sites. This plan change is the culmination of years of work between Council and multiple iwi and should be supported in full.

I or we seek the following decision by council: Approve the plan change without any amendments

1.1

Details of amendments:

Submission date: 29 May 2024

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

Declaration

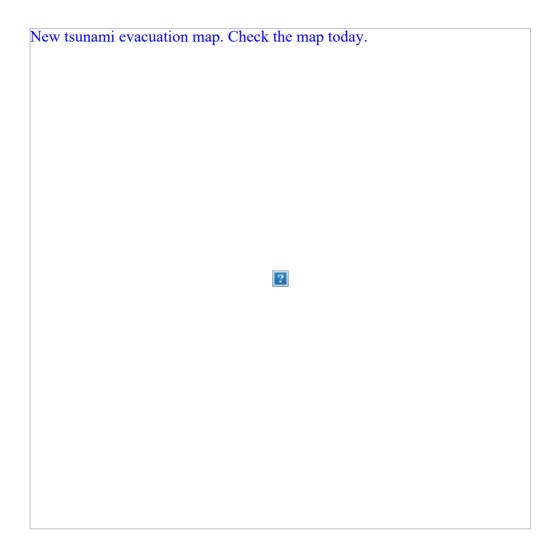
Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- · Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



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From: Unitary Plan
To: Unitary Plan

Subject: Unitary Plan Publicly Notified Submission - Plan Change 102 - Qiping Sun

Date: Thursday, 30 May 2024 10:00:22 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Qiping Sun

Organisation name:

Agent's full name: Qiping Sun

Email address: sunqp@hotmail.com

Contact phone number: 0272536188

Postal address: 15 Bob Charles Dr Auckland Auckland 2013

Submission details

This is a submission to:

Plan change number: Plan Change 102

Plan change name: PC 102 - Sites and Places of Significance to Mana Whenua Tranche 2a

My submission relates to

Rule or rules:

Property address: 502 Oruarangi Road, Magere

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

There has been too many issues relating this site and all these ragulations bylaws made it too comcomplicated for own to do any improvement thereafter devalue the property. And all in all, this small area became heart ache for maori and local residents. we want same rule as the rest of Auckland.

I or we seek the following decision by council: Decline the plan change 2.1

Submission date: 30 May 2024

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- · Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



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Level 3 82 Wyndham Street Auckland 1010 New Zealand

> PO Box 91250 Auckland 1142 New Zealand

13 June 2024

Tel: 64 9 358 2526

www.boffamiskell.co.nz

Attn: Planning Technician Auckland Council Level 16, 135 Albert Street Private Bag 92300 Auckland 1142

Email: unitaryplan@aucklandcouncil.govt.nz



FORM 5 - SUBMISSION ON A CHANGE PROPOSED TO THE DISTRICT PLAN: PC 102 SITES AND PLACES OF SIGNIFICANCE TO MANA WHENUA - TRANCHE 2A. SITE NAME: MANUKAPUA. SITE ID: 0192.

Full name: Mt Rex Shipping Limited

c/o Boffa Miskell

Attn: Geoff England, Planner / Senior Principal

Postal address: PO Box 91 250

Level 3

82 Wyndham Street Auckland 1142

Telephone no: 027 346 0587

Email: geoff.england@boffamiskell.co.nz

Mt Rex Shipping Limited (Mt Rex) could not gain an advantage in trade competition through this submission.

The specific provisions of the Plan Change that Mt Rex's submission relates to are attached.

Mt Rex seeks amendments to the specific provisions as listed in the attached document. The reasons are provided in the attached document.

The decisions Mt Rex wishes Council to make to ensure the issues raised by Mt Rex are dealt with are contained in the attached document.

Mt Rex wishes to be heard in support of its submission.

If others make a similar submission, Mt Rex will consider presenting a joint case with them at a hearing.

Signature of submitter or authorised agent

Submitter:

Agent:

Geoff England, Planner / Senior Principal, Boffa Miskell

Date: 14 June 2024

Appendices:

Appendix 1: Submission Document.

Appendix 2: Coastal Permit No. 41662

Appendix 3: Coastal Permit No. 41662 (29193): Approved Location Plan

Appendix 4: Map showing the relationship between consented sand extraction

areas and the proposed new Site and Place of Significance to Mana

Whenua: Site Name: Manukapua, Site ID:0192

Appendix 5: Map showing the relief sought to amend the extent of attachment 2e

of PC102: Manukapua (ID:0192) to that area illustrated as yellow

crosshatch, removing the red crosshatch from the area

APPENDIX 1: SUBMISSION DOCUMENT

SUBMISSION BY MT REX SHIPPING LIMITED ON PROPOSED PLAN CHANGE 102: SITES AND PLACES OF SIGNIFICANCE TO MANA WHENUA - TRANCHE 2A TO THE OPERATIVE AUCKLAND UNITARY PLAN. SITE NAME: MANUKAPUA. SITE ID: 0192.

1.0 Introduction

- 1.1 Mt Rex Shipping Limited (Mt Rex) is a subsidiary Company of Atlas Resources Limited (Atlas). Atlas is a family run business and was established in the 1950's as a supplier of transport and construction materials.
- 1.2 Atlas currently employs approximately 300 people, operates over 90 concrete delivery trucks and approximately 70 other specialist vehicles and handling equipment.
- 1.3 Sand supply to Auckland in 2023/2024 FY from Kaipara Harbour, supplied by Winstone and Mt Rex, was 307,925 m³, representing more than 60% of all sand supplied to the concrete industry. It is projected that sand supply from the Kaipara (Mt Rex and Winstone) will increase to approximate 80 to 90% over the next 3 to 5 years, following a recent Environment Court decision (ENV-2022-AKL-121) resulting in McCallum Bros Limited consents sand volumes from Pakiri being significantly reduced. Given the increase in demand for Auckland, reduced overall supply, the dependence on minerals and an accessible supply of minerals are matters of regional importance.
- 1.4 Mt Rex holds a Coastal Permit (ref: No. 41662, refer **Appendix 2**) (**Mt Rex Permit**) to extract sand from the coastal marine area of the Kaipara Harbour, as authorised by a decision of the Environment Court and superseded by a change of conditions application granted on 20 June 2013 (reference 41662), over the Taporapora banks, in the area adjacent to Manukapua Island. The permit authorises the extraction of sand at a maximum of up to 392,000m³ per annum at an average rate of 336,000m³ per annum. The expiry date of this permit is 21 May 2027.
- 1.5 Mt Rex operates a process and dispatch facility at 215 Kaipara Coast Highway, Helensville, Auckland. Sand is unloaded from the barge via conveyor belts. This sand is then sold for use in Auckland's construction industry.

- 1.6 Winstone Aggregates, a Division of Fletcher Concrete and Infrastructure Ltd (Winstone) hold a resource consent (Coastal Permit No.41663) (Winstone Permit) to extract sand from a larger area immediately surrounding Coastal Permit No. 41662 (location illustrated in Appendix 3). Atlas Concrete are contracted to implement this consent on behalf of Winstone and extract sand under the Winstone Permit.
- 1.7 Plan Change 102 proposes to include the Manukapua Site within the Auckland Unitary Plan (AUP) Schedule of Site and Places of Significance to Mana Whenua (proposed site name: Manukapua Site (ID: 0192), nominated by Te Uri o Hau. The site includes the Tapora Bank out to the 1m mark using Chart NZ 4265 Kaipara Harbour (updated 29 Jun 2022) (illustrated in **Figure 4**).
- 1.8 Mt Rex's submission relates to the proximity of the consented sand extraction areas to the proposed Manukapua Site, identified on the proposed plan change maps (Attachment 2e of PC102).
- 1.9 Mt Rex supports proposed Plan Change 102, subject to amendments to the proposed footprint of Manukapua (ID:0192) and/or appropriate text, to recognise the sand extraction activity and its continuation beyond 2027 or alternate relief acceptable to Mt Rex, following further engagement with Te Uri o Hau.
- 1.10 Mt Rex have sought to engage with Te Uri o Hau to discuss the proposed Manukapua Site and its extent. Given the time periods associated with closing of submission time periods, Mt Rex was unable to secure a time to meet. This submission registers Mt Rex's interest in the proposed Plan Change and the outcome, and in the interim represents a holding position outlining Mt Rex's position pending further engagement with Te Uri o Hau to discuss this submission further.

2.0 Existing consent and location of mineral extraction

- 2.1 The Mt Rex Permit authorises the dredging and removal of sand and to disturb the seabed for the purpose of sand extraction.
- 2.2 General condition 2 of that permit states that the activities permitted by the consent shall occur in the location shown on the plan titled "Figure 1 Location Map, contained within Assessment of Environmental Effects Mt Rex Shipping Limited, Tapora Banks Sand Extraction Dated: April 2004". (Appendix 3).
- 2.3 The map shown in **Appendix 4** illustrates the proximity of the proposed Manukapua Site and Place of Significance to Mana Whenua to the consented area of sand extraction.

3.0 Relevance of Proposed Plan Change 102

- 3.1 The Manukapua Site associated with Plan Change 102 overlaps and sits directly adjacent to the areas consented by the Winstone Permit and the Mt Rex Permit.
- 3.2 Chapter D21 of the Auckland Unitary Plan (OP), sites and places of Significance to Mana Whenua, includes scheduled sites and places protected for their significance to Mana Whenua.
- 3.3 Objective D21.2 (1) to (2) and Policies D21.3. (01) to (11) seeks to protect and enhance the tangible and intangible values of scheduled sites and places of significance to Mana Whenua. Additionally, it seeks to protect scheduled sites and places of significance to Mana Whenua from inappropriate subdivision, use and development, including inappropriate modification, demolition or destruction.
- 3.4 The relevant objectives and policies associated with PC 102 associated with sites and places of significance to Mana Whenua are interpreted by Mt Rex to be inconsistent with the existing consented sand extraction activities (described above) The regional demand for sand resource is increasing and that inconsistency has particular implication for the consent holder in seeking future replacement resource consent applications to undertake the same activity which would have to give effect to those objectives and policies.

4.0 Provision

- 4.1 The provisions which Mt Rex seek to amend are:
- 4.1.1 Attachment 2e of PC102: Manukapua (ID:0192); and/or
- 4.1.2 Alternative provisions giving similar effect to the submission.

5.0 Support/ Oppose: Oppose in part

5.1 Mt Rex supports proposed Plan change 102, subject to the relief sought below.

6.0 Reason for Submission

6.1 The proposed relief described in this submission seeks to give effect to Auckland Unitary Plan, Regional Policy Statement, B7.6. Minerals, enabling and providing for the efficient use of minerals.

6.2 The submission points will provide for the ongoing sustainable extraction of the regionally significant sand resource, required to provide for people and communities to provide for their social, economic, and cultural well-being.

7.0 Relief Sought

7.1 Mt Rex seeks to amend the site extent of Attachment 2e of PC102:

Manukapua (ID:0192) to that area illustrated as yellow crosshatch, removing the red crosshatch from the area, as shown in **Appendix 5**; and

3.1

7.2 To include a description of Manukapua (ID:0192) within Attachment 2E, Tranche 2 - Sites of Significance to Mana Whenua, which acknowledges its cultural significance and recognises the adjacent sand extraction activities occurring. The detail of any such description can be developed in consultation with Te Uri o Hau; and/or

3 2

- 7.3 Alternative relief having similar effect.
- 7.4 Mt Rex would like to further discuss this submission with Te Uri o Hau and any other interested parties with similar concerns.

APPENDIX 2: COASTAL PERMIT NO. 41662



Notification determination report for an application for change of conditions under Section 127 of the Resource Management Act 1991

Subject:

Application to change conditions of consent 29193 in relation to Biological Monitoring and Coastal Monitoring requirements.

To:

Alan Moore, Team Leader - Coastal, NRSI

From:

Matthew McNeil, Senior Consents and Compliance Advisor - Coastal, NRSI

Date:

9 May 3013

1.0 APPLICATION DESCRIPTION

Application and Property Details

Applicant Name:

Mt Rex Shipping Limited

New Application Number:

41662

Existing Consent Number:

29193

File Number:

17480

Activity:

Extraction

Site Address:

Taporapora Banks, Kaipara Harbour

2.0 PROPOSAL, SITE AND LOCALITY DESCRIPTION

2.1 Reason for application

An application for a change or cancellation of consent conditions is a discretionary activity in accordance with Section 127 of the Resource Management Act, 1991 (RMA).

2.2 Proposal and site description

The applicant is seeking to change conditions 18, 19, 20, 21, 23A, 23B, 24, and 26, and to remove condition 22 of resource consent number 29193, (file number 17480) granted for the extraction of sand at the Taporapora Banks, Kaipara Harbour.

Consent: 41662

Address: Taporapora Banks, Kaipara Harbour

Page 8 of 34



The proposal is described in the application report titled "Application to change the conditions of the coastal permits authorising sand extraction in the Kaipara Harbour by Winstone Aggregates and Mt Rex Shipping Ltd", dated 26 April 2013, prepared by Catherine Clarke, Boffa Miskell (hereby referred to as application report). The proposal in brief:

- Changes to the consent condition specific to Biological Monitoring, to:
 - remove the reference to the 1996 biological monitoring programme which refers to the previous sand extraction consents granted to Winstone Aggregates,
 - state the purpose of this monitoring work,
 - set a six yearly frequency for monitoring.
- Changes to consent conditions in relation to Coastal Monitoring, to;
 - provide remote sensing images and a digital topographic model for measuring and comparing changes in coastal morphology of Taporapora (Manukapua Island), Kaipara South Head and Papakanui Spit to the ocean beach, and an area of Pouto shoreline to Maori Bay,
 - require frequency of topographic monitoring to change from 'at least two times per year' to 'annual',
 - require frequency of bathymetric monitoring to change from annually to once every two years.
- Changes to conditions where reference is made to the previous Rodney District Council.

Changes are proposed to the following conditions as follows (additions are <u>underlined</u>, deletions <u>strikethrough</u>).

Biological Monitoring

18. The Consent Holder shall commission <u>a</u> the biological monitoring programme to provide information to assist an assessment of significant effects of sand extraction on populations of benthic biota in the sand extraction zones. in accordance with the report dated 6 November 1996 "Kaipara Harbour Sand Extraction Monitoring Programme for Proposed Extraction at Fitzgerald Bank" The Monitoring programme shall be scoped and undertaken by a suitably qualified and experienced person acceptable to the Manager. A number of sampling sites at the operational depth for the barge in both the extraction area and in a control site(s) of approximately similar biological habitat diversity and abundance will be approved by the Manager in advance of the monitoring. The method of sampling will be approved by the Manager and where approved shall include measuring samples with both a 1mm and 9mm sieve. Surveys, in accordance with the biological monitoring programme, shall be undertaken at 6 yearly intervals. The next survey shall take place before December 2009 to ensure that the report is available prior to any review of the consent undertaken in accordance with Condition 4(b) above.

19. The Consent Holder shall produce a report of the biological monitoring programme detailed in Condition 18 above, within 6 months time of completing the survey. A copy of the report shall be forwarded to the Manager, the Minister of Conservation, the Royal Forest and Bird Protection Society and Ngati

Consent: 41662



Whatua (Ngati Whatua o Kaipara and Te Uri o Hau) and or alternatively the Kaipara Harbour Sand Extraction Monitoring Group (see condition 28) and Redney District Council.

Coastal Monitoring

- 20. The Consent Holder shall undertake an annual monitoring programme that measures changes in provides remote sensing images and a digital topographic model for measuringes and comparing changes in coastal morphology beach profiles along the western side of Taporapora (Manukapua Island). This programme shall be a continuation of the current monitoring programme, utilising current profile datum measurements. The monitoring programme shall produce include at least 5 beach profiles and topography that is appropriate for comparison with existing data collected using a Differential GPS survey of the high tide line, the dune line and the low tide line monitored at least two times per year and shall be approved by the Manager. The monitoring report shall provide an account of the net gain or loss of sand from areas of accretion and erosion on the western side of Taporapora Island.
- 21. The Consent Holder shall undertake a monitoring programme that measures changes in beach profiles and landforms aerial photography or other remote sensing imaging annually of an area comprising Kaipara South Head (Waionui Inlet, Ti Tree Island to mouth) and Papakanui Spit extending south to the ocean beach and also of an area of Pouto shoreline to Maori Bay (South Tauhara Creek). The aerial imaging record shall be assessed annually for changes in morphology by a suitably qualified person approved by Council and the assessment and findings shall be included in the annual coastal monitoring programme report provided to Council. monitoring shall include at least 5 beach/spit profiles, plus an ocean beach profile, and Differential GPS surveys of the high tide level, the dune line and the low tide line where practicable. The monitoring shall be undertaken at least two times per year. This programme shall be developed in consultation with the Manager and the Department of Conservation (Auckland) and be approved by the Manager.
- 22. The Consent Holder shall undertake a monitoring programme on the Pouto shoreline. This programme shall be based on an expansion of the current monitoring programme to include the addition of two further profiles lines, in Pouto Bay and into Maori Bay (South of Tauhara Creek) and Differential GPS survey of the high tide line, the dune line and the low tide line where practicable The monitoring shall be undertaken at least two times per year. This programme shall be developed in consultation with the Manager and a NRC representative and be approved by the Manager.
- 23A. The Consent Holder shall undertake a monitoring programme that will measure changes in seabed profiles on the Taporapora Banks. This programme shall include at least 10 profiles, extending from low tide to 10m water depth, 5 of which connect with beach Profiles 1 to 5 that have been established on the western shore of Taporapora Island as described in condition 20 above and monitored at least two yearly intervals annually. The monitoring programme shall be developed in consultation with the Manager and shall be approved by the Manager.
- 23B. The Consent Holder shall undertake a monitoring programme that will measure changes in seabed profiles on the western end of the Tauhoa Bank at <u>least two yearly intervals</u> annually. This programme shall include at least three 3 profiles, and shall be developed in consultation with the Manager and shall be approved by the Manager.

Consent: 41662



24. The monitoring programmes described in Conditions 20 and 21, 23A and 23B above shall establish reference datum points for long-term consistency in survey, and shall establish aerial photo or satellite image control points if practicable. Aerial photographs or satellite images shall be undertaken at approximately 2 yearly intervals. The number of profiles may need to be increased at some stage to take account of future shoreline and landform changes. Prior to commencement, ∓the monitoring programmes shall be submitted to the Manager within 3 months of exercising this consent for approval.

26. Analysed results of the monitoring programmes shall be forwarded to the Minister, the Manager, the Department of Conservation, Oruawharo Marae, Royal Forest and Bird Protection Society and Ngati Whatua (Ngati Whatua o Kaipara and Te Uri o Hau) or alternatively the Kaipara Harbour Sand Extraction Monitoring Group and Rodney District Council annually.

2.3 Background and site history

Mt Rex Shipping Limited holds consent 29193 to extract sand from the Kaipara Harbour, as authorised by a decision of the Environment Court on 4 September 2006.

The permit allows for the extraction of up to 150,000m³ per annum averaged over the first 5 years, and a maximum of 392,000m³ per annum with an average rate of 336,000m³ per annum over the remaining life of the consent. Extraction occurs over the Taporapora Banks within an area defined by the consent.

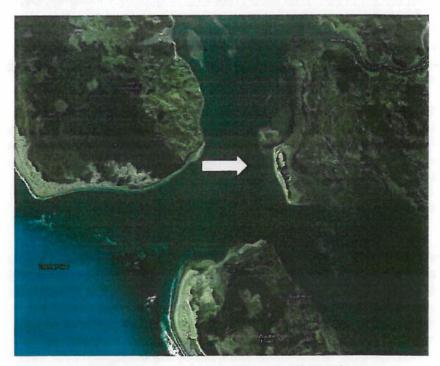


Figure 1: Approximate location of extraction indicated by arrow.

Current consent conditions require Biological and Coastal Monitoring programmes to be undertaken.

Consent: 41662 Address: Taporapora Banks, Kaipara Harbour



Biological Monitoring

The Biological Monitoring programme involves undertaking sampling of benthic species within areas of recent extraction and adjacent control sites where extraction has not occurred.

Biological Monitoring in accordance with the current consent conditions was undertaken in 2009, and a summary report titled 'Kaipara Harbour Sand Extraction, Fitzgerald Bank Biological Monitoring 2009' prepared by Dr Roger Grace, was provided to the required parties in 2010. The report concluded that "the current rate and distribution of sand extraction is having no detectable adverse effects on density or diversity of benthic species, but in fact appears to be enhancing abundance and biodiversity". The report considered that "the ecology of the mobile sands is adaptable to a high degree of natural disturbance".

The proposed changes are to improve condition 18 by stating the purpose of the monitoring, allow use of improved in sampling design and methods, and to state the frequency of monitoring. This is as recommended by Dr Roger Grace, and following discussion by the applicant with the previous Auckland Regional Council.

Coastal Monitoring

The Coastal Monitoring programme requires beach profiles, surveys of the high tide, low tide and dune toe lines, and bathymetric surveys. Results are to be provided in a report which details net loss or net gain of sediment from the areas surveyed. This enables consideration of whether any changes may be attributable to the sand extraction operation.

To date the required beach profiles and surveys have been produced by undertaking on the ground surveys using a total station survey instrument GPS at the Taporapora Island, South Head and Pouto sites.

A review of monitoring methods was undertaken by the National Institute of Water and Atmospheric Research (NIWA) in 2009. NIWA produced a report titled "Review of monitoring methods for Kaipara Heads shore, NIWA, December 2009". While the on the ground profiling enables a comparison over time of changes in the profiles, the NIWA report considers this method very approximate as there is no information provided on spatial changes in the areas between the profiles or beyond the profiles.

The NIWA report compared the results of a trial 2008 'photogrammetric' survey, a remote sensing technique, to concurrent data gained from on the ground survey. It was concluded that such a technique, which could involve either photogrammetry or LiDar, would provide more information than the ground based surveying. This would provide the ability to digitally map shoreline features (such as high and low tide lines), to extract profiles for comparison with previous ground based profile data, and to generate digital elevation models that could map areas of net loss or gain and to compute volume changes.

Consent: 41662



Results of monitoring to date, and numerical modelling undertaken as required by consent condition, have not identified that the current sand extraction operation is unsustainable. Therefore the consent holder considers a review of the ongoing Coastal Monitoring conditions, including a reduction in frequency of surveys, is justified.

2.4 Supplementary update

All references to the former 'ARC' in consent conditions have been changed to 'Auckland Council', references to the 'Manager' will be changed to 'Team Leader', and condition numbering will be updated to reflect the above changes.

3.0 NOTIFICATION ASSESSMENT

3.1 Assessment of permitted baseline

Permitted activity rule 14.5.1 of the Coastal Plan allows for the removal of up to 1m³ of sand in any 24 hour period for the purpose of prospecting. As the activity occurring is extraction of significant quantities of sand, the actual and potential adverse effects of the proposed activity are significantly different to the actual and potential effects of the activity that is provided for as a permitted activity. There would be minimal assistance gained by comparing and disregarding the adverse effects of the relevant permitted activity to this proposal.

3.2 Assessment of effects on the environment: Section 95A(2)(a)

The applicant identifies and assesses the actual and potential adverse effects of the proposed changes on the environment that are likely to arise in Section 4.0 of the application report.

The proposed changes support the continuation of the monitoring programmes by requiring that they continue. Proposed changes in monitoring methodologies have the intent of enabling more accurate and more detailed information to be gathered, and in turn, the ability to better identify any changes occurring and whether such can be attributed to the extraction operation.

It is therefore considered the proposed changes would result in no additional adverse effects on the environment.

3.3 Request or rule: Sections 95A to 95E

Pursuant to Section 95A(2)(b), (c), and (3)(a), the applicant has not requested public notification and no National Environmental Standard or rule in the Regional Plan requires or precludes public or limited notification.

Pursuant to Section 95A(4) there are no special circumstances to warrant public notification.

Consent: 41662 Address: Taporapora Banks, Kaipara Harbour

Page 13 of 34



3.4 Identification of affected parties

Written approval has been obtained from the following persons who, as submitters to the original application, are considered to be adversely affected by the activity:

- The Department of Conservation
- Jim Dollimore
- Holicm (New Zealand) Ltd
- Stevensons Resources Ltd
- The Royal Forest and Bird Protection Society Inc and, Kaipara Branch Royal Forest and Bird Protection Society Inc
- Ngati Whatua Nga Rima o Kaipara

Written approval has not been obtained from the following submitters to the original application, which are therefore considered to be affected parties:

- Environs Holdings (Te Uri o Hau)
- Oruawharo Marae Trust, Nga Wai o Oruawharo
- Guardians of the Kaipara

It is noted that the Guardians of the Kaipara have advised the applicant that the organisation is in the process of being wound up, and that Te Uri o Hau will be fulfilling the groups function.

3.5 Recommendation on notification

It is recommended that this application be processed on a limited notified basis because:

- There would be no additional adverse effects on the environment resulting from the change of consent conditions being applied for.
- No special circumstances or affected customary rights holders exist in relation to the application.
- The applicant has not requested public notification and no National Environmental Standard or rule in the Regional Plan requires public notification.
 - Written approval has not been obtained from every person who will be affected by the granting of this consent, in particular Environs Holdings (Te Uri o Hau) and Oruawharo Marae Trust, Nga Wai o Oruawharo.

Consent: 41662



Matthew McNeil Senior Consents and Compliance Advisor - Coastal

Date:

10 May 2013

3.6 Notification determination

Acting under delegated authority, and for the reasons set out in the above assessment and recommendation, this application shall be processed on a limited notified basis.

Alan Moore Team Leader – Coastal, NSRI

10 MAY

2013

Date:

4.0 NOTIFICATION PROCESS

4.1 Parties Notified

Notice of the application was served on the following parties on 16 May 2013:

- Environs Holdings (Te Uri o Hau)
- Oruawharo Marae Trust, Nga Wai o Oruawharo
- Guardians of the Kaipara

The closing date for submissions was 14 June 2013.

5.0 SUBMITTERS AND SUMMARY OF KEY ISSUES

5.1 Submissions

No submissions were received from the parties who were served notice.

Consent: 41662



6.0 ASSESSMENT OF APPLICATION IN ACCORDANCE WITH SECTION 104

6.1 Assessment of effects on the environment: Section 104(1)(a)

The assessment of adverse effects undertaken for the purpose of notification concluded that the proposal would result in no additional adverse effects on the environment. It is considered that this assessment is also relevant for the purposes of the assessment required under s104(1)(a). In addition the following positive environmental effects have been identified:

The implementation of updated monitoring techniques will enable more accurate information to be gained over a wider area of coverage, when compared to the ground survey techniques that have been employed to date. The proposed remote sensing techniques will improve the ability of monitoring to identify any changes in dune, beach and spit morphologies, and whether such can be attributed to the extraction operation.

6.2 Statutory considerations: Section 104(1)(b)

The applicant has considered the proposed changes against the provisions of the New Zealand Coastal Policy Statement 2010 and the Auckland Council Regional Plan (Coastal).

The applicant's assessment is provided in Section 6 of the application report.

The following provisions are considered particularly relevant to the consideration of this application:

New Zealand Coastal Policy Statement

Objectives 1, 2, 3, 6; Policies 2, 3, 6, 13 and 15.

These are directed at; safeguarding the form, functioning and resilience of the coastal environment, preservation of natural character and natural features of the coastal environment, taking into account the principles of the Treaty of Waitangi, and, enabling people and communities to provide for their economic wellbeing recognising that protection of the coastal environment does not preclude use and development in appropriate forms.

Auckland Council Regional Policy Statement

Objectives 7.3.1, 7.3.2, 7.3.3: Policies 7.4.4, 7.4.7.1, 7.4.10(vi).

These are directed at; preservation of natural character of the coastal environment, enabling appropriate use and development in the coastal environment, preservation of areas of significant habitats and landforms and geological features, and, that

Consent: 41662



efficient use is made of the natural and physical resources of the coastal environment.

Auckland Council Regional Plan (Coastal)

Objectives 3.3.1, 4.3.2, 5.3.1, 10.3.1, 14.3.1; Policies 3.4.1, 3.4.2, 4.4.3, 5.4.4, 14.4.3, 14.4.4.

These are directed at; preservation of natural character and landscape values of the coastal environment, protection of the dynamic functioning of physical coastal processes, to provide for appropriate use in the CMA, and, to provide for appropriate extraction of sand while taking a precautionary approach when assessing the location and volumes to be taken.

It is concluded that the proposed change to consent conditions is consistent with the relevant provisions of the plan and policy statements, as the proposed monitoring techniques would improve to ability to identify any adverse effects on matters identified in the objectives and policies referred to above.

6.3 Other relevant matters: Section 104(1)(c)

There are no other matters considered relevant and reasonably necessary to determine the application.

6.4 Consideration of Part 2 matters

As the adverse effects of the proposed activity on the environment can be satisfactorily avoided, remedied or mitigated, and as the proposal is consistent with and not contrary to the statutory direction, it is concluded the proposal meets the purpose and principles of the RMA and is a sustainable 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 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
- avoiding, remedying, or mitigating any adverse effects of activities on the environment.

Having considered the Matters of National Importance, Other matters, and the requirement to take into account the principles of the Treaty of Waitangi, it is concluded that the proposal will not adversely affect any of those matters, and is a sustainable development in accordance with Part 2 of the RMA..

Consent: 41662 Address: Taporapora Banks, Kaipara Harbour



7.0 RECOMMENDATION

7.1 Adequacy of information:

The above assessment is based on the information submitted as part of the application. It is considered that the information submitted is sufficiently comprehensive to enable the consideration of the above matters on an informed basis:

- a. The level of information provides a reasonable understanding of the nature and scope of the proposed activity as it relates to the coastal plan.
- b. The extent and scale of any adverse effects on the environment are able to be assessed.
- c. Persons who may be adversely affected are able to be identified.

7.2 Recommendation:

It is recommended that pursuant to Sections 104, 104B, 105, 108 and 127 of the RMA, consent is granted to the application by Mt Rex Shipping Limited to change conditions of consent 29193 in relation to Biological Monitoring and Coastal Monitoring requirements.

The reasons for this recommendation are as follows:

- 1. It is considered that the proposal would result in no additional adverse effects on the environment.
- The proposal is considered to be consistent with the relevant provisions of the NZCPS, ACRPS, ACRP(C), and in particular, the integrated management of the Region's natural and physical resources.
- 3. The proposal will be consistent with Part 2 of the Resource Management Act 1991 by promoting the sustainable management of natural and physical resources. Overall it is considered that the cumulative safeguards of Section 5(2)(a) to (c) have been met and the proposal thereby meets the purpose of the RMA.

7.3 Duration of consent

The duration of the consent shall remain at 20 years from the date of commencement. It is noted that this consent commenced on 21 May 2007 which relates to an expiry date of 21 May 2027.

Consent: 41662



7.4 Conditions

Recommended conditions of consent are provided following the Reason for Decision.

7.5 Report by:

Matthew McNeil Senior Consents and Compliance Advisor - Coastal

Natural Resources and Specialist Input, Resource Consents

Date:

20 June 2013

Consent: 41662



RESOURCE CONSENT 41662 SECTION 104 DECISION

Application Description

Application to change Biological Monitoring and Coastal Monitoring conditions of consent 29193, which authorises the extraction of sand and shell.

Application and Property Details

Consent Holder's Name:

Mt Rex Shipping Limited

Consent Application

Number:

41662

File Number:

17480

Site Address:

Taporapora Banks, Kaipara Harbour

Legal Description:

Common Marine and Coastal Area

DECISION UNDER DELEGATED AUTHORITY

Acting under delegated authority pursuant to Sections 104, 104B, 105, 108 and 127 of the RMA, consent is granted to the discretionary activity application by Mt Rex Shipping Limited to disturb, remove sand and shell, and use Common Marine and Coastal Area with a dredge to extract sand and shell at the Taporapora Banks, Kaipara Harbour, being consent application 41662.

Signed under Delegated Authority

Alan Moore

Team Leader – Coastal, NRSI

20 JUNE 2013

Date:

Reasons for this decision

- It is considered that the proposal would result in no additional adverse effects on the environment.
- The proposal is considered to be consistent with the relevant provisions of the NZCPS, ACRPS, ACRP:(C), and in particular, the integrated management of the Region's natural and physical resources.
- 3. The proposal will be consistent with Part 2 of the Resource Management Act 1991 by promoting the sustainable management of natural and physical resources. Overall it is considered that the cumulative safeguards of Section 5(2)(a) to (c) have been met and the proposal thereby meets the purpose of the RMA.

Consent: 41662



CONDITIONS

This consent shall supersede consent number 29193.

General Conditions

- 1. That the servants or agents of the Auckland Council shall be permitted access to the relevant parts of the site at all reasonable times for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
- 2. The Consent Holder shall carry out the activities permitted by this consent in accordance with the Officer's report and the documentation submitted in support of the application as identified below:
 - a) Coastal permit application dated: 28 April 2004
 - b) Plan title: Figure 1.2 Site Plan, contained within Application and Assessment of Environmental Effects, Winstones Aggregates, Kaipara Sand Extraction Dated: April 2004

Review Conditions

- 3. The conditions of this consent may be reviewed by the Team Leader and/or the Minister of Conservation, pursuant to Section 128 of the Resource Management Act 1991, by the giving of notice pursuant to Section 129 of the Act, 1 year from the commencement of this consent and every year thereafter, in the event that it is necessary:
 - To deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
 - b) To deal with any other adverse effect on the environment on which the exercise of the consent may have an influence.
- 4. This conditions of this consent may also be reviewed by the Team Leader and/or the Minister of Conservation, pursuant to Section 128 of the Resource Management Act 1991, by the giving of notice pursuant to Section 129 of the Act, in the following circumstances:
 - a) when total sand extraction by the Consent Holders of Permit No's 41663 and 41662 reaches 400,000 cubic metres within any calendar year; or
 - b) within 5 years of the first exercise of either Permit No. 41663 or No. 41662; or
 - c) should numerical modelling required pursuant to conditions 14 and 15 be completed and demonstrate the assumptions made in the Kaipara Sand Study Final Report: Sand movement, storage and extraction in the Kaipara tidal inlet, NIWA Client Report: HAM2002-064, December 2003 (minor edits October 2004) to be incorrect; or

Consent: 41662 Address: Taporapora Banks, Kaipara Harbour 14



- d) at the stage a Rule in the Auckland Council Regional Plan (Coastal) requires a review of sand extraction permits; or
- e) when reports of monitoring, including any submitted in accordance with Conditions 15, 17, 19, 25 or 26 below, indicate that unforeseen adverse effects relating to the exercise of this consent have become apparent.
- 4A. Any review shall take account of the conclusions and recommendations contained in the Kaipara Sand Study Final Report: Sand movement, storage and extraction in the Kaipara tidal inlet, NIWA Client Report: HAM2002-064, December 2003 (minor edits October 2004).

Specific Conditions

- 5. The volume of sand to be extracted by the Consent Holder shall not exceed:
 - a) 150,000 cubic metres per annum averaged over the first 5 years of extraction unless, following a review pursuant to conditions 3 or 4, the Team Leader and/or the Minister of Conservation authorise either a temporary or permanent adjustment of the maximum extraction volume. Unless amended following a review pursuant to conditions 3 or 4, the total sand extracted by the Consent Holders of Permit No's 41663 and 41662 will not exceed 400,000 cubic metres in any one year; and
 - b) 392,000 cubic metres per annum, with an average rate of 336,000 cubic metres per annum over the remaining life of the permit unless, following a review pursuant to conditions 3 or 4, the Team Leader and/or Minister authorise either a temporary or permanent adjustment to the maximum volume to a lower volume.
- This consent shall not be exercised without the surrendering by the Consent Holder of the existing consent (CPA 0149) held by the Consent Holder, authorising sand extraction from the Tapora Banks area.
- 7. The Consent Holder shall ensure that any pumping or mechanical equipment used in the extraction operation is muffled so as to minimise any detrimental effect the noise may have on any recreational or other uses of the coastal marine area or adjacent land.
- 8. Coarse shell and other marine organisms shall be screened from the sand and returned to the seabed at the extraction site.
- The site of extraction shall be regularly moved throughout the extraction area and the dredge shall not reoccupy or extract from the same dredge hole, as logged by GPS co-ordinates, for at least 7 days.
- Sand extraction shall be located so as to minimise the likelihood of marine life being entrained or destroyed. The dredge pump shall have a minimum spherical solids

Consent: 41662



clearance of 80mm, to allow shellfish and other benthic organisms up to that size to pass through the system.

Where visual or aural observations made by the dredge crew during the exercise of consent, alerts them to the presence of marine creatures being entrained and either loaded with the sand or discharged with the tailings, extraction shall cease and the dredge relocated.

- 11. The Consent Holder shall notify the Auckland Council in writing of the proposed date of commencement of the sand extraction covered by this consent, at least 10 working days prior to the proposed start date. All correspondence shall be marked to the attention of the Coastal Consents and Compliance Co-ordinator, Auckland Council.
- 12. In the event of archaeological evidence being uncovered (e.g. shell midden, hangi or ovens, pit depressions, defensive ditches or human bones), work shall cease in the vicinity of the discovery and the Auckland Council archaeologist shall be contacted so that the appropriate action can be taken before work may recommence there.

In the event of archaeological evidence being uncovered, the Auckland Council archaeologist will contact the Auckland Council lwi Liason team in the Heritage Department to verify the required iwi authority contacts for the area and the accepted level of consultation.

13. Vessels used by the Consent Holder will, to the extent practicable, travel at a speed that results in no, or minimal, wake when 300 metres of dolphins.

Numerical Modelling

14. The Consent Holder shall commission a numerical modelling study to review the water and sediment circulation patterns on to and off the Taporapora Banks area generally west of Taporapora Island. The modelling is to test the Kaipara sand Study's conceptual and quantitative knowledge regarding the quality of sand coming towards Taporpora Banks from seaward, the amount moving off the banks, and the amount of sand depositing on the banks.

The study shall be undertaken by a suitably qualified and experienced person (or persons) acceptable to the Team Leader.

- 14A. The outcome of the numerical modelling study is to be reported to the Team Leader and the Consent Holder, and if commissioned by a Kaipara Harbour Entrance Monitoring Working Party established in accordance with condition 27, to other members of that working party. The scope of the numerical study and its findings shall be peer reviewed by a suitably qualified person (or persons) acceptable to the Team Leader, in a final report.
- 15. The Consent Holder shall conduct and report the results of the numerical modelling required by condition 14 above within 2 years of the first exercise of consent.

Consent: 41662 Address: Taporapora Banks, Kaipara Harbour

16



Compliance Monitoring

- 16. The Consent Holder shall keep a daily record and a map documenting the volume of sand extracted and the position of the extraction, the date and time of extraction (commencement and completion of extraction), stage of the tide, sea conditions and depth of water at the extraction site.
- 17. The Consent Holder shall provide the Team Leader at quarterly intervals a copy of the records and the map detailed in Condition 14 above, together with any details specified in Condition 10 above.

Biological Monitoring

- 18. The Consent Holder shall commission a biological monitoring programme to provide information to assist an assessment of significant effects of sand extraction on populations of benthic biota in the sand extraction zones. The Monitoring programme shall be scoped and undertaken by a suitably qualified and experienced person acceptable to the Team Leader. A number of sampling sites at the operational depth for the barge in both the extraction area and in a control site(s) of approximately similar biological habitat will be approved by the Team Leader in advance of the monitoring. The method of sampling will be approved by the Team Leader and where approved shall include measuring samples with both a 1mm and 9mm sieve. Surveys, in accordance with the biological monitoring programme, shall be undertaken at 6 yearly intervals.
- 19. The Consent Holder shall produce a report of the biological monitoring programme detailed in Condition 18 above, within 6 months time of completing the survey. A copy of the report shall be forwarded to the Team Leader, the Minster of Conservation, the Royal Forest and Bird Protection Society and Ngati Whatua (Ngati Whatua o Kaipara and Te Uri o Hau) and the Kaipara Harbour Sand Extraction Monitoring Group (see condition 27).

Coastal Monitoring

20. The Consent Holder shall undertake an annual monitoring programme that provides remote sensing images and a digital topographic model for measuring and comparing changes in coastal morphology of Taporapora (Manukapua Island). The monitoring programme shall produce beach profiles and topography that is appropriate for comparison with existing data collected using Differential GPS survey of the high tide line, the dune line and the low tide line and shall be approved by the Team Leader. The monitoring report shall provide an account of the net gain or loss of sand from areas of accretion and erosion on the western side of Taporapora Island.

Consent: 41662



- 21. The Consent Holder shall undertake aerial photography or other remote sensing imaging annually of an area comprising Kaipara South Head (Waionui Inlet, Ti Tree Island to mouth) and Papakanui Spit extending south to the ocean beach and also of an area of Pouto shoreline to Maori Bay (South Tauhara Creek). The aerial imaging record shall be assessed annually for changes in morphology by a suitably qualified person approved by Auckland Council and the assessment and findings shall be included in the annual coastal monitoring programme report provided to Auckland Council.
- 22A. The Consent Holder shall undertake a monitoring programme that will measure changes in seabed profiles on the Taporapora Banks. This programme shall include at least 10 profiles, extending from low tide to 10m water depth, 5 of which connect with beach Profiles 1 to 5 that have been established on the western shore of Taporapora Island as described in condition 20 above and monitored at least two yearly intervals. The monitoring programme shall be developed in consultation with the Team Leader and shall be approved by the Team Leader.
- 22B. The Consent Holder shall undertake a monitoring programme that will measure changes in seabed profiles on the western end of the Tauhoa Bank at least two yearly intervals. This programme shall include at least three 3 profiles, and shall be developed in consultation with the Team Leader and shall be approved by the Team Leader.
- 23. The monitoring programmes described in Conditions 20 and 21, above shall establish reference datum points for long-term consistency in survey. The number of profiles may need to be increased at some stage to take account of future shoreline and landform changes. Prior to commencement, the monitoring programmes shall be submitted to the Team Leader for approval.
- 24. The programmes shall be established by the Consent Holder and managed, analysed and reported upon by persons possessing appropriate expertise in the assessment of physical processes and beach behaviour.
- 25. Analysed results of the monitoring programmes shall be forwarded to the Minister, the Team Leader, the Department of Conservation, Oruawharo Marae, Royal Forest and Bird Protection Society and Ngati Whatua (Ngati Whatua o Kaipara and Te Uri o Hau) or alternatively the Kaipara Harbour Sand Extraction Monitoring Group annually.
- 26. The Consent Holder may comply with Conditions 18 to 21 by participating in, and contributing to a Kaipara Harbour Entrance Monitoring programme established on the following basis:
 - a) A working party being formed within one month of the date of commencement of consent consisting of representatives from the Consent Holder, the Auckland Council and Northland Regional Council, and any other party prepared to financially contribute to the monitoring programme.

Consent: 41662 Address: Taporapora Banks, Kaipara Harbour



- b) The monitoring programme shall include, but not be limited to, the monitoring activities described in the Numerical Modelling conditions above (conditions 14 to 15) and the monitoring activities described in the Coastal and Seabed Monitoring Conditions above (conditions 20 to 23).
- c) The working party shall engage the necessary experts to carry out the monitoring programme and in consultation with the experts will define the precise parameters of the monitoring.
- d) The monitoring programme will be funded by the Consent Holder and any other party represented as shall be agreed between the parties.
- e) The ownership of the numerical modelling study required by conditions 14 to 15 will rest with the parties funding the study.
- f) Subject to the Auckland Council's obligations under the Local Government Officials Information and Meetings Act 1987 the numerical study required by conditions 14 to 15 will remain confidential unless otherwise agreed in writing by all parties funding the study.
- g) Subject to the Council's obligations under the Local Government Officials Information and Meetings Act 1987, except in the case of the Consent Holder, the results of the numerical modelling study required by conditions 14 to 15 will not be used for any commercial gain unless otherwise agreed in writing by all parties funding the study.

Kaipara Harbour Sand extraction Monitoring Group

- 27. The Consent Holder and the holder of Permit No. 41663 shall form the "Kaipara Harbour Sand Extraction Monitoring Group" (the Group) for the purpose of liaising and meeting with the members of the Group to discuss:
 - the monitoring requirements and outcomes as required by conditions 16 to 22 inclusive of this consent,
 - the final report of the numerical modelling study required by condition 14A (subject to the agreement of all parties financially contributing to the study should the study be undertaken by a working party established in accordance with condition 26),
 - results of other monitoring undertaken or harbour changes noted by members of the Group, and
 - any other relevant matters that may be agreed by the Group.

The Consent Holder and the Holder and the holder of Permit No. 41663 shall invite the following parties to participate in the Group:

- Ngati Whatua (Nga Rima o Kaipara)
- Oruawharo Marae
- Te Uri o Hau

Consent: 41662



- Kaipara District Council
- Northland Regional Council
- Guardians of the Kaipara
- Royal Forest & Bird Society Kaipara Branch
- Pouto Residents & Ratepayers Society

The Auckland Council will automatically be a member of that Group.

The Consent Holder and the holder of Permit No. 41663, shall convene a meeting of the Group as required and agreed by the Group, but at least as soon as practical once monitoring information is available and prior to it being submitted to the Auckland Council as required by this consent.

The Consent Holder in conjunction with the holder of Permit No. 41663 shall provide a written invitation to the members of the Group least ten working days before the meeting is proposed to be held.

The meeting shall be held at a convenient location to the parties. The costs of the meetings (not including any costs relating to attendees) shall be borne by the Consent Holder and the holder of Permit No. 41663.

The minutes of the meeting shall be provided to all attendees promptly following the meeting.

The Group will be disbanded if members of the Group agree. The Auckland Council shall be informed in writing if this occurs.

Cancellation of Consent

28. This coastal permit may be cancelled by written notice served on the Consent Holder if the coastal permit has not been used for the purpose of sand extraction during the preceding 2 years.

Administration

- 29. The Consent Holder shall pay to the Auckland Council any administrative charge fixed in accordance with Section 36(1) of the Resource Management Act 1991, or any additional charge required pursuant to Section 36(3) of the Resource Management Act 1991, in respect of this consent.
- 30. The Consent Holder may not transfer the whole or any part of the holder's interest in the permit to any other person unless the written approval of the Team Leader is obtained. The Team Leader's consent shall not be unreasonably withheld in the case of a transferee who can satisfy the Team Leader that he, she or it has appropriate and relevant expertise in extracting sand.

ADVICE NOTES

Consent: 41662 Address: Taporapora Banks, Kaipara Harbour 20



 Sightings of Maui's dolphins will be reported by the Consent Holder to the WWF Sightings Network. Where practicable detail on the sighting including GPS coordinates, number of dolphins, and date and time of sighting, will be provided.

Any sightings of dead or stranded Maui's dolphins are to be immediately reported by the Consent Holder to the Department of Conservation.

DEFINTIONS

ACRPS:

means Auckland Council Regional Policy Statement

Council:

means The Auckland Council

NZCPS:

means New Zealand Coastal Policy Statement 2010

Coastal Plan:

means Auckland Council Regional Plan (Coastal)

RMA:

means Resource Management Act 1991 and all

amendments

Team Leader:

means an Auckland Council Team Leader as specified in text / condition or nominated Auckland Council staff acting on the relevant Team Leader's

behalf.

Consent: 41662

Address: Taporapora Banks, Kaipara Harbour

APPENDIX 3: COASTAL PERMIT NO. 41662 (29193): APPROVED LOCATION PLAN

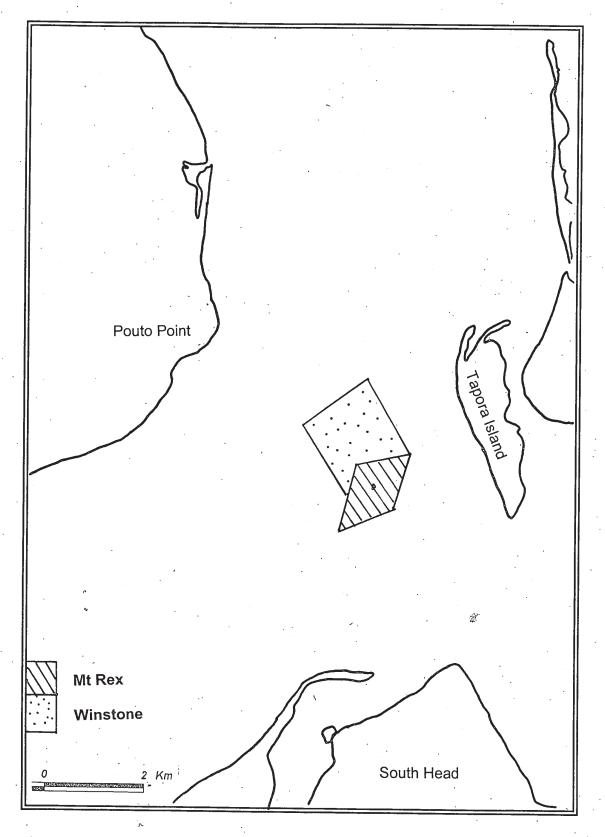
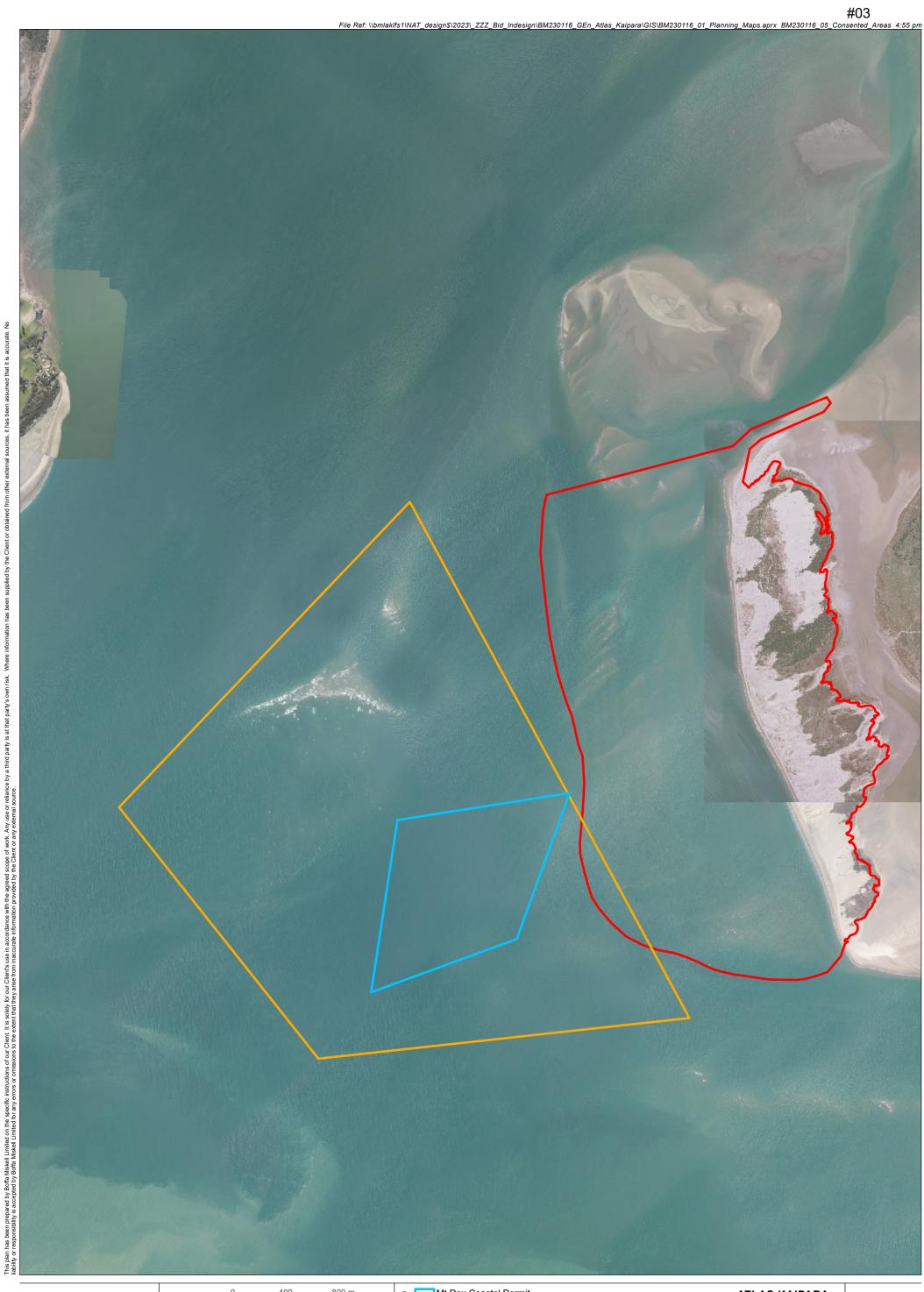


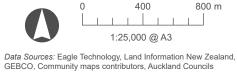
Figure 1 Location Map

APPENDIX 4: MAP SHOWING THE RELATIONSHIP BETWEEN CONSENTED SAND EXTRACTION AREAS AND THE PROPOSED NEW SITE AND PLACE OF SIGNIFICANCE TO MANA WHENUA: SITE NAME: MANUKAPUA, SITE ID:0192





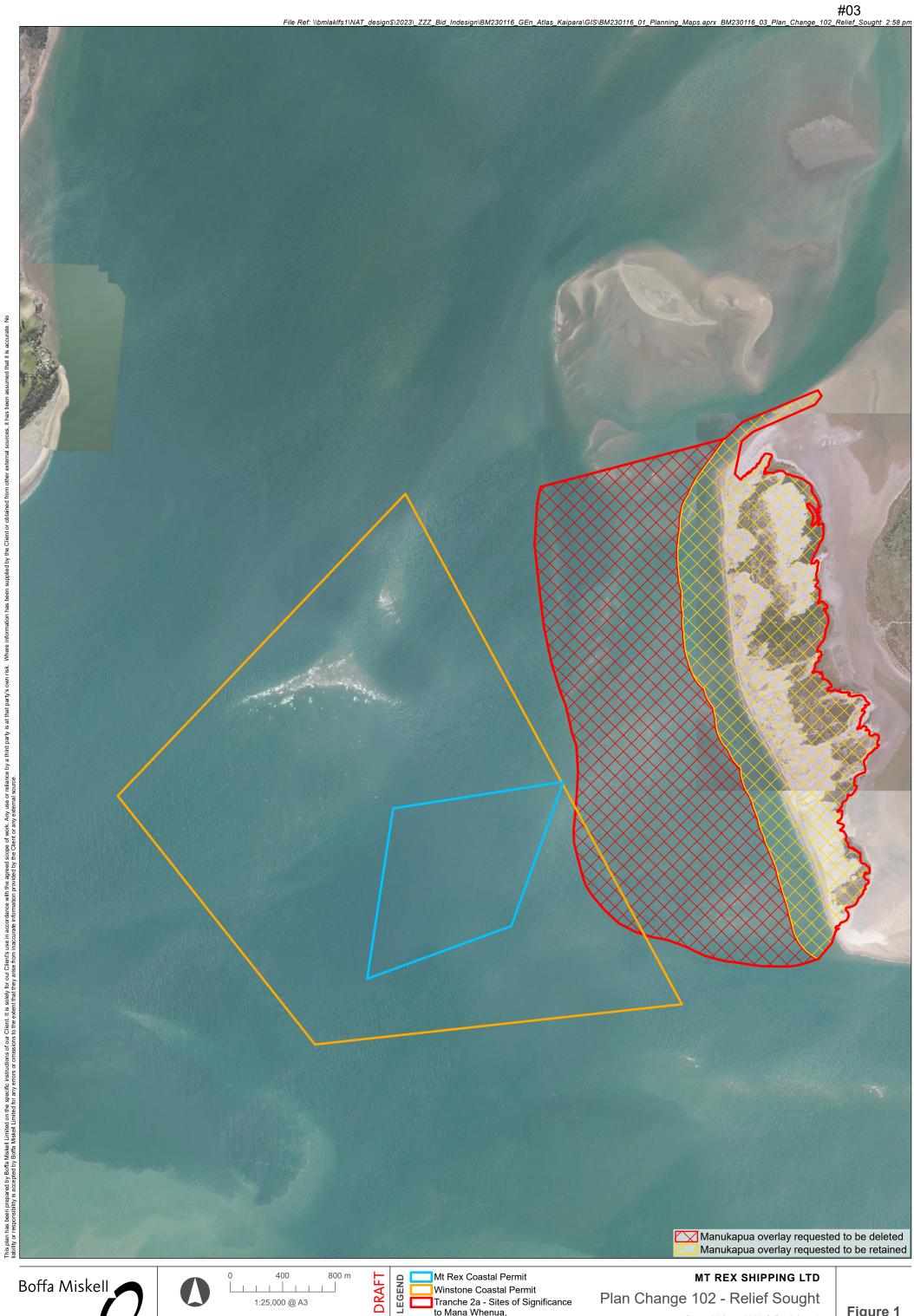
www.boffamiskell.co.nz



Projection: NZGD 2000 New Zealand Transverse Mercator

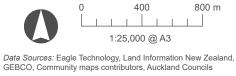
Mt Rex Coastal Permit Winstone Coastal Permit
Tranche 2a - Sites of Significance
to Mana Whenua, Site Name - Manukapua
Site ID - 0192

ATLAS KAIPARA **Consented Areas** APPENDIX 5: MAP SHOWING THE RELIEF SOUGHT TO AMEND THE EXTENT OF ATTACHMENT 2E OF PC102: MANUKAPUA (ID:0192) TO THAT AREA ILLUSTRATED AS YELLOW CROSSHATCH, REMOVING THE RED CROSSHATCH FROM THE AREA





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Projection: NZGD 2000 New Zealand Transverse Mercator

LEGEND Winstone Coastal Permit Tranche 2a - Sites of Significance to Mana Whenua,
Site Name - Manukapua Site ID - 0192

Plan Change 102 - Relief Sought

Figure 1 Date: 11 June 2024 | Revision: 0 Fig Plan prepared by Boffa Miskell Vimited

From: <u>UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz</u>

To: Unitary Plan

Subject: Unitary Plan Publicly Notified Submission - Plan Change 102 - Jo Young

Date: Monday, 17 June 2024 11:46:08 am

Attachments: SAL Submission.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jo Young

Organisation name: Stevenson Aggregates Limited

Agent's full name: Tua Gabriel

Email address: jo.young@stevenson.co.nz

Contact phone number:

Postal address: Private Bag 94000 Manukau City Auckland Auckland 2241

Submission details

This is a submission to:

Plan change number: Plan Change 102

Plan change name: PC 102 - Sites and Places of Significance to Mana Whenua Tranche 2a

My submission relates to

Rule or rules: Kaarearea Paa Site ID - 0275

Property address:

Map or maps: PC102-Attachment 2L

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

As per our submission attached. SAL acknowledge the engagement that has occurred to date with the nominating iwi and appreciate the time, open dialogue and understanding that the iwi parties have show to SAL.

I or we seek the following decision by council: Approve the plan change without any amendments 4.1

Details of amendments:

Submission date: 17 June 2024

Supporting documents

SAL Submission.pdf

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

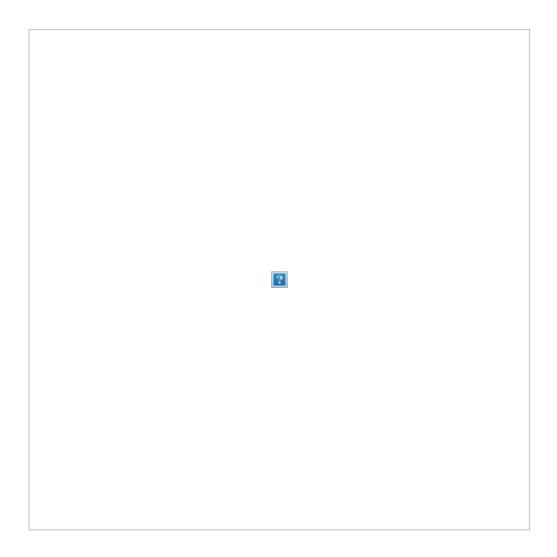
Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- · Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



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17 June 2024

Auckland Council Level 16, 135 Albert Street Private Bag 92300 Auckland 1142 Attention: Planning Technician

Email: unitaryplan@aucklandcouncil.govt.nz

SUBMISSION ON PROPOSED PLAN CHANGE 102 (PPC102) SITES AND PLACES OF SIGNIFICANCE TO MANA WHENUA -TRANCHE 2A

1.0 BACKGROUND

- Drury Quarry is a greywacke hard rock quarry which has supplied concrete, asphalt and roading aggregate for over 80 years. It is the largest aggregate quarry in New Zealand, providing critical building material across the Auckland, Waikato and Northland regions, currently supporting some of the country's largest infrastructure, transport and housing projects.
- 1.2 Stevenson Aggregates Limited (SAL) operate Drury Quarry. Kaarearea paa is located wholly within the Drury Quarry landholdings owned by SAL.

2.0 MANA WHENUA ENGAGEMENT

- 2.1 SAL first became aware of the proposed protection extent across Kaarearea paa in November 2022. Since that time, there has been ongoing engagement with Auckland Council and the two nominating iwi Ngāti Tamaoho and Ngaati Te Ata Waiohua.
- 2.2 This has resulted in the agreed extent of the proposed "Site and Significance to Mana Whenua" overlay across Kaarearea paa.

3.0 PROPOSED PLAN CHANGE 102

- 3.1 SAL recognise and acknowledge the Cultural Values Assessment Summary provided by Ngāti Tamaoho and Ngaati Te Ata Waiohua provided as Attachment 3 of the plan change documents.
- 3.2 This outlines the immense spiritual, cultural, traditional, historical and customary significance of this historic kōwhatu paa site for both nominating iwi. SAL will continue to engage with iwi to ensure they can uphold and maintain mana and kaitiakitanga of the paa site.



- 3.3 SAL acknowledge the engagement that has occurred to date with the nominating iwi and appreciate the time, open dialogue and understanding that the iwi parties have shown to SAL.
- 3.4 SAL supports PPC102, particularly the proposed "Site and Significance to Mana Whenua" overlay across Kaarearea paa.

Yours sincerely



Jo Young Consents Manager

021 971 975 Jo.young@stevenson.co.nz From: <u>UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz</u>

To: <u>Unitary Plan</u>

Subject: Unitary Plan Publicly Notified Submission - Plan Change 102 - JOHN DARROCH

Date: Tuesday, 18 June 2024 9:16:07 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: JOHN DARROCH

Organisation name:

Agent's full name: JOHN DARROCH

Email address: john@nhvaluers.co.nz

Contact phone number: 0274767002

Postal address: 65 Gibraltar Crescent Auckland Auckland 1052

Submission details

This is a submission to:

Plan change number: Plan Change 102

Plan change name: PC 102 - Sites and Places of Significance to Mana Whenua Tranche 2a

My submission relates to

Rule or rules:

Property address: 65 Gibraltar Crescent, Parnell

Map or maps: The Waipawa Stream, where it abuts the complex of 12 Townhouses with the

address 55 to 77 Gibraltar Crescent Parnell.

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

- This seems to be the only one of the 9 new sites notified that includes urban residential sites (Sites and Places of Significance to Mana Whenua) whereas the intention of the new rules that would be imposed on this part of your site relate to public outcomes "provide for the relationship of the site or place with Mana Whenua in the context of local history and whakapapa, if appropriate, through i) the design and location of proposed structures, ii) landscaping and vegetation including removal and replanting; and iii) landform and modification. I'm not sure what this means and what would be required particularly on a private site with no public access. I question what outcomes are the rules seeking?
- The existing protection for the stream from current rules in the Unitary Plan arguably already give the protection that this overlay is seeking and don't need to be repeated.
- It could trigger iwi consultation requirements every time an owner does works within this overlay which seems onerous particularly if the works are minimal.
- I have not been involved in the 'refinement' of the location of the overlay despite Auckland Council

stating that this happened.

- The council report states that this additional restriction is 'unlikely to result in significant more cost to developers' which is arguably not the case (especially if you have to get a Cultural Report from iwi) and that it will trigger greater consideration of cultural matters for activities on or adjacent to the site which isn't exactly the case plus the rules seem very unclear on what outcomes they're seeking. It would be better if iwi provided a clear set of guidelines for how work is done in this location to avoid the effects they're concerned about rather than it being looked at each time someone develops.
- Being in such an urbanised location the stream has already been modified and is in fragmented ownership (which the subdivision rule seeks to control)

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

5.1

Details of amendments: Per my reasons above

Submission date: 18 June 2024

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

Declaration

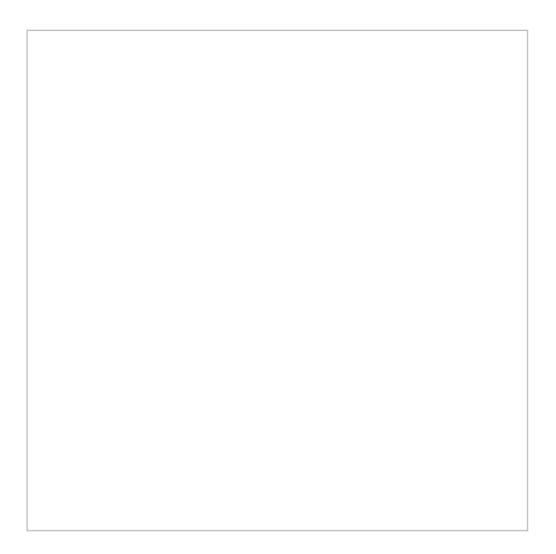
Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- · Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



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From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz

Unitary Plan To:

Subject: Unitary Plan Publicly Notified Submission - Plan Change 102 - Brian McClure

Tuesday, 18 June 2024 9:16:12 am Date:

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Brian McClure

Organisation name: BA Trustees Ltd

Agent's full name: Brian McClure

Email address: bjamb88@gmail.com

Contact phone number: 021 489105

Postal address:

507/121 Customs Street West

Auckland Central Auckland Central 1010

Submission details

This is a submission to:

Plan change number: Plan Change 102

Plan change name: PC 102 - Sites and Places of Significance to Mana Whenua Tranche 2a

My submission relates to

Rule or rules:

Plan modification 15 re Maori Heritage sites Grey Lynn Library

Property address: 447 Great North Road Grey Lynn

Map or maps: Grey Lynn

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Oppose the inclusion of this site on the following grounds:

- 1. Any impact on the community facility of the library and the use of the land
- 2. Any affects of the designation on our property across the road at 447 Great North Road under current zoning under the Unitary Plan and any future plans, height in relation to boundary controls, density, height controls and design.

I or we seek the following decision by council: Decline the plan change, but if approved, make the 6.1 amendments I requested

Details of amendments: As above - surety that our site is unaffected

Submission date: 18 June 2024

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- · Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes



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From: <u>UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz</u>

To: Unitary Plan

Subject: Unitary Plan Publicly Notified Submission - Plan Change 102 - Will Fairbairn

Date: Wednesday, 19 June 2024 8:30:58 am

Attachments: Carlaw Campus Limited Partnership - PC102 Submission.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Will Fairbairn

Organisation name: Carlaw Campus Limited Partnership

Agent's full name: Planning Focus Limited

Email address: pa@planningfocus.co.nz

Contact phone number: 02102221165

Postal address: PO Box 911361 Auckland Auckland 1142

Submission details

This is a submission to:

Plan change number: Plan Change 102

Plan change name: PC 102 - Sites and Places of Significance to Mana Whenua Tranche 2a

My submission relates to

Rule or rules:

Property address: 12-16 and 20-24 Nicholls Lane

Map or maps:

Other provisions:

Waipapa Awa Site and Place of Significance to Mana Whenua

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

See attached

I or we seek the following decision by council: Decline the plan change 7.1

Submission date: 19 June 2024

Supporting documents

Carlaw Campus Limited Partnership - PC102 Submission.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

Declaration

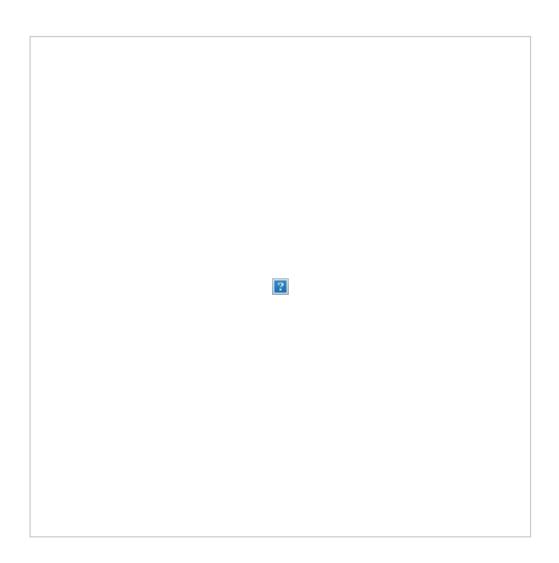
Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- · Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



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FORM 5

Submission on a notified proposal for policy statement or plan change or variation

TO: Auckland Council Private Bag 92300 Auckland 1142

1. Submitter's Details

This submission is made by Carlaw Campus Limited Partnership (the **Submitter**), being the owner of the properties at 12-16 and 20-24 Nicholls Lane, Parnell.

The address for service is as follows:

Carlaw Campus Limited Partnership c/- Planning Focus Limited PO Box 911361 Auckland 1142

Phone: 0210 222 1165

Email: pa@planningfocus.co.nz

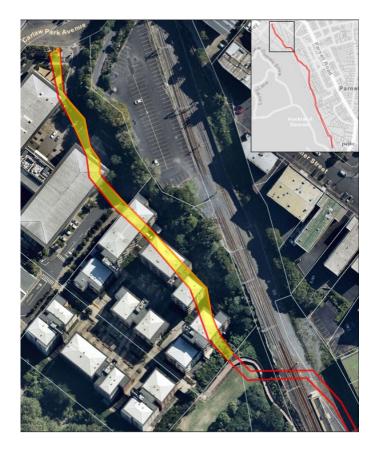
2. Scope of Submission

The submission relates to Plan Change 102 - Sites and Places of Significance to Mana Whenua - Tranche 2a (**PC102**) to the Auckland Unitary Plan – Operative in Part (**AUPOP**), and in particular the Waipapa Awa Site and Place of Significance to Mana Whenua

3. General Submission

The Submitter is the owner of the sites at 12-16 and 20-24 Nicholls Lane, which are directly affected by the proposed Waipapa Awa Site and Place of Significance to Mana Whenua. At least at this juncture, the Submitter opposes the proposed change.

The Waipapa Awa Overlay sits within the building footprint of four multi-storey student accommodation buildings at 20-24 Nicholls Lane, and at the north-eastern extent of four-storey office buildings at 12-16 Nicholls Lane, as highlighted in the figure overleaf.



The Cultural Values Assessment Summary included with the PC102 documentation notes that the proposed Overlay "follows the historic route of the Waipapa stream and incorporates the current overland flow path and lower contours". It also notes that the stream now mostly flows through stormwater pipes, as is the case at the Submitters site.

Pursuant to rules D21.4.1 (A5) and (A6) of the AUPOP, new buildings, and additions to buildings that increase building footprint require resource consent as a discretionary activity when undertaken within a Site and Place of Significance to Mana Whenua overlay.

The proposed Waipapa Awa Overlay has potential implications on the long term redevelopment of the Submitters site. Regretfully, referencing also the Cultural Values Assessment Summary, it is unclear how the cultural significance of the proposed Overlay is expected to be acknowledged and/or recognised.

The Submitter requires more information from Ngati Whatua in order to better understand the implications of the proposed overlay. The proposed Overlay should also be populated with additional information and provisions so property owners (and Auckland Council, as administrator) understand its purpose and implications.

- 4. Pending further information, as outlined above, the Submitter seeks that the plan change be declined.
- 5. The Submitter wishes to be heard in support of this submission.
- 6. The Submitter may consider presenting a joint case with others.

Signature: Planning Focus Limited

Paul Arnesen Planner/Partner

For and on behalf of Carlaw Campus Limited Partnership

Date: 19 June 2024

SUBMISSION ON PLAN CHANGE 102: (SITES AND PLACES OF SIGNIFICANCE TO MANA WHENUA) TO THE AUCKLAND UNITARY PLAN OPERATIVE IN PART

Clause 6 of Schedule 1 of the Resource Management Act 1991

To: Auckland Council unitaryplan@aucklandcouncil.govt.nz

KARAKA HARBOURSIDE ESTATES LIMITED and PARARĒKAU ISLAND LIMITED at the address for service set out below ("KHEL and PIL") make the following submission in relation to Plan Change 102: Sites and Places of Significance to Mana Whenua to the Auckland Unitary Plan (Operative in Part) ("Plan Change" and "AUPOP").

- 1. KHEL and PIL could not gain an advantage in trade competition through this submission.
- 2. The submission relates to following aspects of the Plan Change:
 - (a) Proposed inclusion of new item 110 "Pahurehure Islands (Kopuahingahinga/Waikirihinau and Orona/Orewa Islands)" ("Item 110") within Schedule 12 Sites and Places of Significance to Mana Whenua of the AUPOP.
 - (b) Proposed amendments to Schedule 14.1 Schedule of Historic Heritage ("Schedule 14.1").
 - (c) Proposed amendments to the Auckland Unitary Plan GIS Viewer, Tranche 2a Sites of Significance to Mana Whenua, Site Name Pahurehure Islands, Site ID 000172 ("GIS Viewer").

Scope of submission

- 3. KHEL and PIL support in part the Plan Change. In particular, it:
 - (a) Supports inclusion of item 110 within Schedule 12 but seeks that the "Location" column of Item 110 is amended to better reflect the item's true location;
 - (b) Seeks amendments that update Schedule 14.1 to reflect the archaeological assessments undertaken by KHEL and PIL during previous resource consent 8.2

- processes including, deleting scheduled features confirmed as not present and updating the "Verified Location" and "Verified Legal Description" columns.
- (c) Seeks that the GIS Viewer (ie, planning maps) are amended such that the illustrated extent of Item 110 does not include causeways and easement areas through Kopuahingahinga/Waikirihinau that provide for vehicle and active mode access and network utilities.

8.3

Reasons for submission

- 4. The reasons for the submission are as follows:
 - (a) Unless the relief sought in this submission is granted, the Plan Change will:
 - (i) Result in ongoing AUPOP interpretation and administration issues on the part of Council, KHEL and PIL and other stakeholders;
 - (ii) Create uncertainty in regulatory compliance, consenting and monitoring of Schedule 12 and Schedule 14.1;
 - (iii) Not promote provisions that will be effective or efficient in achieving the objectives of the Plan Change or the AUPOP;
 - (iv) Be inconsistent with the purpose and principles in Part 2 of the Resource Management Act 1991 ("RMA");
 - (v) Not represent the most appropriate way to achieve the objectives of the Plan Change and AUPOP in accordance with s 32 of the RMA; and
 - (vi) Not represent best resource management practice.

In particular, but without derogating from the generality of the above:

Schedule 12: Sites and Places of Significance to Mana Whenua Schedule

(b) The "Location" column for Item 110 in the Plan Change refers to "149 Capriana Drive, Hingaia Auckland 2580". However, this does not accurately reflect the legal description of the site extent as spatially delineated in the GIS Viewer as proposed to be amended by the submission.

2

- (c) 149 Capriana Drive is the current address for a land parcel comprising the westernmost part of Pararēkau Island, which is an area not included in the site extent as illustrated on the GIS Viewer. That property address will change to reflect the soon to be titled development on Pararēkau Island as per the plans included at Attachment 1 to this submission. (BUN60346237¹ and BUN60411077²).
- (d) The format of Schedule 12 includes a mix of locational descriptors that include general geographic locations, specific property addresses and legal descriptions. The site extent of Item 110 includes land in both public and private ownership, which is most accurately identified in relation to their legal descriptions, "Part Tidal Lands of Manukau Harbour SO Plan 67474: CMA" and "Lot 1 DP 449405 RT 685651".
- (e) KHEL and PIL therefore request that the "Location" column for Item 110 within Schedule 12 is amended to delete the current, incorrect property address and substitute the legal descriptions above, in order to accurately reflect the actual location and extent of Item 110. This is a more effective and efficient method to achieve the objectives of the Plan Change and the AUPOP.

Schedule 14.1: Schedule of Historic Heritage

- (f) Schedule 14.1 contains inaccurate information including scheduled features that are not present, and incorrect location and legal description details.
- (g) The most recent archaeological and heritage assessments of the Pahurehure Islands were undertaken in relation to the consent processes BUN60346237 and BUN60411077. The relevant assessments are set out below:

BUN60346237

Report title and reference	Author	Dated		
Pararekau Island: addendum to archaeological assessment	CFG Heritage	12 November 2018		
Archaeological Assessment	Russell Foster and Associates	August 2017		
Addendum to Heritage Impact Assessment	Plan. Heritage Ltd	20.9.2019		
Archaeological Management Plan	Plan. Heritage Ltd	September 2019		
Archaeological Management Plan	Russell Foster and Associates			

BUN60411077

Report title and reference	Author	Rev	Dated
Archaeological/ Heritage Impact Assessment	Plan.Heritage	1	05 October 2022

¹ LUC60346280, SUB60346281, DIS60346239, CST6034623

3

² LUC60411079, DIS60411078

(h) The assessments set out above refer to an Auckland Council Heritage Review by the Auckland Council Heritage Team in 2017 that included a number of recommended changes to the Schedule 14.1, which have not been included in PC102:

In addition to the Heritage NZ criteria, Auckland Council have criteria for scheduling under the AUPOP. 10 of the archaeological sites on the Island have been scheduled as a Category B historic heritage place of considerable significance, under criterion D: knowledge (AUPOP ID 660, 661,663, 662, 658, 659, 682, 689, 684 and 683). Although these sites have been scheduled by Auckland Council, this level of significance does not eppear to be supported by the findings of the Russell Foster and Associates report for most of the sites, with the notable exception of R12/194 and R12/195 which have been assessed as more archaeologically significant. The archaeological review by Auckland Council in 2017 recommended that ID 663, 662, 658, 659, 682, 689, 684 and 683 be removed from the Schedule (subject to an assessment of Mana Whenua values). (Addendum to Heritage Impact Assessment Plan. Heritage Ltd, 20.9.2019)

- (i) KHEL and PIL seeks that Schedule 14.1 is updated to ensure it is accurate, including by making the changes necessary to reflect the most recent archaeological and heritage assessments of the Pahurehure Islands. This approach:
 - (i) Will avoid future plan interpretation issues including when individual lot owners seek to develop dwellings or undertake works on lots located near a site identified in Schedule 14.1, but which has been shown to no longer exist; and
 - (ii) Is accordingly a more effective and efficient method to achieve the objectives of the Plan Change and the AUPOP,

Proposed Amendments to the Auckland Unitary Plan GIS Viewer (Planning Maps)

(j) KHEL and PIL agree with the PC102 evaluation report (Preferred Option 3) that:

The application of the SSMW is an efficient and effective response to Kopuahingahinga and Orona Islands where they are largely undeveloped. Scheduling of these islands will encourage active mana whenua involvement in the management of the islands, particularly where development is concerned.

The scheduling of the CMA is an effective method to protect these customary fishing grounds from future disturbance. As the development of Pararēkau Island is completed, and an esplanade reserve is vested in council around the island, the scheduling of the CMA will complement conservation, education and possibly water access for the community.

This option is recommended as the most effective option to achieve the objective of the plan change to provide for the relationship of mana whenua with their cultural heritage by recognising and protecting the tangible and intangible Māori cultural values of the Pahurehure Islands.

(k) KHEL and PIL have had a long association with Mana Whenua through the subdivision, use and development of Pararēkau Island and have worked collaboratively to respect Mana Whenua values and interests.

- (I) KHEL and PIL support the mixed method approach of the Plan Change which applies the site extent of Item 110 to the Pahurehure Islands with the exclusion of Pararēkau Island. This approach is the most efficient and effective response to the management of this urbanised site given the overlapping nature of the Plan Change 78 response to Pararēkau Island, and the agreed position reached between iwi and KHEL and PIL in relation to that process.
- (m) As notified, the GIS Viewer as proposed by the Plan Change will apply Item 110 to the causeways (one in part) and easement areas that provide for vehicle and active mode access and provision of utilities across Kopuahingahinga/Waikirihinau Island, and pedestrian/cycle structures in the Coastal Marine Area adjacent the causeways. Details of the causeways and accesses are provided at **Attachment 2**, in summary:
 - (i) The first causeway, running between Karaka Harbourside and Kopuahinga/Waikirihinau, is partially included in the site extent for Item 110 ("Causeway 1"). Causeway 1 is legally described as Lot 1 DP 196443, 2641 square metres more or less, and is under the ownership of KHEL and PIL.
 - (ii) The second causeway, running between Kopuahinga/Waikirihinau and Pararēkau ("Causeway 2") is legally described as Lot 2 DP 196443, 1600 square metres more or less, and is also under the ownership of KHEL and PIL.
 - (iii) Kopuahingahinga/Waikirihinau Island itself is legally described as Lot 1 DP 449405, 6.7963 hectares more or less, and is under the ownership of KHEL.
- (n) Causeway 1, Causeway 2 and the access way through Kopuahinga/Waikirihinau form a private extension of the public Capriana Drive from Karaka Harbourside to Pararēkau ("Capriana Drive extension"). The AUPOP planning maps, consistent with the majority of Auckland's road network, does not apply an AUPOP zone to the Capriana Drive extension.
- (o) Neither BUN60346237 nor BUN60411077 provide for vesting of any part of the Capriana Drive extension. Accordingly, it will remain in private ownership, and operation, use, maintenance, repair and upgrading obligations will be prescribed in rights of way.

- (p) As well as providing for vehicle and active mode access, the Capriana Drive extension will also provide a corridor for Network Utility Services (water, wastewater, power, communications). These will also remain in private ownership, with operation, use, maintenance, repair and upgrading obligations prescribed in easement documents.
- (q) The Plan Change has not described or assessed how the regulatory framework would apply to the operation, use, maintenance, repair and upgrading of the vehicle and active mode access ways, and Network Utilities, located in the Capriana Drive extension and to which Item 110 would apply. For example:
 - (i) AUPOP D21 Sites and Places of Significance to Mana Whenua Overlay provides a planning framework for activities in the overlay. Table D21.4.1 specifies the activity status of land use and development, subdivision and works, occupation or activity in the coastal marine area pursuant to sections 12(1), 12(2) or 12(3) of the RMA, and includes a range of activities (A3)-(A6) which would require resource consent. Given that the Capriana Drive extension will comprise vehicle and active mode access corridors prescribed under registered rights of way, and Network Utilities activities prescribed under registered easements, KHEL and PIL say the activities are unlikely to occur, and the protections under D21 are accordingly not required.
 - (ii) Further, the effect of the inclusion of the Capriana Drive extension within the site extent of Item 110 on Schedule 12 is that:
 - In relation to Network Utilities, a range of activities that might otherwise be permitted under Table 26.6.3.1 may require resource consent pursuant to Table E26.10.3.1.
 - In relation to vehicle and active mode access ways, activities that would otherwise be permitted under Table E26.2.3.2, (A67), (A68), (A70) may require resource consent under E12.4.2 (A28)-(A33) due to the Capriana Drive extension being a private way, rather than a private road under section 315 of the Local Government Act 1974.
- (r) Effects associated with the installation and ongoing maintenance, renewal, repair and upgrading of the vehicle and active mode access and Network Utilities within the Capriana Drive extension were comprehensively assessed as part of the

consent process which resulted in the granting of BUN60346237 and BUN60411077, such that it is unnecessary to include additional regulatory control via E26.6.3.1 and E26.10.3.1.

Relief sought

- 5. KHEL and PIL seeks that the Plan Change be amended as follows:
 - (a) Amend Schedule 12 Sites and Places of Significance to Mana Whenua as follows:

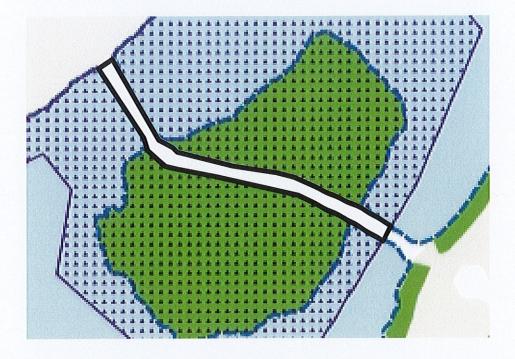
Schedule ID	Name	Location	Description		
109	Pahurehure Islands (Kopuahingahinga/ Waikirihinau and Orona/Orewa Islands	149 Capriana Drive, Hingaia Auckland 2580	Islands, kaingamahinga kai, wahi tapu		
		Part Tidal Lands of Manukau Harbour Survey Office Plan 67474; CMA			
		<u>Lot 1 Deposited Plan</u> 449405 RT 685651			

(b) Amend Schedule 14.1 Schedule of Historic Heritage as follows, with consequential amendments to the Auckland Unitary Plan GIS Viewer (Planning Maps), Historic Heritage Overlay.

ID	Place Name or Description	Verified Location	Verified Legal Description	Category	Heritage Values	Extent of Place	Additional Rules for Archaeologi cal Sites or	Place of Maori Interest or Significance
655	Orona settlement site R12_167	Orona / Orewa Island (east of Pararekau Island). Manukau Harbour	Part Tidal Lands of Manukau Harbour Survey Office Plan 67474; CMA	В	<u>C</u> ,D	Refer to planning maps	Yes	Yes
658	Midden R12_192	Pararekau Island, 149 Capriana Drive, Hingaia	Allotment 44 PSH OF Papakura	B	Đ	Refer to planning maps	Yes	Yes
659	Midden R12_193	Pararekau Island, 149A — Capriana Drive, Hingaia	Allotment 44 PSH OF Papakura	B	Đ	Refer to planning maps	Yes	Yes
660	Midden R12_194	Pararekau Island, 149A — Capriana Drive, Hingaia	Lot 1 1000 DP 476406 Pending Esplanade Reserve	В	D	Refer to planning maps	Yes	Yes

661	Midden R12_195	Pararekau Island, 149A Capriana Drive, Hingaia	Lot 1 1000 DP 476406	В	D	Refer to planning maps	Yes	Yes
			Pending Esplanade Reserve					
662	Midden R12_196	Pararekau Island, 149A Capriana Drive, Hingaia	Allotment 44 PSH OF Papakura	B	Đ	Refer to planning maps	Yes	Yes
663	Pit R12_197	Pararekau Island, 149A Capriana Drive, Hingaia	Allotment 44 PSH OF Papakura	B	Đ	Refer to planning maps	Yes	Yes
664	Gum digger site R12-198	147 Capriana Drive, Hingaia Kopuahingahinga/ Waikirihinau	Allotment 46 PSH OF Papakura Lot 1 Deposited Plan 449405	В	D	Refer to planning maps	Yes	Yes
682	Midden R12_692	Pararekau Island, 149A Capriana Drive, Hingaia	Allotment 44 PSH OF Papakura	В	Đ	Refer to planning maps	Yes	Yes
683	Midden R12_693	Pararekau Island, 149A Capriana Drive, Hingaia	Allotment 44 PSH OF Papakura	B	Đ	Refer to planning maps	Yes	Yes
684	Midden R12_694	Pararekau Island, 149A Capriana Drive, Hingaia	Allotment 44 PSH OF Papakura	В	Đ	Refer to planning maps	Yes	683
689	Midden R12_744	Pararekau Island, 149 Capriana Drive, Hingaia	Allotment 44 PSH OF Papakura	₿	Đ	Refer to planning maps	Yes	Yes

(d) Amend the site extent shown on the Auckland Unitary Plan Operative in Part GIS Viewer (Planning Maps) to exclude the Capriana Drive extension, as follows:



- (e) Amend the Auckland Unitary Plan GIS Viewer (planning maps) Site ID reference to be consistent, as follows:
 - Tranche 2a Sites of Significance to Mana Whenua

8

- Site Name Pahurehure Islands
- Site ID 000172
- Site ID 000110
- (f) Any other relief or other consequential amendments as are considered appropriate or necessary to address the concerns set out in this submission.
- 6. KHEL and PIL wish to be heard in support of this submission. If other parties make a similar submission, KHEL and PIL would consider presenting a joint case with them at the hearing.

DATED this 19th day of June 2024

KARAKA HARBOURSIDE ESTATES LIMITED PARARĒKAU ISLAND LIMITED

Andrew Frost (General Manager)

ADDRESS FOR SERVICE:

Karaka Harbourside Estates Limited

Pararēkau Island Limited

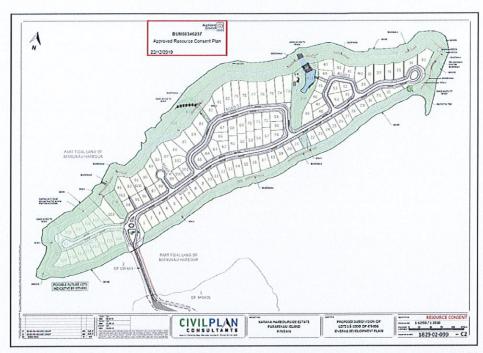
PO Box 202-215 Southgate, Takanini, Auckland 2246

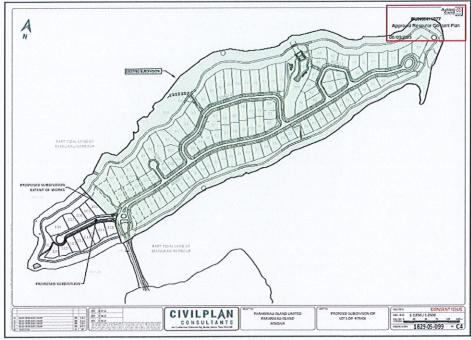
Telephone: 0224312497.

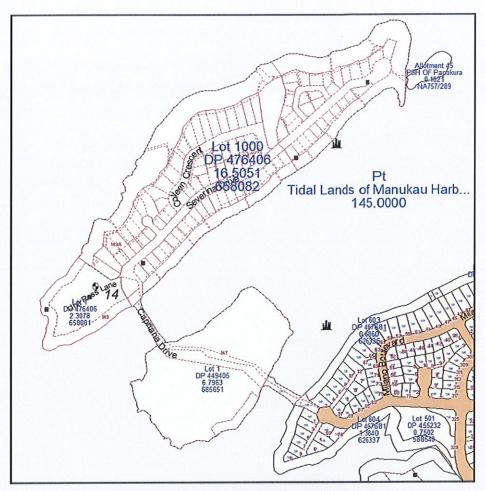
Attention: Andrew Frost, andrew.frost@rossholdings.co.nz.

Attachment 1

149 Capriana Drive – location plans





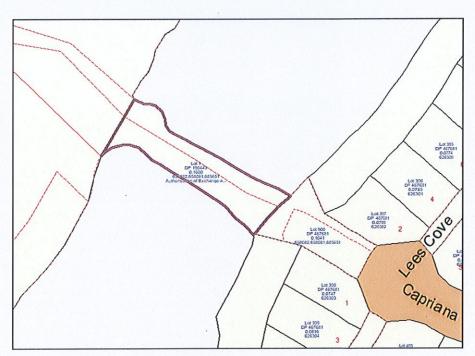


Quickmap Property Information: 05 May 2024

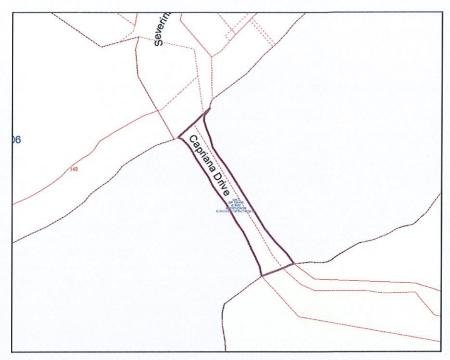
Attachment 2
Causeways and access way across Kopuahingahinga/Waikirihinau



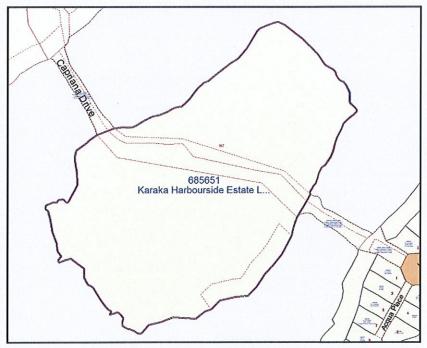
Excerpt from Council Geomaps showing "unzoned" causeways and accessway.



Causeway 1 – from Karaka Harbourside to Kopuahingahinga/Waikirihinau



Causeway 2 – between Kopuahingahinga/Waikirihinau and Pararēkau



Kopuahingahinga/Waikirhinau

IN THE MATTER

of the Resource Management

Act 1991

AND

IN THE MATTER

of a submission by **DOMAIN GARDENS LIMITED** on **PROPOSED PLAN CHANGE 102** to the **AUCKLAND UNITARY PLAN**

SUBMISSION OF DOMAIN GARDENS LIMITED ON PROPOSED PLAN CHANGE 102 TO THE AUCKLAND UNITARY PLAN

.

To: Auckland Council

unitaryplan@aucklandcouncil.govt.nz

1. **INTRODUCTION**

- 1.1 This is a submission by Domain Gardens Limited ("Domain Gardens") on Proposed Plan Change 102 to the Auckland Unitary Plan ("PC 102").
- 1.2 Domain Gardens could not gain an advantage in trade competition through this submission.
- Domain Gardens owns land at 1 Domain Drive, Parnell, Auckland ("property"). PC 102 proposes to add the Waipapa Awa ("Awa") to Schedule 12 (Sites and Places of Significance to Mana Whenua) of the AUP. The extent of the Awa, as shown in Attachment 2k to the PC 102 maps includes a section that is on Domain Gardens' property. That section of Attachment 2k is attached to this submission.
- 1.4 Domain Gardens opposes the inclusion of the Awa in Schedule 12 as regards Domain Gardens' property due to the significant uncertainty arising from its inclusion. The reasons for that submission are addressed in section 2 below.

2. **REASONS FOR SUBMISSION**

- 2.1 The property is zoned Residential – Terraced Housing and Apartment Building in the AUP. Domain Gardens purchased the property for the purpose of undertaking residential development on it.
- 2.2 Domain Gardens understands that:
 - (a) The part of the Awa identified in Attachment 2k on the property emanated from a natural spring that formed the headwaters of the Awa and the Awa then flowed from those headwaters down Parnell Valley;
 - (b) The Awa was culverted / diverted when construction of what was then known as the Kaipara-Waikato railway commenced in the second half of the 19th century;
 - The railway included construction of the Parnell Tunnel; and (c)
 - (d) The section of that railway through Parnell, including the Parnell Tunnel, and onto Newmarket is now part of the Auckland City railway network and is also subject to a KiwiRail designation.
- 2.3 Domain Gardens' also understands that the Awa once flowed from its property, or land beneath its property - noting that:
 - (a) The property is above the Parnell Railway Tunnel;
 - (b) There are significant uncertainties regarding modification of the landform to construct the Parnell Railway Tunnel, given how long ago that occurred; and
 - (c) Methods to construct the Parnell Railway Tunnel included cut and cover.
- 2.4 There are no traces of the Awa on the property.
- In addition to those uncertainties, there are two issues of significant concern to 2.5 Domain Gardens:
 - (a) Uncertainty in relation to what is required by the provisions of Part D21 of the AUP regarding protection and enhancement of sites and places of significance to Mana Whenua; and
 - (b) Uncertainty in relation to who a processing officer at Auckland Council ("AC") might in the future identify as being Mana Whenua.
- Each of the above issues is addressed below. 2.6

Uncertainty regarding Part D21 of the AUP

- Inclusion in Schedule 12 of the section of the AWA shown on Domain Gardens' 2.7 property would result in Domain Gardens having to obtain a discretionary activity resource consent for development of the property. The provisions of D21 of the AUP would then have to be considered in the processing of the application for that resource consent, including with respect to who might be given notification of the application.
- 2.8 The objectives and policies of Part D21 of the AUP provide absolutely no certainty to Domain Gardens regarding what might be required to "protect and enhance"1 the AWA or ensure it is "protected from inappropriate subdivision, use, and development."2 What that might be could only be determined via engagement with Mana Whenua - it could be something relatively simple and straightforward or it could be something that would result in development not being feasible or economically viable.
- 2.9 Domain Gardens will always seek to engage constructively with Mana Whenua with the aim of:
 - (a) Agreeing to a means by which their relationship with their ancestral land, water, etc can be recognised and provided for in terms of section 6(e) of the Resource Management Act 1991 ("RMA"); and
 - (b) Ensuring that particular regard is given to kaitiakitanga in terms of section 7(a) of the RMA.
- 2.10 Domain Gardens' issue is not with constructive engagement with Mana Whenua, its issue is the uncertainty arising from the open-ended provisions of Part D21 of the AUP in relation to inclusion in Schedule 12 of the section of the Awa shown on Domain Gardens' property.
- 2.11 In that regard, the section 32 report for PC 102 states, possibly somewhat optimistically, the following:
 - "10.30. Scheduling the Waipapa Awa does not prevent development from occurring, but does seek to ensure development does not result in further degradation of the stream. In areas where the historical extent is mapped, the scheduling seeks design acknowledgement in future development to recognise the cultural significance."

(Emphasis added.)

Objective 2.

Objective 1.

2.12 The text to the footnote to the above quote states:

"Refer to photo 5 of Waipapa Awa in Attachment 7 – some design recognition already exists with the Carlaw Mixed Use Precinct"

(Emphasis added.)

- 2.13 Photo 5 shows a metal plaque in the footpath in the Carlaw Mixed Use Precinct ("Precinct"). That plaque was not put there by the developer of the Precinct. Presumably it was put there by AC. More importantly, the provisions of Part D21 of the AUP do not even use the words "design acknowledgement" or "design recognition" and they form no part of PC 102 as notified. The objectives and policies in Part D21 of the AUP are not limited to any "design acknowledgement" or "design recognition." The provisions in Part D21 are very broad.
- 2.14 In light of the above, there is very significant uncertainty for Domain Gardens arising from the section of the Awa shown on Domain Gardens' property being included in Schedule 12 in terms of what might be required regarding protection and enhancement of the Awa. Domain Gardens is therefore opposed to inclusion of that section of the Awa in Schedule 12.

Uncertainty regarding Mana Whenua

- 2.15 Part D21.5 of the AUP provides that:
 - (a) The usual tests for notification in the RMA apply to resource consent applications required in relation to sites and places of significance to Mana Whenua; and
 - (b) In deciding who affected persons are, AC will give specific consideration to the persons listed in Rule C1.13(4).
- 2.16 The persons listed in Rule C1.13(4) include "the iwi authority in whose rohe the proposal is located." It is not clear on the face of that provision how many iwi authorities an AC processing officer might identify as requiring limited notification on the basis that:
 - (a) AC recognises 19 iwi authorities; 3 and
 - (b) AC's interactive "Maori Identity & Wellbeing Interactive Map" identifies the Domain Gardens' property as having 14 to 15 "Tribal Area Overlaps."

_

The hapū and iwi of Tāmaki Makaurau (aucklandcouncil.govt.nz)

- 2.17 In addition, using AC's website and entering the address of the property turns up 15 iwi authorities who are supposedly all "Mana Whenua" in relation to the property.
- 2.18 That creates very significant uncertainty for Domain Gardens and potentially significant time and costs if Domain Gardens has to engage with 15 different iwi authorities, all of whom would receive limited notification of any application for consent and, consequently, the right to submit in opposition and be heard.
- 2.19 Domain Gardens considers that that would be contrary to the provisions of Part D21 of the AUP in that the provisions in that part of the AUP are about "Mana Whenua" interests. Domain Gardens understands that:
 - Ngāti Whātua Orākei ("Ngāti Whātua") are Mana Whenua and kaitiaki of (a) the area and have maintained ahi kaa (the fires of occupation) in relation to the area since at least 1740;
 - The land that became the Auckland Domain was, and still is, the (b) ancestral land of Ngāti Whātua; 4 and
 - (c) The Awa formed one of the boundaries of the Domain prior to construction of the railway.
- 2.20 Domain Gardens received a letter dated 14 November 2022 from Ms Celia Davison, Manager Planning (Central/South), of AC advising that Ngāti Whātua had nominated the Awa as a heritage site.
- 2.21 Despite the above, PC 102 as notified does not even recognise Ngāti Whātua in the "Nominated by Mana Whenua" column of the amended Schedule 12 to PC 102. In comparison, the operative provisions of Schedule 12 do identify, for some entries, the nominating Mana Whenua, including some entries for Ngāti Whātua.
- 2.22 For the reasons stated above, inclusion in Schedule 12 of the section of the Awa shown on Domain Gardens' property creates very significant uncertainty for Domain Gardens and:
 - (a) Is not efficient or effective in terms of achieving the objectives in Part D21 of the AUP;

See the 2018 evidence of Ngarimu Blair presented to the Environment Court regarding the direct referral application for consent for the necessary infrastructure for the America's Cup. Also see Chapter 3 of the Waitangi Tribunal's 1987 Orakei Report, especially pages 18 and 19

9.1

9.2

- (b) Potentially creates significant economic costs for Domain Gardens;
- (c) Is contrary to sound planning and practice; and
- (d) Could result in the purpose of the RMA not being achieved with respect to Domain Gardens being able to provide for its economic wellbeing.
- 2.23 Given the above, Domain Gardens is opposed to inclusion in Schedule 12 of the section of the Awa shown on Domain Gardens' property. Nevertheless, Domain Gardens has commenced initial engagement with Ngāti Whātua regarding the Awa and will continue that engagement irrespective of the outcome of the PC 102 process. It was agreed at that initial engagement that the part of the Awa shown on the Domain Gardens' property cannot be reinstated and further engagement with Ngāti Whātua will focus on how the Awa can be recognised and provided for.

3. **RELIEF SOUGHT**

- 3.1 The relief sought by Domain Gardens is:
 - (a) That the section of the Awa shown on the Domain Gardens' property is not included in Schedule 12 to the AUP; or

(b) Failing that, then:

- (i) Clear identification in Schedule 12 of the relevant Mana Whenua in terms of any consultation for resource consent applications or other related planning matter purposes regarding the Awa; and
- (ii) Such further or other relief, including consequential relief, as will address the reasons addressed in this submission.
- 3.2 Domain Gardens wishes to be heard in support of its submission.

DATED at AUCKLAND on 21 June 2024

S J Berry / C D H Malone

Counsel for Domain Gardens Limited

Addresses for service:

c/- Berry Simons
Level 1
South British Insurance Building
3 – 13 Shortland Street
Auckland

simon@berrysimons.co.nz / craig@berrysimons.co.nz



Page 8 of 8

From: <u>UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz</u>

To: <u>Unitary Plan</u>

Subject: Unitary Plan Publicly Notified Submission - Plan Change 102 - Phil Wihongi

Date: Friday, 21 June 2024 3:15:25 pm

Attachments: NWO Submission - PC 102 Sites and Places of Significance to Mana Whenua FINAL.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Phil Wihongi

Organisation name: Ngāti Whātua Ōrākei Trust

Agent's full name:

Email address: philw@nwo.iwi.nz

Contact phone number: 021723376

Postal address: PO Box 90465 Victoria Street Auckland Auckland 1042

Submission details

This is a submission to:

Plan change number: Plan Change 102

Plan change name: PC 102 - Sites and Places of Significance to Mana Whenua Tranche 2a

My submission relates to

Rule or rules:

The Plan Change in its entirety, as described in the attached submission.

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

As described in the attached submission.

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: As described in the attached submission.

Submission date: 21 June 2024

Supporting documents

NWO Submission - PC 102 Sites and Places of Significance to Mana Whenua FINAL.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

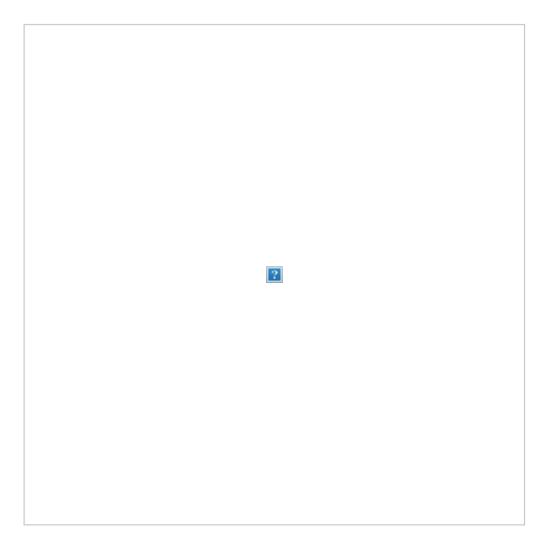
Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- · Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



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To: Auckland Council

Re: Submission on Plan Change 102 – Sites and Places of Significance to Mana

Whenua Tranche 2a (**PC102**) – Ngāti Whātua Ōrākei Trust (**Ngāti Whātua**

Ōrākei)

Name of Submitter: Ngāti Whātua Ōrākei Trust Attn: Phil Wihongi

Address for Service: Phil Wihongi Philw@nwo.iwi.nz

Date: 21 June 2024

Ko Maungakiekie te maunga

Ko Waitematā te moana

Ko Te Taoū, ko Ngāoho, ko Te Uringutu ngā hapū

Ko Ngāti Whātua Ōrākei te iwi

Submission Information:

This is a submission by Ngāti Whātua Ōrākei on the Proposed Plan Change (PC102) on Sites and Places of Significance to Mana Whenua (Tranche 2a).

The specific provisions of PC102 that Ngāti Whātua Ōrākei's submission relates to and reasons for Ngāti Whātua Ōrākei's position in relation to those provisions are set out in section 3.0 of this submission.

Ngāti Whātua Ōrākei generally supports PC102, subject to the amendments to the proposed additions to Schedule 12 and site extent of the Waipapa Awa, nominated by Ngāti Whātua Ōrākei, as listed in **Attachment 1**.

Ngāti Whātua Ōrākei could not gain an advantage in trade competition through this submission.

Ngāti Whātua Ōrākei wishes to be heard in support of this submission.



1.0 Introduction to Ngāti Whātua Ōrākei

Ngāti Whātua Ōrākei Trust represents the collective rangatiratanga and tribal authority of the descendants of Tuperiri who established Ngāti Whātua Ōrākei mana in Tāmaki, the central Auckland Isthmus and Waitematā from the 1740s. As such, every member of Ngāti Whātua Ōrākei can trace their whakapapa to Tuperiri and are descended from the 3 hapū (sub-tribes): Te Taoū, Ngāoho, and Te Uringutu, collectively referred to as Ngāti Whātua Ōrākei. Ngāti Whātua Ōrākei is driven by its vision *kia rere te kāhu pokere ki ngā taumata tiketike* (to soar and fly to the highest heights) and its mahi is underpinned by its uara, the values that ground it to tikanga Māori.

Ngāti Whātua Ōrākei are the tangata whenua of central Tāmaki the northern Manukau Harbour and the Waitematā on the basis of take tūpuna (ancestral rights and obligations), take raupatu (the taking of land through traditional warfare), tuku whenua (traditional gifting of land), which demonstrates mana i te whenua; and ahi kā (continuous and unbroken occupation and use of land and sea). Our people have lived off the bounty of the Tāmaki since the mid-18th century. The rohe of Ngāti Whātua Ōrākei – Te Kahu Tōpuni o Tuperiri – is shown in **Figure 1** below.

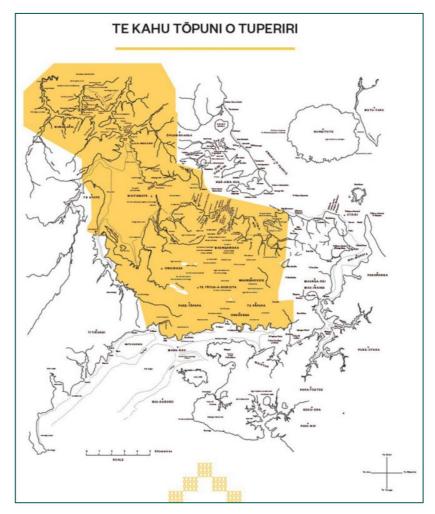


Figure 1 Map showing Ngāti Whātua Ōrākei's rohe in Tāmaki Makaurau – Te Kahu Tōpuni o Tuperiri.



Ngāti Whātua Ōrākei have approximately 7,500 Hapū members throughout Aotearoa New Zealand and around the world. Located in and around the Tāmaki isthmus, in the largest city in Aotearoa, we hold firm to our history, culture, identity and language. While Hapū members are located throughout the motu, the vast majority reside in Tāmaki Makaurau. Today the collective affairs of Ngāti Whātua Ōrākei are looked after by the Ngāti Whātua Ōrākei Trust. The Trust's purpose is to ensure the cultural, commercial, and social development of Ngāti Whātua Ōrākei for the benefit of its members through receiving, administering, managing, protecting, and governing its assets.

2.0 PC 102: Sites and Places of Significance to Mana Whenua Tranche 2a

Proposed Plan Change 102 (**PC102**) is a council-initiated plan change, which aims to introduce nine Sites and Places of Significance to Mana Whenua (**SSMW**) to Schedule 12 of the Auckland Unitary Plan (Operative in Part) (**AUP(OP)**).

The additions to the SSMW Schedule, proposed through PC102 are shown on the overall location map layout (refer **Figure 2** below), which was notified as part of the Plan Change on 23 May 2024.



Figure 2 Plan Change 102 proposed changes, Overall Location Map Layout (Source: Auckland Council)



3.0 Ngāti Whātua Ōrākei – General Comments

3.1 Overall Approach

Ngāti Whātua Ōrākei are **generally supportive** of PC102 (and Proposed Plan Modification 15 (Hauraki Gulf Islands Section)), and its purpose to provide for the relationship of mana whenua with their cultural heritage by recognising and protecting the tangible and intangible Māori cultural values of 12 sites and places within Tāmaki Makaurau.

In particular, Ngāti Whātua Ōrākei acknowledge and support Auckland Council's proposal to include an additional **two SSMW** in Schedule 12 of the AUP(OP) that were nominated by Ngāti Whātua Ōrākei (Te Rae o Kāwharu and Waipapa Awa – these two sites are discussed below). Ngāti Whātua Ōrākei also commend the efforts of Auckland Council with preparing PC102. In Ngāti Whātua Ōrākei's opinion, the process that has been followed by Auckland Council in identifying and engaging with Ngāti Whātua Ōrākei as the "appropriate" group in relation to the two SSMW nominated and included in PC102 is an example of Auckland Council getting the mana whenua engagement and consultation process and approach generally "right". Ngāti Whātua Ōrākei wish to see such a process and approach continue in respect of sites within its rohe. Accordingly, to facilitate this approach and provide direction to the Council and plan users, Ngāti Whātua Ōrākei seek that the nominating group in relation to each SSMW be specifically named in the "Nominated by Mana Whenua" column of Schedule 12, subject to ensuring only the 'appropriate' or 'local' iwi and hapū who are the tangata whenua at place (and so those who hold ahi kā status) for the relevant site and/or place are recognised as the nominating group. This does not mean that other iwi or hapū do not have an interest in any particular site, but rather appropriately recognises those who are the tangata whenua.

3.2 Recognition of Tangata Whenua

As a general overarching comment, Ngāti Whātua Ōrākei's position is that only "appropriate" and correct iwi and hapū must be considered, consulted and involved in plan and resource consent processes that relate to identified SSMW. Ngāti Whātua Ōrākei therefore seeks that the Schedule (Schedule 12 of the AUP(OP)), and the AUP(OP) more broadly (including consequential amendments to Chapter D21 Sites and Places of Significance to Mana Whenua Overlay) ensures that the 'appropriate' or 'local' hapū, and iwi who are the tangata whenua (and so those who hold ahi kā status) for the relevant site and/or place are recognised and consulted with. Ngāti Whātua Ōrākei is concerned that failure to involve those who are the 'right' tangata whenua in decision making processes associated with the SSMW that have been nominated by them, could lead to poor outcomes. Similarly, recognising and consulting entities who are not tangata whenua may result in unnecessary delays and conflicts in decision making processes.

Ngāti Whātua Ōrākei exercises its Tangata Whenua status within the 'heartland' of our rohe (as shown in **Figure 3** below). The High Court has issued a declaration that Ngāti Whātua Ōrākei has ahi kā and mana whenua (authority over the land) within this area (see *Ngāti Whātua Ōrākei Trust v Attorney-General* (No.5) [2023] NZHC 74 at [8]):



"Ngāti Whātua Ōrākei currently have ahi kā and mana whenua in relation to the area identified in Map 1 of the substantive judgment of 28 April 2022 in central Tāmaki Makaurau, with all the obligations at tikanga that go with that, according to the tikanga and historical tribal narrative and tradition of Ngāti Whātua Ōrākei."

Allowing any iwi and hapū to participate in engagement and decision making relating to SSMW, without considering whether they are the 'right' hapū and iwi to do so facilitates further claims upon territories and resources within the rohe of tangata whenua (as Ngāti Whātua Ōrākei has historically experienced in Local Government Act and Resource Management Act processes). This is not just an issue for Ngāti Whātua Ōrākei, but many iwi and hapū throughout Tāmaki Makaurau and Aotearoa.

Ngāti Whātua Ōrākei has been frustrated by the persistent lack of direction being displayed by Auckland Council in this space. Too often the Council incorrectly groups Ngāti Whātua Ōrākei with other iwi and hapū in engagement on Council projects. On a number of occasions, various iwi and hapū have been erroneously involved in engagement for projects within our SSMW in central Tāmaki where we hold ahi kā status. At other times, Ngāti Whātua Ōrākei has been consulted on projects within parts of the wider region where we would expect to defer to those iwi and hapū who hold ahi kā status there. Such inefficiencies have led to instances of the "appropriate" iwi and hapū not being involved at all, or their feedback being lost or detracted from throughout the process. Not only do these actions by the Council fail to acknowledge our status as tangata whenua in central Tāmaki, but enabling up to 21 iwi / hapū to consult on and be involved in significant decision-making processes results in substantial inefficiencies and additional costs. This is completely unsatisfactory in all instances, but particularly in relation to the SSMW in Schedule 12, when the 'right' iwi and hapū have already been formally identified, in part to avoid such outcomes.

Ngāti Whātua Ōrākei oppose the footnotes that have been added in the Cultural Values Assessments (Attachment 3 to PC102) that:

the nominating entity is the hap \bar{u} /iwi group(s) that have nominated the place for assessment and does not necessarily correlate to primary or exclusive interest in a place, for example some hap \bar{u} /iwi work together to divide the many heritage places that need assessment into work allocations, while other hap \bar{u} /iwi may have interests but are not actively participating in a given place assessment due to capacity or other issues. Reference to the nominating hap \bar{u} /iwi is not in the schedule itself due to risk of misinterpretation and misapplication 1 .

Ngāti Whātua Ōrākei also oppose the comment at para 2.10 in the Council's s32 report, that states:

Mana whenua have requested that any references to 'nominating iwi' be left blank in the schedules and appendices so as to not give an impression to plan users that only the nominating iwi have an interest in any particular site².

Comments in the s32 report notwithstanding, Ngāti Whātua Ōrākei consider the Council as a consent

¹ Footnote included in Attachment 3 Cultural Values Assessments, to PC102.

 $^{^{\}rm 2}$ Para 2.10 (page 9) of the Councils s32 Statutory Assessment Report for PC102.





authority and decision maker, can and should assess the relative strength of iwi and hapū relationships within an area, where that claim is properly grounded in tikanga Māori. This position has been recognised and supported by the High Court (see *Ngāti Maru Trust v Ngāti Whātua Ōrākei Whaia Maia Limited* [2020] NZHC 2768 at [133]):

"...when addressing the s 6(e) RMA requirement to recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga, a consent authority, including the Environment Court, does have jurisdiction to determine the relative strengths of the hapū/iwi relationships in an area affected by a proposal..."

Ngāti Whātua Ōrākei requests that our reo and identity is seen, heard and provided for in the relevant PC102 provisions. That outcome can be achieved through the Council intentionally and meaningfully working only with the appropriate iwi and hapū on the identified SSMW, instead of engaging with all 21 iwi and hapū for all projects, regardless of where they are located, as a tick-box exercise. Ngāti Whātua Ōrākei's position goes both ways. While Ngāti Whātua Ōrākei wish to exercise our tangata whenua status within the 'heartland' of our rohe (as shown in **Figure 3** below), we also seek the mana whenua and tangata whenua status of other iwi and hapū for other sites outside the rohe of Ngāti Whātua Ōrākei is acknowledged and recognised.

Ngāti Whātua Ōrākei therefore seeks that the "Nominated by Mana Whenua" column in Schedule 12 be updated to specifically name the group that has nominated the relevant site, to ensure that only the appropriate group is considered, consulted and involved in plan and resource consent processes that relate to identified SSMW, along with any consequential amendments required to Chapter D21 of the AUP(OP). A failure to do so, at least in relation to the sites nominated by Ngāti Whātua Ōrākei that are within our rohe, fails to recognise and provide for the ahi kā and tangata whenua status of Ngāti Whātua Ōrākei as declared by the High Court, and may result in unnecessary delays, costs and conflicts in decision making and other processes for all involved.





Figure 3 Ngāti Whātua Ōrākei 'heartland' of rohe

3.3 Te Rae o Kāwharu

Ngāti Whātua Ōrākei **supports** the inclusion of Te Rae o Kāwharu which is a Wāhi Tupuna and Wāhi Tohu, at 474 Great North Road, Arch Hill (Schedule ID 114). Ngāti Whātua Ōrākei also supports the extent to which the overlay has been applied to the site, located on the steep bluff at Arch Hill on the site of the current library, as shown in **Figure 4** below.

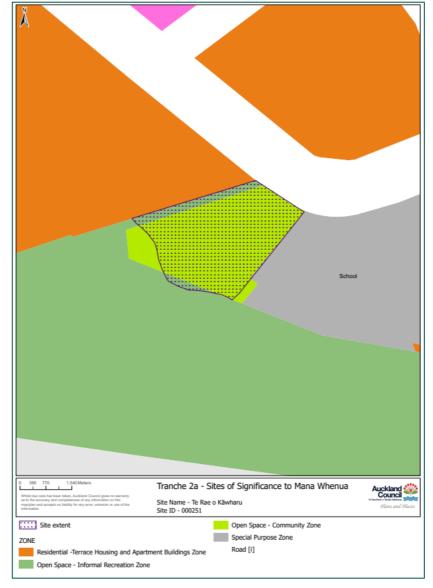


Figure 4 Site extent - Te Rae o Kāwharu (PC102)

Te Rae o Kawharu is associated with the Ngāti Whātua tupuna Kawharu and relates to his presence at the site during the battles between Ngāti Whātua and Te Waiohua in the 16th century. The site is a wāhi tupuna and a wāhi tohu.

Kōrero Tūturu

Te Rae o Kāwharu is of significant cultural importance to Ngāti Whātua Ōrākei, because of its association with Kāwharu and his mana. He led Ngāti Whātua out of the South Kaipara into the Tāmaki Isthmus during battles with Waiohua in the 16th century known, in Ngāti Whātua tradition, as Te Raupatu Tihore or 'the Stripping Conquest'. At Arch Hill, Kāwharu rested between his battles. He named the Arch Hill area after his forehead, an age-old Māori custom of claiming authority over a

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place by naming it after the most tapu part of the body, being the head. Ngāti Whātua returned to the Kaipara after these events having extracted the necessary compensation for past felt injustices. A saying amongst Ngāti Whātua Ōrākei to this day is, 'He Taumata Rau Te Toa o Kāwharu' - 'The Fame of Kāwharu Has Many Resting Places'. Arch Hill is one of those places and Ngāti Whātua Ōrākei support its recognition and protection in the PC102 provisions.

3.4 Waipapa Awa

Ngāti Whātua Ōrākei **supports** the inclusion of Waipapa Awa (Awa), through the Auckland Domain (Schedule ID 115). However, Ngāti Whātua Ōrākei seeks amendments to the extent to which the overlay has been applied to the Awa following the historic route of the Waipapa stream, as shown in **Figure 5** below, so that it applies only to those parts of the stream that are open/daylighted or on public land.

The Waipapa Awa flows from the Parnell - Te Tī Tūtahi ridge at the foot of Pukekawa (Auckland Domain). It flows mostly through stormwater pipes though it is daylighted for a short stretch before discharging into the stormwater network and eventually the Waitematā Harbour near Mechanics Bay. As it is wai māori that runs from the ridge down into the former gully wetland it retains a mauri though it has been severely impacted.

The Waipapa Awa originally flowed down the gully between Parnell and Pukekawa (Auckland Domain) into the wetlands near the Stanley Street/Parnell Rise junction before discharging into the Waitematā. The Waipapa wetlands were an important source of tuna for the ancestors of Ngāti Whātua Ōrākei.

The site was an important mahinga kai and was associated with historic repo (wetlands) and kāinga.

The name Waipapa was also that of the former satellite fishing village of Ngāti Whātua which was part of a complex network of villages dotted across the isthmus. Waipapa is also associated with the scheduled village and Māori trading site.



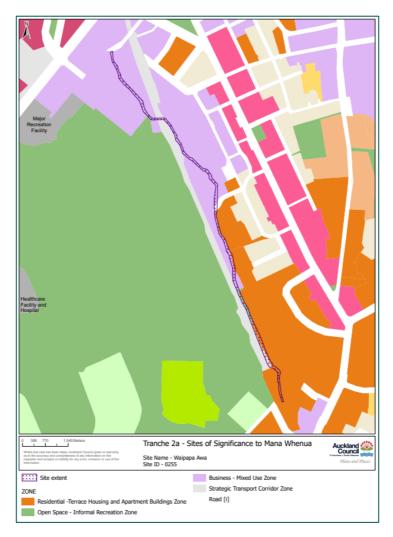


Figure 5 Site extent Waipapa Awa - PC102

4.0 Conclusion

In conclusion, Ngāti Whātua Ōrākei seeks the following relief:

- (a) That the ahi kā and tangata whenua status of Ngāti Whātua Ōrākei within the 'heartland' of our rohe is recognised and provided for in the relevant PC102 provisions, and any consequential amendments required to the AUP(OP), in particular to Chapter D21;
- (b) That only "appropriate" and correct iwi and hapū are considered, consulted and involved in plan and resource consent processes that relate to identified SSMW;
- (c) Amendments to the spatial extent of the SSMW overlay applied to the Waipapa Awa so that it applies only to those parts of the Waipapa stream that are open/daylighted or on public land;
- (d) The specific amendments sought in Attachment 1; and
- (e) Any other further necessary consequential amendments required to achieve the relief sought.

Ngāti Whātua Ōrākei looks forward to working collaboratively with Auckland Council to address the



above relief and is happy to meet with Auckland Council planning policy staff or consultants to work through these matters.



Attachment 1: Specific Submission Points on PC102

1

Sub #	Topic	Support/Oppose/Seek Amendment	Comments / Reasons	Relief Sought	
1	Overall Approach	Support	Ngāti Whātua Ōrākei is supportive of the general approach to PC102, noting the more detailed comments provided in section 3.1 above.	Approve PC102, notwithstanding the amendments outlined in Ngāti Whātua Ōrākei's submission above and below.	10.1
2	Recognition of Tangata Whenua	Seek amendment	Ngāti Whātua Ōrākei seeks that there is specific acknowledgement and provision for engagement with the "correct" hapū, and iwi which are recognised as "tangata whenua" for the reasons outlined in Section 3.2 above.	Include a specific requirement that only the "appropriate" or "correct" hapū, and iwi which are recognised as "tangata whenua" are engaged with on any proposals for development within identified SSMW. Specifically for Te Rae o Kāwharu and Waipapa Awa, Ngāti Whātua Ōrākei should be listed as the "appropriate" or "correct" hapū, and iwi, recognised as "tangata whenua."	10.2
3	Te Rae o Kāwharu — Mana Whenua nominated	Seek amendment	While Ngāti Whātua Ōrākei supports the inclusion of Te Rae o Kāwharu in Schedule 12 (Schedule ID 114), Ngāti Whātua Ōrākei request that Ngāti Whātua Ōrākei are explicitly identified in the Nominated by Mana Whenua column of the Schedule, as Te Rae o Kāwharu was nominated as a SSMW to be included in Schedule 12, by Ngāti Whātua Ōrākei.	Include <i>Ngāti Whātua Ōrākei</i> in the 'Nominated by Mana Whenua' Column of Schedule 12.	
4	Te Rae o Kāwharu — Site extent	Support	Ngāti Whātua Ōrākei supports the spatial extent that the SSMW overlay	Retain as notified.	10.4

Page 14 of 16

2

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Sub #	Topic	Support/Oppose/Seek Amendment	Comments / Reasons	Relief Sought
			has been applied to Te Rae o Kāwharu in the AUP(OP), as notified.	
5	Waipapa Awa – Mana Whenua nominated	Seek amendment	While Ngāti Whātua Ōrākei supports the inclusion of the Waipapa Awa in Schedule 12 (Schedule ID 115), Ngāti Whātua Ōrākei request that Ngāti Whātua Ōrākei are explicitly identified in the Nominated by Mana Whenua column of the Schedule, as the Waipapa Awa was nominated as a SSMW to be included in Schedule 12, by Ngāti Whātua Ōrākei.	Include <i>Ngāti Whātua Ōrākei</i> in the 'Nominated by Mana Whenua' Column of Schedule 12.
6	Waipapa Awa – Site extent	Support	While Ngāti Whātua Ōrākei supports the inclusion of the Waipapa Awa in Schedule 12 (Schedule ID 115), Ngāti Whātua Ōrākei seeks amendment to the spatial extent that the SSMW overlay has been applied to the Waipapa Awa in the AUP(OP), as notified.	Reduce the spatial extent of the SSMW overlay applied to the Waipapa Awa so that it applies only to those parts of the stream that are open/daylighted or on public land.
7	Other Sites — Mana Whenua Nomination	Seek amendment	Noting the submission points above seeking that Ngāti Whātua Ōrākei be identified as the nominator of the SSMW for Te Rae o Kāwharu and Waipapa Awa, for consistency (and subject to the agreement of the relevant mana whenua group), Ngāti Whātua Ōrākei seek that all sites within Schedule 12 list the mana whenua group that nominated the site, subject	Update the 'Nominated by Mana Whenua' Column of Schedule 12 to list the relevant Mana Whenua Group that nominated the SSMW.



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Sub #	Торіс	Support/Oppose/Seek Amendment	Comments / Reasons	Relief Sought
			to our comments in section 3.1 above.	
8	AUP(OP) more broadly, including Chapter D21 Sites and Places of Significance to Mana Whenua Overlay	Seek amendment	Noting the submission points above, Ngāti Whātua Ōrākei seek any consequential amendments be made to the AUP(OP) more broadly, to ensure that Ngāti Whātua Ōrākei's ahi kā and mana whenua status within the 'heartland' of our rohe is recognised and provided for.	·

Page 16 of 16 3

SUBMISSION ON PLAN CHANGE 102: SITES AND PLACES OF SIGNIFICANCE TO MANA WHENUA TRANCHE 2A TO THE AUCKLAND UNITARY PLAN (OPERATIVE IN PART)

Clause 6 of Schedule 1 of the Resource Management Act 1991

To: Auckland Council

unitaryplan@aucklandcouncil.govt.nz

FOODSTUFFS NORTH ISLAND LIMITED at the address for service set out below ("**FSNI**") makes the following submission in relation to Plan Change 102: Sites and Places of Significance to Mana Whenua Tranche 2A ("**Plan Change**" or "**PC102**") to the Auckland Unitary Plan: Operative in Part ("**AUP**").

- 1. The Plan Change seeks to introduce Sites and Places of Significance to Mana Whenua ("SSMW") to Schedule 12 of the AUP, amend other schedules in the AUP to recognise the association Mana Whenua have with Outstanding Natural Features and Historic Heritage Places, and make a change to one already scheduled Historic Heritage Place.
- 2. FSNI will be directly affected by the Plan Change as the owner, lessee or prospective occupier of the following sites which are either adjacent to, adjoining or directly impacted by a SSMW proposed to be introduced by PC102, being Item 109 Te Wai o Ruarangi / Oruarangi and Waitomokia Creeks ("Item 109"):
 - (a) 530-546 Oruarangi Road;¹
 - (b) 35 Landing Drive;² and
 - (c) 81 Pavilion Drive.³

Those properties are identified on **Figure 1 attached**.

3. FSNI could not gain an advantage in trade competition through this submission.

¹ Legally described as Lot 1 DP 166239, Lot 101 DP 559396 and Lot 1 DP 189594.

² Pt Allot 89 Parish of Manurewa and defined on DP 13716, and Lot 1 DP 28940.

³ Lot 34 DP 358114, Lot 35 DP 358114, Lot 32 DP 358114, Lot 28 DP 358114 and Lot 29 DP 358114.

- 4. The submission relates to the following aspects of the Plan Change:
 - (a) Proposed inclusion of new Item 109 "Te Wai o Ruarangi / Oruarangi and Waitomokia Creeks" within Schedule 12 Sites and Places of Significance to Mana Whenua of the AUP ("Schedule 12").
 - (b) Proposed amendments to the Auckland Unitary Plan GIS Viewer, Tranche 2a Sites of Significance to Mana Whenua, Site Name Te Wai o Ruarangi / Oruarangi Awa and Waitomokia Creek, Site ID 000125 ("GIS Viewer").
- 5. FSNI does not oppose the inclusion of Item 109 within Schedule 12 but seeks to ensure that the notations on the GIS Viewer (i.e. planning maps) are such that the "Site Extent" of Item 109 is correctly and appropriately located with respect to the current and actual extent of the water courses on each site, Mean High Water Springs ("MHWS") and the title boundaries.
- 6. The reasons for the submission are as follows:
 - (a) Provided the relief sought below in this submission is granted, the Plan Change will:
 - (i) Promote the sustainable management of natural and physical resources;
 - (ii) Amount to and promote the efficient use and development of resources;
 - (iii) Promote provisions that will be effective and efficient in achieving the objectives of the Plan Change and the AUP;
 - (iv) Be consistent with the purpose and principles in Part 2 of the Resource Management Act 1991 ("RMA");
 - (v) Represent the most appropriate way to achieve the objectives of the Plan Change and the AUP in accordance with s 32 of the RMA; and
 - (vi) Represent best resource management practice.

In particular, but without derogating from the generality of the above:

(b) FSNI leases or will lease the Landing Drive site and part of the Oruarangi Road site. The Landing Drive site houses the Foodstuffs Ambient Distribution Centre and its Head Office, Chilled and Frozen Distribution Centre. FSNI does not oppose the -3- #11

inclusion of Item 109 provided the identified extent aligns with the most seaward of the title boundaries or the current location of MHWS as it relates to the Landing Drive and Oruarangi Road sites.

- (c) FSNI owns the properties at 81 Pavilion Drive (Foodstuffs Fresh Distribution Centre).

 FSNI understands that the extent of Item 109 does not directly impact 81 Pavilion

 Drive. Based on that understanding, FSNI does not oppose the extent of Item 109 as

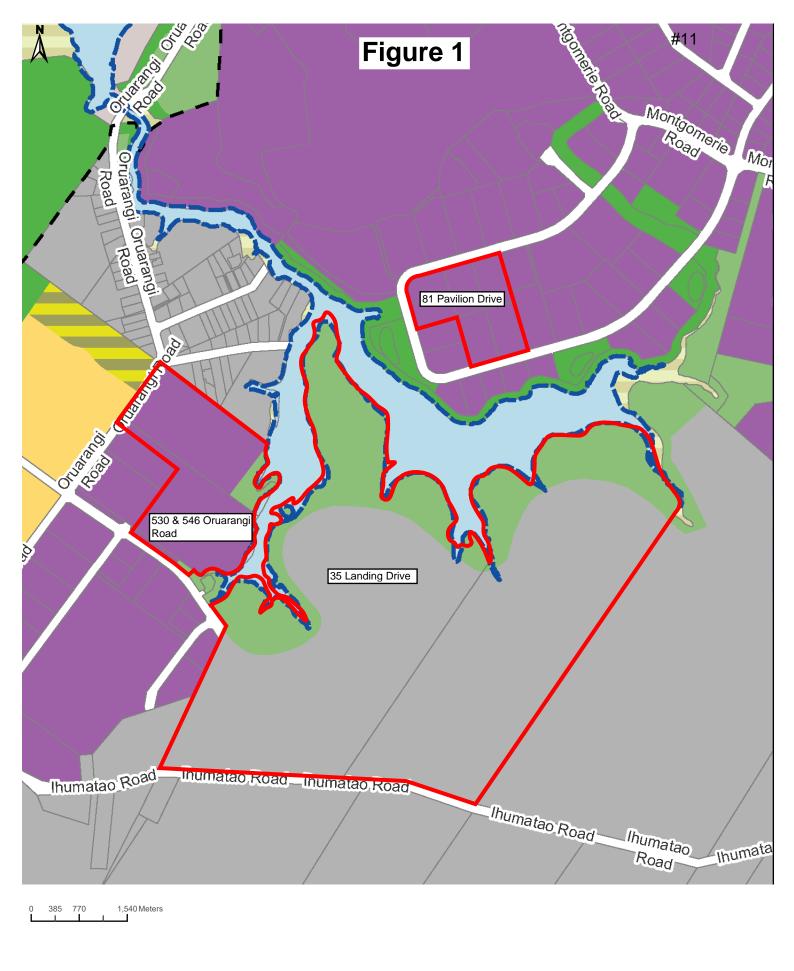
 it relates to 81 Pavilion Drive.
- 7. FSNI seeks the following relief with regard to PC 102:
 - (a) The GIS Viewer (i.e. planning maps) is altered such that the "Site Extent" of Item 109 is re-aligned to reflect the most seaward of:
 - (i) title boundaries; and
 - (ii) the current location of MHWS.
 - (b) Such alternative or other relief or consequential amendments as are considered appropriate or necessary to address the concerns set out in this submission.
- 8. FSNI wishes to be heard in support of this submission. If other parties make a similar submission, FSNI would consider presenting a joint case with them at the hearing.

DATED this 21st day of June 2024

FOODSTUFFS NORTH ISLAND LIMITED by its solicitors and duly authorised agents, Ellis Gould

Alex Devine

ADDRESS FOR SERVICE: The offices of Ellis Gould, Solicitors, Level 31, Vero Centre, 48 Shortland Street, PO Box 1509. Auckland 1140, DX CP22003, Auckland. Telephone: 306 1075. **Attention**: Alex Devine. adevine@ellisgould.co.nz.





GIPL PC102 Submission



To: Auckland Council

Re: Submission on Plan Change 102 – Sites and Places of Significance to Mana

Whenua Tranche 2a (PC102) –GIPL Investment Group

Full Name of Submitter: Gloucester Industrial Park Limited. Attn: Andrew Muller

Address for Service: Matt Norwell (mattn@barker.co.nz)

Date: 21 June 2024

Submitter Details:

Name of Submitter: Gloucester Industrial Park Limited ('GIPL')

- (1) GIPL makes this submission on the Proposed Plan Change (PC102) on Sites and Places of Significance to Mana Whenua (Tranche 2a).
- (2) GIPL could not gain an advantage in trade competition through this submission.
- (3) GIPL generally supports PC102.
- (4) GIPL wishes to be heard in support of their submission.

Overview of PC102 and GIPL Site

- (5) PC102 is a council-initiated plan change, which aims to introduce nine Sites and Places of Significance to Mana Whenua (SSMW) to Schedule 12 of the Auckland Unitary Plan (Operative in Part) (AUP(OP)). GIPL has an interest in PC102, in particular, the proposed new site of significance referred to as 'ID 109 Te Wai o Ruarangi' which includes the Oruarangi and Waitomokia Creeks.
- (6) The site at 10 Penihana Place is zoned Business Light Industry Zone under the AUP(OP) and has an area of 1.588ha. GIPL have been notified of the proposed site of significance (ID 109 Te Wai o Ruarangi) as this landholding is located adjacent to the notified area, as shown in **Figure 1** and **Attachment 1**.

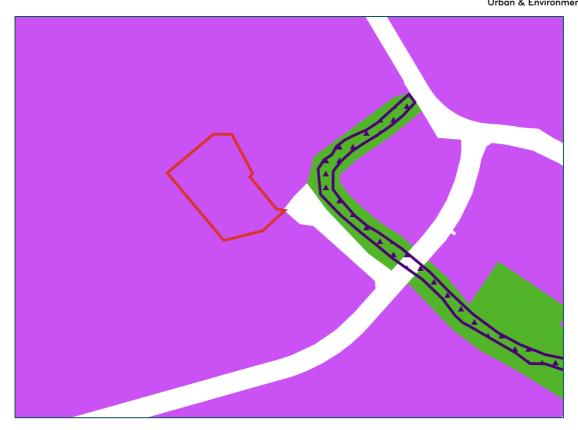


Figure 1: Proposed Sites and Places of Significance to Mana Whenua overlay 'Te Wai o Ruarangi' (shown hatched) in relation to the landholdings at 10 Penihana Place, Mangere (shown in red outline).

Scope of Submission

- (7) This submission relates to the proposed Te Wai o Ruarangi site of significance to mana whenua overlay (ID 109) as it relates to the landholdings at 10 Penihana Place, Mangere.
- (8) GIPL generally supports the notified extent of the Te Wai o Ruarangi site of significance to mana whenua within the schedule, as this will not affect the current industrial operation or any future development of the site.

Relief Sought

(9) GIPL seeks for the plan change to be approved as it has been notified. 12.

Address for Service:

Barker & Associates Limited

Attn: Matt Norwell

PO BOX 1986

Shortland Street

Auckland 1140

Contact Number: 029 850 2780

Barker & Associates



Email Address: <u>mattn@barker.co.nz</u>

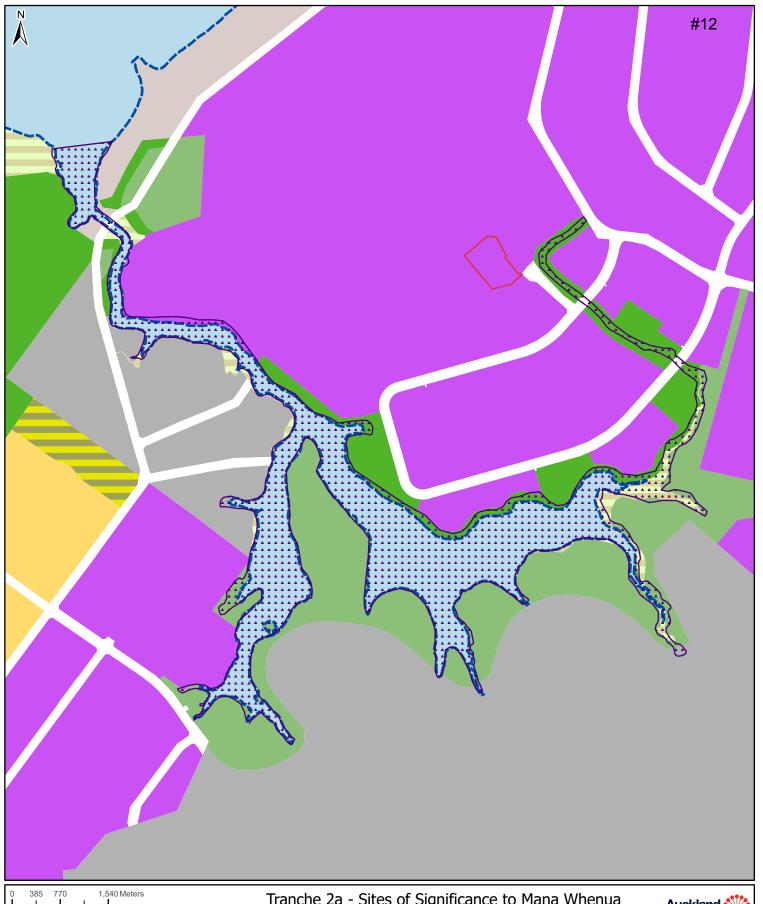
Copied To:

Andrew Muller, Gloucester Industrial Park Limited

Appendix 1

Relevant Extent of PC102





Whilst due care has been taken, Auckland Council gives no warranty as to the accuracy and completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information.

Tranche 2a - Sites of Significance to Mana Whenua

Site Name - Te Wai o Ruarangi / Oruarangi Awa and Waitomokia Creek Site ID - 000125



Site extent

Indicative Coastline (i)

ZONE

Open Space - Conservation Zone

Open Space - Informal Recreation Zone

Business - Light Industry Zone

Rural - Rural Production Zone

Special Purpose Zone

Coastal - General Coastal Marine Zone [rcp]

Coastal - Coastal Transition Zone

Road [i]

Page 5 of 5

From: <u>UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz</u>

To: Unitary Plan

Subject: Unitary Plan Publicly Notified Submission - Plan Change 102 - Tyler Sharratt

Date: Friday, 21 June 2024 3:30:52 pm

Attachments: Winstone Aggregates Plan Change 102 Submission.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Tyler Sharratt

Organisation name: Winstone Aggregates

Agent's full name: Tyler Sharratt

Email address: tyler.sharratt@winstoneaggregates.co.nz

Contact phone number: 0272029453

Postal address:

810 Great South Road

Penrose

Auckland 1061

Submission details

This is a submission to:

Plan change number: Plan Change 102

Plan change name: PC 102 - Sites and Places of Significance to Mana Whenua Tranche 2a

My submission relates to

Rule or rules:

The site extent of Attachment 2e of PC102: Manukapua (ID:0192)

Property address:

Map or maps: Attachment 2e of PC102: Manukapua (ID:0192)

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Please see attached submission document.

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Please see attached submission document for proposed amendments.

Submission date: 21 June 2024

Supporting documents

Winstone Aggregates Plan Change 102 Submission.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

Declaration

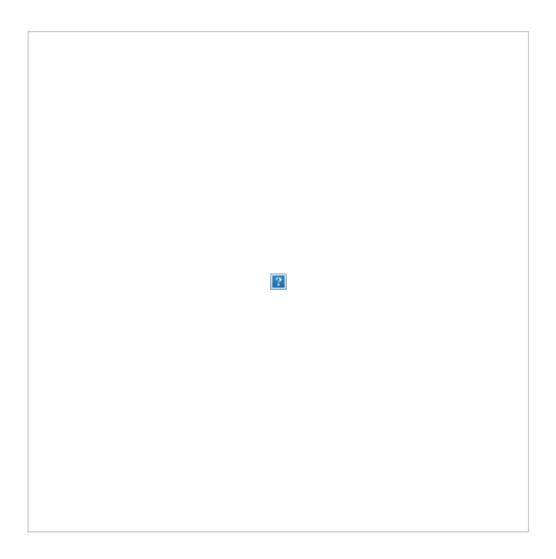
Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- · Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



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SUBMISSION ON PLAN CHANGE 102: SITES AND PLACES OF SIGNIFICANCE TO MANA WHENUA TRANCHE 2A

21 June 2024

Winstone Aggregates 810 Great South Rd, Penrose Auckland 1061

We appreciate the opportunity to provide feedback on the proposed Plan Change 102 and acknowledge the work Auckland Council has done with us prior to reaching this stage.

Our main points of feedback are -

• We are supportive of the proposed Plan Change, subject to the extent of the Manukapua (ID:0192) mapped footprint being reduced to avoid our consented sand dredging activity area.

13.1

BACKGROUND

Winstone Aggregates and Mt Rex Shipping Ltd hold resource consents (Coastal Permit No.41662 and 41663) to extract sand from the coastal marine area of the Kaipara Harbour, as authorised by a 2006 decision of the Environment Court. The consented dredging area is over the Taporapora banks, adjacent to Manukapua Island. The permit authorises the extraction of sand at a maximum of up to 392,000m³ per annum at an average rate of 336,000m³ per annum.

The sand extracted is supplied to the Auckland market, with Kaipara sand supplied by Winstone and Mt Rex representing more than 60% of all sand supplied to the concrete industry. It is projected that sand supply from the Kaipara (Mt Rex and Winstone) will increase to approximate 80 to 90% over the next 3 to 5 years, following a recent Environment Court decision (ENV-2022-AKL-121) resulting in McCallum Bros Limited consents sand volumes from Pakiri being significantly reduced. Given the increase in demand for Auckland, reduced overall supply, the dependence on minerals and an accessible supply of minerals are matters of regional importance.

RELIEF SOUGHT

Map 1 (attached) shows where the proposed Manukapua Site and Place of Significance to Mana Whenua layer overlaps the consented area of sand extraction. This area has been actively dredged since the 1990's by both Mt Rex and Winstone Aggregates and therefore placing a layer of significance over a consented area is not likely to achieve the intention of the plan change.



Notwithstanding this, Winstone Aggregates believes that to provide for the ongoing sustainable extraction of the regionally significant sand resource and to protect and enhance the tangible and intangible values of scheduled sites and places of significance to Mana Whenua, a further setback is recommended (see Map 2 attached).

Once again, we appreciate Auckland Council reaching out early in the process and we would like to express our willingness to discuss our submission with Te Uri o Hau and Council when possible.

Yours sincerely,





Resource Management Planner

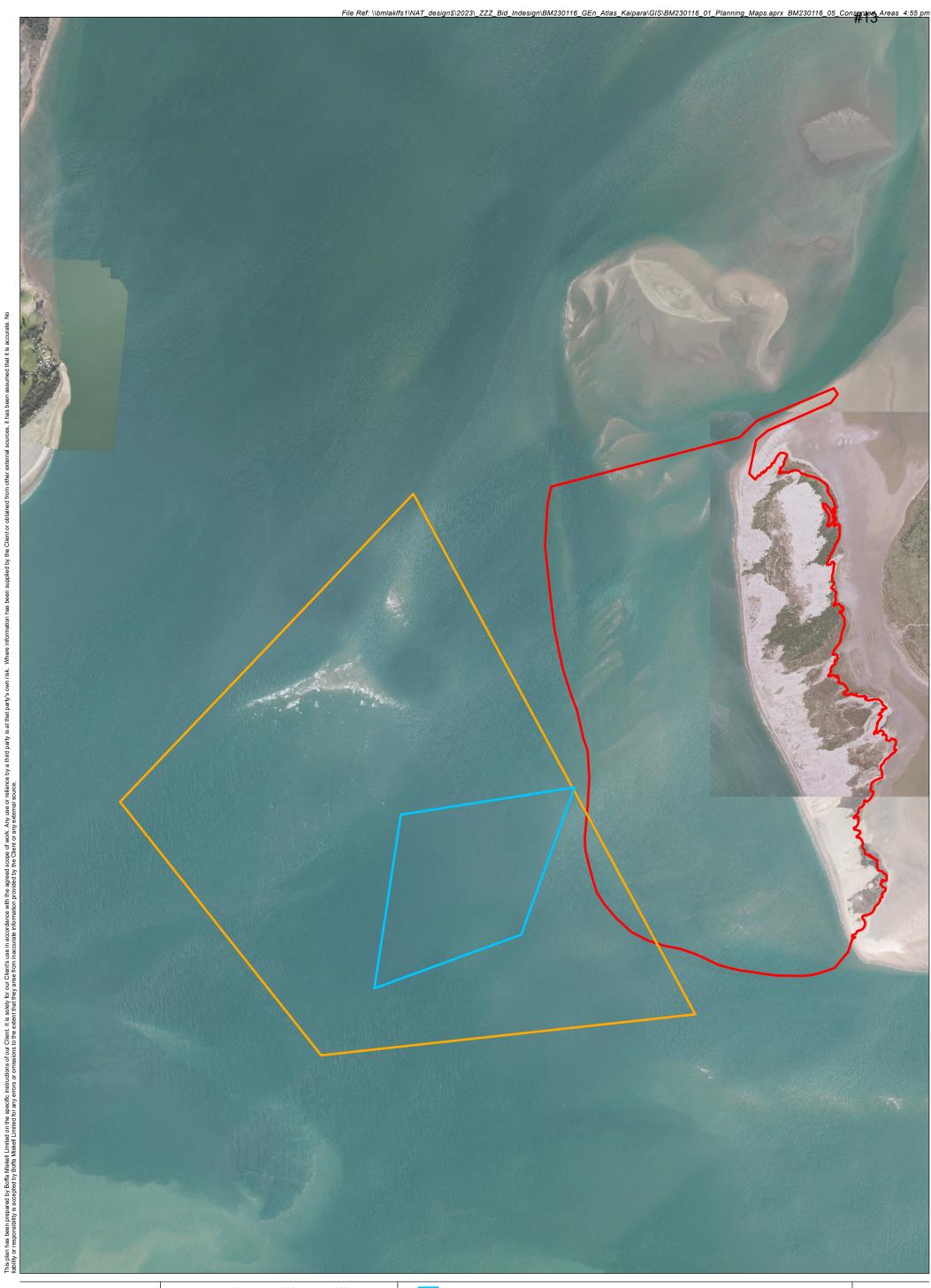
m: +64 27 202 9453 w: winstoneaggregates.co.nz



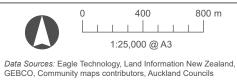




APPENDIX: MAP 1 (CONSENTED AREAS) AND MAP 2 (RELIEF SOUGHT)

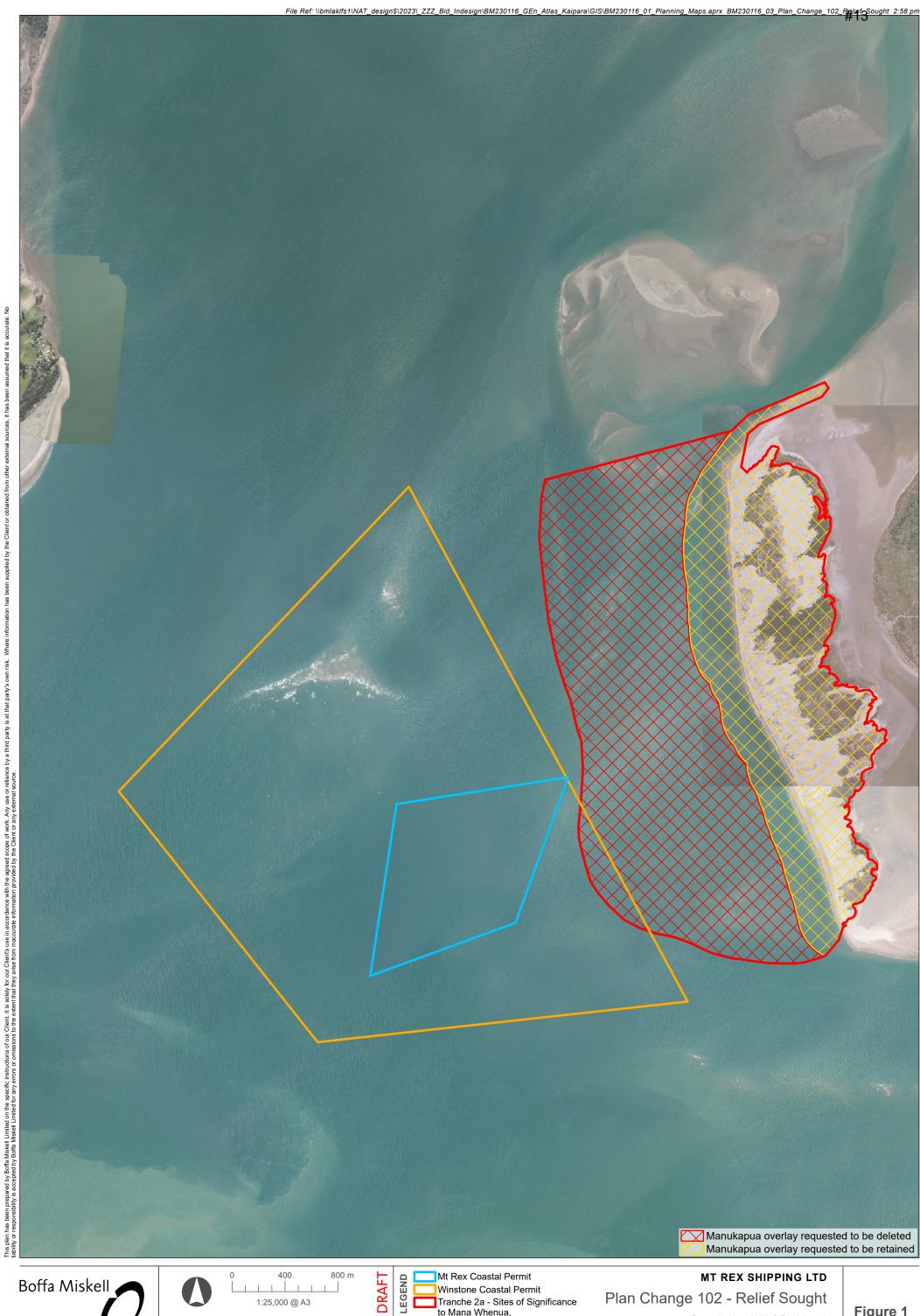




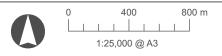


Mt Rex Coastal Permit Winstone Coastal Permit
Tranche 2a - Sites of Significance
to Mana Whenua, Site Name - Manukapua
Site ID - 0192

ATLAS KAIPARA **Consented Areas**



www.boffamiskell.co.nz



Data Sources: Eagle Technology, Land Information New Zealand, GEBCO, Community maps contributors, Auckland Councils

Projection: NZGD 2000 New Zealand Transverse Mercator

LEGEND Tranche 2a - Sites of Significance to Mana Whenua,
Site Name - Manukapua Site ID - 0192

Plan Change 102 - Relief Sought

Date: 11 June 2024 | Revision: 0

Figure 1

Plan prepared by Boffa Miskel Piggs 7
Project Manager: Geoff.England@boffamiskell.co.nz | Drawn: SGa | Checked: GEn

Southpark PC102 Submission

To: Auckland Council

Re: Submission on Plan Change 102 – Sites and Places of Significance to Mana

Whenua Tranche 2a (PC102) - R B Takeoff LP

Full Name of Submitter: R B Takeoff LP Attn: James Sax

Address for Service: James Sax (james@southparkcorp.co.nz)

Date: 21 June 2024

Submitter Details:

Name of Submitter: RB Takeoff LP ('Southpark')

- (1) Southpark makes this submission on the Proposed Plan Change (PC102) on Sites and Places of Significance to Mana Whenua (Tranche 2a).
- (2) Southpark could not gain an advantage in trade competition through this submission.
- (3) Southpark seeks a realignment of the Sites and Places of Significance to Mana Whenua overlay boundary (as it relates to ID 109 Te Wai o Oruarangi) so that it does not apply to any part of the properties at 546 and 530 Oruarangi Road, Mangere.
- (4) Southpark wishes to be heard in support of their submission.

Overview of PC102 and Southpark Site

- (5) Southpark is a member of the Southpark Group which has been successfully developing properties for the past 30+ years and has completed over 60 projects throughout New Zealand, predominantly in the industrial sector.
- (6) PC102 is a council-initiated plan change, which aims to introduce nine Sites and Places of Significance to Mana Whenua (SSMW) to Schedule 12 of the Auckland Unitary Plan (Operative in Part) (AUP(OP)). Southpark has an interest in PC102, in particular, the proposed new site of significance referred to as 'ID 109 Te Wai o Ruarangi' which includes the Oruarangi and Waitomokia Creeks. Paragraph 14.21 of the Section 32 Report notes that the extent of Te Wai o Ruarangi is mapped to the legal boundaries of properties as recorded by Land Information New Zealand (LINZ).
- (7) This plan change directly affects the land holdings at 530 and 546 Oruarangi Road, Mangere owned by Southpark.
- (8) The sites at 530 and 546 Oruarangi Road are zoned Business Light Industry Zone under the AUP(OP) and have a combined land area of 10.654ha. As part of resource consent currently being processed by Auckland Council, a recent survey of the property boundaries (including mean high-water springs) was undertaken to support this resource consent application. The proposed site of significance (ID 109 Te Wai o Ruarangi) directly affects this landholding as the overlay extends within the site boundaries, as shown in **Figure 1** and **Attachment 1**.



Figure 1: Proposed Sites and Places of Significance to Mana Whenua overlay 'Te Wai o Ruarangi' (shown hatched) in relation to the landholdings at 530 and 546 Oruarangi Road, Mangere (shown in red outline).

Scope of Submission

- (9) This submission relates to the proposed Te Wai o Ruarangi site of significance to mana whenua overlay (ID 109) as it relates to the landholdings at 530 and 546 Oruarangi Road, Mangere.
- (10) Southpark submits that the Te Wai o Ruarangi site of significance to mana whenua overlay, should be realigned so that the overlay boundary reflects the surveyed mean high water springs boundary at 530 and 546 Oruarangi Road and does not affect any part of the Southpark's Oruarangi Road properties. It appears that the existing sediment pond has been captured within this overlay. This pond is man-made and does not form part of the Oruarangi and Waitomokia Creeks. For these reasons, we seek that the boundary is re-aligned to be consistent with the most recent survey information completed by a qualified surveyor.
- (11) A copy of the most recent surveyed mean high water springs boundary is provided as Attachment 2.

Relief Sought

- (12) Southpark seeks the following relief on Plan Change 102:
 - (a) The extent of the Sites and Places of Significance to Mana Whenua overlay boundary (as it relates to 530 and 546 Oruarangi Road) is amended to reflect the surveyed mean high water springs boundary provided in **Figure 2** below and **Attachment 3** and so that the overlay does not apply to any part of the properties at 546 and 530 Oruarangi Road, Mangere.

14.1



Figure 2: Proposed realignment of the Sites and Places of Significance to Mana Whenua overlay 'Te Wai o Ruarangi' to reflect the latest survey/mean high water springs boundary on the 530 and 546 Oruarangi Road sites.

Attachments

The following attachments are provided in support of this submission:

Attachment 1: Plan Change 102 Extent – ID 109 (Te Wai o Ruarangi)

Attachment 2: Surveyed Mean High Water Springs Boundary

Attachment 3: Proposed Change to Mana Whenua Overlay

Address for Service:

R B Takeoff LP Attn: James Sax PO BOX 12301 Penrose Auckland 1642

Contact Number: 021 229 9009

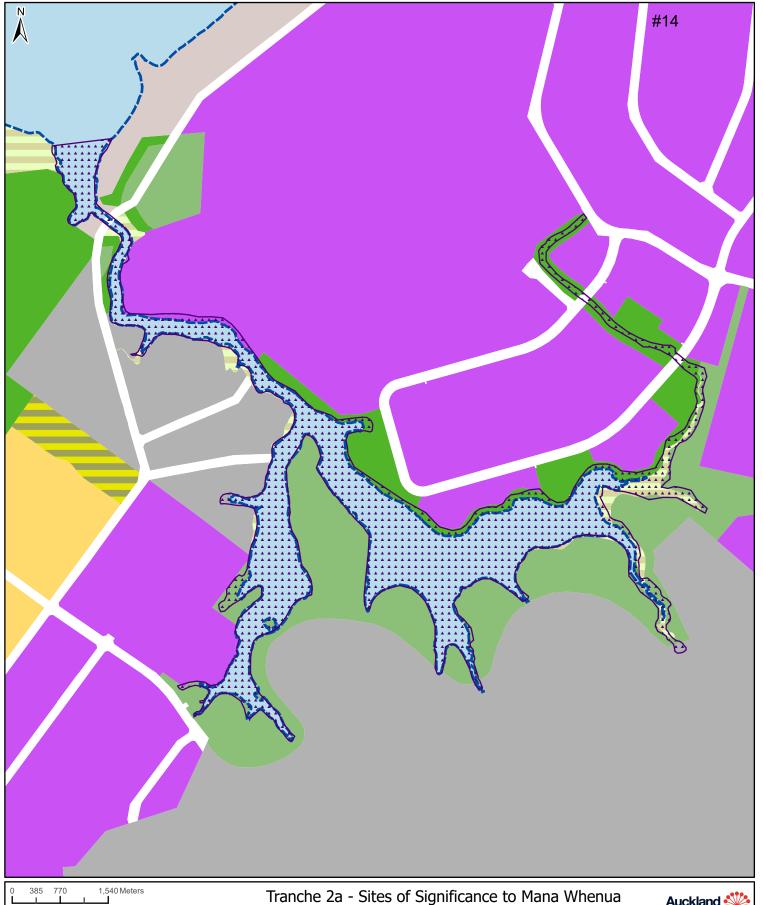
Email Address: james@southparkcorp.co.nz

Copied To:

Rupert Wilson, Southpark Corporation Limited (legal@southparkcorp.co.nz)

Attachment 1

Plan Change 102 Extent - ID 109 (Te Wai o Ruarangi)



Whilst due care has been taken, Auckland Council gives no warranty as to the accuracy and completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information.

Site Name - Te Wai o Ruarangi / Oruarangi Awa and Waitomokia Creek
Site ID - 000125



Site extent

Indicative Coastline (i)

ZONE

Open Space - Conservation Zone

Open Space - Informal Recreation Zone

Business - Light Industry Zone

Rural - Rural Production Zone

Special Purpose Zone

Coastal - General Coastal Marine Zone [rcp]

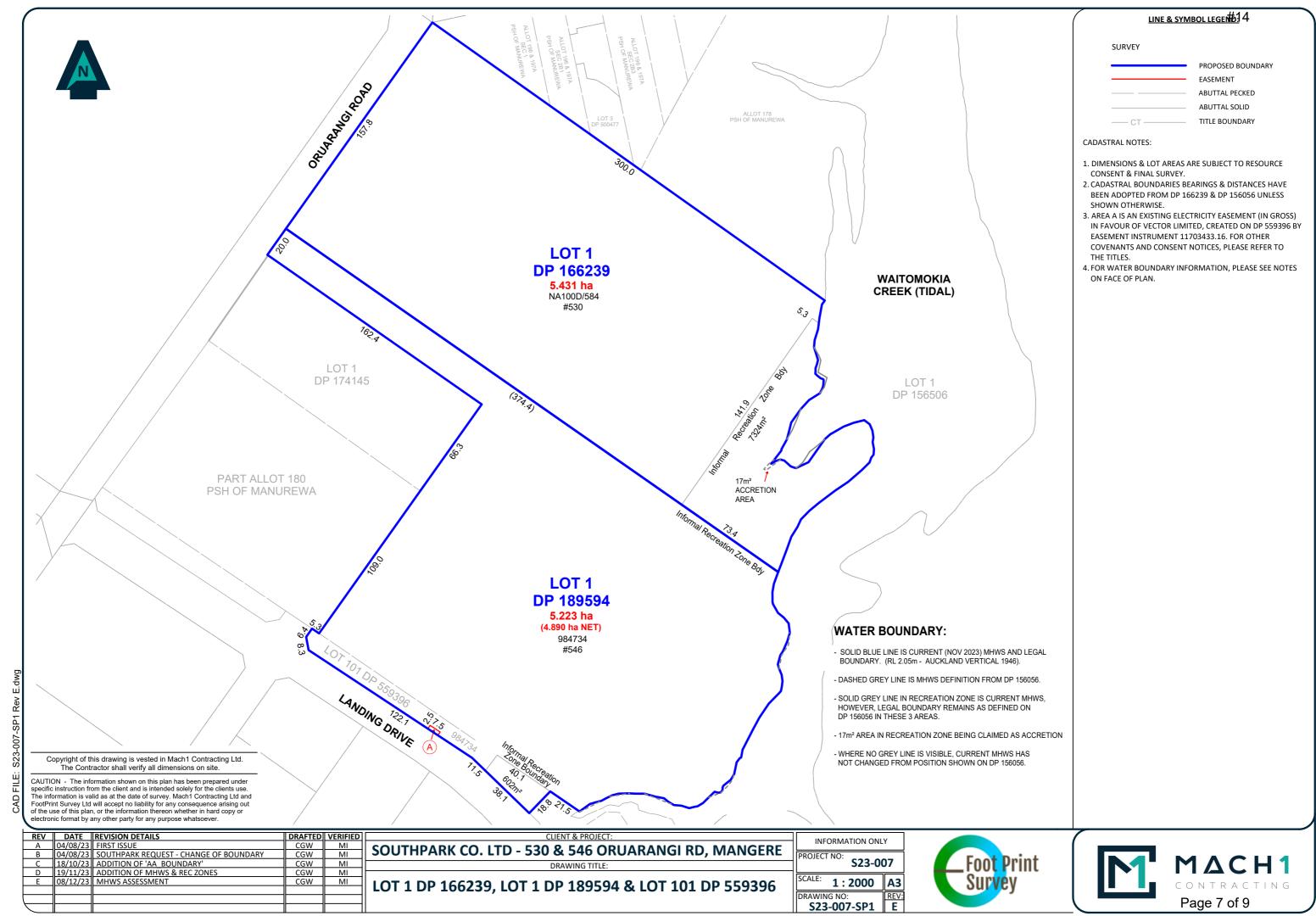
Coastal - Coastal Transition Zone

Road [i]

Page 5 of 9

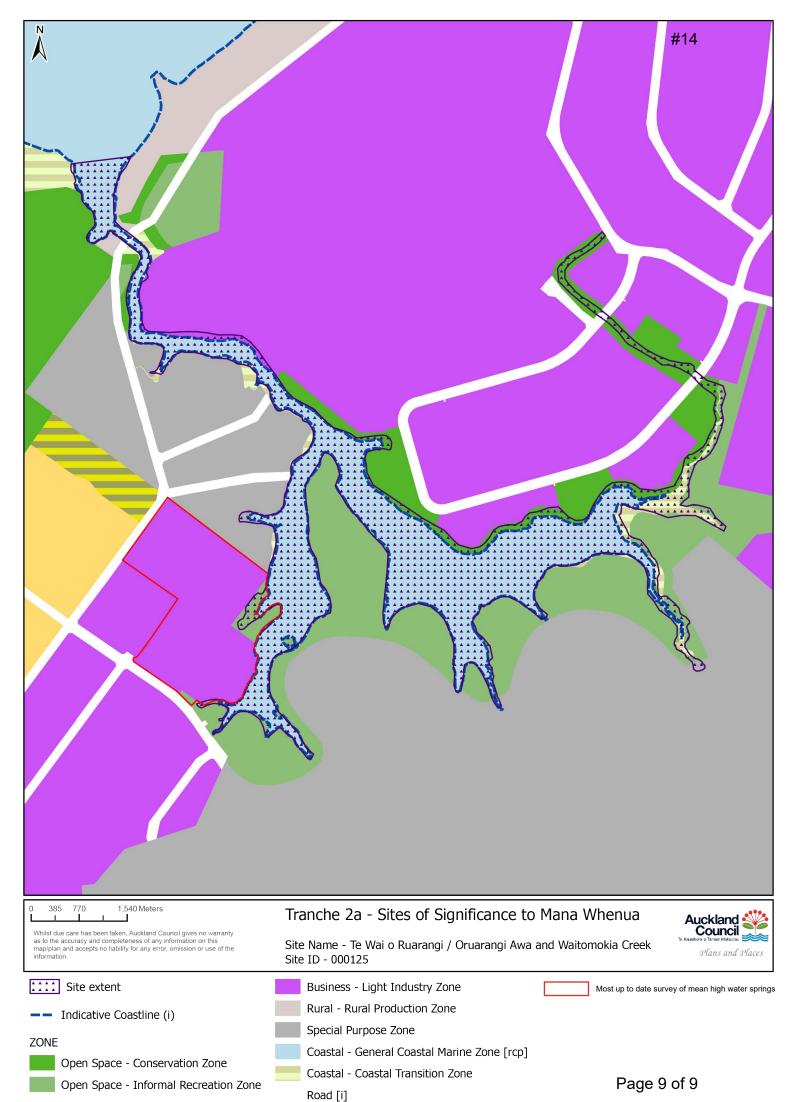
Attachment 2

Surveyed Mean High Water Springs Boundary



Attachment 3

Proposed Change to Mana Whenua Overlay



SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR PLAN CHANGE UNDER CLAUSE 6 OF THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991

TO: Auckland Council

SUBMITTER: Auckland International Airport Limited

SUBMISSION ON: Proposed Plan Change 102 ("PC102"): Sites and Places of Significance to Mana

Whenua Tranche 2a to the Auckland Unitary Plan - Operative in Part ("AUP")

Introduction

- Auckland Airport is the landowner of over 1,500 hectares of land, including more than 100 hectares of comprehensively planned development at The Landing business park. The activities at The Landing support Auckland Airport's function as strategic infrastructure of critical local, regional, and national importance.
- Part of the planning for the development of Auckland Airport's land is comprehensive stormwater management. These plans are developed in consultation with iwi partners, recognise the significance of the area in which Auckland Airport operates, and are consistent with good practice.
- Auckland Airport welcomes the opportunity to submit on PC102, which proposes to introduce additional Sites and Places of Significance to Mana Whenua ("SSMW") to Schedule 12 of the AUP, including Te Wai o Ruarangi / Oruarangi and Waitomokia Creeks ("Site 109").
- 4. This submission relates specifically to the proposal to schedule Site 109 (see map at Annexure A) as a SSMW in the AUP, noting the catchments of Oruarangi and Waitomokia Creeks include The Landing.
- 5. Auckland Airport could not gain an advantage in trade competition through this submission and the submission does not relate to trade competition or the effects of trade competition.

Reasons for Submission

- 6. Auckland Airport recognises the cultural significance of the Oruarangi and Waitomokia Creeks.
- 7. Auckland Airport supports the identification of Site 109 as a SSMW subject to amendments to the geographic extent of the proposed SSMW so that it does not apply to Airport land that is landward of the indicative Coastal Marine Area ("CMA") as mapped on Council's Geomaps and excludes existing Auckland Airport stormwater infrastructure. This will support appropriate consenting pathways critical to development at The Landing, including for the development of public open space and ongoing development, operation, maintenance and upgrading of stormwater infrastructure proximate to Oruarangi and Waitomokia Creeks.
- Auckland Airport provided feedback on the geographic extent of Site 109 pre-notification of PC102 and acknowledges that the notified extent has been amended in part in response to that previous feedback.
- Site 109 as notified still extends into Auckland Airport's landholdings, including land that is occupied by significant stormwater infrastructure (see Annexure B) and land that will be future

- public open space. The stormwater infrastructure discharges stormwater to Site 109. Communications with Auckland Council post notification of PC102 indicates that the inclusion of artificial stormwater devices on Auckland Airport land within Site 109 may be unintentional.
- 10. If scheduled, the geographic extent of Site 109 will influence when provisions contained within Chapter D21 (Sites and Places of Significance to Mana Whenua Overlay), Chapter E12 (Land Disturbance) and Chapter E26 (Infrastructure), are relevant. Where these provisions apply, this will add a layer of planning complexity. The provisions themselves are not within the scope of PC102 and therefore it is critical that the mapped area is appropriate.
- Auckland Airport does not consider that applying Site 109 to the Airport's landholdings at The Landing, outside the indicative CMA mapped on Council's Geomaps, will promote sustainable management, including continued good practice stormwater management. A number of examples are included below to provide context with respect to how Site 109 has potential to complicate upgrades, maintenance, and new stormwater infrastructure at The Landing.
- 12. There are existing stormwater treatment ponds located on Auckland Airport land south-west of the northern terminus of Maurice Wilson Avenue. The design of this stormwater management system includes provision for a future upgrade of the lower tier to provide additional treatment capacity as development in the catchment occurs. This lower tier is within the notified extent of Site 109 and as proposed any resource consent application for its development will need to navigate the SSMW provisions referenced above.
- 13. There are authorised stormwater outfalls servicing Auckland Airport owned land which appear to be located within the extent of Site 109 based on the notified PC102 maps. Ongoing maintenance and operation of this stormwater infrastructure includes land disturbance, vegetation removal and replacement that may trigger consent under Chapter D21 and Chapter E12. As proposed, Site 109 would add a level of consenting complexity and uncertainty for activities that are essential to maintain the function of existing stormwater infrastructure.
- 14. As development continues at The Landing, new stormwater management infrastructure and discharges, all consistent with good practice, will also be required. Work to inform this design is ongoing. In line with the approach of Auckland Airport, stormwater management solutions will be developed in conjunction with iwi partners and any new discharge consent application will consider effects on Site 109.
- 15. The notified extent of Site 109 also extends into discrete areas of land owned by Auckland Airport and landward of the indicative CMA as mapped on Council's Geomaps which is to be developed as public open space. The SSMW does not provide an appropriate pathway for activities required to develop the area before vesting, including riparian planting and associated land disturbance, which are intended to enhance public access and access to Oruarangi and Waitomokia Creeks. This does not promote sustainable management.

General Reasons for Submission

- 16. Without limiting the above, the general reasons for this submission are that amendments to PC102 proposed by Auckland Airport are necessary to provide for the ongoing development and operation of Auckland Airport's stormwater infrastructure and public open space to ensure the plan change:
 - (a) promotes sustainable management of resources, and will achieve the purpose and principles of the Resource Management Act 1991;
 - (b) meets the reasonably foreseeable needs of future generations;

15.1

- (c) enables social, economic and cultural wellbeing; and
- (d) avoids, remedies or mitigates adverse effects on the environment.

Decision Sought

- 17. Auckland Airport seeks the following amendments:
 - (a) that the extent of Site 109, as it relates to Auckland Airport land, be amended to exclude:
 - (i) areas landward of the indicative CMA as mapped on the Council's Geomaps;
 - (ii) existing stormwater infrastructure servicing Auckland Airport land; and
 - (b) such further other relief or other consequential amendments as considered appropriate and necessary to address the concerns set out above.
- 18. Auckland Airport wishes to be heard in support of this submission.

AUCKLAND INTERNATIONAL AIRPORT LIMITED:

Signature:

Andrea Marshall

Head of Masterplanning and Sustainability Auckland International Airport Limited

Date: 21 June 2024

Address for Service: C/- Joy Morse

Auckland International Airport Limited

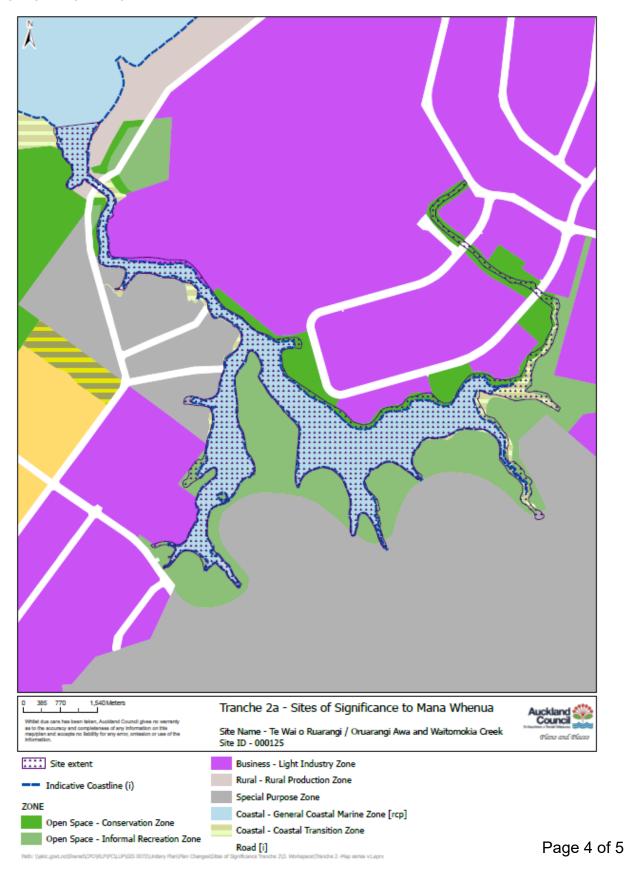
PO Box 73020 **MANUKAU 2150**

Telephone: +64 277464611

Email: joy.morse@aucklandairport.co.nz



ANNEXURE A - MAP OF NOTIFIED SITE 109: TE WAI O RUARANGI / ORUARANGI AND WAITOMOKIA CREEKS:





ANNEXURE B - MAP OF AUCKLAND AIRPORT SIGNIFICANT STORMWATER INFRASTRUCTURE:



From: <u>UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz</u>

To: Unitary Plan

Subject: Unitary Plan Publicly Notified Submission - Plan Change 102 - Graeme Lundie

Date: Friday, 21 June 2024 4:45:18 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Graeme Lundie

Organisation name: Tel Properties Nominees Limited

Agent's full name:

Email address: graeme.lundie@cbre.co.nz

Contact phone number: 021586343

Postal address: Po Box5053 Wellington Wellington 6011

Submission details

This is a submission to:

Plan change number: Plan Change 102

Plan change name: PC 102 - Sites and Places of Significance to Mana Whenua Tranche 2a

My submission relates to

Rule or rules:

Property address: 89 Richard Pearse Drive

Map or maps:

Other provisions:

Impact on future sale of the property with the impact of sensitive land adjacent to it

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

As representative of the owner this to advise that we wish to make a submission post consultation with a town planner to fully understand the impact of this change on the property in questions

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: We need to understand how this proposed change impacts future sale of the property, the plan change documents do not appear to cover that off.

Submission date: 21 June 2024

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

Declaration

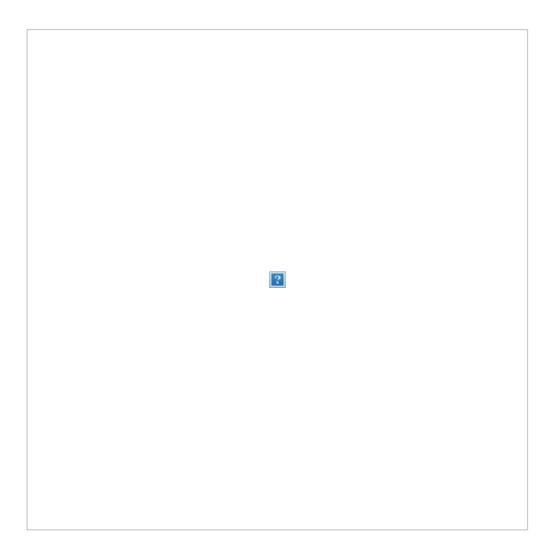
Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- · Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

Submission on a notified proposal for policy **statement or plan change or variation**Clause 6 of Schedule 1, Resource Management Act 1991

FORM 5



Send your submission to unitaryplan@a	ucklandcouncil govt nz or nost to :	For office use only		
Send your submission to <u>unitaryplan@aucklandcouncil.govt.nz</u> or post to		Submission No:		
Attn: Planning Technician Auckland Council		Receipt Date:		
Level 16, 135 Albert Street		Receipt Bate.		
Private Bag 92300 Auckland 1142				
Addition 1142				
Submitter details				
Full Name or Name of Agent (if applicable)				
Mr/Mrs/Miss/Ms(Full				
Name)				
Organisation Name (if submission is made on behalf of Organisation)				
Address for service of Submitter				
Telephone:	Email:			
Contact Person: (Name and designation	, if applicable)			
Scope of submission				
This is a submission on the following	proposed plan change / variation to	an existing plan:		
Plan Change/Variation Number	PC 102			
· · · · · · · · · · · · · · · · · · ·				
Plan Change/Variation Name	Sites and Places of Significance to M	ana Whenua - Tranche 2a		
The specific provisions that my submission relates to are: (Please identify the specific parts of the proposed plan change / variation)				
Plan provision(s)				
Or				
Property Address				
Or				
Мар				
Or Other (specify)				
1-11 11		_		

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

	U.4.7		
I support the specific provisions identified above □	#17		
I oppose the specific provisions identified above			
I wish to have the provisions identified above amended Yes No			
The reasons for my views are:			
(continue on a separate	sheet if necessary)		
I seek the following decision by Council:			
Accept the proposed plan change / variation			
Accept the proposed plan change / variation with amendments as outlined below			
Decline the proposed plan change / variation			
If the proposed plan change / variation is not declined, then amend it as outlined below.			
I wish to be heard in support of my submission			
I do not wish to be heard in support of my submission			
If others make a similar submission, I will consider presenting a joint case with them at a hearing			
Signature of Submitter (or person authorised to sign on behalf of submitter) Date			
Notes to person making submission:			
If you are making a submission to the Environmental Protection Authority, you should use Form 16B.			
Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.			
If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.			
I could \square /could not \square gain an advantage in trade competition through this submission.			

If you could gain an advantage in trade competition through this submission please complete the

I am \square / am not \square directly affected by an effect of the subject matter of the submission that:

does not relate to trade competition or the effects of trade competition.

adversely affects the environment; and

following:

(a)

(b)



Summerset Group Holdings Limited

Level 27, Majestic Centre, 100 Willis St, Wellington PO Box 5187, Wellington 6140

Phone: 04 894 7320 | **Fax:** 04 894 7319

Website: www.summerset.co.nz

SUBMISSION ON PROPOSED PLAN CHANGE 102 TO THE AUCKLAND UNITARY PLAN

TO: Auckland Council

SUBMITTER: Summerset Villages (Parnell) Limited ("Summerset")

SUBMISSION ON: Proposed Plan Change 102 to the Auckland Unitary Plan ("PC102")

Summary

Summerset is one of New Zealand's leading and fastest growing retirement village operators, with more than 7,400 residents living in our village communities. Summerset offers a range of independent living and care options to meet the changing needs of its residents. Summerset has 50 villages which are either completed or in development, spanning from Whangārei to Dunedin, and employs over 2,400 staff members across its various sites.

- Summerset welcomes the opportunity to submit on PC102, which proposes to introduce or amend twelve sites and places of significance to mana whenua to Schedule 12 of the Auckland Unitary Plan ("AUP"). Summerset is actively involved in development across Auckland, and owns a site located at 23 Cheshire Street, Parnell ("Site") one of the nominated sites proposed to be scheduled through PC102 which has the Waipapa Awa that historically ran through the Site.
- 3. Summerset acknowledges the Resource Management Act 1991 ("RMA") identifies it is a matter of national importance to recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.
- 4. Summerset generally supports the aim of PC102 to recognise and protect the tangible and intangible Māori cultural values of twelve sites and places of significance within Tāmaki Makaurau,

3459-6874-7310 Page 3 of 9



to provide for the relationship of mana whenua with their cultural heritage. However, Summerset also seeks pragmatic solutions to ultimately preserve the development potential of the Site, including going beyond the type of development which has already been authorised by its current resource consents. While landowner consultation occurred between September 2022 and March 2023, Summerset does not consider there was any meaningful discussion or ability to give feedback on how PC102 would interact with the Site.

Scope of submission

- 5. Summerset could not gain an advantage in trade competition through this submission.
- 6. This submission relates to PC102 in its entirety.
- 7. For those provisions of PC102 that require amendment as sought by Summerset below, those provisions will not (without the amendments proposed by Summerset):
 - (a) promote the sustainable management of resources or achieve the purpose of the RMA,and are contrary to Part 2 and other provisions of the RMA;
 - (b) meet the reasonably foreseeable needs of future generations;
 - (c) enable the social, economic and cultural wellbeing of the community;
 - (d) enable the efficient use and development of Summerset's land and resources; and
 - (e) appropriately achieve the objectives of the AUP in terms of section 32 of the RMA.
- 8. Without limiting the generality of the above, the specific reasons for Summerset's submission are outlined below.

Specific reasons for submission

- 9. The key focus of Summerset's submission is on the impacts on the future use and development of the Site resulting from the proposed scheduling of the Waipapa Awa as a site of significance to mana whenua. Summerset considers PC102 needs to be clearer about the parts of the Site to be affected by this scheduling. In particular, this submission seeks:
 - (a) a reduction in the extent of the Waipapa Awa as scheduled to the daylighted portion of the awa only;

3459-6874-7310 Page 4 of 9



- (b) greater specificity in PC102 regarding where the scheduling of sites of significance to mana whenua applies, relative to those parts of the Waipapa Awa that are daylighted and those that are not:
- (c) greater specificity on the particular matters to which the scheduling applies;
- (d) changes to the relevant activity statuses and consequential matters of discretion to which scheduling applies; and
- (e) clarity as to which related provisions of the AUP are implicated for each scheduled site.
- 10. These matters are each addressed in detail below.

Reduction of scheduling to daylighted portion of the Waipapa Awa

- Summerset considers the scheduling of the Waipapa Awa as a site of significance to mana whenua under PC102 should be reduced to only capture the existing daylighted portion of the Waipapa Awa, rather than including the former alignment of the awa that has been physically extinguished and no longer physically exists.
- 12. As outlined in the Section 32 Report, the nominated alignment for the Waipapa Awa captures both the aboveground sections of the awa and the past alignment where the awa has been culverted under a former railway siding that is now zoned Business Mixed Use Zone under the AUP. Specifically, the awa terminates, with water entering the Auckland Council's underground stormwater network halfway along its nominated extent, which is just south of the portion of the Site consented for the development of a comprehensive retirement village. The remaining "balance" of the Site (which is currently unconsented), and where the awa is daylighted, is located south of this entry point.
- 13. Summerset seeks an amendment to the nominated extent of the Waipapa Awa in PC102 so that it only captures the daylighted portion of the awa that runs from the south into the Ngahere Inlet stormwater culvert on the Site. The scheduling of the Waipapa Awa would therefore exclude the section that intersects with the Site north of this point. This amendment would appropriately recognise the diversion of the awa that has already been undertaken, as well as the current state of the surrounding environment. For example, the area north of the stormwater culvert has been

3459-6874-7310 Page 5 of 9



comprehensively developed or consented for development (eg the Carlaw Park Precinct and Summerset's consent).

14. Summerset has discussed and agreed this fundamental submission point with Ngāti Whātua Ōrākei Whai Māia ("Whai Māia") and Ngāti Whātua Ōrākei Trust (the "Trust") whom are supportive of Summerset's submission on this matter and PC102 being amended to address this.

Greater specificity regarding where the scheduling applies

- 15. Where a site is scheduled as a site of significance to mana whenua, the provisions of Section D21 Sites and Places of Significance to Mana Whenua Overlay ("Mana Whenua Overlay") of the AUP apply to that site. The PC102 documents are unclear as to whether the scheduling is limited to the "mapped" extent of the subject site as shown in PC102, or whether *any* development of the wider site that the Mana Whenua Overlay applies to is implicated. The extent of the scheduling is not defined by survey.
- 16. If the scheduling was to apply to the whole Site, any future use and development of any part of the Site would need to be considered against the Mana Whenua Overlay. This would implicate a variety of Auckland-wide AUP provisions which recognise Māori cultural values and heritage and in turn lead to significant limitations on the ability to develop the Site.
- 17. Summerset seeks that the introduction of scheduling be limited to the "mapped" extent of sites of significance as shown in PC102. This would ensure protection of the necessary areas of Waipapa Awa intersecting with the Site, rather than the scheduling capturing the whole Site. The latter approach would impose limitations on the future development of other parts of the Site (outside of the mapped extent of the Waipapa Awa) where it is otherwise unreasonable to do so.
- 18. Summerset has also discussed and agreed this fundamental submission point with Whai Māia and the Trust whom are supportive of Summerset's submission on this matter and PC102 being amended to address this.

More specificity regarding the particular matters the scheduling applies to

19. If the scheduling is to remain, Summerset considers that a nuanced approach should be taken when deciding the particular issues the scheduling in PC102 applies to. There were numerous issues identified by Auckland Council through the engagement process, such as the inappropriate intensification of development on significant sites, the loss of indigenous vegetation on significant

3459-6874-7310 Page 6 of 9



sites, and the lack of formal recognition of significant areas in order to inform local, regional and national planning processes. While the PC102 documents identify that the twelve sites of significance are all subject to one or more of these issues, it is unclear which issue(s) applies to each subject site. This lack of specificity regarding the identification of the issues that apply to each site undermines the ability to understand which particular matters need to be considered.

20. Summerset seeks that PC102 identify the specific issues that apply to each scheduled site on a site-by-site basis. This amendment will enable landowners and developers to understand what the key considerations should be when developing their site and consciously address those matters. Summerset considers implementing this amendment assists achieving the goal of PC102 to recognise and protect the tangible and intangible cultural values of the identified sites of significance, whilst avoiding unnecessary restrictions on development.

Amendment of proposed activity statuses and matters of discretion / control

- 21. As PC102 is currently drafted, any future development of the Site will be captured as a discretionary activity in accordance with the protection provided by the Mana Whenua Overlay. Summerset considers a restricted discretionary or controlled activity status would be more appropriate. In either case, PC102 should then include specific matters of discretion or control for each activity to align with the specific issues identified by mana whenua relating to the Site (once these are identified in PC102 in accordance with the relief discussed above).
- 22. The Section 32 Report notes that the Waipapa Awa is proposed to be subject to the "site exception rule", which provides a more enabling amended activity status for earthworks for service connections (permitted rather than restricted discretionary), and network utilities and electricity generation facilities (restricted discretionary rather than full discretionary). However, the site exception rule does not cover earthworks generally as they may relate to a future development (this has a more restrictive activity status discretionary). This 'catch all' implication therefore does not recognise the specific features of the Site that is subject to PC102, and in particular does not recognise the nature / extent of the Waipapa Awa.
- 23. Summerset seeks a more enabling activity status be applied to the various activities associated with the future development of the scheduled Site. Summerset considers a more enabling activity status will still maintain the intangible Māori cultural values of the Waipapa Awa which PC102 seeks to protect by addressing the specific issues with the Site (as identified by mana whenua groups through the engagement process) through standards and / or the matters of discretion or

3459-6874-7310 Page 7 of 9



control. Summerset therefore seeks a controlled activity status for new buildings and structures in Table D21.4.1.

- The application of the Mana Whenua Overlay to scheduled sites triggers other provisions of the AUP, which also recognise Māori cultural values and heritage and have more restrictive implications for the future use and development of the Site. Summerset seeks specificity regarding which other AUP provisions are triggered for each of the twelve sites and places of significance (as opposed to broadly citing "related sections" of the AUP for each scheduled site). This will require a careful assessment by the Council, in consultation with mana whenua groups, of which provisions of the AUP *need* to apply on a site-by-site basis to protect the tangible and intangible Māori cultural values of the subject site.
- 25. Summerset also seeks consequential amendments to the activity status of other activities found in other AUP chapters that may limit development potential to maintain the status quo of the Auckland-wide provisions, especially in relation to the undaylighted portion of the Waipapa Awa. These activities are implicated through the application of the Mana Whenua Overlay and are found in the following chapters of the AUP:
 - (a) Water quality and integrated management (E1);
 - (b) Lakes, Rivers, Streams and Wetlands (E3);
 - (c) Taking, using, damming and diversion of water and drilling (E7);
 - (d) Land disturbance District (E12);
 - (e) Infrastructure (E26); and
 - (f) Subdivision (E38/E39).

Relief sought

- 26. Summerset respectfully seeks:
 - (a) the nominated extent of the Waipapa Awa in PC102 is reduced so that it only includes the daylighted portion and does not include the undaylighted portion of the Waipapa Awa that intersects the Site;

17.1

3459-6874-7310 Page 8 of 9



(b)	the scheduling of the Waipapa Awa as a site of significance to mana whenua be limited	
	to the surveyed extent, rather than applying to the whole of any property (including the	
	Site) that it passes through;	

17.2

(c) identification of the specific matters / issues that apply to each scheduled site (as opposed to broadly applying all issues generically in the Mana Whenua Overlay);

7 3

(d) an amendment to the activity status for new buildings and structures where the scheduling applies to the undaylighted portion of the Waipapa Awa that intersects the Site from discretionary activity status to controlled activity status (as well as consequential amendments to the specific mana whenua issues for the Site, and for these to be introduced as matters of control); and

17.4

(e) identification of broader AUP provisions relevant to each site and amendments to the activity status of other activities in the Auckland-wide provisions of the AUP that the Mana Whenua Overlay implicates to ensure that it does not result in more onerous provisions than currently apply.

17.5

- As previously outlined, the above has been fully discussed and agreed with Whai Māia and the Trust whom are supportive of PC102 being amended to grant Summerset's relief at subparagraphs (a) and (b) above. Summerset acknowledges Ngāti Whātua Ōrākei's ahi kā and the cultural significance of Waipapa Awa, and Summerset has made an undertaking to honour this during the development of the Site.
- 28. Summerset would be open to engaging further with the Council, Whai Māia, and the Trust or any other mana whenua groups, on the matters raised in this submission if that would assist. Summerset respectfully requests an opportunity to speak to this submission.

Yours faithfully

Aaron Smail

Chief Development Officer

Malmail

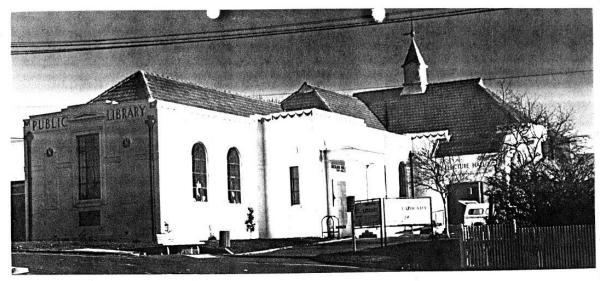
3459-6874-7310 Page 9 of 9



Submission on Plan Change 102, Sites and Places of Significance to Mana Whenua

Re: Inclusion of 474 Great North Road, Arch Hill on Schedule 12.1

I submit that the proposed scheduling of 474 Great North Road fails to adequately provide for the heritage values that currently exist on the site described in the plan change as being "currently occupied by the Grey Lynn Library".



Grey Lynn Rublic Library, 482 Great North Koad, Grey Lynn Ale Regional Office, Photo Album 8, p817

Rec No 584 Bldg 282 (wgh. Ok)





The heritage values of the library and hall are recognised through their inclusion in Schedule 14.1 as a Category B place and also through their inclusion on Heritage New Zealand's List as a Category II place. It is unknown when Council last reviewed its heritage assessment of the building, and though the Heritage NZ listing appears not to have been reviewed since its initial listing in the 1980s, the most recent Conservation Plan from 2000 attests to the pedigree of this public building designed by the eminent firm of Gummer and Ford.

It is acknowledged in the Section 32 report that inclusion of the site on a heritage schedule does potentially constrain use of the site, and furthermore that the potential exists that the Council could sell this property.

While it is acknowledged that the Library and Hall may have some seismic issues, these should be appraised and considered as well as an updated assessment of heritage values, in conjunction with those that may be associated with mana whenua.

I submit that there is no particular urgency and that scheduling of this item should not be confirmed without concurrent consideration of an updated assessment of the Grey Lynn Library and Hall.

18.1

I am not a trade competitor and look forward to speaking to my submission at a subsequent hearing.

Allan Matson

allan.matson1@gmail.com

21 June, 2024

Plan Change 102 and Plan Modification 15

Parnell Community Committee (Inc) submission. By email to: unitaryplan@aucklandcouncil.govt.nz

Introduction

- 1. We support scheduling the Waipapa Awa **and** Te Rae o Kāwharu 19.1
- 2. More detail follows on our knowledge of Waipapa Stream (Waipapa Awa).
- 3. We wish to speak to this submission if a hearing is held

Background

The restoration and recognition of Waipapa Stream (Waipapa Awa) is essential to preserving Auckland's cultural, historical, and natural heritage. The stream, which defines the footprint of the volcanic cone known as Pukekawa, upon which the Auckland Museum is built, holds significant value for both Māori and the broader community.

Early Historical Context

Waipapa Stream has a rich history intertwined with the lives and events of the local Māori population and early European settlers. The stream has been the natural definition of the physical footprint that defines one of the Isthmus's most sacred and celebrated volcanic cones, Pukekawa. The following provides a historical account, drawing on verified sources and expertise in Auckland's history and Māori culture.

Early Raids (1300-1750)

Pukekawa, now known as the Auckland Domain, was a site of significant conflict and activity among various Māori tribes. The area witnessed numerous raids by Ngatiawa from Taranaki, Ngāti Whātua from Kaipara, and Maru-Tūahu from Hauraki. These raids were part of the broader intertribal dynamics and conflicts that shaped the region's history.

Ngāti Whātua Invasion (1760)

In 1760, Chief Tuperiri led Ngāti Whātua in a campaign that captured several strategic sites, including Maungakiekie (One Tree Hill). Following these victories, Ngāti Whātua engaged in extensive warfare with Ngāti Paoa, who sought assistance from Hauraki tribes. The conflict spread from the Manukau Harbour through Pukekawa to Point Chevalier Beach. Eventually, Ngāti Paoa were defeated, and the seat of conflict shifted eastward to Tamaki West Head.

Ngāpuhi Raids (1793-1800)

The first Ngāpuhi raids began in 1793, involving almost every hapū and pā in the region. The Ngāpuhi, armed with muskets, launched devastating attacks that forced Ngāti Whātua to abandon the Auckland isthmus as a place of residence. Ngāti Paoa continued to occupy fortified sites along the Tamaki River at Panmure and Otahuhu. One significant event during this period was the

massacre of Ngāti Paoa at a sacred site beside Waipapa Stream near Carlaw Park. By 1800, the introduction of firearms had rendered traditional pā fortifications largely obsolete.

Captain Jules Dumont d'Urville on Astrolabe (1827)

French explorer Jules Dumont d'Urville visited Auckland in 1827 aboard the Astrolabe. His observations provide valuable insights into the landscape and Māori way of life during that period. He described the terrain as a series of hills with bracken, bushes, and streams of fresh water flowing through gullies, reflecting the natural state of the land before extensive European settlement.

Chief Apihai Te Kawau and Governor William Hobson (1840)

In 1840, Chief Apihai Te Kawau of Ngāti Whātua offered land to Governor William Hobson for establishing a new capital for the colony of New Zealand. This land, which became the Auckland Domain, was delineated by the Waipapa Stream (Parnell) and the Waiparuru Stream (Grafton Gully). This agreement was a pivotal moment in the establishment of Auckland, effectively creating a city planned within a park. Preserving and daylighting the Waipapa Stream is crucial to maintaining Auckland's historical and cultural identity.

The Public Domain Act (1860)

"An Act to provide for the Management of the Public Domains" (2nd November 1860) - This Act defined the Auckland Domain (Government Domain) in Schedule 1 as:

"All that piece or parcel of land situated in the Parish of Waitemata in the County of Eden, containing 196 acres more or less, and known as the Government Domain or Auckland Park; - bounded towards the North-east by Suburban Section, No. 95-120 links, 300 links, 310 links, 306 links, 306 links, 304 links, and 300 links, and by a stream. Towards the South East by a road 1876 links, and by a road 960 links and 560 links. Towards the South by a road 569 links, and by a road 1187 links. Towards the South-west by a road 1612 links. Towards the West by the Provincial Hospital Grounds 299 links, 520 links, 824 links, and 220 links, by a stream dividing it from Suburban Section No. 18, to a marked Puriri tree, and by the said Suburban Section No. 18, 691 links and 396 links. Towards the North-west and North by a Mill race, by a line 175 links, and again by the Mill race, and by a line 423 links, and 405 links, to where the Boundary commenced."

Current State of Waipapa Stream

The Waipapa Stream flows from the Parnell-Te Tii Tutahi ridge at the foot of Pukekawa. While much of the stream now runs through stormwater pipes, a short stretch is daylighted before it joins the stormwater network and eventually discharges into the Waitematā Harbour near Mechanics Bay. Despite being heavily modified, the stream retains its mauri (life force) and holds significant cultural value for Mana Whenua, particularly Ngāti Whātua Ōrākei.

Importance of Preservation

Cultural Significance: The Waipapa Stream and its surrounding areas hold deep cultural and historical importance for Ngāti Whātua Ōrākei. The stream and its associated wetlands were vital sources of resources such as tuna (eel) and played a significant role in the lives of their ancestors.

Historical Legacy: The preservation of the Waipapa Stream is essential to honouring its historical role in both pre-European and post-European settlement. The stream's course and the surrounding areas are rich in historical narratives that contribute to Auckland's identity.

Environmental Restoration: Efforts to daylight the stream and restore its natural state would enhance the environmental quality and biodiversity of the area, providing ecological benefits and improving storm water management.

(To the Editor of the Southern Cross.)

Sin,-It has often struck me that there has been great want of regard to the nature of the ground in laying down roads and other bound-ries, particularly that piece of ground for the Government Domain; certainly a more beautiful patch of ground is not to be found, possessing so many natural advantages; commanding most delightful views; a fine situation for a Government House, Botanical Gardens, and beautiful walks not to be surpassed; the boundary of this Domain is defined by nature in a very distinct manner by little brooks or streams of water on both sides from the high ground, and terminates in a swamp or low ground at the boundary of the town land; the distant boundary by high ground, or ridge sloping both ways; the whole forming the shape of a pear, the small end laying nearest the town. Can it be conceived that this piece of ground, which ought to have been held sacred, and which would have become the pride of the town, and the boast of the country (New Zealand) if properly planned and laid out? Is it possible to imagine that it has been broken in upon, and the work of destruction fairly commenced by running a fence, I was going to say, in a straight line ending in nearly the centre of it; but it is not a straight line, but one of those lines or characteristic crooks, for which the place is so notorious and famed, as if to shew by mathematical genius, how much of natural beauty at fell sweep he could destroy? It is to be hoped the Governor will arrive soon, so as to put a stop to the work of destruction upon the beauties of nature; it is a saying that idle hands will find time for doing mischief; the question very naturally occurs, what is to be done with this piece of ground so cut out of the Government Domain by the Surveyor General and Superintendent of it?-Shall it be sold, so that it shall fall into the hands of the present officer administering the Government for services performed? I am, &c.,

A FARMER.

December 16, 1843.

Conclusion

The preservation and recognition of Waipapa Stream are crucial to maintaining Auckland's cultural heritage and natural environment. By integrating historical and cultural narratives, Auckland Council can ensure that this significant natural feature is protected and celebrated as a vital part of the city's identity.

Importantly, the area is a key aspect of Pages 13 and 14 (upper left image) in the attached Parnell Plan

We need to establish long-term protection measures to preserve the stream and its surrounding areas for future generations. This could involve legal protections, ongoing maintenance plans, and community stewardship initiatives.

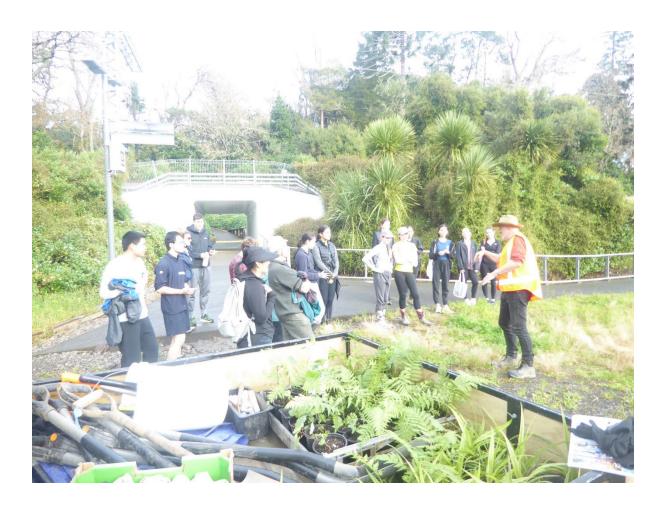
Prioritise projects that daylight sections of Waipapa Stream, restoring its natural course and enhancing its ecological health. These projects should involve consultation with Mana Whenua to ensure cultural values are respected and incorporated.

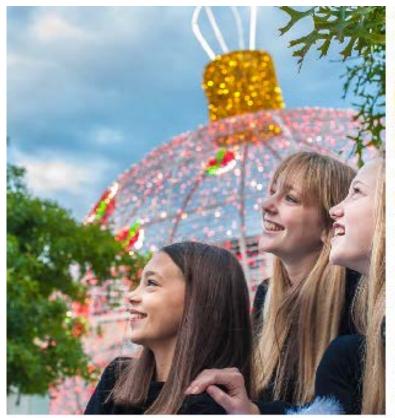
Develop educational programs and materials to inform the public about the historical and cultural importance of Waipapa Stream. This could include interpretive signage, guided tours, and educational partnerships with local schools and universities.

















The Parnell Plan

A 30-year plan for Auckland's First Suburb

March 2019











Mihi

E toko ake rā e te iti, whakatata mai rā e te rahi, kia mihi koutou

ki ngā kupu whakarei a te hunga kua tīpokotia e te ringa o te wāhi ngaro,

ēngari e kainihi tonu nei i ngā mahara i te ao, i te pō.

Ngā ōha i mahue mai i tērā whakatupuranga

kia āpitihia e tātou ki ngā tūmanako o tēnei reanga,

hei mounga waihotanga iho ki te ira whaimuri i a tātou.

Koina te tangi a ngākau māhaki, a te wairua hihiri me te hinengaro tau.

Oho mai rā tātou ki te whakatairanga i ngā mahi e ekeina ai

te pae tawhiti ka tō mai ai ki te pae tata..

Welcome to you all let me greet you

with the eloquent words of those who have long since been taken by the unseen hand of the unknown,

but for whom we still mourn.

Let us enjoin the legacy they left

to the hopes of this generation

as our gift to those who will follow us.

That is the pledge of the humble heart, the willing spirit and the inspired mind.

Let us rise together and seek to do what is necessaryto draw distant aspirations closer to realisation.



Judges Bay

Te kupu takamua

Foreword

Eight years ago the community got to work on a plan that eventually became Tomorrow Parnell published in 2012. This document provided the foundation for developing a council supported plan through a community-involved planning approach.

Thanks to the commitment of community leaders, council's community empowerment unit, planning team and the local board I am delighted to now present the Parnell Plan, a 30-year plan for Auckland's first suburb.

The plan has been developed together with the Parnell Plan Working Group of community representatives and in partnership with mana whenua. A collaborative community-led approach by the working group to preparing a plan consultation document resulted in positive, constructive feedback from wide ranging submitters.

As Auckland's first residential suburb, built on layers of Māori occupation thanks to a plentiful water source and outstanding natural features, Parnell's European built heritage is diverse and has contributed to its unique character. From Kinder House built in 1857, to the Parnell Baths which opened in 1915, to the many period homes, and village architecture. Looking into the future we want to protect and celebrate Parnell's historic heritage and express its Māori history.

Parnell has grown from its productive beginnings into a beautiful and creative place to live, visit, play and work. From commercial galleries on Parnell Road, to Whitecliffe College of the Arts and the ever-evolving creative sector around St Georges Bay Road, Parnell is known for its art and design community. Among other objectives, the plan looks to foster this creative identity, and to support businesses to thrive.

Parnell is foremost about its community – local residents, visitors, and workers. We want to see improved accessibility and connections, particularly to and from the train station and along our greenways. We would also love to see our great community facilities and parks continue to be used and enjoyed, maintaining and upgrading them to reflect ongoing community needs. Parnell has some wonderful parks and pockets of indigenous flora to enhance and celebrate, and has the potential to be more child friendly.

This plan builds on Parnell's great attributes. We hope this plan will serve as a framework to guide our community, iwi, the council and our delivery partners, to work together over the next 30 years and turn these aspirations into a reality.

Pippa Coom
Chair, Waitematā Local Board



Ngā upoko kōrero

Contents

About the plan	5
The story of Parnell	
Key actions areas	9
Vision and objectives	12
Parnell Plan map	20
Implementation strategy	22
Implementation plan	24
Creating the plan	31
The strategic context	34



Saatchi & Saatchi Building, The Strand

He kōrero mō te mahere

About the plan

Purpose

The Parnell Plan provides direction and actions for the next 30 years to ensure Parnell continues to be a fantastic place to live, work, play and do business in the future. It presents the local board, council and community's vision for the area, key objectives, strategies and a set of actions to achieve the objectives.

The Parnell Plan is an important guide for the community and decision-makers that can influence the future of Parnell. However, it is not a statutory planning document and cannot set rules controlling development or directly approve funding for projects. An implementation strategy and plan is included that outlines immediate, and short to long term actions. Some of these actions will already be funded, and some may not require funding. Many however are currently unfunded or aspirational, requiring further investigation or waiting to be prioritised in order to happen.

This plan provides the impetus for the council and the community to join together to achieve longer-term transformational changes and projects in and for Parnell.

Vision and outcomes

The vision for Parnell over the next 30 years is:

Auckland's First Suburb: A thriving, creative, and collaborative community that celebrates its unique natural, cultural and historic environment

The five objectives for Parnell are:

- Promote Parnell as an innovative and creative place to work, live, visit and do business
- > Enhance connectivity and accessibility within Parnell and with its neighbouring places
- > Enable the community to use and enjoy its great places and spaces
- > Value, protect and enhance Parnell's natural environment
- Respect, recognise and protect Parnell's historic and cultural heritage and character

The plan area



The Parnell Plan study area encompasses the whole of historic Parnell – Auckland's first suburb.

Parnell is bordered to the north by The Strand, Judges Bay, Tāmaki Drive and the Port of Auckland. To the west is the city centre, Grafton Gully and Pukekawa - Auckland Domain including Auckland War Memorial Museum. Newmarket, Remuera, Orākei, and Hobson Bay are to the south and east.

The Parnell Plan focuses on Parnell and acknowledges the close relationship it has with surrounding areas, attractions and communities

Partnership and collaboration

The Parnell Plan was prepared in collaboration with the Parnell Plan Working Group - a committed and passionate group of local leaders and representatives. Achieving the vision and delivering the actions in this plan will require partnerships including the Parnell community, businesses, land owners, mana whenua, government agencies, local and regional organisations, the Waitematā Local Board, Auckland Council and Council Controlled Organisations.



Waipapa Stream restoration programme - community day

Te ao Māori and Te Tiriti o Waitangi (Treaty of Waitangi)

Te ao Māori (Māori world view) provides a holistic way of understanding our environment. For Māori, their connection with the natural environment provides a sense of identity and enables them to exercise their mana (prestige). When the natural environment is weakened, for example, through removal of native trees, sites of significance or worsening water quality, this connection can be weakened.

Te ao Māori recognises that the benefits the environment provides come with a responsibility to care for and maintain it for future generations. This is the practice of guardianship or kaitiakitanga. Working together with mana whenua enables access to knowledge and practices that can help look after and nurture the environment, such as knowing what local native plants are best to use for replanting.

Partnering with Māori in creating and implementing this plan is part of Auckland Council's responsibilities under Te Tiriti o Waitangi and its broader obligations to Māori. Embracing this partnership will be an important part of realising the Parnell Plan's vision and objectives.

Te Aranga Māori Design Principles are a set of outcome-based principles based on intrinsic Māori cultural values. The principles have been developed to assist mana whenua to enhance their presence, visibility

and participation in the design of the physical world. These principles are encouraged to be referred to and reflected in public and private projects and development in other parts of Auckland and are appropriate for Parnell. The Te Aranga principles can be found at www.aucklanddesignmanual.co.nz.





Waipapa Stream

[placeholder image for Taurarua Judges Bay artwork – alternative image being sourced from Ngati Whatua Orakei]

He kōrero mō Parnell

The story of Parnell

Parnell is Auckland's oldest suburb and occupies an enviable setting nestled between Pukekawa Auckland Domain and the bays of the Waitematā Harbour. Parnell has long been one of Auckland's most well-known suburbs due to its strategic location and its history.

The suburb lies close to key Auckland landmarks and destinations including the wider waterfront, Auckland War Memorial Museum, Spark Arena, the Port of Auckland, the Domain, Auckland Hospital and the University of Auckland, and Parnell Rose Gardens. It is one of the key gateways to the city centre and has a diverse community and a diverse range of buildings, shops, parks, restaurants and bars, parks, community facilities, businesses and employment opportunities.

The area has a lengthy Māori history with historic occupation by numerous iwi. After the arrival of Europeans, and following the transfer of the lands by negotiation with Apihai Te Kawau, and other Rangatira of Ngāti Whātua Ōrākei, Parnell was established in 1841.

Parnell soon became a key link to wider Auckland and the home of the Anglican Church, while prominent judges, merchants, port workers, and Sir Logan Campbell were drawn to the waterside location. Shipbuilding lined the foreshore and a retailing area grew along Parnell Road. The railway and railway tunnels arrived in the 1870s – the recent Parnell Station development again placing Parnell in this wider network.

The Parnell Village development by Les Harvey started a resurgence for modern Parnell with weekend shopping in the 1970s. Throughout the 1980s and 1990s Parnell continued as the place to be. Now weekly farmers' and French markets draw in visitors from across the city, while signature annual events include the Festival of Roses, Heritage Festival, alongside events supported by the Parnell Business Association - Artweek, The Waiters Race and the Chinese New Year celebration of Zodiac animals. Alongside new eateries, there has also been a noticeable increase in commercial development. This can be seen in the lower St Georges Bay Road quarter which has seen more than \$100 million spent on new developments in recent years.

Parnell is graced with some of Auckland's iconic built and landscape assets. It has been fortunate to have retained many heritage buildings from a range of eras and styles including the Holy Trinity Cathedral, the Royal Foundation for the Blind, St John the Baptist historic church, and Parnell Baths. These much loved buildings and facilities are among the many 'hearts' of Parnell. Today, these contribute to a diverse urban form which also includes suburban villas, terraced housing, civic buildings, modern apartments, office buildings and repurposed warehouses. With this has come diversity in population.

Parnell has always been a progressive community in championing new ideas – from art festivals and education facilities to built design and business innovation. Looking to the future, Parnell faces both challenges (such as from ongoing port activities) and opportunities to capitalise on its unique and excellent attributes and ensure it remains a desirable place to work, live, play and visit, as well as a prosperous place in which to do business.

The many 'hearts of Parnell'

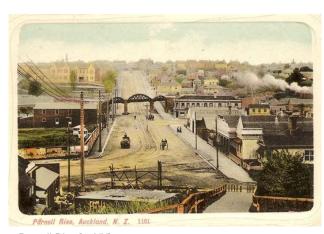




Parnell Baths [19XX]



Café, St Georges Bay Road



Parnell Rise [18XX]



Parnell Village

Ngā kaupapa mahi matua **Key action areas**

Five key action areas have been identified for the Parnell Plan. These are priority locations where investment in mainly physical and environmental improvements can achieve transformational change. They focus directly on achieving the vision and objectives for Parnell and are as follows:

- Make Parnell Station a key gateway to Parnell and the Domain
- Realise the Waipapa Greenway
- * Reinforce the core of Parnell town centre as the heart of Parnell
- Revitalise the St Georges Bay Road warehouses area
- Enhance key east-west links and realise the Parnell Parks Link Greenway

Although the projects related to these key action areas are aspirational and are generally not funded, they have already been identified in previous local board or council strategies. Their selection elevates their importance in achieving the objectives of the plan, and will become priorities for delivery.

The key action areas are described below and illustrated with visualisations of how they may look like when they have been transformed. They form part of the implementation plan, with actions towards their realisation being required in the short term for them to be delivered in the medium and long term.

Make Parnell Station a key gateway to Parnell and the Domain

Parnell train station is an important gateway to Parnell, Auckland Domain and surrounding areas. The station itself is a heritage building and can be utilised for a range of activities including visitor information. Ensuring effective and attractive connections to and from the station are critical for Parnell to flourish and for enhancing accessibility between Parnell and the Domain. The quality of its surrounding environment and development is important for Parnell's future success.



Parnell train station

Realise the Waipapa Greenway

The Waipapa Greenway, or rail trail, in the valley between Parnell and the Domain is a unique opportunity for Auckland. With the lively Waipapa Stream continuing to flow, the valley is strategically and historically significant. There are opportunities to create walking and cycling pathways and connections next to the rail line, utilising the potential of a disused historic rail tunnel, and re-establishing better access between Parnell and the Domain. Recreational, ecological and educational opportunities can be developed in ways that reinforce the valley's historic meaning and that are distinctive and attractive for Parnell, including the potential to 'daylight' additional parts of the stream currently enclosed in culverts. This priority greenway connection was identified in the Waitematā Greenways Plan 2013.



Graphic impression of potential future Waipapa Greenway looking towards Ngahere Steps (indicative only)



Graphic impression of potential future Waipapa Greenway at currently disused railway tunnel (indicative only)

Reinforce the core of Parnell town centre as the heart of Parnell

The heart of Parnell is the historic town centre, which is also the main transport route through Parnell from Newmarket to the city centre. Full of character, the centre requires revitalisation to encourage greater use and to further establish Heard Park and its surrounds as a key community place within the centre and for Parnell. The north-south road transport corridor should be managed and improved to ensure that Parnell centre is people-friendly, safe, and integrates different transport modes well. Streetscape and amenity improvements in the centre and its surrounding local streets, including flexible repurposing of these streets, needs to reflect Parnell identity, with recreational and play improvements being part of a transformed Heard Park.



Graphic impression of potential future Heard Park and Parnell Road (indicative only)

Revitalise the St Georges Bay Road warehouses area

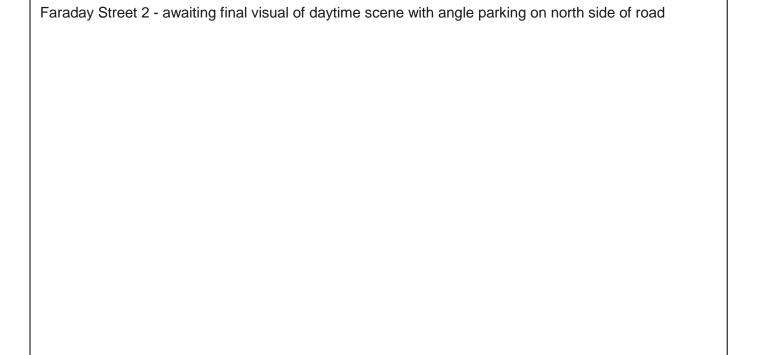
The northern half of St Georges Bay Road was once a busy wharf warehouse area for the port. It has great historic and architectural character, and is transforming into a bustling creative and design-related business precinct. Improving the function and design of the distinctive street environment will help create high amenity and more people-friendly spaces. It will complement ongoing investment in building refurbishment and development, and the presence of artistic, design and innovative businesses and education hubs such as the Whitecliffe School of Arts.



Graphic impression of potential St Georges Bay Road (indicative only)



Graphic impression of potential future Faraday Street during evening activation (indicative only)



Graphic impression of potential future Faraday Street during daytime (indicative only)

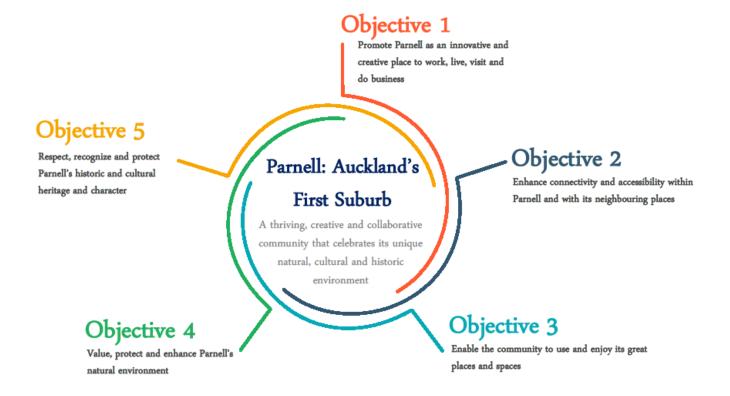
Enhance key east-west links and realise the Parnell Parks Link Greenway

Enabling better links between east and west is important for Parnell. There is an opportunity to highlight and upgrade a more direct street link from Parnell Station through Parnell town centre and lower St Georges Bay Road to Parnell Rose Gardens via Garfield Street and Cleveland Road. Also identified in the Waitematā Greenways Plan 2013 is an east to west ecological connection that extends through the middle of Parnell from Hobson Bay to the Domain across quiet character streets, old stream gully parks, next to the local school and through the town centre. There are opportunities to heighten awareness of this route, better connect it and improve the quality of its experience.



Graphic impression of potential future Garfield Street (indicative only)

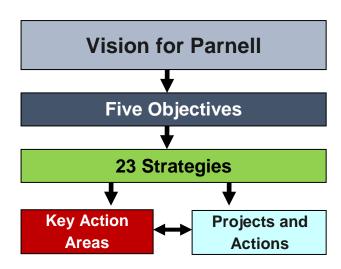
Te tirohanga whānui me ngā whāinga Vision and objectives



The five supporting objectives should not be seen in isolation but as working together to deliver the overall vision for Parnell.

The strategies identified to achieve the objectives will be delivered over time through the projects and actions in the implementation plan. Many of the projects and actions, including the key action areas, deliver on more than one objective and often multiple objectives. This is shown in the implementation plan against each action and is why it is not possible to allocate projects and actions to one objective only.

A simple structure of how the elements of this plan relate and work together is shown in the diagram below.



Objective 1: Promote Parnell as an innovative and creative place to work, live, visit and do business

Parnell's historic relationship with Auckland commerce began as a home to early waterfront industry. Its proximity to a growing city centre saw it rise to greater prominence as a place to live, and also to shop along Parnell Road, which has continued as Parnell's centre. Parnell now finds itself well placed to capitalise on its reputation for creative enterprise. The future of Parnell will build on this creative identity, its status as a business location, as well as connections to heritage and the arts.

Why this needs to be achieved

Parnell has a diverse residential and business community. It is seeing a resurgence as a business destination and continuing this rise will require continued cooperation between a range of groups the business association and council.

Working with its many creative industries, galleries and education institutes, as well historic and cultural links to Auckland War Memorial Museum, Parnell can be further seen as a place for these to cluster and prosper.

Part of the appeal to residents and business is the unique character and identity of the suburb. This identity as the first suburb – a complete village providing homes, work places, shops, cultural and educational institutions – has buildings from the past sitting comfortably with modern apartments and offices. This should be enhanced through promoting excellent urban design in both the public and private realm.

There are buildings, sites and public spaces, within the Parnell area that are underused or pending some future development or occupation. These could be activated through pop-up events, temporary installations, flexible use or repurposing. Activating these sites will help to promote the area as a destination and could provide locations for creative events.

A successful and prosperous business area is good for people, communities, the economy and the environment. Strengthening relationships and knowledge sharing between businesses, council, education and cultural institutions and our communities will help to achieve this.

Strategies to achieve this objective:

- Strengthen Parnell's role as a prominent centre and improve its appeal to visitors, locals, and existing and potential businesses
- 2. Build on Parnell's reputation as a destination for arts, culture, learning and creative enterprise
- 3. Encourage high-quality development and improvements that respect Parnell's unique identity
- 4. Encourage development and innovative use of underutilised sites and spaces
- 5. Support sustainable business and employment



Local café and art gallery



St Georges Bay Road



Parnell Road



Woodpecker Hill, Parnell Road



Holy Trinity Cathedral



La Cigale French Market

Objective 2: Enhance connectivity and accessibility within Parnell and with its neighbouring places

Parnell is located on the city fringe and the town centre, the heart of Parnell, straddles a key route into the city centre connecting south to Newmarket and beyond. It recently has been connected to the wider rail network. It is surrounded by the water to the east, the Auckland Domain to the west, bordered to the north by a state highway, and set across a series of ridgelines and gullies, all of which limits movement to and through the suburb.

Reducing the impact of these barriers and looking for opportunities to better connect Parnell to its surroundings is key to promoting the movement of people and connecting business and tourism opportunities.

Why this needs to be achieved

Despite its proximity to the city centre and a range of other regional facilities, there remains number of barriers to movement both within, to and from the area. These include natural barriers such as topography, and man-made barriers including motorways, poor quality streetscapes and footpath obstacles. Ways to achieve this include new walkways, urban design interventions, improvements to pedestrian and cyclist safety and creative wayfinding.

Parnell has natural east-west and north-south routes that help define it and connect loved spaces and places. Connectivity improvements, including better wayfinding and streetscape improvements, could further help to link west from the city centre, through Carlaw Park to the station and Parnell town centre, on to the lower St Georges Bay Road quarter and through to Judges and Hobson Bays. This would stitch together key destinations and employment areas within Parnell.

Other gateways to be enhanced include links to the Domain, the Museum, Newmarket, connections to the coastline, and the unique potential for the Waipapa Greenway. Intersections between The Strand, Parnell Rise and Quay Street as gateways from Parnell to the city centre need improvement.

There are wider opportunities for improving access across all of Parnell – this will include new cycleways, improved pedestrian paths, wayfinding and better adherence to universal design principles.

With the 2023/24 anticipated completion of the City Rail Link, the railway station has the potential to place Parnell as a key location on the wider Auckland public transport network and act as a point of focus and source for tourism, people and business. This could be better achieved through public realm improvements and achieving transit-oriented development on the neighbouring large vacant site in a way that supports the station in becoming a lively, attractive, and well-connected gateway to Parnell.

Enabling Parnell to continue to be a destination and gateway to the city centre will require careful ongoing management of transport issues. This includes parking availability, traffic management and public transport accessibility.

Strategies to achieve this objective:

- Better connect Parnell from west to east and enhance underutilised connections between important places
- 2. Better connect Parnell to its surrounding neighbours and amenities

- 3. Improve safety, amenity, and accessibility for pedestrians, cyclists and all other users of public spaces
- 4. Realise the potential of Parnell train station as an accessible hub and gateway
- 5. Improve accessibility and management of traffic, parking and public transport in the context of Parnell's character



Parnell Rose Gardens



Parnell Road



Access to Parnell train station from Nicholls Lane extension (formerly Carlaw Park)



Parnell Rise

19

Objective 3: Enable the community to use and enjoy its great places and spaces

Parnell is fortunate to have many places and spaces where the community comes together to socialise, relax, stay healthy and have fun. It is also home to many active and engaged community groups that use these outdoor places and community spaces to run events and activities that make an important contribution to life in the suburb.

Why this needs to be achieved

Some outdoor places are either hidden away, such as Scarborough Reserve, or visible but only partly used, in the case of Fraser Park, or could be better connected such as Scarborough and Alberon Reserves. Park entrances that are narrow and hard to find, notably at Scarborough Reserve, could be widened and enhanced.

In the future, these and other spaces could be part of a well signposted and promoted green network of parks and public spaces. There is a need to improve of Parnell's parks and reserves over time with plans, designs and approaches that highlight their distinctive character and opportunities for more diverse community use such as gardens and orchards. Key green spaces can be linked by street planting and wayfinding initiatives.

Methods for activating outdoor spaces include creating areas for events, amenities like seating, shade and drinking fountains, and playgrounds. There is an opportunity for Heard Park in Parnell Road to become even more of a lively central park space for the town centre area and for Parnell.

As Parnell grows we will need to ensure that community facilities provide excellent services and are able to meet people's needs throughout the phases of their lives – providing for both younger and older people will be key to this. Looking forward, we will need to make the most of technology and innovative ideas to make community facilities more useful and relevant to a diverse population.

Parnell is fortunate to have a range of providers of community services.

Strengthening partnerships with and between providers such as the Parnell Trust, sports clubs, education facilities and churches will help to deliver a more efficient and integrated network of facilities with improved accessibility. Some facilities fulfil a regional role such as the Holy Trinity Cathedral that provides a large place of assembly for cultural and religious events.

It is important to acknowledge spaces, facilities, and in some cases streets, as public places that can enable people to meet, move and play. Some important community places are privately owned and should be encouraged to continue embracing a sense of community and inclusion. Helping to enable these can provide visible, attractive and multifunctional opportunities for the wider community to celebrate Parnell.

Our many events and activities are a big part of what makes our places and spaces great. It is important that we continue to enable our communities by facilitating collaboration and supporting a range of initiatives and events for all abilities and ages.

The need for more and better facilities for children and young people is identified, particularly for play and recreation but also for services that support local children and parents.

Strategies to achieve this objective:

 Ensure public spaces are safe, distinctive, well designed and maintained

- 2. Continue to provide and maintain quality and accessible community facilities and services that cater for community needs
- 3. Better connect and foster collaboration between community and learning facilities to function as an integrated network
- 4. Promote flexible and temporary use of our spaces, streets and facilities for the community
- 5. Support community collaboration, initiatives and events for a diverse community
- 6. Promote and establish more and better child and youth facilities and activities



Gladstone Tennis Club



Parnell Waiters Race



Heard Park



Fraser Park







Holy Trinity Cathedral White Night Parnell

21

Objective 4: Value, protect and enhance Parnell's natural environment

A part of Parnell's character and appeal is its spectacular natural setting, a series of ridgelines and gullies nestled between the Auckland Domain and the bays of the Waitematā. As Parnell continues to grow, additional pressures will be placed on the natural environment. Ensuring this is preserved and enhanced for future generations is important not only for Parnell but the whole of Auckland.

Why this needs to be achieved

Parnell's historic shoreline ran along The Strand and connected to Judges Bay and Hobson Bay. Following reclamation and development around the port, Parnell's relationship to the Waitematā Harbour has weakened. Improving access to the coast can be achieved by implementing the Waitematā Greenways Plan and Point Resolution Taurarua Development Plan.

Elsewhere, streams have been modified and covered over, the Waipapa Stream being the most important and prominent. Continuing restoration would improve water quality outcomes and acknowledge the historical and cultural importance of the streams, waterways and bays.

Parnell has retained more of its significant native plants than any of the other city fringe suburbs. Parnell is also home to early European tree planting. Planting more native vegetation, including tree-lined streets, and supporting pest control in Parnell will help improve biodiversity and create ecological corridors for plant and animal life. It will also improve air and water quality and create a healthier, more beautiful environment for people to enjoy.

Achieving good natural environment outcomes requires the involvement of many

groups and the wider public. Greater collaboration could be encouraged between council, businesses, mana whenua land owners and community groups, while local sustainability initiatives for individuals and businesses are another way to help both the local and wider environment.

Strategies to achieve this objective:

- Enhance, restore and improve water quality and access to streams, waterways and bays
- 2. Enhance biodiversity through predator control and by planting appropriate (ideally native) vegetation
- 3. Encourage greater collaboration between local government, mana whenua, land owners and the community to protect and restore the natural environment



Old Pohutukawa, Dove Myer Robinson Park





Hobson Bay Walkway

Hobson Bay Walkway





Alberon Reserve

Alberon Reserve

Objective 5: Respect, recognise and protect Parnell's historic and cultural heritage and character

Parnell is well known as Auckland's first suburb, with a wealth of preserved built heritage and a rich cultural heritage. Parnell lies close to the city centre and is an attractive location for residents and businesses, meaning there will be additional pressures placed on existing heritage. Development in the future should respect the heritage and context of Parnell's environment.

Why this needs to be achieved

Valuing Parnell's heritage could involve greater promotion of our heritage trails, oral histories, improved informational signage, use of digital platforms, archiving and lighting of heritage buildings and artworks.

Parnell also has close ties with the Auckland War Memorial Museum, one of the country's most culturally and historically important landmarks. The museum is home to the world's largest and most significant collection of Māori and Pacific taonga, and is the region's memorial to those who have served the country in war. The proximity of the museum and its physical spaces and collections could help promote Parnell as a home of cultural engagement and discussion.

Parnell's Māori heritage is not always visible in the landscape. Promotion could be achieved through greater use of Te Aranga design principles, education and art pieces like the sculpture soon to be installed at Taurarua Judges Bay by Ngāti Whātua Ōrākei.

Parnell's heritage is diverse. It includes buildings, sites, features, streetscapes and landscapes. It is not limited to a single period or type. There is an opportunity to encourage new development to embrace and enhance this heritage. The protections provided by the Auckland Unitary Plan could, for example, be supported by design guidelines to encourage best-practice design that responds to its surrounding historical context. It is important heritage is protected and valued so it can be better understood and appreciated.

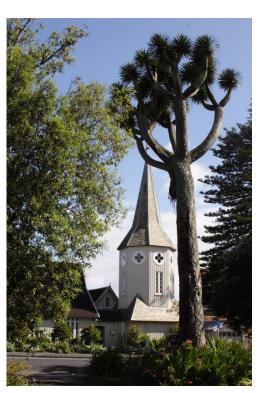
Encouraging the protection, restoration and adaptation of our heritage buildings will ensure they continue to contribute to Parnell's identity. This could mean adapting a place for a compatible use while retaining its cultural heritage value, or incorporating the building into a larger, compatible, development.

Strategies to achieve this objective:

- 1. Celebrate Parnell's collective stories and heritage places, and their contribution to its identity
- Ensure that Māori heritage is visible, and cultural landscapes and taonga are respected
- 3. Encourage new development to embrace and enhance Parnell's existing heritage environment
- Encourage and support owners to protect, restore and adapt heritage buildings







Kinder House, St Stephens Avenue



Holy Trinity Cathedral







Parnell Plan Map



Map Legend

Key Action Areas

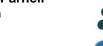
Other actions and projects



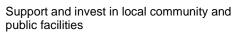
Make Parnell Station a key gateway to Parnell and the Domain



Improvements and upgrades to local parks



Maintain, connect and develop Point Resolution and Hobson Bay Walkway

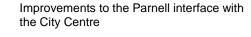




Realise the Waipapa Greenway



Enhanced gateways into Parnell from the north and south





Auckland Cycle Network route in Parnell

Improved and coordinated wayfinding,
Not mapped signage and information

and activities

A coordinated programme of local events

Create a digital platform to connect people to Parnell

Incorporate mana whenua narratives
Promote and celebrate public art,
architecture, design and heritage features

Playground and play space improvements Improvements for pedestrians, cyclists and bus users

A local transport service

Protect and enhance Parnell's built, natural and cultural heritage

Parking improvements and management Continuing investment in local economic development

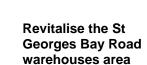
Activation in Parnell's public open spaces and streets

Leverage and support for improvements and activities at the Auckland Domain Support Parnell community projects and initiatives

Environmental improvement and monitoring Recognise and build upon Parnell's cultural identity and character



Reinforce the core of Parnell town centre as the heart of Parnell





Enhance key eastwest links and realise the Parnell Parks Link Greenway



Parnell Plan study area

Te rautaki whakatinanatanga

Implementation strategy

The Parnell Plan identifies a number of actions to assist with achieving the vision and the five objectives of the plan. These actions can be implemented through a range of statutory and non-statutory methods. This implementation strategy and the plan that follows outlines when and how these actions can be delivered and whether the actions are funded or aspirational (future projects which are not yet funded and/or planned for). Implementation will involve partnerships with a range of stakeholders, with some of the key ones identified.

Transformational actions within this plan document will have the most positive effect on Parnell. With planning and design requirements, infrastructure and transport priorities and funding in mind, each action within the plan is identified for immediate (within the next year), short term (1-3 years), medium term (4-10 years) or long term (beyond 10 years) delivery.

The implementation plan is not exhaustive and the possibility of new projects to implement the vision, objectives, strategies and key action areas is acknowledged.

Role of the local board and the community

The Waitematā Local Board will play a key role in realising the future vision and outcomes for Parnell. This role will take many forms from direct investment in public works to advocating for positive changes.

Parnell is characterised by a creative and capable community, well skilled and resourced to contribute to the design and implementation of many aspects of this plan.

Funding implications

The 10-year Budget or Long-term Plan (LTP) is Council's main budgetary tool, which combines all the council and Council Controlled Organisation (CCO) activities and funding across Auckland over a ten year period. The current 10-year Budget was adopted in June 2018 and is formally reviewed every three years.

Some of the proposed actions in this plan are already in the 10-year Budget. Unfunded actions requiring new funding will require advocacy to become new budget initiatives. It is important to note that the availability of funding from the council for proposed projects is not guaranteed. Funding and prioritisation will be determined as part of 10-year Budget and the Annual Budget (Annual Plan) processes. It is intended that the implementation strategy and plan is used to advocate for and prioritise funding for projects and actions in Parnell.

Actions and timeframes

Some actions within this plan document, notably those whose timeframe is immediate, are already underway and have completion dates, delivery partners and resourcing already determined. Other projects are either contained in an existing strategy, plan or programme but have not yet been committed or commenced, or funding secured. Some projects are wholly new, having been identified through this plan process.

The timeframes shown for actions indicate their level of priority in a sequence that will most realistically help achieve the desired outcomes for Parnell, while being mindful of likely resource requirements. The timeframes for the actions can change as implementation progresses.

Monitoring and review

The implementation strategy and plan are designed to be flexible to recognise that some actions require further work, such as further consultation, feasibility testing, detailed design, a works programme and funding bids.

A monitoring and review process has been adopted so that progress on budgeting and implementing the plan, and others like it, can be tracked and necessary amendments made over time in conjunction with partners and the local board. Keeping the implementation strategy 'alive' will assist in achieving the vision and objectives of the plan.



Parnell Baths



Heard Park La Cigale French Market



Te mahere whakatinanatanga

Implementation plan

Supports objective	Project/action/activity	Timeframe	Funding status	Delivery partners (* lead partner)
Key Action	Areas			
1 2 3	1. Make Parnell Station a key gateway to Parnell and the Domain Programmed and possible actions, subject to land owner approval, include: • completion of Parnell Station development project • utilisation of the heritage station building for arts, cultural and community activity including a visitor information facility • a high amenity pedestrian and cycle crossing (underpass preferred) at the northern end of the station • upgrades to selected streets from the station up to Parnell Road including investigation of a 'shared space' approach and retail precinct • enhancement of the Ngahere steps as the historical access from the Domain to Parnell • integration of access and circulation with	Immediate Short term Short to medium term	Funded Partially funded Unfunded	Auckland Transport*, Auckland Council, land owners, Parnell community and businesses
	adjoining site development, better access to the Domain, and future Waipapa Greenway.			
1 2 3 4 5	 2. Realise the Waipapa Greenway Investigation, design and implementation, subject to land owner approval, of an integrated greenway link along the historic Waipapa Valley from Grafton Gully through to Newmarket, as in the Waitematā Greenways Plan 2013. The project includes: investigating opening up the disused historic rail tunnel to Newmarket for walking and cycling new and sensitively designed walking and cycling paths passive and active recreation opportunities good access and integration with Parnell Station and improved and potentially new access links to Auckland Domain effective stormwater management, ongoing Waipapa Stream restoration and exploration of partial stream daylighting potential extensive landscaping and planting appropriate 	Short, medium and long term	Unfunded	Waitematā Local Board*, Auckland Council, Auckland Transport, Kiwirail, Parnell community, land owners

	to the setting and its heritage.			
1 2	3. Reinforce the core of Parnell Town Centre as the heart of Parnell			Auckland Transport*,
3	Investigation and implementation of projects including:			Waitematā Local Board,
	 upgraded pedestrian crossings with improved safety and lighting on Parnell Road 	Immediate,	Funded	Auckland Council, local
	 opportunities through design, development and placemaking to reinforce Parnell town centre, particularly Heard Park and surrounds, as the heart of Parnell 	Short to medium term	Unfunded	community and businesses
	 additional pedestrian crossings and intersection improvements along Parnell Road 			
	innovative street improvements for side streets linking to Parnell Road (Tilden Street, Ruskin Street, Denby Street, Heather Street, Windsor Street, Akaroa Street, Gibraltar Crescent), including repurposing for more flexible and temporary use (such as for walking, cycling and other activity), and investigation of a one-way system	Medium term	Unfunded	
	 improved pedestrian links, play and event facilities, and amenity at and around Heard Park 			
	 high amenity streetscape and public realm upgrade in Parnell Road including wider footpaths, planting, entrance calming, potential speed reduction, pedestrian raised tables, and landscaping 			
	 better links from Parnell Road to the Auckland Domain and Auckland Museum such as a footpath extension in Domain Drive. 			
1 2	4. Revitalise the St Georges Bay Road warehouses area	Medium term	Unfunded	Auckland Transport*,
3	Investigation, design and implementation of projects including:			local community and
	 a review of access, parking and circulation functions in lower St Georges Bay Road and connecting streets, resulting in a high amenity pedestrian-focused streetscape upgrade an improved pedestrian and cycling connection to the upper part of lower St Georges Bay Road and amenity improvements to the closed road area with upper St Georges Bay Road. 			businesses, land owners
1 2	5. Enhance key east-west links and realise the Parnell Parks Link Greenway	Medium term	Unfunded	Waitematā Local Board*,
3	Investigation, design and implementation of:			Auckland Council,
5	 a combined reserve and street-based greenway linking Auckland Domain, Parnell Road, Scarborough and Alberon Reserves (including wider and improved entrances and links such as at 69 St Georges Bay Road), Hobson Bay, Dove Myer Robinson Park and Point Resolution, as in 			Auckland Transport, land owners, Parnell community

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	the Waitematā Greenways Plan 2013			
	 an upgraded high-amenity pedestrian and cycling link from Parnell Station through to Dove Myer Robinson Park following Garfield Street and Cleveland Road. 			
Other project	cts and actions			
1 2	6. Improved and coordinated wayfinding, signage and information	Short to medium	Unfunded	Waitematā Local Board*,
3 5	 Design and implementation of an integrated and comprehensive wayfinding and signage strategy for Parnell and surrounding facilities and points of interest, including Auckland Domain and Museum. 	term		Auckland Transport, Auckland War Memorial
	 Support locally generated information, signage, wayfinding and interpretation, such as along greenways and heritage trails, at historic or other sites of significance, public art and design features, and through street planting. 			Museum, Parnell Business Association, Parnell community
3	7. Maintain, connect and develop Point Resolution and Hobson Bay Walkway			Waitematā Local Board*,
4	 Continue with committed slip remediation work on Hobson Bay Walkway. 	Immediate	Funded	Auckland Council
	 Implement the actions in the Point Resolution Development Plan 2014 including connections to Judges Bay and the repair, maintenance and completion of the Hobson Bay Walkway. 	Medium term	Partially funded	
1 2	8. Improvements to the Parnell interface with the City Centre			Auckland Council*,
3	Investigation, design and implementation of the following:			Auckland Transport, NZTA
	 interim improvement works in the Grafton Gully, The Strand and Quay Park areas 	Immediate and short term	Partially funded	NZTA
	 future projects to be included in the City Centre Masterplan Refresh, including improvements to The Strand (traffic management, safety and pedestrian improvements, public transport facilities), to consider the objectives of the Parnell Plan and enable input from the community 	Short, medium and long term	Unfunded	
	 SH16/Parnell Rise intersection improvements (grade separation and realignment of SH16). 			
3	9. Support and invest in local community and public facilities			Waitematā Local Board*,
5	Comprehensive renewal of the Parnell Baths facility and investigation of more flexible year-round use in the medium to long term.	Immediate, medium term	Funded	Auckland Council, Parnell Trust, community
	 Recognise and value existing public and community facilities and services that advise, 		Funded,	services

	support and provide spaces for local and other people. This includes library and community centre services, Parnell District School, Holy Trinity Cathedral, Parnell Baths, Plunket rooms, tennis clubs, public toilets and changing facilities. • The need for renewed, expanded or additional facilities will be monitored and investigated over time, with opportunities identified to provide better services and spaces for the needs of the local community.	Ongoing	partially funded or unfunded	
1 3	10. A coordinated programme of local events and activities The range of existing and potential future regular and periodic events can be promoted through establishing a programme that provides information for local people, workers and visitors. This includes local markets, festivals such as the Festival of Roses and public space activations.	Short term	Partially funded	Auckland Council*, Parnell Business Association, Parnell Trust, Parnell community
1 3	11. Create a digital platform to connect people to Parnell Develop and establish an online site or app that engages with local people, workers and visitors, particularly young people, with story-telling, information, history and heritage features, activities, wayfinding, event information, activities and facilities.	Short term	Unfunded	Parnell Business Association, Parnell Trust, Parnell community
3 4 5	12. Incorporate mana whenua narratives Encourage the incorporation of mana whenua narratives in identified places and in design where appropriate, such as the installation at Judges Bay. This can be assisted by installing appropriate mana whenua interpretive signs.	Short term, ongoing	Partially funded	Mana whenua*, Auckland Council, Waitematā Local Board, community groups
1 3 5	 13. Promote and celebrate public art, architecture, design and heritage features identify suitable locations and items for special attention for example through lighting, better seating or setting, interpretation and information support a community initiative to 'art up Parnell' by encouraging art schools and the local design profession to investigate and deliver creative interventions in public spaces to showcase Parnell's art and design attributes install new items in appropriate locations when opportunities arise. This includes temporary installations and architectural and landscape design features that address the public realm. 	Short term, ongoing Short term, ongoing Ongoing	Partially funded Unfunded Unfunded	Auckland Council*, Parnell Business Association, Parnell community
3 4	Improvements and upgrades to local parks Improvements to the southern part of Heard Park including relocation of the toilet block and	Short term	Funded	Waitematā Local Board*, Auckland Council,

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5	 enabling better activation of the park. Develop and implement improvement plans for local parks to reflect the particular nature, history and character of each reserve, notably Heard Park, Fraser Park, Alberon Reserve, Scarborough Reserve, Ayr Reserve, Gladstone Reserve, Dove Myer Robinson Park and Judges Bay Reserve. Improvements to Heard Park as a central public space to reconsider the role of surrounding buildings and streets to its success, and enable better play and activation opportunities. Implement initiatives and investments in Parnell as contained in the Waitematā Open Space Network Plan 2019 (plan commencing 2018). 	Medium term	Unfunded	Parnell community and land owners
3	15. Playground and play space improvements			Waitematā
	Investigate and programme improvements including:			Local Board*, Auckland
	 a gap analysis to identify opportunities, then implement new or improved provision of play spaces and activities 	Short to medium term	Partially funded	Council, Parnell community
	 to existing playground, play space and recreational space and equipment in local parks, notably a larger facility at Heard Park, and other public spaces as identified in gap analysis. 	Medium term	Partially funded	
1 2	16. Improvements for pedestrians, cyclists and bus users			Auckland Transport*,
3	New and upgraded to footpaths, crossings, bus stops and bus priority lanes, for example upgraded pedestrian crossings with improved safety and lighting at SH16-Stanley Street intersection, and at northern end of St Georges Bay Road.	Immediate, short-term	Funded	NZTA
	 Implement the Auckland Cycle Network high amenity cycleway and facilities between Parnell Road and Tamaki Drive via St Stephens Avenue and Gladstone Road. 	Short term	Funded	
	 Ongoing monitoring, review, and implementation of safety and management facilities and upgrades for vehicle traffic, bus users, pedestrians and cyclists including the effectiveness of, and improvements to, the new bus network. 	Ongoing	Partially funded	
1	17. A local transport service	Short to	Unfunded	Private
2	Investigate and establish a local 'shuttle' transport service that moves people around the area between businesses, attractions, facilities, retail and residential areas and sites.	medium term		sector, Parnell Business Association*
3	18. Protect and enhance Parnell's built, natural and			Auckland
4 5	cultural heritage Investigate and support actions that:			Council*, Parnell Heritage,

	 prepare heritage design guidelines to encourage high-quality design that responds to the surrounding historical context create community awareness of heritage or character buildings in a state of decline so that steps may be taken to avoid their demolition 	Short to medium term	Unfunded	Parnell community, public and private owners
	 continue to evaluate places to determine eligibility for inclusion as scheduled historic heritage places, character areas and scheduled notable trees 	Ongoing	Partially funded	
	 increase the accessibility and care of Parnell's many historic buildings, for example the refurbishment of Ewelme Cottage 			
	 create heritage trails (or goldways) connecting heritage buildings and features of interest 			
	 implement the proposed Waitematā Ngahere Urban Forest Action Plan to increase tree cover 			
	 provide appropriate tree planting along selected streets to enhance character and help define key links 			
	 retain mature trees on public space as far as possible, and encourage retention of mature trees on private land. 			
1	19. Parking improvements and management	Immediate	Funded	Auckland
2	Complete the implementation of a comprehensive parking management plan for Parnell to improve management and optimise availability of on-street vehicle parking for local residents and visitors, and to support businesses.	and ongoing		Transport*
2 3	20. Enhanced gateways into Parnell from the north and south	Medium term	Unfunded	Waitematā Local Board, Auckland
5	Investigation, design and implementation of opportunities to create distinctive and prominent gateway features into Parnell from Newmarket, Remuera, Auckland Domain, and the city centre at The Strand and Stanley Street.			Council*
1	21. Continuing investment in local economic development	Ongoing	Partially funded	Waitematā Local Board*,
3	Implement priority initiatives of Auckland's City Fringe Economic Development Action Plan 2017 and future iterations as it relates to Parnell.		Turided	Parnell Business Association
1 3	22. Activation in Parnell's public open spaces and streets Support opportunities to activate, enliven and celebrate Parnell through activities and engagement in appropriate public and open spaces and places. This includes temporary 'pop-up' events (with limited street closures) or the investigation of more permanent 'repurposing' and activation in streets, parks, reserves, market and urban spaces that may be underutilised.	Ongoing	Unfunded	Parnell community*, Auckland Council, Parnell Business Association

1 2 3	23. Leverage and support for improvements and activities at the Auckland Domain Continue to implement the Auckland Domain Masterplan 2016, including new and improved routes to Parnell and station, safer pedestrian and cycling routes, reduction of vehicle impacts, improved links to the Auckland Museum particularly at Domain Drive, provision of new natural play space and new recreation opportunities at the Kari Street Commons.	Ongoing	Partially funded	Auckland Domain Committee*, Auckland Council
3 4	24. Support Parnell community projects and initiatives Encourage and support local people and groups to enhance and be active in their area through volunteering activities such as planting programmes, weed and predator control, public space clean-ups, establishing community gardens, placemaking projects, community events and celebrations.	Ongoing	Partially funded	Parnell community*, Waitematā Local Board
4 5	 Environmental improvement and monitoring Continue with stream restoration, water quality monitoring, and weed control in the Waipapa Valley and Stream. Continue programmes to monitor and advise coastal water quality, particularly at Judges Bay, including Safeswim and digital signs. Seek opportunities to improve the quality of stormwater runoff to the coast where practical. Continue to implement the Pest Free Auckland 2050 community-led conservation programme, relating to both private and public land, and use of ecological restoration contracts. 	Ongoing	Partially funded	Auckland Council*, Parnell community
1 3 5	26. Recognise and build upon Parnell's cultural identity and character Parnell's identity as an artistic, creative, and innovative design-led location with a sophisticated village atmosphere should be retained and emphasised by: • encouraging and managing day and night time activity and integration • leveraging local creative businesses and school for the arts • encouraging people-scale development and village-like qualities in shopping streets and areas.	Ongoing	Partially funded	Parnell residential and business community, land and building owners and occupiers

Te hanga i te mahere

Creating the plan

The process

The Parnell Plan is sponsored by the Waitematā Local Board. It has been developed in collaboration with a working group of key community stakeholders over a series of workshops and meetings held locally in Parnell during 2018. This is in addition to input, meetings and workshops with relevant staff from council and council-controlled organisation stakeholders.

The Parnell Plan Working Group included representatives from the following local groups and organisations. Mana whenua were also involved in the process both through separate meetings and working group attendance.

- Blind Foundation
- Holy Trinity Cathedral
- Local youth representatives
- Parnell Business Association
- Parnell Community Committee
- Parnell Heritage
- Parnell District School
- Parnell Trust
- The Auckland War Memorial Museum
- Waitematā Local Board members

A consultation document was prepared and approved by the local board in May 2018, for the purpose of community engagement. This document proposed a vision, five objectives and a range of strategies for the future of Parnell along with projects and ideas from the working group. The document and this plan have been informed by a number of current and previous council and community strategy and planning documents, including Tomorrow Parnell (2012), a planning document developed as part of a community initiative led by the Parnell Community Committee.

Following community engagement on the consultation document, the feedback received was analysed and key themes identified that would inform the development of a final plan. An implementation plan of projects and actions was prepared with input from council and community stakeholders. The final plan document was approved by the Waitematā Local Board in December 2018, with implementation already underway on some identified actions.

Engagement and feedback

Feedback was sought from stakeholders and the community on the Parnell Plan consultation document over a six-week period between May 21 and June 29, 2018. A summary of the engagement activity follows:

11 events
2 static displays
Tuk-talk rides
postal mail-out
online presence

- ✓ Over 230 pieces of feedback received via formal submission
- ✓ Over 600 respondents via Tuk-talk rides

Approximately a quarter of respondents who provided feedback identified as submitting on behalf of organisations or businesses (not limited to an individual's view). Submitters who provided feedback were evenly split in terms of gender, a mix of ages, and the majority identified as being Pakeha/NZ European.

The Parnell Business Association was instrumental in getting information out about the plan, particularly through their organisation and sponsorship of the 'Tuk-talk' initiative in association with the Waitematā Local Board.







The Tuk-talk initiative was an electric tuk-tuk vehicle that journeyed on short trips around Parnell, with passengers being able to have a free ride in exchange for their thoughts about Parnell and getting around. Over a two-week period in June, 680 people responded to an iPad questionnaire on the trip.

In May, Auckland Council staff visited Parnell District School to host a workshop.

Staff gave a presentation to a class of students from Years 4-6, speaking to them about what makes a great place and city, and the importance of engaging with the community on projects.

In the groups, the students identified on a map landmarks and notable places in Parnell, and their travel route to school. Several questions were also posed to the groups, with informative feedback received.





What we heard - several key themes emerged from feedback as follows:

Transport and connectivity

- Accessibility and getting around is important
- Connectivity improvements needed
- Parking provision required
- Better traffic management
- Safety and comfort for street users
- Accommodating different transport modes

Community, events, parks and Parnell's heritage

- · Better facilities needed
- Distinctive events wanted
- Improvements to parks and spaces
- Storytelling and awareness
- Respecting heritage buildings

Business and Parnell's image or brand

- Creativity and innovation are key attributes
- Visitors and tourism important
- Reinforce Parnell's identity and character
- Amenity enhancement needed
- Train station potential
- The need for further investment

Natural environment

- Taking greater care of the environment
- Infrastructure upgrade and maintenance needed
- General park maintenance

Overall there was good support for the vision, objectives and strategies in the consultation document and a substantial number of comments, suggestions and requests. An engagement summary document was prepared and made available online for the community and those who had given feedback to view. The detailed feedback on the consultation document was considered in the development of the draft and final Parnell Plan, and have had a significant influence on the content of the final plan.



Jubilee Building, Parnell Road

Te horopaki ā-rautaki

The Strategic Context

The Parnell Plan is a local spatial plan, one of the council's place-based plans. It sits within the context of a number of other strategic documents. These include:

- The Auckland Plan 2050: This is Auckland's strategy for addressing the key challenges of high population growth, shared prosperity, and environmental degradation. The Parnell Plan will help to identify how this can be done at a local level.
- 10-year Budget or Long-term Plan 2018-27: The plan that sets out all council and council-controlled
 organisation funding across Auckland over a 10-year period. It is one of the key tools for implementing
 the Auckland Plan and includes budgets for projects and initiatives identified in the local board plans.
- Auckland Unitary Plan (Operative in Part): The rule book for development in Auckland. It sets out what can be built and where, legal protections for natural, historic and cultural heritage, and how to create a higher quality and more compact Auckland. A map of land use zones and key controls follows.
- Waitematā Local Board Plan 2017: A three-year strategic plan that sets out the aspirations for the
 Waitematā Local Board and its community. It guides the decision making and actions of the local board.
 Local board plans are the basis for the developing annual local board agreements and inform the
 development of the council's 10-year Budget. Actions identified in the Parnell Plan can be prioritised for
 funding and implementation through the local board plan and annual agreements.
- Other important place-based or functional plans: These provide outcomes and actions for particular
 areas within, nearby or related to Parnell. They are referenced in the implementation plan where a
 relevant project or action contained in them is identified. The delivery of these place-based plans will
 assist the achievement of the vision and outcomes for Parnell.
- o Waitematā Greenways Plan 2013
- o Auckland Domain Master Plan 2016
- o Point Resolution Taurarua Development Plan
- Hobson Bay Action Plan
- Parnell Rise/Road Corridor Management Plan

- o City Centre Masterplan 2012 and refresh 2019
- Auckland Regional Land Transport Plan 2018
- Waitematā City Fringe Economic Development Action Plan 2017
- Future Museum: Auckland War Memorial Museum Master Plan

Mayor's vision

The Auckland Plan 2050

A 30-year spatial plan for the whole of Auckland that is led by the mayor, and delivered by the council, council-controlled organistaions, central government and external stakeholders.

Auckland Unitary Plan

The principal statutory planning document for Auckland. It sets the regulatory framework through zoning and rules for land use and development.

Long-term Plan

A 10-year budget for the council and delivered by the council and council-controlled organisations. It outlines how we will invest in Auckland over the next decade.

Local board plans

Three-year plans for each of the 21 local boards that set out the aspirations of the communities which they represent.

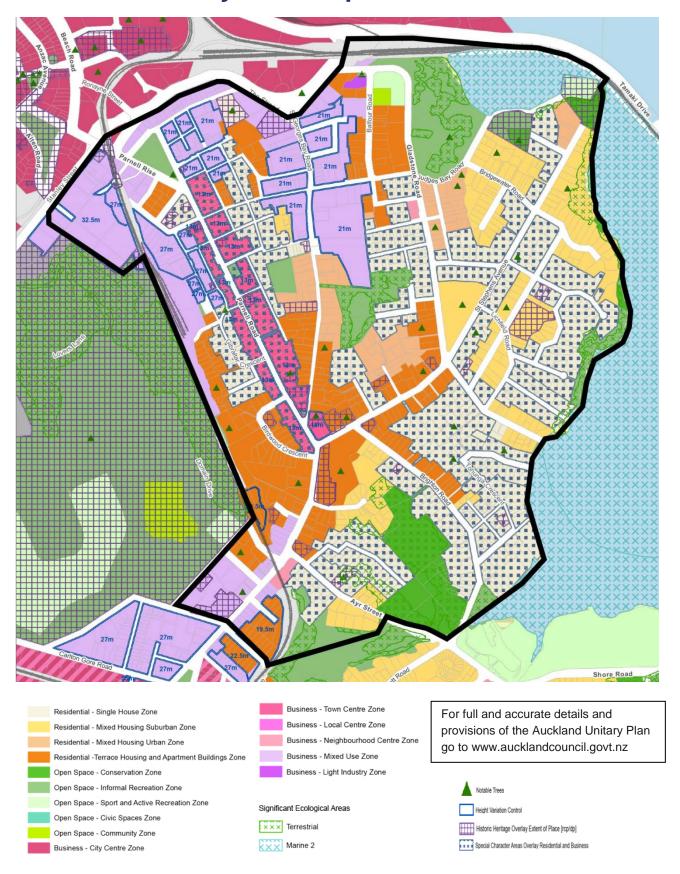
Place-based spatial plans

Spatial (area or local) plans for geographical areas, including the Parnell Plan.



Whanau Day, Parnell District School

Auckland Unitary Plan map for Parnell





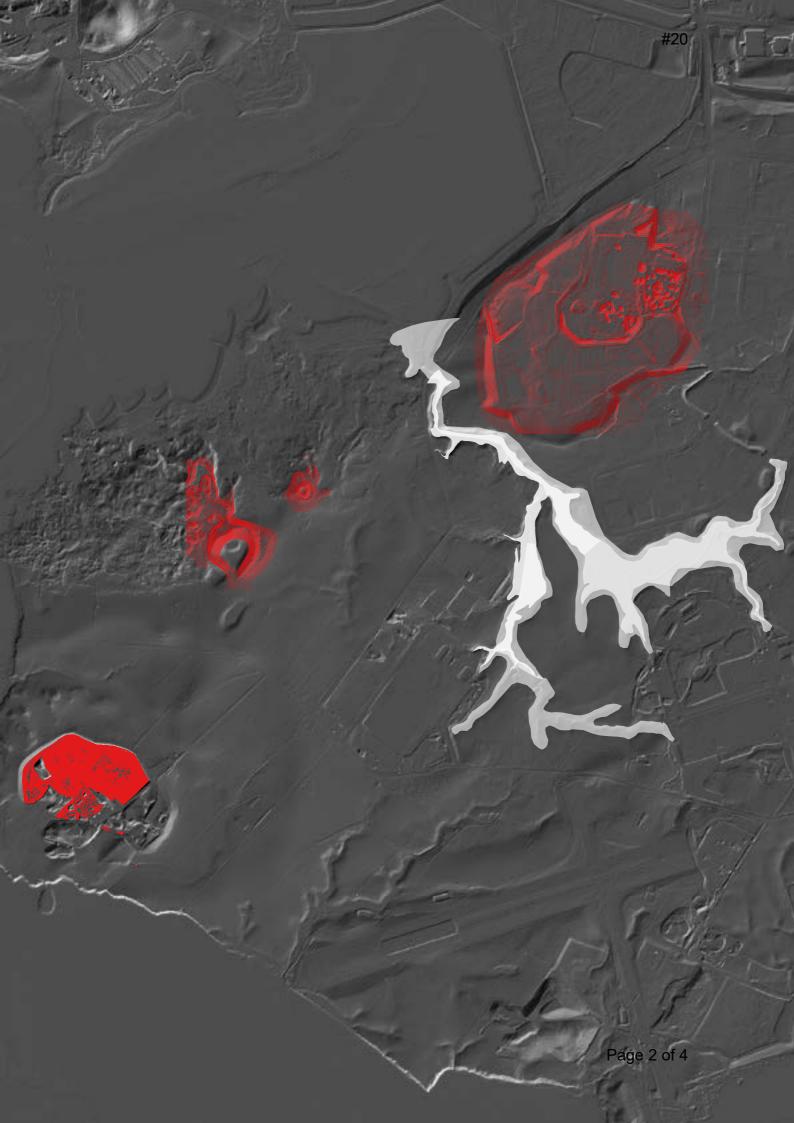
Page 49 of 50





<u>Te Mahere Whakakotahi i Taamaki Makaurau: PC 102 – Sites and Places of Significance to Mana Whenua – Tranche 2a</u>

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24th Pipiri 2024 Te Kaunihera a Taamaki Makaurau 135 Albert Street Taamaki Makaurau 1010

<u>Te Mahere Whakakotahi i Taamaki Makaurau: PC 102 – Sites and Places of Significance to Mana Whenua – Tranche 2a</u>

Hei whakatuwhera te marau nei, e karanga atu ana ki ngaa tohu i roto te rohe a Te Ahiwaru. Ko Maungataketake, Ko Otuataua, Ko Puketapapatanga oo Hape i ngaa maunga, Ko Ooruarangi te awa, Ko Maanukanuka a Hoturoa te moana.

He motuhake Ooruarangi, he motuhake Manukau nui - tonu, he motuhake Te Ahiwaru - hei korero kotahi.

E kore au e whakaae te kaupapa nei – PC 102 –Te Wai o Oruarangi. He mana tikanga a Oorurangi ki runga i te Te Mahere Whakakotahi i Taamaki Makaurau.

E ai ki ngaa ture o Niu Tireni, noo Watercare Te Awa Ooruarangi – he pono teka. Whakakoretia te "Manukau Harbour Control Act 1911." Noo Manukau te awa. Kaati.

Ehara i te awa a Watercare, Te Kaunihera a Taamaki Makarau raanei.

24/06/2024

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<u>Te Mahere Whakakotahi i Taamaki Makaurau: PC 102 – Sites and Places of</u> <u>Significance to Mana Whenua – Tranche 2a</u>

This submission is merely a reminder to Auckland Council of the oppressive, "Manukau Harbour Control Act 1911," and the need to repeal it given the numerous applications for customary interests that have been made for the Manukau under the Takutai Moana Act (Marine and Coastal Area) 2011.

20.1

24/06/2024

Louis Scott