

23 January 2020

**Attention: Sam Benson (Harrison Grierson Limited)**

Dear Sam,

**Request for further information under section 92 of the Resource Management Act 1991**

Application number(s):	BUN60349871 (Council Reference) LUC60349873 (s9 land use consent) CST60349872 (s12 coastal consent)
Applicant:	Kainga-Ora – Homes and Communities
Address:	9 Boundary Road, Hobsonville Point
Proposed activity(s):	To construct a Marine Recreation Centre and water access structures (jetty and pontoon) at the end of Launch Road.

The specialists and I have undertaken a preliminary check of the above application. Under [section 92\(1\)](#) of the Resource Management Act 1991 (RMA), I request the following further information to enable an appropriate understanding of the proposal and assessment of its effects:

**1. Vegetation Removal**

Following a site visit, it appears that there are a number of native and exotic trees located within the area of the proposed building. Some of these trees appear reasonably substantial. It is therefore considered that the application will likely trigger a reason for consent under rule E15.4.1(A21) and possibly under rule E16.4.1(A10).

Please provide clarification as to whether consent under these rules is necessary, and if so, please apply for these consents and include an assessment of the effects. It is recommended that a suitably qualified and experienced consultant arborist is engaged to provide an assessment of the proposal. The report would need to clearly identify trees to be removed, assess the effects of this removal, and how this would be mitigated. It should also clearly identify trees being retained. If there is works within the root zone of trees, then there should be a methodology to minimise any impact as well as details of how they would be protected for the duration of the project.

*Note: Further information may be required as a result of applying for this consent.*

**2. Contamination**

Given the past use of Hobsonville Point for military purposes (and in particular the Catalina Bay area) there is potential that there may be old items associated with this past activity within the works area. Explosives and ordnance production, storage and use is

listed on the Hazardous Activities and Industries List (HAIL) of the National Environmental Standard for Assessing and Managing Contaminants in Soils to protect Human Health 2011 (NES: CS) and therefore this is applicable. The proposal requires soil disturbance and change of use and therefore it needs to be demonstrated whether a consent is required under the NES: CS. As a minimum a Preliminary Site Investigation will need to be provided, with the results determining whether a Detailed Site Investigation is necessary (and any subsequent remediation plans or site management plans).

*Note: Further information may be required as a result of applying for this consent.*

### **3. The Marine Recreation Centre (MRC) building**

Further information is required to understand the size and use of the proposed MRC building. Please therefore provide the following information and ensure that this is accurately reflected on the application plans (where relevant):

- a) The total building coverage of the MRC;
- b) The gross floor area for the ground floor and first floor, and thus the total gross floor area;
- c) The length of the building (excluding the covered deck);
- d) The total area occupation of the MRC building within the coastal marine area;
- e) The area of the boat preparation deck (it is identified as 400m<sup>2</sup> within the Landscape Report, but only 233m<sup>2</sup> on the Site Plan);
- f) Will there be any taps/hoses or other washing facilities on the preparation deck and if so, will these be publicly available? Please show the location of all proposed washing facilities on the site plan.
- g) It is unclear whether the MRC building will be accessible to the public, with conflicting statements made within the AEE. For instance on page 22 it is stated that “*the MRC building will provide a public benefit with the general public being able to enjoy...the function room and deck upstairs when the clubroom is open*” whereas page 24 states “*The MRC building will be exclusively used by members of the yacht and rowing clubs which creates a potential adverse effect arising from the loss of publicly accessible CMA.*” Please clarify what is proposed with regards to public access and use of the facility.
- h) Will the clubrooms be available for the community to hire for special events unrelated to MRC operations? If so, please provide additional explanation to justify why the exclusive occupation of the coastal marine area for this purpose is an acceptable outcome.

#### 4. Landscape and Visual Effects

Further information is required to assess the effects of the proposal on the landscape and visual amenity for the public on Boundary Road. Please therefore provide the following information:

- a) Additional visual simulations are required to enable a better understanding of the effects of the proposal on the natural coastal character and current level of visual amenity, and to enable a more comprehensive understanding of the effects that will be experienced by public users of the coastal walkway / Boundary Road. Please therefore provide additional visual simulations from the following locations and provide further assessment of the visual effects of the proposal from these viewpoints:
  - i. From the coastal walkway to the south of the proposed application site and to the immediate south west of the chenier ridge (lower red dot on the aerial image below).
  - ii. From a location on Boundary Road that is immediately south west of the proposed marine centre (the approximate location of the upper red dot on the aerial image below).



- b) Further assessment of the visual effects of the proposed Marine Centre on views from Harrier Point Park located above the proposed building. If it is considered that part of the proposed building will obstruct coastal views from the park, then it would be helpful if a visual simulation showing this obstruction is also provided.

- c) Please provide an explanation as to whether continuing public access around the coastal edge of the proposed Marine Centre has been or should be considered. This explanation should be provided in the context of Objective 4 and Policy 6 of the New Zealand Coastal Policy Statement (NZCPS) and the Auckland Unitary Plan – Operative in Part (AUP – OP) Objectives F2.14.2(1), F2.14.2(3) and F2.14.2(5), and Policies F2.14.3(2), F2.14.3(3) and F2.14.3(4).
- d) The north-east and south-west elevations are not considered to clearly demonstrate the scale of the proposed building and its relationship with the coastal walkway along Boundary Road and the adjoining escarpment. Please therefore provide the following:
  - i. Updated elevations with dimensions of the proposed building, the width of the proposed planting, the location and width of the existing coastal walkway, the height of the adjoining escarpment, and any existing landscaping along the western side of Boundary Road. Include the surface treatment of the path.
  - ii. Cross sections through the proposed building, coastal walkway and adjoining escarpment with dimensions of all key features.

#### **5. Loading Bay / Drop off area**

The proposal appears to rely heavily on the formation of a P5 loading space at the end of Launch Road. However this loading space does not currently exist, has not been consented or gone through any detailed design process, and it is not proposed to be formed as part of this application. This creates a number of complications when assessing the application as it cannot be relied on and may never be formed and further information is needed to understand the effects.

- a) As the drop off loading space cannot be relied upon to be part of the final design of the roundabout, or if it is constructed in the future it could be utilised by other users in the area, please provide an assessment of the adverse effects of loading and drop offs were this drop off area within the roundabout environment not present or available. This should include a discussion about where these activities will occur. Provide plans where relevant.
- b) How does the applicant intend that the MRC will operate if is fully constructed and operational prior to upgrade works being undertaken to Launch Road?
- c) Has the applicant considered designing and constructing the loading bay / drop off area as part of this application?
- d) In the event that the loading bay is formed as per the existing concept design, the current design appears to be too shallow (approximately 2.1 metres) for the likely use of this area for trailer units or large vehicles, given the curve of the roundabout space. It is also likely that many users won't take a great deal of care to park tightly when stopping for drop offs, and the space and position of the bay and bollards to protect

the path mean that many of the vehicles that use it will likely stick out the back into the roundabout space.

- i. Please therefore provide details of the suitability of the design of the drop off space to serve the proposed development whilst avoiding effects on the functioning of the roundabout including bus services.
  - ii. Please provide tracking showing a large ute coming down Launch Road, circulating the roundabout to the drop-off and parking entirely within the bay without reversing at all.
  - iii. Please provide a probability that the above tracking would be achieved every time.
- e) Please provide tracking curves for the P5 loading bay proposed in the road reserve, and note how many cars, and cars with trailers, and service vehicles could occupy this space.

## **6. Movement of Row Boats**

Further information is required to understand the effects associated with the movement of row boats into and out of the MRC building and the impact on the surrounding transport environment:

- a) Please confirm the number of row boats proposed to be housed by the facility to understand the level of row boat manoeuvring traffic.
- b) Please confirm the number of cars likely to drop off rowers in the mornings for training. If the cars are not able to use the P5 Loading area (as it is not proposed as part of this application) please confirm where would they be dropped off and what the adverse effects of this would be (related to request #5 above).
- c) Please confirm whether the row boats will be taken out of the storage area at any time other than the stated morning training times and regattas.
- d) The operations requirement states that for a regatta the loading and unloading of skiffs takes 3- 4 hours. Please confirm that as stated in the operations requirement that this would result in Boundary Road being restricted to 3m width and ongoing manoeuvring on the road environment on Thursday 3:30pm – 7:30pm and Monday or Tuesday 4:45am – 8:45am - 12 times a year. Please confirm the likely number of row boats to be removed in one of the stated periods, i.e. will it be constant loading and manoeuvring taking place or will it be dispersed?
- e) Please confirm whether the centre will be used for any other activities during loading and unloading of row boats.

- f) Please confirm the estimated time for a manoeuvre where the car and trailer (with or without row boat) will be within the roundabout environment, entering and exiting – potentially blocking traffic (bus and vehicle). This can be considered in terms of potential of blocking of bus route movements.
- g) The traffic report shows that the tracking curves for the car and trailer extends over the roundabout. This is ok presently as the roundabout is at grade, however what will happen if the roundabout is raised?
- h) Please confirm the amount of time likely to be taken to unload and load skiffs for the stated RPC regatta and the times and days that this would likely take place.
- i) The operations manual states that a bus will pick up rowers to take them to school at 8am after training. Please confirm where the bus would park, the duration of time the bus will take in front of the site for loading and/or waiting and the dimensions of the bus and provide an assessment of any effects.
- j) Please confirm the immediate local route of the bus to pick up school students (and any other bus proposed to service the site). Specifically is it proposed to use Boundary Road within Catalina Bay, or Launch Road only? If Launch Road is proposed to be used please provide an assessment as to whether a bus could use the concept roundabout space to enter down Launch Road, turn around and exit up Launch Road. If Boundary Road is proposed to be used please provide an assessment on the adverse effects on the Bus Route service in this area.
- k) Please provide pseudo-tracking curves to show the extent of area for row boats manoeuvring out of the facility, within the boat prep platform and on to the jetty to show whether the boats will be required to utilise areas outside of the boat prep area such as the foot path or road environment and consider adverse effects on pedestrians using this road space.
- l) Please update the plan on p7 of the traffic report which shows a parked trailer and car on boundary road undertaking the row boat removal for regattas by providing an indication of the space required for manoeuvring row boats on to the trailers. This is to understand the area and level of disruption the removal and unloading of row boats would have on the surrounding pedestrian environment.
- m) Please confirm how the proposed bollard system will operate when the trailer is reversed down Boundary Road for collection of the rowing skiffs (i.e. will it be a key operated system?)

## 7. **Movement of Sail Boats**

Further information is required to understand the effects associated with the movement of sail boats into and out of the MRC building and the impact on the surrounding transport environment:



- a) Please clarify the total number of sail boats proposed to be stored in the sailing boat storage facility to understand the level of sailing boat trailer traffic proposed to utilise Boundary Road. The operations requirement states 10 – 20 on Wednesday and Friday night sailing and 3 support tenders - does this mean that there are 23 boats in total within the building?
- b) Please provide pseudo-tracking curves of sailing boats from the facility over the road environment to the boat preparation area to understand the extent of the manoeuvring areas proposed to be used, and the effect of this on other users of Boundary Road.
- c) Please confirm whether the sail boats will ever be removed from the site or whether they will require unloading by car, and how frequently will this occur, and where this loading and unloading will occur.
- d) Has there been any consideration of the effects relating to the public launching yachts and other watercraft and then parking their cars with trailers along Launch Road? Please provide an analysis of traffic generation from public use of the jetty including for transporting and manoeuvring sailing boats to be launched at the jetty.
- e) Once yachts are wheeled out of the storage area and launched, where will the trailers be kept i.e. where is the location of temporary trailer storage?

**8. Further other clarification around extent of activity and effects**

- a) Other than the stated bus to pick up rowers after training, please confirm if any other buses will visit the site, and if they will, where will they park / unload / load.
- b) Please confirm if the club would host rowing regatta or sailing events in which other boats would presumably be taken to the site, and details as to how this would be arranged and loaded, duration etc.
- c) Please provide an assessment of adverse effects of the proposed loading and drop offs on delay times for bus services which will utilise this roundabout.
- d) There are concerns that there may be conflict between members of the public wishing to use the jetty and pontoon for recreational purposes (such as for fishing) and member of the MRC launching and retrieving their boats. Please provide comment on this potential conflict and how any conflict is intended to be managed and / or avoided.

**9. Boundary Road treatment**

- a) There are concerns that the proposed building may make the Boundary Road walkway appear private. Please therefore provide an assessment of the coastal walkway remaining legible as a public pedestrian space. Consider any mitigation

measures to ensure legibility and prioritisation of the space as a public walkway such as signage.

- b) Please provide details of any lighting treatment of Boundary Road to mitigate adverse safety effects on this pedestrian environment. The proposal creates a semi enclosed environment compared to the existing situation with little passive surveillance. Please consider lighting design against the Hobsonville Point Precinct outcomes where lighting of coastal walkways are not generally encouraged except where to resolve safety issues.
- c) The plans provided show planters and bicycle parking outside the building along Boundary Road, and within the roundabout environment. Please confirm what is the reason for the planters, why they are in the Boundary Road area, and why the bicycle parking is needed or desirable to be in these areas and how this was considered against reduction of space for pedestrians and creation of clutter.
- d) Please confirm whether there are any proposed changes to the surface treatment / pavement along Boundary Road adjoining the proposed building. If changes are proposed, please identify what the new surface treatment will be and confirm that this is suitable for pedestrian and cyclist movement and transfer of boat trailers.
- e) Will the proposed building create any wind tunnel effects?

## **10. Bicycle Parking**

Given that no car parks are proposed, the site may be well positioned to be of a high demand for cyclists. Please confirm if the demand of bike parking is likely to exceed the proposed 12 spaces.

## **11. Event traffic management**

Further information is required to understand the traffic-related effects if larger functions or events are held at the facility. Please confirm if an event traffic management plan is proposed for events, what the objective of such a plan would be, and what the criteria are that the management plan will achieve. Please identify at what stage will an event traffic management plan be triggered to be prepared i.e. x number of people.

## **12. Construction Effects**

Further information is required to understand the effects of the construction of the building on the users of Boundary Road, and the operation of Launch Road:

- a) Please provide a preliminary construction management plan. This should identify (as a minimum): machinery laydown areas, areas for stockpiling materials, access points, and other construction-related matters.



- b) Is it envisaged that Boundary Road will need to be completely closed during the construction of the building? If so, how long will this be for and how will the effects be managed?
- c) If Boundary Road can remain open during construction please provide details on the width of the road that will remain accessible to the public and how effects will be managed.
- d) What is the anticipated build time for the MRC?

### **13. Dredging**

The proposal seeks to rely on an existing permit for capital dredging (Permit 37469). Condition 9 of this permit states “*This consent referenced 37469 relating to capital dredging given pursuant to s12(1) of the Act shall expire 10 years from the date of commencement unless it has lapsed, been surrendered or been cancelled at an earlier date pursuant to the Act*”.

In accordance with section 116 of the RMA, a resource consent commences on the date on which the decision is notified unless an objection or appeal has been lodged. In this case Permit 37469 was granted on 16 August 2010 and there were no appeals. Therefore it is my understanding that the permit expires in August of this year (2020).

Please explain how this timeframe will be managed.

It is unlikely that the dredging will be able to occur before the permit expires and therefore it cannot be used as part of this application and a new capital dredging consent will be required.

Please apply for the necessary capital dredging consent and provide an assessment of the effects and all relevant technical supporting documents.

*(Note: additional information may be required following receipt of this information).*

### **14. Existing Coastal Permits**

Further information is required to clarify the existing coastal permits that have been implemented and those that have been surrendered. The plan in Appendix 3 of the application is helpful, however could this be amended to identify which of the permits have been given effect to and which have been implemented. Please also overlay the location of the proposed MRC building and water access structures on this plan so that the location of the proposal in relation to the consented environment can be better understood.

## **15. Underwater Noise and construction methodology**

The acoustic report provided by Styles Group has provided an assessment on underwater noise effects. However, it is not clear both within this report and the AEE whether impact and/or vibratory piling will be used during the construction of the proposed structures.

Please therefore clarify if vibratory and/or impact piling will be used during construction. If impact/vibratory piling is likely to be used, Rule F2.19.8 (A114) needs to be included in the reasons for consent.

## **16. Jetty Design**

Please clarify why the jetty structure is required to be at a height of RL3.4m. Considering it is an uninhabitable structure, and is unlikely to be used during any storm events, please clarify why it has been designed such that it should not be inundated at all. Please also provide a comparison of the proposed jetty height with similar structures and seawalls in the area.

## **17. Noise**

Further information is required to assess the noise effects of the proposal on the recently approved residential apartments within Catalina Bay – the Yacht Club Apartments and Catalina Bay Apartments:

- a) The acoustic report prepared by Styles Group does not consider construction noise and vibration effects on the abovementioned apartment buildings. Please amend the report to address the effects and confirm whether compliance with the relevant rules and standards will be met. Apply for a consent if required and provide a corresponding effects assessment.
- b) Please provide an assessment of the effects of possible event / function noise arising from the clubrooms on the abovementioned apartment buildings.

## **18. Hobsonville Point Precinct**

While it is understood that much of the development will be outside of the Hobsonville Point Precinct, the precinct plan is still considered to form an important part of the planning framework because the land surrounding the site is all mapped as part of the precinct plan, and the road environment which is proposed to be relied upon is within the precinct plan.

Please provide an assessment of the proposal against the relevant provisions of the Hobsonville Point Precinct.

## **19. Wastewater Infrastructure**

Please provide further information to demonstrate that the approved public line (approved under ENG60346694) has sufficient capacity to cater the proposed development.

## **20. Stormwater Infrastructure**

Please provide further information to clarify the ownership of proposed stormwater pipes between the development and existing outlet. The submitted engineering report states that they will be private but they will be located within the public road reserve (roundabout) and traversing through multiple property boundaries.

## **21. Requirements of the Marine and Coastal Area (Takutai Moana) Act**

The Marine and Coastal Area (Takutai Moana) Act 2011 (MACA) created a no-ownership regime over the marine and coastal area and introduced mechanisms to recognise customary rights of Māori in that area. These mechanisms include “protected customary rights” (PCRs) and “customary marine title” (CMT). Iwi, hapū and whānau can apply to have PCRs or CMT recognised either through High Court proceedings or by engaging directly with the Crown.

All persons applying for resource consent in the common marine and coastal area need to notify and seek the views of any group that has applied for recognition of CMT in that area (see MACA section 9). The reason for this is that in the period before the Crown has determined whether an application for CMT is successful, MACA section 62 requires any applicant for resource consent to notify and seek the views of an applicant for CMT in the relevant area. Please provide evidence of this engagement.

## **22. Effects on ferry operations**

Further information is required to understand the effects associated with the proposed operation of activities from the MRC and new water access structures on existing ferry movement and operations. Please therefore provide:

- a) Details of how the marine activities proposed (rowing and sailing organised recreation events) would not conflict or cause any delay to ferries as they currently operate.
- b) Further assessment of any potential conflict between public use and access of the water access structures and existing ferry operations.

You must provide this information within 15 working days (before 17 February 2020). If you are unable to provide the information within 15 working days, then please contact me so that an alternative timeframe can be mutually agreed.

**Note:** If you will require more than 15 working days to provide this further information, the Council has an expectation that you will agree to an upfront extension of time under [section 37](#) to enable the Council to have time to undertake the necessary review of the information once provided.

If you do not respond within 15 working days, refuse to provide the information or do not meet the alternative timeframe specified by Council, this application must be publicly notified as required by [section 95C](#) of the RMA.

Under [section 88C](#) of the RMA, the processing of your application is suspended until the above matters have been addressed, or the 15 working day time limit has expired.

### **Suggested Changes/Recommendations – not pursuant to section 92 of the Resource Management Act 1991**

#### 1. Effect of the building on the coastal walkway

It is considered that the location of the proposed MRC building will reduce the public open space qualities and natural character of the Coastal Marine Zone. The Landscape Visual Assessment determines that “*the proposal is considered to sit comfortably within its landscape context with a low level of prominence and a dominant landward backdrop*” (page 16). Whilst we consider this to be an accurate statement when viewing the proposal from the harbour (VS2), it is considered that due to the proximity when on Boundary Road adjacent to the Marine Centre, the building will be a dominant feature in the landscape. It is thought that this could be potentially mitigated by enabling continuous public access around the coastal side of the building. This option should be further explored.

Furthermore, there are concerns that the activity may be underprovided for in terms of space for its operation to the extent that it adversely affects pedestrian and cycle movement. Boundary Road is narrow; presence of large vehicles and vehicles with trailers will cause hazards for cyclists using this road, as will the transportation of boats along the walkway.

It is also noted that assessment criteria I605.8.2.9(12) of the Hobsonville Point Precinct advises that the coastal walkway and all other walkways should be designed to be:

- Suitable and safe for regular pedestrian use;
- easily visible and accessible;
- located seaward of adjoining development; and
- linked to the public walkway and cycleway network.

The proposal is not considered to meet the first and third bullet points.

## 2. Effects on Launch Road

There are concerns that the site will generate considerable loading and drop-offs and that this has not been adequately provided within the site. The proposal appears to heavily rely on the road environment to the extent that it may adversely affect the operation of bus services (including those timed to connect with ferry services) and the safe functioning of the road corridor. It also relies on features that do not exist (including the drop off zone / loading area).

## 3. Pedestrian Movement

The proposal will increase pedestrian activity in this location and therefore the provision of safe pedestrian facilities are required. This is especially the case given that there is no car parking available within the site and therefore there should be safe pedestrian connections to provide a good link to/from the ferry and parking along Launch Road. There is a concept design of a zebra pedestrian crossing but this has not yet been consented. This application should consider including the provision of a raised crossing as part of the proposal. This will need to be designed to still cater for buses and vehicles with trailers.

Since the MRC has junior sailing events on weekdays and weekends, provision of 'children crossing' signs in the area is recommended.

## 4. Parking on Launch Road

The 160 parking spaces along Launch Road are already very well utilised for the Catalina Bay development and the Park and Ride is already over capacity daily. Therefore there are concerns that on street parking on Launch Road may not be adequate to meet the needs of the facility at peak times.

## 5. Transport environment assets

It is likely that some sections of Launch Road, Boundary Road (including roundabout), footpath around this location, and drop off area may be subject to improvement as part of the proposed project. Any new assets intended to be vested with Auckland Transport need to be constructed to satisfy their Code of Practice.

## 6. Building Design

Doors should open internally within the building rather than encroach onto the Boundary Road environment.

Visibility of internal storage of row boats and sailing boats should be encouraged, as this will provide for public interest along Boundary Road adding to coastal character. For example the garage doors for sail boat storage and row boat storage could include some clear panels or windows.

7. Landscaping

While it is noted that oioi was recommended by the Hobsonville Point Design Review Panel for the landscape strip between the building and coastal walkway along Boundary Road, feedback from Council's Parks Planning Department is that this may not be an appropriate species as it has a tendency to flop over onto pathways and create a maintenance issue and tripping hazard. An alternative species is recommended.

8. Traffic generation

Please note that there is no need to apply for consent for exceeding the trip generation standards (E27.6.1 and Rule E27.4.1(A3)), because the activity is not a controlled or restricted discretionary activity in the applicable zone.

If you have any queries, please do not hesitate to contact me on 021 538 011 or [Michael.treacy@aucklandcouncil.govt.nz](mailto:Michael.treacy@aucklandcouncil.govt.nz).

Kind regards,

Michael