

Under the Resource Management Act 1991 (the Act)

In the matter of a direct referral of an application for resource consent for the necessary infrastructure and related activities associated with holding the America's Cup in Auckland

Between **Panuku Development Auckland Limited**

Applicant

And **Auckland Council**

Regulatory Authority

**Notice of ASB Bank Limited's wish to be a party to proceedings
under section 274 of the Act**

Dated 16 July 2018

KensingtonSwan 

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To: The Registrar
Environment Court
Auckland

- 1 ASB Bank Limited (**'ASB'**) wishes to be a party to the Environment Court proceeding ENV-2018-AKL-000078 between Panuku Development Auckland Limited (**'Panuku'**) and Auckland Council in relation to the America's Cup Wynyard Hobson proposal (**'Proposal'**).
- 2 ASB made a submission¹ to Auckland Council on the subject matter of the proceeding. ASB was served a copy of the direct referral application by Panuku's solicitors on 25 June 2018 to have the resource consent applications heard directly by the Environment Court rather than Auckland Council.
- 3 ASB supports the Proposal, subject to the amendments sought in this notice.
- 4 ASB has an interest in the proceedings that is greater than the interest that the general public has. ASB is one of New Zealand's main commercial banks located in the heart of the Wynyard Quarter, with its head office located at 12 Jellicoe Street. ASB is situated in close proximity to the proposed site of America's Cup infrastructure, and the local street network that will be used to access the proposed syndicate bases both during construction, operations and the events.
- 5 ASB is not a trade competitor for the purposes of sections 308C or 308CA of the Act.
- 6 ASB is interested in the proceeding, in particular:
 - a Transportation effects on ASB and the Wynyard Quarter, including access, traffic and parking, in the construction, operational and event phases of the Proposal;
 - b Construction effects on ASB;
 - c Noise effects in the construction, operational and event phases of the Proposal;
 - d Security and safety issues during construction, operational and event phases of the Proposal;
 - e The extent to which the Proposal will affect utilities and services used by ASB;

¹ Submission of ASB Bank Limited on the Wynyard Hobson proposal, dated 28 May 2018.

- f The extent to which the Proposal addresses the legacy of the America's Cup infrastructure for the area; and
 - g Consultation and communication with directly affected parties.
- 7 ASB supports the Proposal, subject to the following decisions from the Environment Court:
- a That consent be granted subject to conditions providing that:
 - i Access (including all forms of transportation including vehicular, pedestrian and cyclist access) will be provided to ASB's offices throughout the construction, operational and event phases of the Proposal;
 - ii Any reduction of the current street parking available in the Wynyard Quarter will be replaced with adequate alternatives;
 - iii Pedestrian and cyclist access over the Te Wero Bridge will have priority over marine traffic, in order to ensure sufficient access to the Wynyard Quarter;
 - iv Disruption to ASB's business during construction, operational and event phases of the Proposal will be minimised, including adverse noise effects;
 - v There will be measures in place to ensure the security and safety of ASB's staff and visitors and the public during the construction, operational and event phases of the Proposal, including planned risk and response frameworks to address:
 - A Fire evacuations of the ASB building;
 - B Pedestrian safety at Wynyard Quarter;
 - C Any potential security threats at and around the ASB building;
 - vi Utilities and services that support ASB's offices, including power and water, will not be disrupted by the Proposal;
 - vii The legacy infrastructure will be carefully designed and built to maintain and enhance the attractive amenity of Wynyard Quarter, with longevity in mind;

- viii There will be targeted consultation and communication with directly affected businesses, in addition to the wider Community Liaison Group, including consultation and communication with ASB in relation to the issues above; and
 - b Such further and/or consequential relief to address the matters raised in this notice.
- 8 ASB seeks these amendments to the Proposal for the following reasons:
- a Access to and from ASB's offices is a vital part of its everyday operations. As the ASB building at Wynyard Quarter is the head office, it is important that it is able to continue its operations without disruption. ASB's offices in Wynyard Quarter also houses several core functions for the operation of the ASB banking network, so fast and efficient deliveries are vital for the business' operation.
 - b ASB wishes to ensure that access to carparking for its staff and customers is maintained, or replaced with adequate alternatives.
 - c Adverse effects, including noise effects and disruption to utilities and services, must be minimised to allow ASB to continue its operations effectively and efficiently, especially during business hours.
 - d Security and safety of ASB's staff and visitors, as well as the public, are of utmost importance during construction, operational and event phases of the Proposal. For example, fire evacuations of the ASB building and pedestrian safety will need to be managed effectively and efficiently.
 - e Concerns and interests of directly affected parties such as businesses located in the Wynyard Quarter should be prioritised over general public consultation and communication with the wider community. This will ensure that these issues are dealt with effectively and efficiently.
- 9 ASB agrees to participate in mediation or other alternative dispute resolution of the proceeding.

Dated this 16th day of July 2018



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Partner

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