

## Notice of wish to be party to proceedings

*Section 274, Resource Management Act 1991*

**To:** The Registrar  
Environment Court  
Auckland

The St Mary's Bay Association Inc. (SMBA) wishes to be a party to the following proceedings:

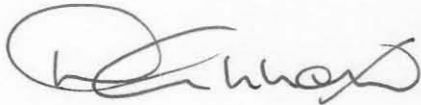
- Panuku Development Auckland Limited and Auckland Council ENV-2018-AKL-78 – application for resource consent for:
  - The construction of permanent and temporary infrastructure associated with the America's Cup, together with enabling works, on Hobson Wharf, Halsey Street Extension Wharf, Wynyard Point, Wynyard Wharf and Brigham Street, and in and over adjacent water spaces, as well as on public land, together with occupation, use and maintenance of permanent and temporary infrastructure necessary to host the 36th America's Cup, and to hold the 36th America's Cup and successive America's Cup events to 2028, as proposed in the application: and
  - The temporary relocation of the fishing industry and the permanent relocation of the Sealink ferry terminal, together with enabling works, as proposed in the application.

The St Mary's Bay Association Inc.:

1. Made a submission about the subject matter of the proceedings.
2. Is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
3. Is interested in all the proceedings.
4. Is interested in the following particular issues where the public interest in holding the America's Cup in Auckland in 2021, and therefore in establishing facilities for the teams, must be balanced against the countervailing public interest in protecting irreplaceable public amenities for future generations and in maintaining the aesthetics and historical uses (and, hence, ambience) of the area:
  - 4.1 The application seeks to use land and roading on Wynyard Point that has been earmarked in Auckland's 2012 Waterfront Plan for development in association with a public park and other public recreational uses.

- 4.2 The height and bulk of the proposed temporary buildings on Hobson and Wynyard wharves are excessive for long-term water-side development, as they unreasonably affect public views of and access to the harbour.
  - 4.3 The infrastructure development and increased land and water traffic associated with the project increase the risk to water quality due to increased and/or diverted stormwater collection and run-off, and jettisoning of debris into the harbour.
  - 4.4 The proximity of the proposed temporary buildings on Wynyard Point/Wharf to the remaining tank farm on Wynyard Point and related facilities on Wynyard Wharf presents a potential health and safety hazard due to expected increase of public use of the area, either for viewing or participating in activities related to the regatta.
  - 4.5 The temporary relocation of the existing fishing businesses is a significant interference with their commercial interests and affects the character of the area.
  - 4.6 The permanent relocation of the Sealink ferry terminal onto land on Wynyard Point (still to be identified) potentially affects the 2012 Waterfront Plan, and traffic flows in the area.
5. Supports the application conditionally, the condition being that terms and conditions are placed on any consent that may be granted to give appropriate recognition to the countervailing interests:
- 5.1 Ensuring that the integrity of the 2012 Waterfront Plan and the 2013 Sustainable Development Framework is maintained, by imposing appropriate terms and conditions on any consent, and ensuring that temporary infrastructure is relinquished as soon as reasonably possible after the regatta (taking into account the possibility of a successful defence) so that the Waterfront Plan can proceed within its intended timeframe;
  - 5.2 Locating buildings in such a way as to preserve harbour-edge access, and restricting height and bulk as far as possible, to minimise the effect on water-side access and harbour views;
  - 5.3 Ensuring that the development provides adequately for any increase in stormwater collected from or running off the infrastructure, so that at the very least water quality is not adversely affected by the various developments;
  - 5.4 Safeguarding the public from potential hazards due to the proximity of the temporary buildings for the bases adjacent to the historic tank farm, and the proximity of viewing areas to the remaining tanks on Wynyard Point and the associated facilities on Wynyard Wharf (although accepting that development per se does not create undue dangers to the public due to high risk fire loadings of the historic tank farm);

- 5.5 Safeguarding the temporary nature of the relocation of the fishing fleet by imposing terms and conditions governing the return of the fleet to original berthage or suitable alternative berthage in the area, so as to preserve the traditional character of the area; and
- 5.6 Ensuring that the proposed permanent relocation of the Sealink ferries is done so as to avoid any permanent effect on the long-term plans for public use of land on Wynyard Point. Decisions made on this application must not pre-empt the public's interests in maintaining the integrity of the 2012 Waterfront Plan when the new site for the ferry terminal comes to be considered.
6. Agrees to participate in mediation or other alternative dispute resolution of the proceedings.



D. H. Abbott

pp The St Mary's Bay Association Inc.

16 July 2018

Address for service of person wishing to be a party:

Telephone: 027 479 5764

Email: [dabbott@xtra.co.nz](mailto:dabbott@xtra.co.nz)

Contact person: David Abbott

To:

The Environment Court – [EnvironmentCourt@justice.co.nz](mailto:EnvironmentCourt@justice.co.nz)

The Applicant – Panuku [americas.cup36@simpsongrierson.com](mailto:americas.cup36@simpsongrierson.com)

The Council – [allan@brookfields.co.nz](mailto:allan@brookfields.co.nz)