

NOTICE OF HEARING

HEARING BY COMMISSIONERS

I hereby give notice that a Hearing by Commissioners will be held on:-

<u>DATE:</u>	Monday, 12 July 2010	<u>TIME:</u>	9.30 am
	Tuesday, 13 July 2010		
	Wednesday, 14 July 2010		
	Thursday, 15 July 2010		
	Friday, 16 July 2010		

MEETING ROOM: Committee Room 1

VENUE: Auckland Regional Council, 21 Pitt Street, Auckland

to consider a Resource Consent application for Boundary Road, Hobsonville and to take any necessary action connected therewith.



30 June 2010

Maea Petherick
COMMITTEE SECRETARY
Telephone (09) 836 8000 extn 8104

MEMBERSHIP:

Commissioners: L McGregor (Chairman)
H Bhana
A Rees
A Watson

(The reports and recommendations contained in all agendas are reports and recommendations only and are not to be construed, in any way, as Council policy until adopted.)

**AGENDA FOR A HEARING BY COMMISSIONERS TO BE HELD IN COMMITTEE ROOM 1
AT AUCKLAND REGIONAL COUNCIL, 21 PITT STREET, AUCKLAND,
ON MONDAY, 12 JULY 2010, COMMENCING AT 9.30 AM**

TABLE OF CONTENTS

<u>ITEM</u>		<u>PAGE NO.</u>
1	NOTIFIED APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991 BY HOBSONVILLE LAND COMPANY LTD TO CONSTRUCT FACILITIES THAT PRIMARILY SUPPORT ACTIVITIES AND STRUCTURES BOTH ADJACENT AND IN THE COASTAL MARINE AREA AT THE FORMER HOBSONVILLE AIRBASE LOCATED ON HOBSONVILLE PENINSULA, BOUNDARY ROAD IN HOBSONVILLE	1

ATTACHMENT PAGES

1	INFORMATION RECEIVED AFTER PUBLIC NOTIFICATION	A1-A52
2	SUBMISSIONS AND SUMMARY OF SUBMISSIONS	A53-A144
3	ECOWATER REPORT	A145-A148
4	TRANSPORT STRATEGY AND ASSETS SPECIALIST REPORT	A149-A159
5	URBAN DESIGN SPECIALIST REPORT	A160-A174
6	PARKS PLANNING SPECIALIST REPORT	A175-A188
7	HERITAGE AND ARCHAEOLOGICAL SPECIALIST REPORT	A189-A193
8	NOISE SPECIALIST REPORT	A194-A200
9	LANDSCAPE SPECIALIST REPORT	A201-A225
10	ECOLOGICAL SPECIALIST REPORT	A226-A231
11	SAFE WAITAKERE SPECIALIST REPORT	A232-A267
12	GEOTECHNICAL SPECIALIST REPORT	A268-A270
13	DISTRICT PLAN OBJECTIVES AND POLICIES	A271-A292
14	ASSESSMENT CRITERIA	A293-A302

**AGENDA FOR A HEARING BY COMMISSIONERS TO BE HELD IN COMMITTEE ROOM 1
AT AUCKLAND REGIONAL COUNCIL, 21 PITT STREET, AUCKLAND,
ON MONDAY, 12 JULY 2010, COMMENCING AT 9.30 AM**

1 NOTIFIED APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991 BY HOBSONVILLE LAND COMPANY LTD TO CONSTRUCT FACILITIES THAT PRIMARILY SUPPORT ACTIVITIES AND STRUCTURES BOTH ADJACENT AND IN THE COASTAL MARINE AREA AT THE FORMER HOBSONVILLE AIRBASE LOCATED ON HOBSONVILLE PENINSULA, BOUNDARY ROAD IN HOBSONVILLE

LUC 2009-1302

WARD: Massey

N.B. This report sets out the advice of Consent Services to the Hearing Commissioners on the environmental issues raised by the application for resource consent. It is not the decision of the Council. The decision will be made after consideration of the application by the Hearing Commissioners.

1.0 INTRODUCTION AND RECOMMENDATION

1.1 Nature of the Application

Hobsonville Land Company has applied for consent to undertake the construction of a beach, tidal stairs, pedestrian connections to a coastal boardwalk, the operation of ferry services and boat launching facilities with associated connecting structures that in-part support activities and structures located within the Coastal Marine Area, which include (but are not limited to) a new ferry wharf, marina, boat launching and retrieval facilities.

The proposal requires resource consent in relation to earthworks, pruning and works within the dripline of protected vegetation, removal of protected vegetation, noise, development of a contaminated site, the establishment of car parking and development associated with the provision of ferry services and boat launching/retrieval activities.

Overall, the application is considered to be a **Non-Complying Activity**.

1.2 Resource Management Issues Raised

The Resource Management Act 1991 requires that, when considering an application for resource consent, a consent authority shall have regard to the environmental effects of the proposed activity, together with any relevant objectives, policies and rules of the District Plan.

The primary resource management issues associated with this proposal are:

- Traffic and associated parking demand and supply resulting from the proposed development;
- The provision of public access to the Coastal Marine Area;
- The impact of development on the natural character of the coastline which is identified as an Outstanding Natural Landscape;
- The visual and noise impacts associated with structures and activities proposed, once established;

- The noise, amenity and visual effects associated with the proposed development during the construction period;
- Increased stormwater runoff and generation; and
- Development, both beyond the provision of ferry services and boat launching/retrieval activities, and outside of the Hobsonville Landing Special Area.

1.3 Planner's Recommendation

The planner who has prepared this report recommends that, subject to any contrary or additional evidence submitted at the Hearing, **consent be granted** to the application for the development proposed at The Landing. In this regard, it is considered that the proposal satisfies both gateway tests described in Section 104D in that the adverse effects that may be generated by the activity will be no more than minor and the proposal is not contrary to the objectives and policies of the District Plan.

2.0 LOCATION PLAN

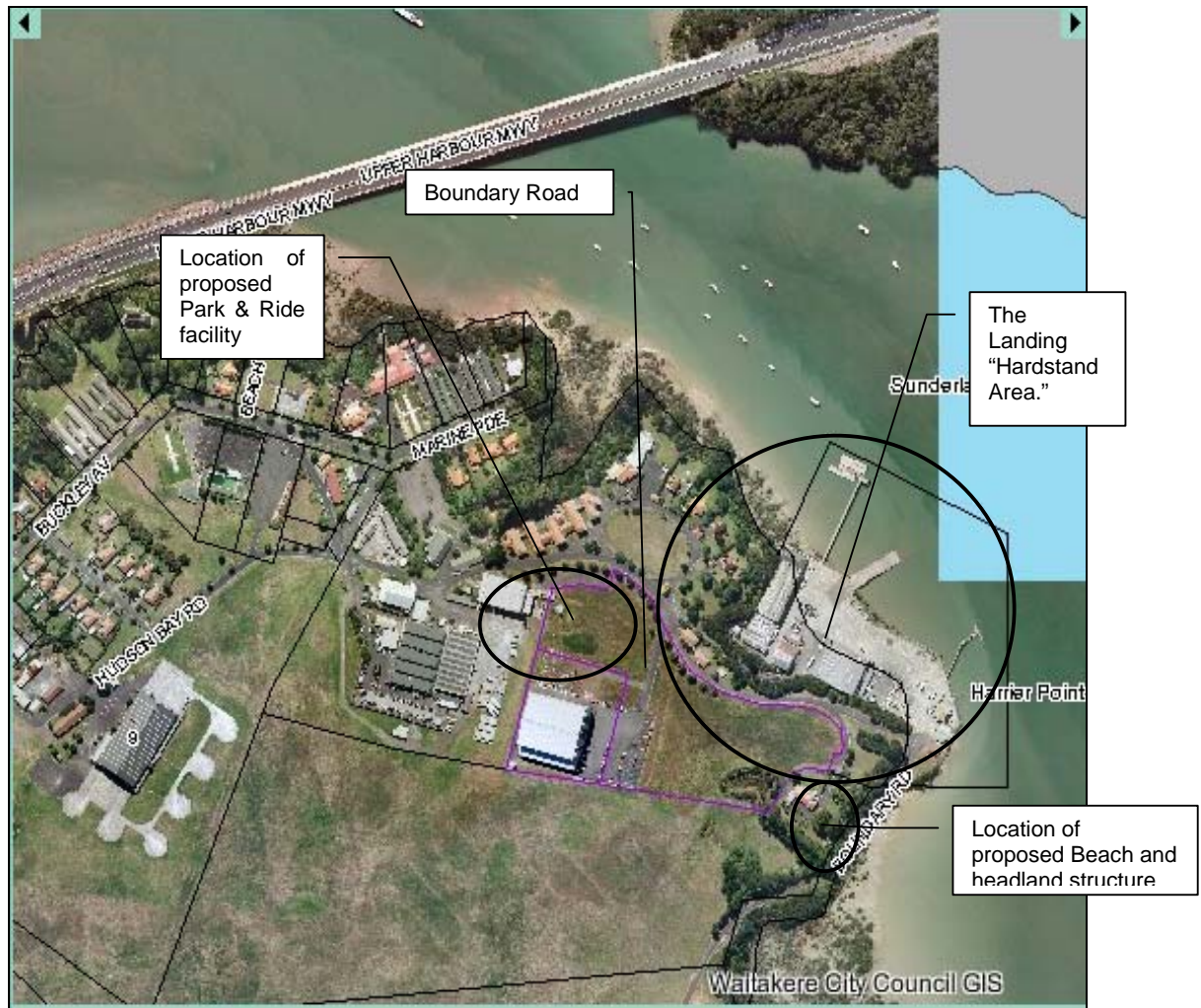


Figure 1: Site at The Landing, Hobsonville Peninsula, Hobsonville

3.0 PROPOSAL

The applicant seeks consent to establish and operate various structures and activities on that part of the former Hobsonville Airbase known as “The Landing.”

The proposal involves the following activities and structures:

- The original Hobsonville Wharf has degraded to the extent where only a few piles are remaining of the original wharf; therefore it is proposed to reinstate the wharf which will connect with a proposed coastal boardwalk;
- A timber coastal boardwalk extending from the rebuilt Hobsonville Wharf will wrap around the coastline which will then connect with the north-eastern end of Marine Parade and continue on towards and connect with “The Landing”;
- The establishment and operation of ferry activities;
- A new park and ride facility is proposed to satisfy initial car parking demand primarily associated with the operation of the proposed ferry activity. The proposed park and ride facility would be a temporary facility located on land that is currently vacant, to the south of Hudson Bay Road. The facility would provide 130 car parking spaces that would potentially also be utilised for the parking of cars and boat trailers for users of the public boat ramp;
- Tidal stairs are proposed between the ferry wharf and the existing seaplane ramp. They would cover an area of up to 480m². Construction of the tidal stairs would require the removal of 35 metres of the existing basalt rock seawall. The rock from the existing wall is proposed to be utilised elsewhere in the development;
- A short term vehicle loading zone is proposed on the “Hardstand Area” of “The Landing”, to enable marina users and people working on boats associated with the Marine Industry Precinct to load and unload items from their respective boats;
- It is proposed to establish boat launching and retrieval facilities associated with the development of the Marine Industry Precinct. When the launching/retrieval facility is initially established, it is anticipated that boats would be launched approximately once every 8.5 days and after complete development retrievals and launches could number one out of every two days. Launching and retrieval activities would generally occur during the working week (Monday to Friday) during the hours of daylight (7.00 am - 7.00 pm); and
- Two options are proposed for the mechanism to launch newly constructed boats. One is a 600 tonne and 200 tonne travelling hoist; the other is a 1000 tonne ship lift and a 220 tonne travelling hoist. Details about the launch structure include:
 - The ship lift option consists of a steel platform which would be lowered and raised through the water column by a set of synchronised winches located on the concrete beams; and
 - The travelling hoist requires similar structures to the ship lift option, however instead of a platform that is raised and lowered; a wheeled gantry crane is manoeuvred over the vessel and lifts it in a series of slings. The wheeled gantry then would be moved out over the concrete beams built in the water and lowers the vessel into the water to launch.

In relation to the travelling hoist option it is noted that the gantry crane would in part traverse both the jurisdiction of the Council (on the landward side of Mean High Water Springs) and the jurisdiction of the Auckland Regional Council (on the seaward side of Mean High Water Springs).

The following activities and structures would be located within the Coastal Marine Area and are therefore **outside** of the Council's jurisdiction:

- A new ferry wharf is proposed approximately 12m north-west of the existing jetty. This wharf would be utilised by ferry operators as a drop off and pick up terminal. The ferry wharf is proposed to be covered and would be 90 metres long and have a width of 3-5 metres;
- It is proposed to establish a new marina located on the eastern side of the existing seaplane ramp. The proposed marina would accommodate up to 44 berths;
- A public deck is proposed at the northern corner of the site as a waiting area for the ferry operation. The proposed deck would be up to 28 metres long by up to 7 metres wide and would be offset from the edge of the existing Landing hardstand area by up to 3 metres. It would have three access points from the "Hardstand Area" of "The Landing";
- A boardwalk is proposed to extend from the east of the seaplane ramp parallel to the east-west edge of "The Landing", and will terminate at the proposed Finishing Berth. This boardwalk would have a width of 5 metres and would be offset 5 metres from the top of the existing seawall; again this boardwalk would have three access points from the "Hardstand Area" of The Landing;
- A 7.5m wide concrete wharf is proposed as a finishing berth which would be offset from the top of the existing seawall, by approximately 4.8m. The finishing berth would be connected to the Landing by a 20 metre wide ramp at the wharf centre. The southern end of the finishing berth would be connected to the northern most travelling hoist gantry providing a berth face long enough to accommodate the design vessel (up to 75m long). The finishing berth would be utilised by the Marine Industry Precinct (MIP) to temporarily moor vessels while limited works are undertaken on them such as maintenance and servicing of engines, replacement of furnishings and fixtures, and loading/unloading of supplies;
- The existing seaplane ramp is to remain in its present location, however it requires stabilisation works as it is currently in poor condition. Once it has been stabilised it is envisaged that it would be utilised as a launching area for rowing skiffs, kayaks and for people to access the water;
- The proposed launch structure would require concrete beams extending from the edge of the "hardstand area" of the Landing, over the Coastal Marine Area. Two sets of beams are proposed for the larger and smaller boats respectively. The beams would be 70 and 100m long for the smaller and larger lifts respectively, and would be traversed by the launch vehicle;
- A 13 metre wide all tide dual-lane boat ramp is proposed at the south western corner of the site, adjacent to the proposed launch structures. The ramp would be for public use to launch and retrieve their recreational vessels. However, this would be closed to the public when boats are being launched from the launch structure; and
- A 75m long sandy beach is proposed immediately to the south of "The Landing". A 75 metre long and 5 metre wide timber boardwalk between the top of the existing seawall, and the sand, is proposed in order to enable access to the proposed beach. A 60 metre long artificial headland is proposed at the southern extent of the proposed beach and a 4 metre wide timber access walkway is to be constructed on top of the headland in order to enable public access onto the headland.

Note: This application for resource consent does not involve the establishment of the launch access road, nor does it involve the comprehensive development of The Landing Special Area. This proposal is largely associated with supporting the establishment of facilities and structures within the Coastal Marine Area (CMA) and, where required, works on the landward side of Mean High Water Springs to support those facilities and structures.

3.1 Information Received

The following information has been provided and was included in the application as publicly notified on 15 January 2010:

- Design Report entitled "*Hobsonville - The Landing, Appendix 3: Coastal Structures Design Principles*," prepared by Architectus, dated September 2009;
- Engineering and Design Plans entitled "*Hobsonville Point, The Landing, Preliminary Design*," prepared by Beca, various dates;
- Landscape and Visual Assessment entitled "*Hobsonville: The Landing Proposed Development*," prepared by Boffa Miskell, dated 7 July 2009;
- Coastal Processes and Water Quality Report entitled "*Coastal Processes in the Upper Waitemata Harbour*," prepared by Beca Infrastructure Ltd, dated 21 August 2009;
- Cultural Heritage Assessment "*Hobsonville Peninsula, The Landing*," prepared by Te Kawerau A Maki, dated June 2009;
- Ecological Assessment entitled "*Hobsonville Landing Development, Marine Ecological Assessment*," prepared by Bioresearches Ltd, dated June 2009;
- Historic Heritage Assessment entitled "*The Landing, Former Hobsonville Air Base, Heritage Impact Statement*," prepared by Dave Pearson Architects Ltd, dated June 2009;
- Archaeological Assessment entitled "*Hobsonville Landing: AEE (Archaeology)*," prepared by Rod Clough and Sarah McReady, dated May 2009;
- Noise Assessment entitled "*The Landing, Hobsonville Noise Survey and Assessment*," prepared by Marshall Day Acoustics Ltd, dated July 2009;
- Geotechnical Report entitled "*Hobsonville - The Landing - Factual Geotechnical Report*," prepared by Beca Infrastructure Ltd, dated 11 September 2009;
- Traffic Assessment entitled "*The Landing - Coastal Structures, Transport Assessment*," prepared by Flow Transportation Specialists, dated October 2009;
- Land Management Plan entitled "*Hobsonville Landing, Proposed Park and Ride Facility and Tidal Steps, for Hobsonville Land Company*," prepared by MSC Consulting Group Ltd, dated November 2009;
- Contamination Report entitled "*New Zealand Defence Force, Hobsonville Base Environmental, Audit Stage One, Phase 1 Report*," prepared by Tonkin and Taylor Ltd, dated October 2000;
- Contamination Report entitled "*Hobsonville Land Company, Park and Ride Soil Sampling Investigation*," prepared by Pattle Delamore Partners, dated 23 December 2009; and
- CPTED Analysis entitled "*CPTED Analysis*," prepared by Beca, dated 23 December 2009.

A1-A52 The following further information was provided to Council after public notification of the application and is attached at pages A1 to A52 as Appendix 1:

- Response to Section 92 request from Council entitled "*WCC Second S92 Request*," prepared by Beca Consultants Ltd, dated 2 March 2010; and
- Ecological Assessment entitled "*Summer Coastal Bird Assessment*," prepared by Bioresearches Ltd, dated March 2010.

A145-A270 The application, including submissions received has been reviewed by the following persons:

- Mr Sri Pulla - Subdivision and Consents Engineer (attached at pages A145 to A148 as Appendix 3);
- Mr Kevin Wright - Manager, Transport Strategy (attached at pages A149 to A159 Appendix 4);

- Mr Sam Shumane - Principal Engineer, Transport Assets (attached at pages A149 to A159 Appendix 4);
- Ms Vanita Ranchhod - Senior Strategic Advisor: Urban Planning and Design (attached at pages A160 to A174 Appendix 5);
- Mr Peter Joyce - Project Manager - Urban Planning and Design (attached at pages A160 to A174 Appendix 5);
- Ms Huia Kingi - Parks Consents Planner (attached at pages A175 to A188 Appendix 6);
- Ms Alina Wimmer - Principal Advisor, Heritage (attached at pages A189 to A193 Appendix 7);
- Mr Jon Styles - Council's Acoustic Consultant (attached at pages A194 to A200 Appendix 8);
- Mr Jeremy Froger - Council's Landscape Architecture Consultant (attached at pages A201 to A225 Appendix 9);
- Ms Natalie Marsden - Ecologist/Arborist (attached at pages A226 to A231 Appendix 10);
- Mr Mark Maxlow - Safe Waitakere Team Leader (attached at pages A232 to A267 Appendix 11); and
- Ms Debbie Fellows - Council's Geotechnical Engineering Consultant (attached at pages A268 to A270 Appendix 12).

4.0 REASONS FOR THE APPLICATION

As Plan Change 13 is not yet fully operative with the underlying Human Environment zoning being the Countryside Environment with the Natural Area Zonings being the Coastal Edges Natural Area which applies to a 20m wide margin along the coastline, and the General Natural Area further inland.

Under the Countryside Environment, development is essentially limited to the undertaking of activities associated with horticulture, viticulture, pastoral farming or residential lifestyle development.

Vegetation removal and earthworks is limited by scale, location and extent when proposed within the Coastal Margin Natural Area, whereas in the General Natural Area, there are less restrictive requirements.

Proposed Plan Change 13 was publicly notified on 31 March 2005. At present, the only outstanding appeal relates to the restriction on the location or management of large format retail, particularly supermarket activities on and around the Hobsonville Peninsula. This appeal does not materially affect the rules that are being applied for as part of this consent. As such, the parts of Plan Change 13 relevant to The Landing Special Area and the Hobsonville Base Special Area are considered operative under Section 86(f) of the RMA. As such, the provisions of the Countryside Environment are no longer considered relevant to this proposal.

Along with the above two Special Areas, Plan Change 13 introduces Riparian Margin Natural Areas along the streams within the Plan Change areas. Changes were also made to the Natural Area zoning in relation to the "hardstand" area of The Landing. This was originally zoned Coastal Edges Natural Area, however under the Plan Change, this was modified to the less restrictive Coastal Natural Area zoning.

Consent is required under the following provisions of the District Plan for the following reasons:

Hobsonville Landing Special Area

Discretionary Activity consent is required pursuant to RULE 23.1 - HOBSONVILLE LANDING SPECIAL AREA for the establishment and operation of the proposed ferry activity and associated public deck/waiting area.

Non-Complying Activity consent is required pursuant to RULE 23.3 - HOBSONVILLE LANDING SPECIAL AREA for the construction of the proposed tidal stairs at the site.

Discretionary Activity consent is required pursuant to RULE 23.1 - HOBSONVILLE LANDING SPECIAL AREA for the proposed timber board walk which would be utilised in association with boat launching and retrieval activities.

Discretionary Activity consent is required pursuant to RULE 23.1 - HOBSONVILLE LANDING SPECIAL AREA for the proposed finishing berth which would be utilised for boat launching and retrieval activities.

Non-Complying Activity consent is required pursuant to RULE 23.3 - HOBSONVILLE LANDING SPECIAL AREA for the proposed additions and alterations to the existing sea plane ramp.

Non-Complying Activity consent is required pursuant to RULE 23.3 - HOBSONVILLE LANDING SPECIAL AREA for the proposed recreational public boat ramp.

Discretionary Activity consent is required pursuant to RULE 23.1 - HOBSONVILLE LANDING SPECIAL AREA for the establishment of boat launching and retrieval facilities.

Hobsonville Base Village Special Area - Sunderland Head - Precinct A

Non-Complying Activity consent is required pursuant to RULE 21.6 HOBSONVILLE BASE SPECIAL AREA (PRECINCT A) for the establishment of the proposed Park and Ride facility.

Non-Complying Activity consent is required pursuant to RULE 21.6 HOBSONVILLE BASE SPECIAL AREA (PRECINCT A) for the establishment of the proposed historic wharf.

Non-Complying Activity consent is required pursuant to RULE 21.6 HOBSONVILLE BASE SPECIAL AREA (PRECINCT A) for the establishment of a beach and artificial headland.

City Wide Rules

Discretionary Activity consent is required pursuant to RULE 2.2 CONTAMINATED SITES for the development and use of a contaminated site known to Council.

Working Environment

Discretionary Activity consent is required pursuant to RULE 8.2 NOISE associated with the proposed launch facility.

General Natural Area

Discretionary Activity consent is required pursuant to RULE 3.4 EARTHWORKS for the proposed park and ride facility equating to 1890m³ in volume over a plan area of 4,200m².

Coastal Natural Area

Discretionary Activity consent is required pursuant to RULE 3.3 EARTHWORKS equating to 60m³ over a plan area of 120m² for the partial removal of the seawall in order to enable construction of the proposed tidal stairs.

Coastal Edges Natural Area

Non-Complying Activity consent is required pursuant to RULE 2.5 VEGETATION ALTERATION for the proposed clearance of 1350m² of protected vegetation associated with the pathways leading to the proposed coastal boardwalk and 290m² associated with the construction of the proposed beach.

Overall, the application is considered to be a **Non-Complying Activity**.

5.0 THE SITE AND NEIGHBOURHOOD DESCRIPTION

The application site is located within the Hobsonville Peninsula, north-west of central Auckland. The wider character of the area at present is defined by an undulating, peri-urban landscape to the northwest of the Waitemata Harbour. The area is located on the edge of the built form of Auckland's outer suburbs. The residential pattern in the area is characterised by low density suburban development and large lifestyle blocks.

The coastline of the Waitemata Harbour creates a series of promontories and small scale inlets and bays.

Since the mid 1920's much of the Hobsonville Peninsula, (including the area known as "The Landing") was utilised for Ministry of Defence activities. As such, subsequent built development consists of housing, barracks and hangers to support Ministry of Defence operations as an operational airbase. In terms of the existing uses of the Peninsula it is noted that there are still some small scale Defence Force activities occurring in and around the Peninsula. Furthermore, there are areas of the Peninsula which are currently being utilised by boat building and maintenance businesses. These businesses are undertaken in existing workshops and hangars located near Hudson Bay Road.

In this context, the area where the development is largely proposed is located on the north eastern coastal edge of the Hobsonville Peninsula, known as "The Landing."

The Landing is characterised by a large expanse of reclaimed land in the form of a concrete base supported by a basalt rock wall along the coastal edge, this area is commonly known as the "Hardstand". To the north and west of this area are workshops and offices. Further to the south-west is the Sunderland Hangar which was originally utilised for seaplane storage and maintenance.

The southern most extent of the "hardstand" is bounded by a Yacht Club building (administered by the Auckland Yacht Club) with an external ablution block. There are several structures jutting into the Coastal Marine Area (CMA) which are attached perpendicular to the hardstand area and includes a timber jetty, seaplane ramp, and another timber jetty further south.

Currently, vehicular access is provided to The Landing via Boundary Road which changes to a single direction road as it nears the "hardstand" area of The Landing.

Vehicular parking is currently provided on the hardstand area for those people utilising the existing workshops and offices. Vehicles exit the "hardstand" area of The Landing via another single direction road called Hudson Bay Road extension which is located between two existing buildings near the southern boundary of The Landing.

Three other locations on the Peninsula are also relevant to this application in terms of the development works proposed. The proposed coastal boardwalk, beach and park and ride facility are all located within different areas of the Sunderland Head Precinct.

The proposed beach and artificial headland would be located to the south of the “hardstand” area of The Landing within a small inlet. The area is currently consists of some sparse vegetation growing at the top of a seawall, with Boundary Road running parallel to the seawall and Coastal Marine Area (CMA). Access to the proposed coastal boardwalk would be located at the eastern end of Marine Parade which is characterised by existing vegetation that consists of a variety of different species. Vegetation in this area is relatively dense and transitions into mangrove habitat further into the CMA.

The proposed park and ride facility would be located to the north of the Marine Industry Precinct Special Area and south of Hudson Bay Road. This area currently consists of a large expanse of lawn with Phoenix Palms marking the northern edge.

The Landing is located adjacent to several small bays and inlets. Sunderland Cove lies to the immediate north of The Landing, and Harrier Point lies adjacent to the southern most end of The Landing. Further to the south of The Landing, is Catalina Bay.

Across the Waitemata Harbour from The Landing, lies Taihinu Historical Reserve which is characterised by dense coastal vegetation right up to the coastal interface. The reserve is situated on a coastal escarpment, at the entrance of the northern side of an inlet called Sunset Bay. A large proportion of the escarpment is reserve land, however there is some low density residential development located at the top of the escarpment. The northern most boundary of the reserve is defined by the Upper Harbour Motorway.

Sunset Bay is a narrow inlet that is characterised by mangroves and estuaries on the seaward side, with a buffer of esplanade reserve between the inlet and residential, suburban development. Notably, there are several small jetties extending into the Harbour from many of the residential sites located along the coast line.

Slightly further south of Sunset Bay lies the suburb of Beach Haven. In this area the coastal edge is characterised by a small buffer of vegetation contained within an esplanade reserve, with residential development becoming more predominant behind the reserve. Beach Haven Wharf extends into the Waitemata Harbour, with a small, narrow, sandy beach extending along the coastline for approximately 120m. The beach is framed by several large coastal Pohutukawa trees which are growing on the cliff which is located at the rear of the beach.

Further to the south of Beach Haven Beach, the coastline is largely characterised by a narrow strip of esplanade reserve which follows the coastal edge. There are several small bays and inlets that contain, for the most part, estuarine elements such as mangroves and mudflats. Inland of the esplanade reserves, residential development is predominant.

It is acknowledged that the environment and the “neighbourhood” of Hobsonville Peninsula is subject to change within the the parameters encapsulating within the Policy direction of the Plan Change. Such change, however, is managed by resource consent requirements (which includes in most instances by the provision of a Comprehensive Development Plan (CDP)).

The Hobsonville Landing Special Area, at present, relates to the provision of ferry activities and boat launching and retrieval activities.

In terms of the individual Special Areas, Sunderland Head Precinct (specifically Precinct A) provides for mixed use development as well as public access to and along the coast and the Hobsonville Marine Industry Special Area primarily provides for the establishment / expansion of the marine industry. Both the Sunderland Head Precinct and Marine Industry Special Area marina seeks Comprehensive Development Plans to be place prior to development commencing.

Please note: For the purposes of this assessment, the existing road which runs along the ridge located to the south of The Landing, is referred to as Boundary Road, as illustrated by Figure 1 above.

6.0 ISSUES IDENTIFIED THROUGH THE SUBMISSION PROCESS

The application was publicly notified on 15 January 2010 with the period of submissions closing on the 12 February 2010.

In total, 17 submissions were received, 10 submissions supported the application, 6 submissions opposed the application, and 1 supported the application with concerns.

Further to the above, an additional submission was received from Ngati Whatua Nga Rima O Kaipara Trust, C/- M J Sherard Kaiarataki on the 15th of February 2010 who support the application but have expressed concerns.

Section 37 Assessment

The Hearings Committee needs to resolve whether to accept the late submission, pursuant to Section 37 of the Act. In making this decision, the Council is required to consider the provisions set out in Section 37A(1), being:

- (a) *The interests of any person who, in its opinion, maybe directly affected by the extension or waiver,*
- (b) *The interests of the community in achieving adequate assessment of the effects on any proposal, policy statement , or plan; and*
- (c) *Its duty under Section 21 of the Act, to avoid unreasonable delay.*

Section 37A(2)(a) also requires that the extension of time shall not have the effect of exceeding twice the maximum period specified in the Act. It is noted that the submission from Ngati Whatua Nga Rima O Kaipara Trust was received 1 working day after submissions closed.

In accordance with Section 37A(1), the acceptance of the submission has not resulted in unreasonable delay, and its acceptance will ensure the interests of the community are met No one is considered would be unduly prejudiced by its acceptance. It is therefore recommended that this late submission be received.

A53-A144 Attached at pages A53 to A144 as Appendix 2 are copies of the submissions and a table summarising the submissions received.

6.1 Submissions

The following persons have submitted on the proposal:

Submitter	Address	Support/Oppose
Herald Island Residents and Ratepayers Assoc & Whenuapai Residents and Ratepayers Assoc.	The Old Post Office 57 Ferry Parade Herald Island 1250 Waitakere City	Oppose
Colin James Frankham	26 Rambler Crescent Beach Haven Auckland	Oppose
Carl Eckhart	40 Oruamo Place Beach Haven	Support
Hudson Bay Holdings Ltd C/- Phil Creagh Anderson Creagh Lai Corporate Law	C/- BDO Spicers Level 2 116 Harris Road East Tamaki	Oppose
Stephen Hogg	44 Rambler Crescent Beach Haven	Oppose/Support
Wayne Jones	42 Waimarie Road Whenuapai Auckland 0618	Oppose
Historic Places Trust C/- Sherry Reynolds General Manager Northern	Private Box 105291 Auckland City 1143	Support with conditions
Waitakere Properties Ltd	PO Box 21271 Henderson Auckland	Support
Boating Industries Assoc. of NZ Inc, trading as Marine Industry Assoc. of NZ; C/- Peter Busfield (Executive Director)	PO Box 90-448 Victoria Street West Auckland 1142	Support
Giscard & Louise Rutten	11 Beach Haven Rd, Beach Haven	Oppose
MSC Consulting Group Ltd C/- Kevin Paul Wyborn	PO Box 33-426 Takapuna	Support
NZ Transport Agency C/- Michael Lawrie	NZ Transport Agency Private Bag 106602 Auckland 1143	Support
Auckland Regional Transport Authority C/- Matthew Rednall	Auckland Regional Transport Authority Private Bag 92-236 Auckland	Support
Guardians of the Upper Harbour C/- Malcolm A. Hahn	C/- Malcolm Hahn 24 Pohutukawa Road Whenuapai Waitakere	Support
Yachting Developments Ltd C/- Murray Greenhaigh	NZ Yachting Developments Ltd PO Box 66092 Beach Haven North Shore 0749	Support
Sharon & Bruce Vujnovich	9A Beach Haven Road, Beach Haven North Shore City 0626	Oppose
Ngati Whatua Nga Rima O Kaipara Trust C/- M J Sherard Kaiarataki CE	PO Box 226 Te Awaroa Helensville	Support

6.1.1 Summary of Submissions

6.1.1.1 Support

- Important location due to availability of flat land and deep water harbour access ideal for the launching of large boats;
- The proposal will provide an important transport link and would provide enhanced, integrated public transport infrastructure;
- Beneficial to the New Zealand economy due to the provision of launching, retrieval and maintenance infrastructure associated with the boat building industry; and
- Application has adequately addressed and identified any environmental effects resulting from the proposed works and provision has been made for mitigation of those effects.

6.1.1.2 Oppose

Traffic and Parking

- Lack of adequate car parking and boat trailer parking;
- Increase in traffic and lack of mitigating measures proposed to address traffic effects; and
- Potential increase in traffic and lack of car parking in Beach Haven relating to commuters utilising the Beach Haven ferry to travel to The Landing.

Discharges/Contamination

- Discharges from boat building/maintenance activities into the harbour;
- Increased stormwater discharges;
- Pollution to environment by power boats, jet skis and industry; and
- Dredging will dislodge contaminants contained in sediments of the harbour thereby causing pollution.

Noise

- Noise associated with increased use of the area by power boats, jet skis etc;
- Noise associated with increased traffic, activity and employment;
- Noise from proposed activities during construction period and once established when heard from across the harbour at Beach Haven; and
- Lack of information relating to hours/days of operation of proposed activities.

Public Access

- Existing continued uninterrupted access to the CMA affected by the proposal;
- Development at expense of public spaces, recreational facilities, parks; and
- Existing recreational use of waterfront will be affected by the proposal.

Visual

- Potentially ugly buildings would dominate the area; and
- Visual impact of proposed launch facility.

Consultation

- Lack of consultation with interest groups and existing occupiers/users of The Landing.

General

- Removal of yacht club jetty, swing moorings and pontoon;
- Contrary to purpose of Resource Management Act;
- Contrary to Waitakere City Operative District assessment criteria;
- Contrary to objectives and policies of Auckland Regional Plan;
- Adverse effects associated with the proposal would be significant overall; and
- Concerns surrounding whether there are incentives for the applicant to actually complete the project and maintenance thereafter of the facilities proposed.

6.1.1.3 Organisations

- Auckland Kindergarten Association;
- Auckland Regional Council;
- Auckland Regional Transport Authority*;
- Auckland Traditional Boat Building School;
- BP Oil (New Zealand) Ltd;
- Department of Conservation;
- Formula Cruisers*;
- Fulton Hogan Ltd (Dunedin);
- Henderson Community Board;
- Herald Island Resident and Ratepayers Association*;
- Hobsonville Presbyterian Church Trustees;
- Hobsonville Yacht Club;
- Housing New Zealand Ltd;
- Hudson Bay Holdings Ltd*;
- Marine Industry Association of New Zealand*;
- Ministry of Education – Wellington;
- Ngati Whatua O Orakei Corporate Ltd;
- North Shore City Council;
- New Zealand Defence Force;
- New Zealand Historic Places Trust*;
- New Zealand Transport Agency*;
- New Zealand Yachting Developments Ltd*;
- NZRPG Management Ltd;
- Royal Forest and Bird Protection Society - Waitakere;
- Sovereign Yachts NZ Ltd;
- Te Kawerau A Maki Trust;
- Te Kohanga Reo National Trust Inc (Hobsonville);
- Transpower NZ Ltd;
- Waitakere Properties Ltd*;
- Waitakere Ranges Protection Society;
- West Harbour/Hobsonville Ratepayers;

- Westlake Boys Rowing Club;
- Whenuapai Pony Club; and
- Whenuapai Residents and Ratepayers Association.*

The above organisations were notified of this application. The ones which have been denoted with an * made a submission with regard to the proposed development. The remaining organisations did not make a submission.

6.1.1.4 Iwi

- Te Kawerau A Maki;
- Ngati Whatua Nga Rima O Kaipara Trust*; and
- Ngati Whatua O Orakei Corporate Ltd.

The above iwi groups were notified of this application. It is noted that Ngati Whatua Nga Rima O Kaipara has made a submission in respect of this proposed development. The applicant has provided comments and evidence of consultation from Te Kawerau A Maki and Ngati Whatua O Orakei.

7.0 STATUTORY REQUIREMENTS

7.1 Non-Complying Activities

The relevant policies and criteria which apply under the District Plan and the Resource Management Act 1991 are set out in more detail in Appendices 13 and 14 attached to this report. This should be referred to as the legal framework within which the application should be addressed.

As noted, the proposal requires consideration as a non-complying activity under the provisions of the Resource Management Act 1991. Section 104D of the Resource Management Act 1991 sets a threshold test which all resource consent applications for non-complying activities must pass before a consent authority has jurisdiction to grant consent, having regard to the matters specified in Section 104. In short, the proposal must be able to establish and operate without generating more than minor adverse effects on the environment, or must not be contrary to the relevant objectives and policies of the Operative District Plan. Council may disregard an adverse effect of an activity on the environment if the Plan / National Environmental Standard permits an activity with that effect. Furthermore, no regard can be given to trade competition or the effects of trade competition or to any person who has provided their written approval to the proposed activity.

The matters to be considered when assessing an application for resource consent are set out in Section 104 of the Resource Management Act 1991. Amongst other things, these matters require consideration of any actual and potential effects on the environment arising from the proposal, together with an assessment as to whether the application is consistent with relevant objectives, policies and rules of the District Plan. All considerations are subject to the provisions of Part II of the Resource Management Act 1991, which sets out the purpose and principles that guide this legislation.

8.0 EVALUATION IN ACCORDANCE WITH SECTION 104 OF THE RESOURCE MANAGEMENT ACT 1991

In order to make a decision in terms of Section 104B of the Act it is necessary to undertake an analysis and assessment to determine whether the purpose and principles of the Act are being met (Part II) having regard to the matters set out in Sections 104, 104B and 104D as relevant, the Fourth Schedule and any other statutory considerations.

Section 104(1) of the Act requires that Council have regard to any actual or potential effects on the environment, relevant National Environmental Standards, regulations, any relevant objectives, policies, rules or other provisions of a plan or proposed plan and any relevant regional policy statement and regional plan or proposed plan, and any other matters the consent authority considers relevant and reasonably necessary to determine the application.

When considering an application Council must not have regard to any effect on a person who has given their written approval to the application (if not withdrawn) or trade competition or the effects of trade competition (section 104 (3) (b)) and may disregard an adverse effect of an activity on the environment if the Plan or National Environmental Standard permits an activity with that effect (section 104(2)).

8.1 Assessment of Environmental Effects (104(1)(a)): Actual and Potential Effects on the Environment

Effects permitted by the Plan or National Environmental Standard

Pursuant to Section 104(2), Council may disregard an adverse effect on the environment if the plan or national environmental standard permits an activity with that effect.

The Hobsonville Landing Special Area does not contain any permitted activities, whereas the Hobsonville Base Village Special Area allows, for example, filming activities in existing buildings (established prior to 1 January 2000).

The proposed development is located within both the General Natural Area and the Coastal Edges Natural Area (20m). In respect of the General Natural Area, earthworks of less than 100m² or 50m³ are permitted outside the approved building platform. Conversely, any amount of earthworks proposed within the Coastal Edges Natural Area requires resource consent.

Given the nature of the activity, the adverse effects sit noticeably above those adverse effects permitted by the Plan.

There are no National Environmental Standards relevant in the determination of this application.

Receiving Environment

The receiving environment for the purposes of s104(1)(a) includes existing permitted activities, activities that have existing use rights, existing activities expressly authorised by resource consent, and unimplemented resource consents (where likely to be implemented).

The adverse effects of a proposed activity, at this point in the analysis, will be those effects that are not already impacting upon the receiving environment.

The existing environment has been extensively described in Section 5.0 of this report and has been primarily driven by the occupation of this area by the Ministry of Defence, but also includes activities expressly authorised by resource consent(s) in terms of existing marine activities setback from the "hardstand" area of the Landing.

In terms of unimplemented resource consents (where likely to be implemented), the changes to the environment as signalled by Plan Change 13 are evident with earthworks (LUC 2008-1742) and an underlying subdivision (SUB2008-1736) that in terms of area generally fall that under the approved Comprehensive Development Plan (LUC2008-389) approved for one part of the Hobsonville Peninsula, adjacent to Buckley Road. However, this area is located a substantial distance from the subject area.

In terms of the Hobsonville Marine Industry Special Area it is acknowledged that an application for a Comprehensive Development Plan (LUC2009-1555) and Launch Road (LUC2009-1637) has been lodged with Council. In this regard, no decision has yet been made as to whether the application will be publicly notified or not. Therefore developments proposed by these applications cannot be considered as part of the receiving environment.

The proposal, does introduce effects over and above that which already impact upon the receiving environment.

8.1.1 Water Quality and Quantity

The subject site lies within a particularly sensitive receiving environment, and will result in increased stormwater runoff and generation.

The proposed development seeks to primarily utilise existing hardstanding areas, with the exception of the park and ride facility that will introduce approximately 3120m² of impermeable surfaces once established. Furthermore, the construction of the proposed park and ride facility would involve approximately 1,820m³ of earthworks over an area of 4,200m². The proposed tidal stairs would involve 60m³ of earthworks over an area of 120m².

A145-A148 Mr Sri Pulla, Council's Drainage Engineer (report attached at pages A145 to A148 as Appendix 3) has considered the Land Management Plan prepared by MSC Consulting Ltd (dated November 2009, ref: 30322C) which explains the extent and location of the earthworks required for the formation of the park and ride facility as well as those required for the formation of the tidal stairs.

The Land Management Plan proposes the implementation of silt fences, stabilised transport routes, and cleanwater runoff diversion channels in order to mitigate silt and sediment runoff potentially created by the construction works associated with the park and ride facility. In terms of the tidal stairs, the submitted Land Management Plan discusses the provision of a Construction Management Plan to outline the methodology to be implemented in order prevent any fill material from entering the coastal waters. Accordingly, it is recommended that a condition of consent be imposed, requiring the provision of a Construction Management Plan prior to works commencing.

In terms of stormwater quantity, Mr Pulla, Council's Drainage Engineer notes that stormwater disposal (including quality treatment) is dependant on systems, including a new stormwater outlet to be implemented as part of other consents (which are not part of this consent, nor have been granted). This will also require Manager's Approval (ARC) regarding the proposed changes to the Network Discharge Consent, and the Integrated Catchment Management Plan.

To ensure appropriate stormwater treatment and disposal, grass swales will be utilised which will feed into the "Launch Road" piped network. A proprietary unit stormfilter, will be installed at the base of the road to provide treatment of stormwater runoff from the Launch Road (which includes the Park and Ride facility). As such, the park and ride facility cannot be constructed prior to these connections being made.

Mr Pulla recommends that the park and ride facility should not be constructed until Manager's Approval has been obtained regarding the proposed changes to the Network Discharge Consent and the Integrated Catchment Management Plan for the locality to ensure the provision of a complete stormwater quality treatment system. Recommended conditions of consent reflect the above, and ensure that any adverse effects are no more than minor in nature and will not place undue pressure on both reticulated systems and the wider receiving environment.

Temporary Effects associated with earthworks are further discussed in Section 8.1.3.

8.1.2 Vegetation, Fauna Habitat, and Ecosystem Stability

8.1.2.1 Vegetation Removal and Protection

The application has been supported by an Arboricultural Assessment undertaken by Mr Karl Burgisser of Arborlab Ltd, dated 30 July 2009 (subject to updated information associated with the beach), which describes the terrestrial vegetation proposed to be removed in terms of the coastal boardwalk, the establishment of the beach (approximately 290m²), and future pedestrian linkages from the proposed Launch Road. The vegetation being removed is identified in a table on page 2 and 3 of the fore-mentioned report (with the beach referred to).

The following salient points were made:

- Utilisation of an existing track, which is overgrown with weeds, with occasional native species. Vegetation is of low quality, does not contain climax native species, and more than 85% covered in species;
- Works within the dripine of a pohutukawa tree;
- Removal of pine trees (these trees are listed on the Removable Vegetation Appendix) but form an integral part of the existing landscape and tree vegetation; and
- Vegetation associated with the beach is self-seeded and juvenile.

A226-A231 The application has been assessed by Council's Ecologist Ms Natalie Marsden who concurs with the description; quality and extent of vegetation being removed (attached at pages A226 to A231 as Appendix 10).

The Green Network relates to the overall healthiness of the Network's constituent parts and their ability to survive. Biodiversity relates to the overall diversity of genes species of vegetation and fauna and biological communities that exist within the City, the Green Network or an ecosystem. This diversity, which is best served by maintaining the range of native species and genetic stock in the City, contributes to the stability and resilience of the City's environment.

The removal of vegetation as proposed could potentially have adverse effects on the visual amenity of the locality. For the most part, this would be visible to people travelling along the Upper Harbour Motorway, where views would be fleeting, and as it is only proposed to remove vegetation for the route of a pathway and a viewing platform, there would be retained vegetation either side of the path and platform. In addition, appropriate replanting and weed management would improve the overall visual amenity of the vegetated area over time.

In terms of the removal of vegetation required for the beach, it is noted that the vegetation to be removed is of poor quality, and consists of a strip of relatively juvenile vegetation. Although no replanting is proposed to replace the removal of vegetation, there is substantial high quality vegetation on the bank located behind the beach (across Boundary Road) which would provide greater visual amenity than the vegetated strip to be removed.

In light of the nature and extent of the clearance and subsequent works, any adverse effects are considered to be no more than minor in nature and will noticeably diminish over time.

The proposal does not impact upon any notable vegetation, and weed clearance is considered to enhance the biodiversity and resilience of the Green Network. Proposed replanting in the long-term using native species will improve its integrity.

Ms Marsden has recommended conditions of consent relating to the implementation of appropriate replanting, weed management and the utilisation of appropriate arboricultural methodologies when working in the vicinity of protected retained vegetation. In this regard Ms Marsden has recommended that the applicant provide a Vegetation Management Plan for approval which encompasses all these aspects of the proposal.

Subject to the implementation of Ms Marsden's recommended consent conditions, I consider that the adverse effects of the proposal on protected vegetation would be no more than minor, with such effects noticeably diminishing over time.

8.1.2.2 Ecosystem Stability and Fauna Habitat

A226-A231 The application is supported by an Assessment of Marine Ecological Effects, dated June 2009; a Preliminary Assessment of Coastal Birds, dated July 2009 and a Summer Coastal Bird Assessment, dated March 2010, all of which have been prepared by Bioresearches Group Ltd and which have addressed the main marine ecological issues associated with the proposed development. These reports have also been reviewed by Ms Natalie Marsden (attached at pages A226 to A231 as Appendix 10), who generally concurs with their findings and recommendations.

Of particular note is the following:

- Adverse effects associated with the tidal stairs will be temporary and localised and adequately mitigated by the implementation of silt and sediment control measures and by timing the works (low tide). This part of the coastline is already highly modified;
- The boardwalk will generate shading effects; however, such effects are no more than minor given the nature of the structure;
- The establishment of the proposed beach would cause a change in biological communities; and the change of biological community would *“enhance the biological diversity of marine habitat types in the general area provided that the sandy area is stabilised...”*;
- No modifications would occur at the north-eastern end of Catalina Bay (due to its immediately adjacent habitat being of significant ecological resource value); and
- The approval and subsequent implementation of a Vegetation Management Plan covering all replanting, weed, pest and rubbish removal. This opinion is also expressed by Ms Huia Kingi, Council's Parks Planner. The boardwalk will assist in the facilitation of this aspect and in particular rubbish removal.

The Coastal Bird Assessment(s) have identified bird species, and their numbers and that the proposed development will result in the loss of roosting sites either through their physical removal or a significant increase in disturbance, and a loss of intertidal feeding habitat. A total of 4 hectares of intertidal feeding habitat will be lost. The proposal seeks to mitigate these effects with the establishment of an artificial roost platform. Ms Marsden considers that the proposed roost would be appropriate mitigation for the loss of existing roosts, subject to obtaining the necessary consents.

Subject to appropriate replanting, weed management, pest and rubbish removal, any adverse effects of the proposed development, would be no more than minor. Conditions of consent have been recommended accordingly.

8.1.3 Land / Soil Effects

8.1.3.1 Earthworks

Earthworks associated with the proposed activity centre on the proposed park and ride facility but also include earthworks associated with the removal of the existing basalt rock wall where the tidal stairs are proposed. The size and scale of earthworks is deemed necessary and consistent with the development being undertaken.

The application is supported by a Land Management Plan prepared by MSC Consulting Ltd (dated November 2009) which recommends measures for mitigating any potential silt and sediment runoff.

I agree with the measures being proposed and subject to the implementation of silt and sediment control measures as stated in Land Management Plan, as referred to above, the timing of works (low tide) associated with the tidal stairs will minimise any adverse effects generated by this aspect of the proposal.

I consider that any adverse effects associated with the earthworks proposed, would be no more than minor in nature and will be temporary and localised.

8.1.3.2 Contaminated Soil

The application is supported by a Contaminated Soil Assessment prepared by Tonkin and Taylor Ltd, dated October 2000 and updated by Pattle Delamore and Partners Ltd, dated December 2009 with regard to the soil in the area where the park and ride facility is proposed.

The submitted Contamination Assessment concludes that although the soil is contaminated, the level of contamination is below human health guidelines as required by the Ministry of Health.

Further to this, the proposed park and ride facility is to be sealed and would not be permeable, thereby inhibiting any potential runoff into this particularly sensitive receiving environment.

To ensure that adverse effects are adequately contained within the site, I recommend a condition of consent be imposed, requiring that as far as is practicable, any soil shall be retained on site, and utilised in the formation of the proposed park and ride facility and any excess or unsuitable spoil shall be disposed of at a facility registered to receive contaminated soil, and evidence of such disposal provided accordingly.

8.1.3.3 Geotechnical

A268-A270 The application is supported by a Geotechnical Assessment prepared by Beca Infrastructure Ltd (dated 11 September 2009), which has been reviewed by Council's Consultant Geotechnical Engineer, Ms Debbie Fellows of URS Limited (attached at pages A268 to A270 as Appendix 12).

Ms Fellows has stated that she is satisfied that foundation conditions are adequate. Whilst no stability assessments have been provided and the softer alluvial sediments may present some failure risk, they should be further assessed along with the long term stability of cut slopes, particularly in areas where soft marine sediments or Tauranga Groups alluvium exist, which may require retaining measures.

Notwithstanding the issues raised above, Ms Fellows has stated that she is supportive of the proposal, subject to the imposition of consent conditions.

For the reasons stated above, I consider that any adverse effects a, would be no more than minor, subject to the imposition of the recommended consent conditions.

8.1.4 Natural Character of Coast and Margins of Lakes, Rivers and Wetlands

The subject site lies immediately adjacent to the coast near the upper reaches of the Waitemata Harbour.

The environment has been largely modified by historic and recent human activity in terms of buildings, structures and activities. In this regard the “hardstand” area of the Landing has been heavily modified, in addition to a basalt rock retaining wall erected around the coastline. Such features form an integral part of the existing environment which is subject to further modification with the introduction of the proposed structures and associated activities and the subsequent “opening up” of the area to the public will lead to more people utilising the area.

In terms of those activities which stem from the hardstand area, I consider that the adverse effects on the natural character of the coast would be no more than minor because they would be occurring in an area that has already been modified by past and present human activity of varying scales.

8.1.5 Outstanding Landscapes

The subject site is identified as an Outstanding Coastal Area in the Waitakere District Plan. Specifically, the Plan identifies a thin strip of Hobsonville Peninsula's coastline between Limeburner's Bay and Waiarohia Inlet which lies within the boundary of the proposed development.

The District Plan described an Outstanding Coastal Area as being:

“These are areas where the natural landscapes and landforms are largely intact, some or all of the native coastal vegetation remains and the coastal water quality is generally of better quality than the coastal waters elsewhere around the City. This includes:

- *Around the Waitemata Harbour coastline at Whenuapai and Hobsonville (from Brighams Creek to Scott Road).*

The proposed development would result in the establishment of additional built structures within the coastal landscape. As earlier noted, the site has been heavily modified.

Although the proposed development involves the construction of structures within the Coastal Marine Area, it is noted that the past establishment of the “hardstand” area of The Landing, in itself, constitutes a significant modification to the coastal landscape of the locality. Those aspects of the proposed development which would extend into the Coastal Marine Area from the “hardstand” would not be significantly outside the scope of the activities and structures which had historically and currently occur from, and on, the “hardstand” of The Landing.

Those activities proposed beyond the “hardstand” area of the Landing such as the boardwalk, reconstruction of the historic Hobsonville Wharf, and the beach could potentially have adverse effects on the landscape elements and natural character specific to the Hobsonville Peninsula.

The proposed Hobsonville Wharf would be located over the same approximate footprint as the historic wharf which originally stood with the proposed coastal boardwalk would enable pedestrian and cycle access to an area that at present is generally only accessible via sea.

In terms of the construction of the boardwalk and historic wharf, the scale of vegetation removal is relatively small and the establishment of the boardwalk and wharf would not lead to notable changes in the natural physical form of the coastline.

In the context of a landscape that has already been extensively modified by past activities, the proposed launch facility would not detract from the outstanding landscape amenities particular to the locality as the concrete beams would jut out parallel to the coastal waters and would not be visually dominant within the landscape and the gantry crane, although a large structure, would not obstruct views due to its skeletal form. In addition, the shape and form of the gantry crane would be visually “permeable” therefore views of features on the “hardstand” of The Landing and views of the vegetated scarp located to the south of The Landing, would be maintained.

The proposed beach would lead to modification of the existing environment which currently consists of tidal flats with some mangrove growth. The beach, from a visual perspective, is a notable change with no similar feature in the locality. Notwithstanding this, given its nature and purpose, it will not unduly undermine the amenities associated with this (outstanding) landscape.

Overall, I consider that any adverse effects associated with the establishment buildings, activities and structures will generate only a minor adverse effect on the Waitematea Harbour.

8.1.6 Amenity Values - Health and Safety, Landscapes, Local Areas and Neighbourhood Character

Amenity Values is defined in the Resource Management Act 1991 as:

“Those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attribute”.

The District Plan has also defines Amenity Values as follows:

“These are those natural and physical characteristics of an area that contribute to people’s enjoyment of it ...”

The District Plan also provides a definition of Neighbourhood Character:

“Neighbourhood is that small local area, usually the same number of streets around a dwelling or workplace that a person identifies with and knows most thoroughly of all parts of the City. Usually people have strong sense of belonging and place associated with a neighbourhood. It is the most localised, personal and intense expression of the relationship of people with their environment.

Such neighbourhoods reflect the general amenity values of the surrounding landscape or local area but have distinctive versions of those general features that allow inhabitants to see them as unique and special. This is a neighbourhood character that defines a neighbourhood as unique. Often the particular streetscape contributes strongly to the local neighbourhood, although it is personal perceptions of residents that ultimately define the nature of that neighbourhood.”

The proposal introduces notable change on a site that has been occupied by the NZ Defence Force with buildings and activities orientated towards this primary purpose.

Plan Change 13, and in particular the Hobsonville Landing Special Area identified the importance of this area to the Marine Industry Special Area as it provides access (including launching / retrieval facilities) to the deep water channel, and that it was also a good location for a ferry terminal. These activities are still however subject to resource consent.

When establishing such features, flexibility was required to accommodate future activities. That would require more planning and consultation (e.g. Plan Change) for this potentially important community resource.

As such, there is recognition that the area is subject to change and may not necessarily maintain the total landscape as it currently exists. That is, while elements and characteristics might be protected, there is also considerable opportunity for change and flexibility that allows each area to evolve and respond to changing circumstance, albeit within a framework of what people value. Such change is also required to be managed so as not to inhibit or preclude further activities (beyond those being applied for) or undermine future (plan) processes.

These factors are assessed below, culminating in a discussion regarding the overall effects of the proposal on the amenity and character of this neighbourhood and the surrounding area.

In undertaking this assessment regard has been given to submissions. These submissions provide useful information in terms of understanding the existing natural and physical qualities and characteristics of this neighbourhood and their importance to the community.

Visual Amenity and Neighbourhood Character

The proposed development would result in a notable change to both amenity values and neighbourhood character.

This area was primarily used by the NZ Defence Force although smaller groups such as rowing clubs and yacht clubs utilise The Landing as a base from which to undertake their activities. The immediate surroundings also supports boat building activities, until recently, however, this area has not been freely accessible to general member of the public.

The existing neighbourhood character of The Landing can be described as being a relatively quiet area that is largely defined by its former airbase use and which has a distinctive and strong relationship to the Waitemata Harbour.

This development seeks to facilitate the transition between the existing environment and any future development on the "hardstand" area which is intended to involve more planning and consultation.

The proposed development includes features such as a marina, coastal boardwalk and beach, these aspects of the development will not be established immediately, but over a period of years, and in stages.

The applicant has described the first "stage" of the proposed development would include the ferry wharf, public deck; the 220 tonne launch structure, the tidal stairs and mangrove removal. Works for this stage is anticipated to be undertaken between 2010 and 2011.

The second “stage” of the proposed development would include the proposed boardwalk and historic wharf, marina, floating breakwater, finishing berth, the 600 tonne or 1000 tonne launch structure, boat ramp and beach with dredging proposed during both stages of the development. The second stage works are anticipated be undertaken between 2011 and 2020.

A201-A225 In support of their application, a landscape assessment undertaken by Boffa Miskell Ltd, dated 22 November 2009 with regard to the proposed development. This has been assessed by Council’s Consultant Landscape Architect Mr Jeremy Froger of Stephen Brown Environments Ltd (report is attached at pages A201 to A225 as Appendix 9).

Mr Froger’s assessment of the proposal considers the visual and landscape effects of the proposed development. Below is a summary of his comments, by identifying “sectors” from which the proposed development would be visible.

“Having visited the upper reaches of the Waitemata Harbour and the residential suburbs that surround the proposal, it appears that exposure to the proposed coastal development would be limited. Views of The Landing are offered from the southbound lanes on the Upper Harbour Bridge – SH18 to the north-west, and the residential properties and reserves along the coastal margins of Beach Haven to the east.

Although the proposal would be clearly revealed to the southbound traffic on the Upper Harbour Bridge, such views would be short in duration and are peripheral to the main line of sight. The proposed intensification of coastal structures would increase the diversity of built structures at the interface between the hardstand area and the coastal edge. For the most part these structures would be low profiled and would be contained within the envelope of The Landing’s existing coastal structures, the seaplane ramp and the two jetties. The proposed ferry wharf would reflect the existing nature of these coastal structures and would not introduce any notable change to the character of The Landing from this sector.

By contrast, the proposed marina and breakwater would extend coastal structures well beyond the reaches of the seaplane ramp and yacht club jetty - approximately 60m further into the channel. Combined with the vertical forms of the ship lift/travel gantries set against the open waters of the Catalina Channel, these structures would draw the built elements of The Landing and hardstand areas out from the base of the coastal scarp. Shifting the centre of balance towards the waters edge, the proposed structures would still remain largely recessive to the more apparent built form of the seaplane and Sunderland hangers.

The proposed structures would consolidate the maritime structures at the edge of The Landing and those elements that would extend beyond The Landing’s existing envelope, would be perceived as an extension to the site’s ‘light weight’ infrastructure. Views of The Landing from the Upper Harbour Bridge are mostly beyond 90 degrees from the direction of travel, and the high-speed environment of the highway would further reduce this audience’s ability to perceive changes to the coastal landscape.

On balance therefore, I conclude that the landscape and visual effects associated with the proposed developments at The Landing would be low/moderate for this sector.”

Mr Froger adds further that the proposed coastal boardwalk and historic Hobsonville Wharf would be more visible to traffic on the Upper Harbour Highway and would extend along the toe of the coastal scarp between The Landing and Marine Parade. He states *"...the proposed boardwalk would initially sever the interface between land and water..."*

He considers, however, that low profile of the boardwalk would assist in integrating the structure into the existing vegetation. Weathering of the boardwalk and growth of intervening mangroves would further soften the boardwalks appearance. Mr Froger discusses the impact of proposed retaining structures associated with the coastal boardwalk and contends that whilst they would be initially visible, a combination of weathering of materials and vegetation growth would reduce the potential landscape and visual effects. It is noted that Ms Huia Kingi, Parks Planner has recommended that the design and materials utilised will be subject to approval in order to minimise any potential or actual adverse effects. This would also extend to the public deck and tidal stairs. Further to this, in order to provide a "sense of place", an art strategy shall be undertaken alongside these works.

Mr Froger discusses landscape and visual effects from the coastal margins of Beach Haven. He is of the opinion that views of the proposal from this area would be *"...variable and highly dependant on intervening vegetation - of which there is plenty - site elevation and orientation, with many nearby properties facing away from the proposal towards Hellyers Creek or Catalina Bay."*

Mr Froger further states that although clear views of the proposed development are available from the coastal reserves along the western margins of Beach Haven and Beach Haven Wharf, the full extent of the of the development would not be completely revealed. Instead the proposed structures would be *"layered up behind the proposed breakwater and marina in a similar way to the existing coastal structures and boat moorings. Moreover, the skeletal structure of the ship lift/travel lift gantries would retain a high level of visual permeability whilst also sitting below the vegetated scarp beyond."*

In terms of the eastern edge of the proposed development Mr Froger considers that although the proposed finishing berth, launch facility and recreational boat ramp would add *"built"* features to the front of The Landing, they have a relatively low profile and would not *"present any visual and landscape effects beyond that currently expressed by the existing seawall and reclamation."* Mr Froger has a similar opinion with regard to the proposed marina and ferry wharf particularly when viewed from Beach Haven's coastal reserves. He comments *"...the proposal would intensify the coastal structures on The Landing's northern margins yet would remain visually contained within a similar envelope to the existing jetty, seaplane ramp and hardstand areas. The elevated views offered from the residential areas of Beach Haven i.e. the western end of Beach Haven Road, Aeroview Drive and Rambler Crescent, would however partly reveal the "sprawling" nature of the new structures. Although elevated above the coastal reserves, the residential views are still rather shallow and would reveal the proposal as a series of light structural extensions to the existing facilities. As such, the combination of new structures, the increase in boards, masts and other ancillary structures would be apparent from these residential viewpoints, yet would not dominate the upper harbour."*

Finally, Mr Froger takes the proposed headland/breakwater and beach into consideration, and concludes that they would be partially obscured by the proposed boat launching structure and public boat ramp. Furthermore, the proposed headland and beach would have a relatively low physical profile which would limit views even though the area is less vegetated than the rest of Catalina Bay.

In addition to the above assessment, the establishment of the “park and ride facility” will lead to only modification to the landform, its setback from the coastal edge, and its nature will not noticeably detract from the visual amenities of the site or wider amenities. The proposal involves the retention and incorporation of the adjacent phoenix palms (subject to appropriate methodologies) to both soften and screen this aspect of the development.

In terms of the effects of the park and ride facility on the amenity of the property located to the south of the park and ride, it is considered that the proposed park and ride facility could potentially have adverse effects on the amenity of neighbouring southern property. Visually, the proposed park and ride would not be a dominant feature in the landscape due to its nature of being an at-grade car park. In terms of infrastructure associated with the park and ride, it has not been made clear as to whether lighting would be provided, or whether a ticket booth is to be established in conjunction with the car park. It is accepted that these details should be provided for approval at the Engineering Plan Approval stage. Further to obtaining approval to Engineering Plans for the proposed park and ride, it is recommended that a consent condition be imposed requiring a Transport Management Plan to be developed which addresses potential effects caused by the provision of the park and ride facility such as (but not limited to) increased traffic, noise, lighting and signage.

In conclusion, whilst it is acknowledged that the proposed development would lead to notable change to the environment from that which presently exists. This change, however, is considered to be appropriately managed and provides for an appropriate transition.

The proposed buildings and structures would not dominate or detract from the visual amenities associated of the upper reaches of the Waitemata Harbour. By the nature, scale, size and location of the activity it is considered to adversely affect the visual and landscape amenities and the character and appearance of this neighbourhood by a minor amount. Whilst different to the existing character the proposed development could be reasonably expected within this neighbourhood and the proposal would not significantly detract from, the visual amenity and neighbourhood character of the area.

Traffic, Parking, Pedestrian Movement and Safety, and On-site Amenities

Traffic Generation

Given the nature of the facilities proposed, it is anticipated that there would be a subsequent increase in vehicle traffic in and around The Landing and the wider Hobsonville Peninsula. As the proposed development would be staged, any associated increase in traffic would be gradual as more facilities become available.

In this regard, it is considered that the existing road network would have capacity to accommodate a gradual increase in traffic. In terms of future effects, conditions of consent have been recommended, requiring traffic generation to be reviewed as the gradual development associated with this proposal occurs on and around The Landing.

Health and Safety of Pedestrians / Motorists

As part of the application documentation, a preliminary CPTED (Crime Prevention and Universal Design Analysis) was provided.

The applicant has offered as a condition of consent, a more detailed CPTED (Crime Prevention and Universal Design Analysis) to be provided at the time of engineering plan approval. The CPTED analysis would cover The Landing, the Park and Ride facility and connections to the ferry wharf and will be assessed in conjunction with landscaping and lighting plans.

This aspect has been reviewed by both Council's Urban Design Advisor Ms Vanita Ranchhod and Council's Safe Waitakere Team Leader Mr Mark Maxlow who are both supportive of the proposed development and accept the principles discussed in the applicant's preliminary CPTED analysis (dated December 2009). Acceptance to a detailed CPTED analysis at the time of the Transport Management Plan is deemed appropriate to ensure that in particular pedestrian access, public transport nodes and associated facilities, vehicle access and streets, proposed walkways and public areas will provide for a safe environment.

In addition to the above detailed CPTED analyses, Mr Mark Maxlow and Ms Vanita Ranchhod have stated that Injury Prevention Through Environmental Design (IPTED) and Universal Access (Barrier Free Design) considerations should be integrated with any detailed CPTED assessments provided. In this regard, a condition of consent has been recommended requiring the consent holder to integrate IPTED and Universal Access into any CPTED assessments submitted to Council for approval.

I accept the comments made by both Mr Maxlow and Ms Ranchhod with regard to pedestrian access and safety, and I consider it would be appropriate to provide detailed CPTED/IPTED analyses for Council's approval in relation to the different aspects of the proposal. Recommended conditions of consent reflect the discussion above.

Pedestrian Access and Movement

Pedestrian access and movement predominantly centres on the following:

- General pedestrian access in and around The Landing, including the proposed pedestrian linkages proposed; and
- Pedestrian access between the proposed Park and Ride facility and the ferry terminal.

The applicant has stated *"the primary route for pedestrians will be via the Launch Rd footpath and steps down to The Landing, as shown in Figure 7 of the Transport Assessment...Pedestrians will not be prevented from using the Hudson Bay Road extension; however it will be a shared facility with the vehicles permitted to use it (i.e. cycles and buses). Speed restrictions of 10km/hr are recommended to maintain slow speeds in this environment."* (Beca, Section 92 response, dated 24 March 2010).

In the absence of Launch Road, or equivalent, pedestrians would utilise Hudson Bay Road Extension for a short period of time (approximately 6 months) until such a time as Launch Road was completed. It is expected that commencement of ferry facilities will occur prior to the completion of Launch Road. Whilst Launch Road is under construction, between the ferry starting to operate (late 2011) and the estimated timeframe for Launch Rd being completed (mid 2012).

A160-A174 Notwithstanding the construction of Launch Road (which is subject to a separate resource consent (LUC2009-1637)), Council's Urban Design Advisor, Ms Vanita Ranchhod (attached at pages A160 to A174 as Appendix 5) who considers that Hudson Bay Road Extension will be the primary pedestrian access and:

"is likely to continue to be the most favoured route for pedestrians and cyclists as it provides the closest access route to the public transport node on the hardstand; leads to the centre of the Sunderland Head Precinct area; will be the closest pedestrian access from the Park and Ride car park; and will be the only pedestrian access available when Boundary Rd is closed."

The applicant has identified Hudson Bay Road Extension as a "shared space", and Ms Ranchhod is supportive of this concept, as *"...it may be only way to accommodate all the users in the limited formed road that is available."*

At present, Hudson Bay Road Extension, given its utilisation by buses, service vehicles and other service vehicles will not allow in its current form allow for safe pedestrian movement.

It is accepted that Hudson Bay Road Extension would be a shared road, and due to the narrowness of the road, it has limited scope for widening; therefore Hudson Bay Road Extension would be a one-way street, with vehicles moving up or down and managed with the implementation of traffic lights at either end, to avoid collisions.

A149-A159

As noted in the review of the application by Messrs Wright and Shumane, Council's Transport Engineers (attached at pages A149 to A159 as Appendix 4), the following comments were made:

"...The recommendation in the Integrated Transport Assessment report of Flow Transportation Specialists Ltd is that Hudson Bay Road Extension be a shared access for pedestrians, cyclists and busses only, with service vehicle access when Launch Road is closed and with signal controls to manage the one way traffic movements. We consider that if pedestrians use Hudson Bay Road Extension, then they should be provided with a dedicated footpath on one side of the road. This is necessary for safety reasons with different types of vehicles and travel speeds using that road operating by one way traffic signals and pedestrians would be unsure which way to look and which side of the road to walk on.

The provision of a footpath along Hudson Bay Road Extension is likely to provide a direct safe route for pedestrians between the park and ride facility and the ferry terminal. An inspection of Hudson Bay Road extension indicates that this road is approximately 7m wide, which is sufficient width to allocate approximately 3m for a footpath and approximately 4m for busses and other vehicles. This would enable pedestrian use even when the traffic signal is red in the direction they are headed. People with disabilities would have difficulty using that route because of the gradient.

Accordingly, a recommended condition of consent has been included to this effect.

In terms of (future) connections to the "hardstand" area of the Landing, they are supported by Ms Ranchhod subject to detailed design to ensure safe and efficient pedestrian access.

It is also considered appropriate that to ensure safe and appropriate access for people with disabilities that vehicular access is directly available to the "hardstand" area as both existing and proposed connections are deemed practical or appropriate, as stated by Messrs Wright and Shumane, Council's Transport Specialists:

"To enable access by people with disabilities to the ferry terminal (when Launch Road is closed), Hudson Bay Road extension should be able to be used for the purpose of pick-up and drop-off of people with disabilities. This would require appropriate management of that road and a pick-up and drop-off area adjacent to the ferry terminal."

Accordingly, a recommended condition of consent has been included to this effect.

In terms of general pedestrian amenity and accessibility, the proposed development provides several routes which could be used by pedestrians in order to gain access to the different facilities proposed. Pedestrian access to the proposed coastal boardwalk is provided from the eastern end of Marine Parade, which would also enable access to the rebuilt Hobsonville Wharf. Furthermore, the coastal boardwalk provides access around the coast, onto The Landing as the boardwalk eventually leads to the public deck proposed on the "hardstand" of The Landing.

Two pedestrian linkages are also proposed to be constructed off Boundary Road, which would provide direct access via stairways onto the “hardstand” area of The Landing and the proposed facilities. In this regard, it is noted that there is also an existing stairway leading down to The Landing, which is to be retained. Additionally, pedestrians would be able to walk down to The Landing via Hudson Bay Road Extension. Pedestrian access to the proposed beach is provided via Boundary Road.

In terms of the pedestrian connections proposed, Council’s Transport Engineers, Messrs Shumane and Wright and Council’s Parks Planner, Ms Huia Kingi, have recommended consent conditions to ensure the proposed pedestrian connections and footpaths are constructed in accordance with Council standards (as contained within Council’s Code of Practice for City Infrastructure and Land Development).

Parking Demand

A149-A159 The application has been supported by a Transport Assessment prepared by Flow Transportation Specialists Ltd, dated October 2009 which has been reviewed by Council’s Transport Strategy Team Leader, Mr Kevin Wright, and Mr Sam Shumane, Council’s Transport Assets Engineer (attached at pages A149 to A159 as Appendix 4), as well as other information provided with the application.

Parking Demand associated with the ferry facility and boat trailer is being primarily met by a proposed park and ride facility that will accommodate 130 car parking spaces within an at-grade car park, and a maximum of 16 spaces for boat trailers. Demand for other activities, including mobility parking would also be accommodated here.

Access to the “hardstand” area of the Landing is effectively limited but does include 15 spaces adjacent to the proposed finishing berth, as well as a ten minute loading/unloading zone near the proposed marina.

The Transport Assessment prepared by Flow Transportation Specialists Ltd states that the proposed 130 car parking spaces within the park and ride facility will “...meet the demand for parking, but without providing excessive parking (which could promote driving to the ferry rather than bussing, cycling or walking.” Mr Wright and Mr Shumane concur with this statement as it is consistent with the expected level of ferry services outlined in the Draft Regional Transport Plan.

The (ferry) activity is established as part of Stage 1 of the development, the parking provided primarily by the park and ride facility is considered sufficient to service expected peak demands for the activity upon initial establishment. The proposal is not reliant on on-street parking, and will not affect the amenities currently enjoyed by adjoining and nearby properties. Appropriate management will be required in order to prioritise ferry passengers.

Other traffic generating activities (public boat ramp, boardwalk, marina, and beach) are established as part of Stage 2 of the development.

Over time, it is considered that the parking facility will not necessarily be able to accommodate demand from competing uses without the detriment of the viability of the ferry facility but also to the detriment to the amenities of the immediate surroundings to a more than minor extent.

As noted, Messrs Shumane and Wright are of the opinion that this mixture of parking demand would potentially “...affect the ability of the park and ride to serve its purpose of encouraging use of the ferry services at The Landing.”

In particular, demand associated with boat trailer parking and beach use has been identified as activities that could potentially generate significant parking demand. In terms of boat trailer parking, Messrs Wright and Shumane consider the potential catchment for use of the boat ramp would comprise the Hobsonville Point development and to some extent Herald Island and Greenhithe.

The advice expressed by Messrs Shumane and Wright is that:

“...the demand for trailer parking at 2021 would be in excess of the 16 car and trailer spaces and 5 car or trailer spaces identified in the application. The boat ramp will be a key attractor for people who take up residence at Hobsonville Point. The demand for its use will be affected by the supply of parking and whether or not the boat ramp would be available for use when Boundary Road is closed. We believe that as the Hobsonville Point area develops, the demand for trailer parking is likely to be higher and more in accordance with the 3962-2001 standard of 30 spaces (40 spaces if the boat ramp has vehicle access when Launch Road is closed). This would be consistent with parking supplied at other comparable boat ramps in the northwest.”

Notwithstanding the above, it is considered by Messrs Shumane and Wright that upon establishment of the public boat ramp, that the parking spaces provided within the park and ride facility will be potentially insufficient to accommodate during both working hours (and most notably holiday periods) for the following reasons:

- the park and ride facility would become largely unavailable during working hours, plus travel time to/from work; and
- parking on surrounding nearby streets would potentially be occupied by other people for example: users of the hardstand, employees within the Marine Industry Precinct, and marina occupiers.

Adverse effects generated by this shortfall includes:

- *“parking of trailers in surrounding streets, which would cause safety problems and restrict the movement of traffic around parked trailers;*
- *greater likelihood of illegal parking of trailers such as along the walk/cycle way and the hardstand;*
- *greater delays at the boat ramp due to long distances to/from parking spaces in surrounding streets;*
- *limited use of the recreational boat ramp; and*
- *unnecessary u-turn manoeuvres by vehicles towing boat trailers.”*

It is also noted the separation of the park and ride facility and the proposed boat ramp may cause delays as owners park/retrieve their vehicles. The proposal involves a pontoon at the boat ramp which can be utilised to secure boats waiting for parking or retrieval of boat trailers. Adverse effects are assessed as less than minor.

In terms of the beach, it is noted that there is no parking provision to the beach. Parking demand has not been established as part of the application documentation but demand may potentially place undue pressure on proposed parking facilities and the surrounding roading network to the detriment to the amenities of the immediate surroundings.

The development will evolve over a period of time, and parking demand will adjust accordingly. Therefore, the parking provision as presented is appropriate for Stage 1 which primarily centres (in terms of traffic generation) on the establishment of ferry services. However, thereafter, parking demand and provision needs to be take account both the demand(s) generated by the development itself, and the potential change to the environment (to activities beyond the scope of this consent). As such, a Transport Management Plan is deemed appropriate (as discussed later in this report) to deal with any adverse effects on the environment that may arise from the exercise of this consent at a later stage.

Cycling Provision

In terms of the provision of cycle parking (for those who wish to park their bikes and catch the ferry) Messrs Wright and Shumane concur that there should be provision for cycles on The Landing to support the ferry service.

Page 20 of Flow Transportation Specialist's Transport Assessment (dated October 2009) recommends that cycle parking associated with the ferry terminal should comprise:

"Initially two cycle lockers and 6 cycle racks, to support development in the Buckley Precinct; in the longer term, approximately 2021, 7 cycle lockers and 8 cycle racks and in by approximately 2031, 15 cycle lockers and 10 cycle racks."

In this regard, Messrs Shumane and Wright consider that the proposed staging of lockers and cycle racks to be adequate and in accordance with ARTA's Guidance Note for Cycle Parking Facilities 2007.

Public Transport Provision

The proposal involves the establishment of a public transport node with the provision of integrated ferry and bus services. Bus access to The Landing "hardstand" would be via Hudson Bay Road Extension, which is proposed to be a shared road, controlled by traffic signals to ensure no collisions occur. It is anticipated that the bus and ferry services would transport commuters to Beach Haven or Central Auckland, as well as west Auckland suburbs.

Council's Transport Specialists, Messrs Shumane and Wright are satisfied with the provision of ferry infrastructure and integrated public transport services as proposed in the application. They are of the opinion that the services would be appropriate for the location and wider catchment, subject to the provision of supporting infrastructure such as seating, shelter and toilet facilities for ferry and bus passengers. It is anticipated that as residential and industrial/commercial development on Hobsonville Peninsula grows, so too will demand for public transport services. Messrs Shumane and Wright state *"In our view the application demonstrates substantial provision for use of public transport, walking and cycling and demonstrates substantial economic and social benefits..."*

It is considered that the public transport provision as proposed by the applicant is satisfactory, subject to the imposition of consent conditions relating to the provision of supporting facilities such as sheltered seating and public toilets for public transport passengers.

Review of Parking Demand / Transport Management

As earlier stated, the development will evolve over a period of time, and parking demand will adjust accordingly. Therefore, the parking provision as presented is appropriate for Stage 1 which primarily centres (in terms of traffic generation) on the establishment of ferry services. However, thereafter, parking demand and provision needs to take into account both the demand(s) generated by the development itself, and the potential change to the environment (to activities beyond the scope of this consent).

Of particular note is the location and capacity of the park and ride facility. The ability to service the ferry facility takes precedent over competing demands but those demands (e.g. beach, boat trailer provision) also need to be appropriately managed.

In terms of location, and has been noted Ms Ranchhod, Council's Urban Design Advisor who states:

"...the location chosen for an at-grade car Park and Ride facility is located within the "heart" of the Sunderland Head Precinct. The development expectation for the Sunderland Head Precinct in Plan Change 13 does not support an at-grade car park permanently established in this location... The urban form expectation is a continuous building form aligning with Hudson Bay Road located behind the Phoenix Palms that are to be retained, with the mixed use buildings fronting toward the road."

As such, the location of the facility also forms part of the Transport Management Plan.

Accordingly, it is recommended as a condition of consent that a Transport Management Plan be provided and approved, and shall include (but not limited to) the following:

- Traffic and parking associated with the ferry facility, the beach, boat trailer parking, marina and the public boat ramp;
- The location of bus stops, associated amenities (e.g. shelter, toilets), and connectivity to the wider public transport network;
- The safety, capacity and efficiency of the roading network within and immediately adjacent to the Landing (e.g. Boundary Road, Hudson Bay Road Extension);
- The capacity, management and location of the park and ride facility (including boat trailer provision);
- The provision of mobility parking; and
- Pedestrian, and cycle access to / from the Landing, and the coastal edge.

This Transport Management Plan will be subject to review pursuant to Section 128 of the Act in order to deal with any adverse effect on the environment that may arise from the exercise of this consent at a later stage.

The parking, and/or associated transport management required is considered sufficient to serve the proposed use and is considered appropriate (by also allowing flexibility) to accommodate expected peak demands for the activity in order to protect nearby and adjacent amenities, provide a safe and accessible environment, and to not cause detriment to matters of road safety.

Public Access

One of the main objectives of the proposed development is to promote and enhance public access to an area of the City which has historically not been open to the general public due to NZ Defence Force activities.

In this regard, the applicant has provided design plans prepared by Architectus (dated November 2009) which show the proposed vehicular and pedestrian connections, public access zones (pedestrian and vehicle), exclusive zones and they also show indicative public transport routes.

In terms of public access approximately three quarters of the “hardstand area” of The Landing would be a “pedestrian priority zone.” The area that would not be freely accessible is located immediately adjacent to the finishing berth and launch facility, which would be closed to the public for safety reasons. The other areas which the applicant has identified as “exclusive occupation areas” include: the casual berths attached to the proposed ferry wharf, the marina, the floating breakwater, the finishing berth, and the launch facility. The main reasons behind these exclusive occupation areas include public health and safety concerns (in the case of activities/structures associated with boat building industry), security (in the case of the marina), and commercial (potentially charging for casual berthage).

The applicant has also identified the end of the proposed ferry wharf, which would be utilised frequently by ferries and should not be used by members of the public.

Areas which would be accessible for public use and enjoyment include the coastal boardwalk, the Hobsonville wharf (rebuilt), the public deck associated with the ferry activity, a large proportion of the hardstand area, the tidal stairs, the seaplane ramp, public boat ramp and the proposed beach. Three pedestrian links are proposed from Boundary Road to the hardstand of The Landing, and access to The Landing for vehicles and bicycles would be available from Hudson Bay Road Extension, as well as via the existing Boundary Road (when not being used for boat launching or retrieval). These two routes would also provide alternative pedestrian access to The Landing.

The launching and retrieval facility is intended to serve the Hobsonville Marine Industry Special Area (HMISA) which is present is connected by Boundary Road. It is noted that any connection between the launch facility and the HMISA would require road closures in order to facilitate boat launching and retrieval.

Initial closures are estimated once every 8.5 working days by 2012 and by 2022 the road could potentially be closed once every two days, for a duration of up to four hours. Any road closures would restrict access to the public boat ramp, but also access to the beach would be potentially affected.

Whilst it is noted that the proposed launch facility can operate in conjunction with the existing road network, it is considered given the nature of the existing road environment, and the acknowledgement that road improvements (in the form of Launch Road) are at present being addressed as per LUC2009-1637, including access arrangements that it is appropriate that the launch facility cannot be operated until such a time as Launch Road (or any equivalent) has been established.

The proposal, has outlined above, is considered to provide appropriate access to / from and along the coastline. However, in order to ensure such public access is provided for in perpetuity, appropriate mechanisms need to be provided for which to date have not been detailed in the application documentation. As such, it is considered appropriate that a commencement condition (pursuant to Section 116) be proposed that requires the consent holder to elect an appropriate mechanism by which public access is to be secured, and to register the mechanism (e.g. an encumbrance or easement) on the Certificate of Title(s) relating to those areas of the Hobsonville Peninsula which are to be publicly accessible.

8.1.8.9 Noise

A194-A200 The applicant has provided an Noise Survey and Assessment prepared by Marshall Day Acoustics Ltd, dated July 2009 which has been reviewed by Mr Jon Styles of JPStyles Ltd (report is attached at pages A194 to A200 as Appendix 8).

The applicant's assessment recognises that noise generated from the subject site has the potential to be heard across a wider catchment, including properties on the North Shore.

Noise Limits

Mr Styles initially discusses the noise limits which the applicant has assessed and specified relating to the proposed development. Mr Styles comments:

"The receiving environment contains a reasonably complicated mix of noise controls over three authorities (North Shore City Council, Waitakere City Council and Auckland Regional Council). The Marshall Day Acoustics assessment sets these out in full.

With regard to the North Shore receivers, the recommended controls in the Marshall Day Acoustics report are generally similar to the North Shore City Council controls, except that the evening control is omitted and a strict day/night approach is adopted. North Shore City Council has three "tiers" applying through the day from 0700 - 2000 (day), then 2000 - 2300 (evening), and finally 2300 - 0700 (night) along with a control for Sundays and Public Holidays that is the same as the evening control above. The limits recommended by Marshall Day Acoustics simply apply two different limits for day/night, (0700-2200) for all days of the year."

Mr Styles is of the opinion that the removal of the evening limit would not give rise to any appreciable difference for receivers on the North Shore, and he considers that the day/night arrangement proposed by Marshall Day Acoustics is acceptable. However, Mr Styles states that the removal of the slightly more stringent limit for Sundays and Public Holidays may generate a more noticeable effect "...because of the longer duration that the higher limit will apply for (i.e. all day)." In this regard, Mr Styles considers that the difference in noise level is relatively small (being 5 dBA) and the limit of $L_{10}50\text{dBA}$ is appropriate in this case "...given the measured ambient noise levels." With the night time noise limit of 75dBA to remain the same.

In terms of the receiving environment (under the jurisdiction of Waitakere City Council), Mr Styles notes that the noise limits for The Landing Special Area are those prescribed for the Working Environment. He notes that the Marshall Day Acoustics report compares both the Working Environment and Living Environment and that MDA recommends a "suite" of noise limits based on their analysis. He states "...the limits are the same during the period between 0700-2000 - ($L_{10}65\text{dBA}$), but are lower than the Working Environment Rules at night. Where the Working Environment Rules specify a limit of $L_{10}65\text{dBA}$ with no L_{max} limit, the Marshall Day Acoustics recommended limits are as follows:

$L_{10}60\text{dBA}$	$L_{\text{max}}75\text{dBA}$
$L_{10}70\text{dBA} @63\text{Hz}$	$L_{10}65\text{dBA} @125\text{Hz}$

These limits are recommended in the context of a receiving environment that is 'mixed use' including residential and commercial uses, and where residential dwellings are acoustically insulated to the specifications also set out in the Marshall Day Acoustics report." Mr Styles notes that the proposed development does not involve the 'mixed use' receiving environment therefore consideration of the appropriateness of the reverse sensitivity controls is not assessed. One point that he does make, however is that "...the sensitive uses in the receiving environment will benefit from the insulation measures given the relatively high night time noise limits."

He considers that “...the limits recommended by Marshall Day Acoustics are actually lower than those specified for the underlying zoning, and if compliance with these levels is achieved, the limits in Rule 8.1(b) will be complied with also.”

In terms of construction noise Mr Styles acknowledges that the Marshall Day Acoustics report specifies the use of NZS6803:1999 *Acoustics – Construction Noise* rather than the older version referred to in District Plans, which Mr Styles considers to be the more appropriate standard to use when measuring construction noise.

Predicted Noise Levels

Mr Styles discusses the predicted noise levels stipulated by Marshall Day Acoustics for the operation of the boat launching gantry which would be a 250 tonne diesel powered unit. Mr Styles is of the understanding that the actual unit is more likely to be a quieter model than the model utilised in Marshall Day Acoustics' predictions.

Mr Styles comments:

“The Marshall Day Acoustics report recommends that the noise output of the diesel engine should be limited to no more greater than LWA 103dB in order for the relevant noise limits to be complied with as far as possible, including those receivers on the North Shore. Such a restriction will not however, result in compliance with the day time noise limit of L₁₀65dBA for the closest buildings. Marshall Day Acoustics predict that a level of up to L₁₀75dBA would be received at the closest buildings inclusive of the mitigation recommended for the gantry, albeit for limited durations and relatively infrequently.”

Mr Styles notes that the Marshall Day Acoustics report does not stipulate how often the gantry would be used or what the duration of a movement may be, he acknowledges that this information may be difficult to determine at this stage, however he states it is an important matter that requires consideration.

He further comments:

“Notwithstanding the above, I consider that given the proposed uses for the proximate buildings at which an exceedance might be likely, and in the context of the relatively high noise limits and acoustic insulation for residential dwellings, a temporary exceedance of the noise limits up to L₁₀75dBA is indeed reasonable. In the absence of any known operating scenarios, it will be necessary to set some limitations on the operation of the gantry in this regard, for example to limit night time or early morning use, and to limit the cumulative duration to no more than 1 hour per day as far as each individual receiving property is concerned where the L₁₀65dBA limit is exceeded. There is some flexibility in these controls and the applicant may suggest their own provided that they afford some certainty as to the cumulative operating duration and frequency without unduly restricting the use of the gantry.”

Mr Styles concludes that provided some certainty is established regarding the duration and frequency of gantry use with regard to those receivers where the noise levels will exceed the relevant day time noise limits, the proposed acoustic controls would result in reasonable noise levels for all receivers.

In terms of the potential noise effects on the residential areas located along the coastline in North Shore City (specifically Beach Haven residents), Mr Styles is of the opinion that the noise effects on these properties, associated with the operation of the gantry crane would not be discernibly louder than an activity which generated noise levels in compliance with the District Plan requirements for the Working Environment.

He further adds:

"The change to the WCC noise limits is to provide a lower limit at night compared to the existing Working Environment limits and the addition of some low frequency controls during the night. Although outside the scope of this assessment, the noise limits for the mixed use environment are at the upper limit of desirability in my opinion but are nonetheless reasonable in this context.

I recommend that the applicant consider some control on the use of the gantry to provide some certainty as to the potential adverse noise effects. If the controls suggested above or some similar variation is proposed, then I consider that overall, the potential degree of adverse noise effects will be no more than minor."

I accept the comments Mr Styles has made with regard to noise associated with the proposed development. I consider that subject to the imposition of conditions relating to the hours of operation, frequency, extent of noise emissions, duration and review of the operational hours of the gantry crane usage, any adverse effects would be no more than minor. These details would be required to be included in a Management Plan and that is both recommended as a condition of consent but also subject to review.

8.1.9 Heritage, Archaeological and Cultural Values

Heritage

A189-A193 The applicant has provided a Heritage Impact Statement prepared by Dave Pearson Architects Ltd, dated December 2009; this report has been reviewed by Ms Alina Wimmer, Council's Principle Heritage Advisor (attached at pages A189 to A193 as Appendix 7).

The applicant proposes to retain the seaplane apron, seaplane ramp and a large proportion of the existing seawall, as the applicant's Heritage Assessment affords the seaplane apron "some heritage significance" and the seawall and seaplane ramp "considerable heritage significance". Both the existing ferry wharf and yacht club jetty are to be demolished due to poor condition.

Ms Wimmer, has reviewed the proposed development, in particular the Heritage Impact Statement and the Archaeological Assessment provided by the applicant. Ms Wimmer advises that although the seaplane apron, seaplane ramp and seawall have been identified by the applicant as having some heritage significance, they are not listed in Council's District Plan under the Heritage Appendix and are therefore not protected by the District Plan.

Ms Wimmer has also commented on the construction of the proposed beach:

"The proposal also includes provision for an artificial beach area involving extensive dredging and depositing of sand. The beach will involve significant modifications to the coastline and has no historic connection to the area. The effect of the dredging and beach replenishment is considered to be minor in terms of heritage. The iwi cultural impact statements whilst expressing concerns about the introduction of new material from other locations, clarifies that the adverse effects can be mitigated by incorporating cultural elements into the detailed design, iwi protocols, avoiding development of archaeological sites and staging dredging. It is considered that there should be a condition of consent imposed that clarifies this will occur."

Archaeological

A189-A193 The applicant has provided an Archaeological assessment prepared by Rod Clough and Sarah McReady, dated November 2009, which has also been reviewed by Ms Alina Wimmer (attached at pages A189 to A193 as Appendix 7).

Ms Wimmer states that in and around The Landing area there are four archaeological sites, namely middens. The applicants Archaeological assessment identifies these four sites as "Site R11/491 – shell midden; Site R11/492 on the embankment above Boundary Rd to the south of the seaplane apron (midden); Sites R11/493 and R11/494 – shell middens that are not present in locations where proposed coastal edge works are to occur under this application."

Ms Wimmer has stated that the applicant has clarified that the detailed design of the proposed development will avoid any known archaeological works. She has recommended that an advice note be included reflecting that any works relating to the existing middens would require approval from the Historic Places Trust and resource consent from Council. The applicant's archaeological consultant, Mr Rod Clough has also recommended that: "...as a precaution it is recommended that the embankment above Boundary Road and the area near the old Hobsonville wharf are monitored by an archaeologist during any vegetation clearance or construction work to establish whether midden R11/492 and 494 are still present, and whether any remains of the old wharf can be seen."

Ms Wimmer concludes her assessment of the proposed development with the comment:

"The application has integrated historic heritage into its planned design through the retention of buildings, a commitment to avoid destruction of archaeological sites and an understanding that iwi sensitivities concerning the integrity of waahi tapu and coastal processes. The applicant has offered to undertake site interpretation that will inform visitors about the site, and its history. This will add meaning for the public and add to the place shaping of the Hobsonville area.

However, conditions relating to the implementation of heritage interpretation and, an advice note regarding archaeological sites and iwi protocols should ensure that the cultural heritage issues are thoroughly addressed. In my view, the application will result in a net environmental benefit to the community at Hobsonville."

Ms Wimmer has recommended conditions be imposed the installation of interpretive panels. I accept the comments Ms Wimmer has made with regard to the proposed development and her recommended consent conditions. I consider that subject to the implementation of Ms Wimmer's conditions as well as the implementation of Mr Clough's recommendations, any adverse effects on the heritage aspects of the site would be no more than minor.

Cultural Values

The applicant has submitted a Draft Cultural Heritage Assessment prepared by Saul Roberts of Te Kawerau A Maki, dated June 2009, which covers the area associated with the proposed development.

Mr Roberts acknowledges that the applicant has met with Te Kawerau A Maki on several occasions to discuss the overall proposal. He makes note that an agreement with the applicant has been reached and the applicant will incorporate cultural information into the design brief which would be consistently used in the project.

Mr Robert's assessment also discusses the ancestral relationship of Te Kawerau A Maki with Te Onekiritea (the Hobsonville Peninsula) and Tahingamanu (the tidal flats that adjoin it). He notes that this region is of considerable significance to Te Kawerau A Maki and is considered a waahi tapu. The tidal flats were home to a huge number of seabird and shorebird species that alighted, roosted and fed in the intertidal zone.

He notes that the area provided a rich source of shellfish including: pipi, tuangi, pupu and tipa. The importance of shellfish gathering in the area is reflected in the numerous shell middens that adjoin the shores of this catchment. This whole area is of importance to Te Kawerau A Maki particularly Te Okoriki which is beside the Upper Harbour Bridge approaches, and the old kainga which was located on the promontory between Catalina Bay and Bomb Bay.

He states:

"the sensitive development of this catchment is critical if the waters of Te Wairoa O Kahu (the Upper Waitemata Harbour) are to be enhanced. Careful land and stormwater management is also critical of the rich biodiversity of the Tahingamanu inter tidal flats are to be sustained and enhanced. The riparian margins of the three main tributary streams within the catchment should be restored through appropriate native species planting. This is also the case for the entire undeveloped estuarine margins of the peninsula where the original pohutukawa forest remnants should be restored and enhanced."

The aspect of the proposed development most concerning to Te Kawerau A Maki is the proposed beach. Mr Roberts states: "The proposal for a 'beach' is a concern to Te Kawerau A Maki because it impacts immensely on the local ecosystem but also encourages sand mining."

The applicant has discussed this concern in their assessment of the proposed development and has suggested that a condition of consent be imposed requiring consultation to be undertaken with Te Kawerau A Maki in terms of sourcing of beach material. Further consultation at the detailed design stage and the incorporation of cultural heritage elements would assist in mitigating Te Kawerau A Maki's concerns associated with the proposed development.

The applicant has also undertaken consultation with Ngati Whatua O Orakei and Ngati Whatua O Kaipara regarding the proposed development. A report has been provided prepared by Mr Ngarimu Blair on behalf of both Iwi, dated 10 August 2009. The report contains several recommendations relating to any works within the vicinity of archaeological sites, the staging of dredging as recommended by Bioreserches' in their report, and the retention of mature native vegetation. Finally it was emphasised that unqualified support could not be given to the importation of sand to construct the proposed beach. Mr Blair adds that: "...support could only be given if we were satisfied that the donating environment would not suffer as a consequence."

With regard to the concerns raised by both Te Kawerau A Maki and Ngati Whatua, a condition of consent is recommended, requiring consultation be undertaken with all three Iwi prior to sourcing the sand for the beach establishment.

Although there are some minor concerns in relation to the development proposed, it has been noted that there have been no submissions received from either Te Kawerau A Maki or Ngati Whatua O Orakei. There has, however been a submission from Ngati Whatua O Kaipara, in general support of the application, with concern expressed about the sand to be utilised in the formation of the proposed beach.

Overall, in light of the comments received from Messrs Roberts and Blair I consider that the proposed development would have no more than minor adverse cultural effects, subject to the imposition of recommended consent conditions.

8.1.10 Summary

In accordance with Section 104(1)(a) of the Act, it is considered that overall and subject to the recommended conditions, any adverse effects of the proposed development on the environment will be no more than minor.

The proposed activity does not compromise people's appreciation of the pleasantness, aesthetic, coherence and cultural and recreational attributes of this modified coastal environment.

It is considered that the use and perimeters of the activities proposed have been appropriately designed and located. Of particular note is the following:

- The parking, and/or associated transport management required is considered sufficient to serve the proposed use and is considered appropriate (by also allowing flexibility) to accommodate expected peak demands for the activity in order to protect nearby and adjacent amenities, provide a safe and accessible environment, and to not cause detriment to matters of road safety;
- Appropriate access to / from and along the coastline is provided for. However, in order to ensure such public access is provided for in perpetuity, appropriate mechanisms need to be provided by which public access is to be secured. A commencement condition is attached accordingly to this effect;
- Noise has been assessed and independently reviewed and the proposal is considered to maintain appropriate amenities;
- It is recognised that a large proportion of the proposed development would occur in an area of the coast that has already been highly modified by past human activity. The proposed development seeks to build upon the existing modified environment as well as develop adjacent areas which have also been modified to some degree. In this regard it is noted that although some aspects of the proposed development would result in activities and structures within the coastal environment, the character of these structures is in keeping with the existing coastal environment and would not detract from the amenity of the area;
- The proposed development would also enable the establishment of both ferry facilities the launching and retrieval of boats being constructed in nearby precincts, in an area of the Waitemata Harbour that has deep water access; and
- The proposal does not impact upon any notable vegetation, and weed clearance is considered to enhance the biodiversity and resilience of the Green Network. Proposed re-planting in the long-term using native species will improve its integrity.

It should be noted that the assessment above considers the effects in isolation; however, the definition of *effect* within Section 3(d) of the Act also refers to;

“Any cumulative effect which arises over time or in combination with other effects - regardless of scale, intensity, duration or frequency of the effect...”

All of the effects above are intrinsically linked, and on reflection in this instance the effects of the proposal are cumulatively considered to have no more than minor.

The proposal will undoubtedly change the character of the surrounding environment. The size and scale of the activity has regard to its surroundings, and responds accordingly. The change in character will not undermine the amenities currently enjoyed by neighbouring and nearby properties.

The conditions of consent would further control aspects such as noise and transport management, and ensure that other mitigation measures would be appropriately undertaken and maintained.

It is considered that the actual and potential adverse effects of the proposed activity are no more than minor or can be adequately mitigated through appropriate conditions of consent.

8.2 Any Relevant Provisions of the District Plan 104(1)(b)(iv)

Part 5 of the District Plan contains the objectives, policies and methods by which the effects of activities on natural and physical resources are to be managed. The majority of the objectives and policies are concerned with managing the effects of activities on the natural environment including water, native vegetation and air. The objectives and policies that relate to the built environment focus on the effects of activities on amenity values.

Part 6 of the District Plan contains an explanation of the strategic direction of the District Plan.

A271-A302 Comments are provided below in relation to the relevant provisions under the headings which they appear in Part 5 of the Plan. Full copies of the relevant plan provisions (where not referred to in full) are attached at pages A271 to A302 as Appendix 13 and 14.

8.2.1 District Plan Policies and Objectives

The objectives and policies in relation to this proposal are discussed below in order of relevance to the development.

It is noted that the following Objective 0 - Managing City Growth and associated policies have not been made operative due to several outstanding appeals to Plan Change 16, particularly in relation to commercial and retail activities. It is further noted, however, that the District Plan does not contain any specific objectives or policies which address urban growth. Although Plan Change 16 is still subject to appeals, it is the only provision (albeit a proposed provision) that explicitly addresses City growth and development and is of particular relevance to certain aspects of this proposal.

OBJECTIVE	0 - Managing city growth
POLICIES	0.1, 0.4, 0.6, 0.7, 0.8, 0.9, 0.10, 0.12

Objective 0 centres on the growth of Waitakere City and its management. The objective is to achieve the desired sustainable compact urban form whilst appropriately managing adverse cumulative effects and reverse sensitivity issues. In this regard Council considers that growth should be concentrated around town centres and high density corridors. Whilst the proposed development in itself does not involve residential development, it does involve the establishment of facilities that will be utilised by both residents and businesses located on Hobsonville Peninsula and the wider catchment. This is recognised in the proposed development by the inclusion of a ferry terminal, and recreational facilities.

The establishment of a boat launching and retrieval facility and associated work areas which would enable service or maintenance activities relating to boats also signals that this area of the City has been earmarked for industrial growth (in particular relation to the Marine Industry Precinct).

The provision of a ferry terminal and associated car parking recognises that a large proportion of the City's residents work outside the City and by providing a ferry terminal, City residents have another option instead of using private cars. The establishment of the boat launching and retrieval facility would also lead to more employment opportunities within the City. The proposal also links together bus activities with ferry activities by providing a public transport interchange on The Landing itself.

The proposed development also offers public amenity by opening up an area of the coast that has largely been off-limits to the wider public. As the City grows and becomes more populated, these recreational areas will become more important; both by its location on the coast and the urban population intended to be served.

I consider that the proposed development is consistent with the intent of Objective 0 and the associated Policies. It is acknowledged that the proposed development would be a suitable "transitional stage" which would then be further developed where more planning and consultation (e.g. .Plan Change) for this potentially important community resource.

OBJECTIVE	11 - Effects on amenity values - landscapes, local areas and neighbourhood character
POLICIES	11.2, 11.5, 11.6, 11.12, 11.13, 11.14, 11.23, 11.32, 11.36, 11.37B,

Human communities, and individuals that make up these communities, are defined under the Resource Management Act as being an integral part of the environment. As such, the effects of activities on those elements, and characteristics of the environment that contribute to human enjoyment of it, are a concern under the Act.

The Ministry of the Environment considers amenity as a resource management issue comprising of two components – attributes; and, perceptions and expectations. Attribute factors are able to be measured and are tangible and the effects are able to be seen such as dust and noise whereas perceptions and expectations are based on the individual and what they consider to be residential amenity. Management of those two components is essential in order to protect the environment as well as allowing development to occur.

The separation of activities has occurred largely because of past planning controls and because the resulting amenity of these areas is the result of regulation. Allowing a greater mix of activities at the local level would contribute to a reduction of vehicle trips and associated adverse affects on amenity. However, such a change must be carefully managed so that the mix of activities contributes to the enhancement of local neighbourhoods, and does not undermine their amenities.

Objectives and policies seek to protect those aspects that are particularly valued by the community, but that does not mean that change cannot occur in that there are opportunities for flexibility and change that allows an area to evolve and respond to changing circumstances.

Objective 11 and the associated policies listed above relate to the protection of amenity and neighbourhood character of various environments of the City which are particularly valued by the community and recognise the varying character of the City. It should be noted that Objective 11 is not concerned with maintaining the total landscape as it currently exists. That is, while those elements and characteristics might be protected, there is also considerable opportunity for change and flexibility that allows each area to evolve and respond to changing circumstance, albeit within a framework of what people value.

Policy 11.2 relates to vegetation removal in particular removal along coastal edges. The subject site is located within an Outstanding Coastal Landscape and that there is existing vegetation within the boundaries of the proposed development that positively contributes to the amenity and character of the area. The proposed development requires the removal of approximately 1800m² of native and exotic vegetation associated with the establishment of paths leading to the coastal boardwalk, the beach and (future) pedestrian connections to the “hardstand area” of the Landing.

Council’s Ecologist Ms Natalie Marsden and Council’s Parks Planner Ms Huia Kingi have both discussed the proposed vegetation removal, and have considered that any adverse effects associated with the removal of vegetation as proposed, would be no more than minor, subject to the imposition of conditions relating to re-planting, weed management and implementation of arboriculturally sound methodologies. It is acknowledged that the proposal will result in vegetation being removed, however, the proposal does not impact upon any notable vegetation, and weed clearance is considered to enhance the biodiversity and resilience of the Green Network. Proposed re-planting in the long-term using native species will improve its integrity.

Policy 11.5 and 11.32 relate to the provision of new public open space. The proposed development contains several areas which are intended to be accessible to members of the public.

The “hardstand” area of The Landing is proposed to be essentially pedestrian friendly and orientated with vehicle movement(s) restricted to public transport, cycles, service vehicles and vehicles being utilised by people who are mobility impaired.

The proposed rebuilt Hobsonville Wharf, the coastal boardwalk, the tidal stairs, the public deck, the seaplane ramp, the recreational boat ramp and the beach are all proposed to be facilities that are publicly accessible.

Policy 11.5 states that new public open space should be designed and located in a way that:

- Maximises access to local neighbourhoods (where that is compatible with the role such open space may have within the Green Network);
- Where possible, creates or contributes to a neighbourhood focal point;
- Ensures, where appropriate, integration with the objectives and policies relating to the Green Network;
- Enhances practical public access linkages between areas of public open space, roads, and to and along waterways and the coast; and
- Enhances the amenity values of the surrounding Environment and neighbourhood character.

Policy 11.32 refers to the balance between the needs of the city's residents for recreational opportunities with the protection of the natural environment. In particular, there is the need to protect vegetation in the Green Network and where necessary the natural environment is enhanced by planting and / or restoration.

The proposed development includes appropriate pedestrian and vehicular access connections to the water. Furthermore, it enhances public use of the water on the coastal marine area with the provision of tidal stairs and the beach with the coastal boardwalk also enhances public use of the coastal edge by providing practical access to an area historically inaccessible to the public. These facilities have ensured integration within the Green Network, and will lead to enhancement of this network.

In terms of the wider environment, the proposed development seeks to provide public access to the coast, whilst also balancing the needs of both the natural environment and future activities which in particular includes the marine industry by providing boat launching and retrieval infrastructure. Conditions of consent will ensure public facilities will be constructed in accordance with Council standards with appropriate landscaping and maintenance. The proposal is compatible with the amenity values associated with this locality, and will contribute to a neighbourhood focal point.

Policy 11.6 relates to the provision of new roads. Whilst the proposed development does not specifically involve the construction of new roads, it is noted that there are improvements required to the existing road network (Hudson Bay Road Extension) to allow for the integration of safe pedestrian movements to the "hardstand" area of the Landing through the construction of a footpath. Further (pedestrian) connections are intended from the "future" Launch Road. The applicant has also stated that cyclists could utilise the proposed coastal boardwalk as a route to The Landing hardstand.

Policy 11.12 relates to traffic generation associated with activities. The proposed development, by its very purpose will generate traffic. However, the effects of the increased traffic generated have been primarily adequately mitigated in the first instance by the establishment of a park and ride facility. Thereafter, appropriate Transport Management Plans (which are subject to review) will ensure that traffic generated will be adequately managed in order to protect the amenity values within the locality. The proposed development is intrinsically linked to improving public transport connections and the proposal supports various modes of transport, including the safe and efficient movement of pedestrians.

Policies 11.34, 11.36 and 11.37B relate to Hobsonville Airbase, Hobsonville Base Village Special Area and the Hobsonville Landing Special Area respectively. These are relevant to the proposed development as the policies describe the intentions for Hobsonville Peninsula from a macro level (Hobsonville Airbase) down to a micro level (The Landing Special Area).

Policy 11.34 refers to Hobsonville Airbase and that development shall be of a density, scale, design and character, and be sequenced in such a way, as to:

- Create an employment area focused on marine industry, making best use of the nearby channel in the Waitemata Harbour;
- Establish forms of development and patterns of land use that are integrated with the transport concept shown on the Hobsonville Urban Area Concept Plan - Features, which are supportive of pedestrian, cycle and public transport use, located accordingly to transport accessibility requirements where possible and which reduce reliance on private motor vehicles;
- Achieves a high standard of urban and pedestrian amenity through design ...;

- Provision for accessible areas of useable open space, including around the coast and be of sufficient number and location to be within a walkable distance for all residents, and integrated with surrounding land uses;
- Maintain valued elements of the Airbase's existing character, heritage, and the character of the coastal edge through the retention of selected buildings and features;
- Adopt sustainable infrastructure which minimises the effects of off-site disposal of stormwater and wastewater; and
- Ensure that no development proceeds without a Comprehensive Development Plan being in place.

The proposed development is considered to be consistent with the above policy with the exception of development proceeding without a Comprehensive Development Plan being in place.

The proposed development, whilst primarily focused on the Hobsonville Landing Special Area does involve development within the Hobsonville Base Village Special Area. The development includes a coastal boardwalk, beach and the park and ride facility which would all be located within the Sunderland Head Precinct (Precinct A). A Comprehensive Development Plan, in terms of the District Plan framework would be expected for development in the Sunderland Head Precinct (Precinct A) in order for certainty that development design will be coordinated.

The proposed development is considered to be consistent with the above policy with the notable exception of development proceeding without a Comprehensive Development Plan being in place. Although the proposed development within the Sunderland Head Precinct is not part of a Comprehensive Development Plan for the precinct, it is considered in this instance that these aspects of the proposal will not compromise the ability to implement a CDP that will satisfy the outcomes of both Policy 11.34 and 11.36.

As part of Policy 11.36 (Hobsonville Base Village Special Area) the Policy makes particular reference to the following in terms of Sunderland Head Precinct (Precinct A):

- Provide easy access for public transport and private vehicles to the ferry at the landing; and
- Retention and enhancement of coastal natural character through the provision of esplanade reserves / public open space and the provision of appropriate public access.

The proposed development, as discussed elsewhere in this report is considered to provide for appropriate public access to, from and along the coast. The proposal is primarily centred on areas previously modified by human activity. Where modification, in particular beyond the "hardstand" area of the Landing is proposed, any adverse effects are adequately mitigated and through weed management, rubbish removal and re-planting will lead to an enhancement of the Green Network.

The proposed beach would lead to modification of the existing environment which currently consists of tidal flats with some mangrove growth. The beach, from a visual perspective, is a notable change with no similar feature in the locality. Notwithstanding this, given its nature and purpose, it will not unduly undermine the amenities associated with this (outstanding) landscape.

The features described above, are not considered to be contrary to Policy 11.36 but also do not compromise or undermine the ability to ensure development (through a Comprehensive Development Plan) will satisfy the outcomes desired as outlined in Policy 11.36. This, however, does not necessarily extend to the park'n'ride facility. This is noted by Ms Ranchhod, Council's Urban Design Advisor who states:

"...the location chosen for an at-grade car Park and Ride facility is located within the "heart" of the Sunderland Head Precinct. The development expectation for the Sunderland Head Precinct in Plan Change 13 does not support an at-grade car park permanently established in this location... The urban form expectation is a continuous building form aligning with Hudson Bay Road located behind the Phoenix Palms that are to be retained, with the mixed use buildings fronting toward the road."

If the park and ride facility in this location was permanent, it is considered that the proposal would be contrary to Policy 11.36 for the reason(s) above and the absence of a Comprehensive Development Plan, but also both its location and capacity may not adequately address the adverse effects arising from the exercise of this consent.

As such, the Transport Management Plan (which incorporates the park and ride facility) is subject to review, which may be instigated in light of any resource consent (including a Comprehensive Development Plan), or Plan Change, to address adverse effects. This review and / or flexibility ensures that the proposed development is not contrary to Policy 11.36.

Policy 11.37B specifically addresses the Hobsonville Landing Special Area and states the following:

The Hobsonville Landing Special Area provides significant opportunities for the development of activities which will benefit from a harbourside location. The exact form and provision of development will be determined by a future plan change. At the initial stage of development, the area may be utilised for activities developed for access for large boats to the deep water channel, the retrieval and launching of boats, ferry facilities, and some of the parking associated with the ferry facilities. Activities that may frustrate utilisation of the deep water channel for these purposes must be avoided.

As part of the explanation, this area is required for boat access to the harbour in conjunction with the Hobsonville Marine Industry Special Area, and has also been identified as suitable for a ferry facility.

The proposal satisfies this aspect of the policy, and that the following is considered relevant:

- The launch and retrieval facility is of a appropriate size, scale, design and location;
- The proposal provides a good standard of aural and visual amenity between buildings and activities;
- The amenity of the coastal environment and outstanding landscape qualities are maintained;
- The location and scale of activities avoids, remedies or mitigates adverse effects on the amenity values of the adjoining coastal environment, including views from the harbour and over the site to the harbour;
- Appropriate access is afforded and provides for safe and efficient provision for motor vehicles associated with ferry facilities; and
- The proposal provides a safe environment for pedestrians and cyclists.

Beyond ferry and launching and retrieval facilities, other aspects of the proposed development lie within the coastal marine area have connections to the “hardstand “ area of The Landing but do not involve development on the hardstand itself, apart from part of the public deck and tidal stairs. These additional elements are not considered to materially alter the assessment undertaken above.

Policy 11.37B recognises that any provision of development on the hardstand would be “...determined by a future plan change...” This policy also recognises that the provision of car parking within The Landing Special Area may not be possible and that “...possibilities for alternative parking may be sought in adjoining Special Areas.”

The applicant has signalled that the “hardstand area” of The Landing is largely to be a pedestrian environment, with the provision of some car parking for activities associated with boat launching, retrieval and maintenance. Car parking for ferry commuters has been provided within the proposed park and ride facility which is located in the Sunderland Head Precinct due to the pedestrian oriented environment proposed for the “hardstand” area of The Landing.

The proposal is not considered to undermine the future community consultation (e.g. Plan Change) with respect to the future development of the Landing, which may include increased car parking provision associated with the facilities being considered that this consent.

In terms of Objective 11 and the policies identified above, I consider that the proposed development is largely consistent with the expectations envisaged by the objective and policies. Although the proposed park and ride facility is not deemed consistent with the policy expectations of the Sunderland Head Precinct, in the short term it would be an appropriate location in terms of assisting the creation of commuter demand for the ferry activity.

The applicant recognises that parking demand would change over time and therefore the parking provision would also be adapted to reflect the changing characteristics of commuter demand and car parking provision within the area. I consider that the imposition of consent conditions would adequately avoid, remedy or mitigate any adverse effects accordingly.

OBJECTIVE	10 - effects on amenity values - health and safety
POLICIES	10.3, 10.7, 10.8, 10.9, 10.11, 10.14, 10.15, 10.16, 10.19, 10.22, 10.27, 10.28,

Objective 10 relates to the maintenance and enhancement of amenity values which contribute to the wellbeing of residents and workers. With regard to the proposed development this includes the provision of a safe environment with enhanced access to the coast.

In addition, noise emitted from activities occurring on The Landing should not detract from nearby amenities (including residential, which at present primarily relates to residents living in Beach Haven across the harbour and residents on the Peninsula).

Access to the coast is proposed a number of ways as a part of the development through the provision of pedestrian and cycle connections to the proposed coastal boardwalk, beach and the “hardstand” area of The Landing.

There would be limited vehicle access to The Landing, as the applicant's intention is to retain the hardstand as a predominantly pedestrian space. However, in terms of drop off and pick up amenities, particularly for mobility impaired commuters (or users of the hardstand) it is recognised that there would need to be provision made in the form of car parking for the mobility impaired on the "hardstand" area. A condition of consent has been recommended requiring such a provision, the finer details of which would be established through the detailed design stage.

In terms of noise, the applicant has provided an acoustic assessment undertaken by Marshall Day and Associates Ltd (dated July 2009) which has been reviewed by Council's Consultant Acoustic Specialist, Mr John Styles (of JPStyles Ltd). Mr Styles does note that the noise emitted from the proposed launch facility would be above the limits permitted by the Plan. However he has advised that conditions of consent should be imposed in order to control the duration and hours of the launch/retrieval facility's operation in order to mitigate adverse effects on adjoining and nearby amenities. The proposal will not detract from the ability of the occupants of nearby buildings to achieve uninterrupted and adequate levels of sleep.

OBJECTIVE	1 - Managing effects on water quality and quantity
POLICIES	1.1, 1.2, 1.3, 1.5, 1.6, 1.7, 1.9, 1.10, 1.12, 1.18, 1.19,

This Objective and Policies relate to managing the effects of land use on the environment in a manner that avoids, remedies or mitigates the effects on the quality and quantity of the City's water resource.

The proposed development is within a coastal area of the City. In this regard it is noted that The Landing is essentially an environment that has been highly modified by past human activity. Within this context, although the proposed development would involve structures within the coastal area, it is recognised that the natural character of this coastline has been modified to varying degrees.

Whilst there may be some potentially adverse effects on the quality of the coastal water whilst construction is occurring, I consider that with appropriate mitigation such as silt and sediment control measures and an appropriate site management plan, any adverse effects would be no more than minor and adequately contained within the site.

The proposed park and ride facility would lead to an increase in impermeable surfaces, however with appropriate stormwater runoff mitigation; any adverse effects would be no more than minor. Furthermore the provision of a park and ride associated with the proposed ferry activity, could lead to a reduction in cars travelling to and from work, as more people choose to utilise public transport, which would indirectly lead to less contaminated stormwater runoff due to fewer cars on the road.

I therefore consider that the proposed development would not be contrary to the Objective 1 and associated Policies.

OBJECTIVE	2 - Protecting the City's native vegetation and fauna habitat
POLICIES	2.3, 2.4, 2.5, 2.6, 2.10, 2.15,

The proposed development would require the removal of native and exotic vegetation associated with the proposed pathways leading to the coastal boardwalk, the establishment of the beach, and (future) pedestrian connections.

The amount of vegetation removal equates to approximately 1800m² in total. In terms of the species and maturity of the vegetation to be removed, it is noted that there is very little removal of high quality native vegetation. Council's Ecologist, Ms Natalie Marsden, has reviewed the proposed development with regard to vegetation removal and is of the opinion that any removal is able to be appropriately mitigated with replanting. Moreover, the vegetation removal would also enable weed eradication, and rubbish removal in those areas which are relatively isolated. It is further noted that the removal of vegetation as proposed would not lead to fragmentation or edge effects nor would it lead to large scale loss of fauna habitat.

Ms Marsden has also noted that the applicant intends to retain any high quality native vegetation and appropriately work around or bridge over these tree roots. In this regard she has recommended consent conditions to ensure this is undertaken appropriately.

In terms of vegetation removal, I therefore consider that the proposed development is not contrary to Objective 2 and the associated Policies, subject to the imposition of consent conditions such as appropriate replanting and tree work methodologies.

OBJECTIVE	3 - Management of land as a resource
POLICIES	3.1, 3.2, 3.4,

The proposed development is not within an area of the City recognised for its high quality soils. The applicant proposes to undertake 1890m³ of earthworks over a plan area of 4,200m² associated with the establishment of the proposed Park and Ride facility. The applicant has also provided a Land Management Plan, prepared by MSC Consulting Ltd (dated November 2009) and a Contamination Assessment prepared by Tonkin and Taylor (dated October 2000) with additional soil sampling undertaken by Pattle Delamore and Partners Ltd (dated December 2009).

Given the site's proximity to the coast, there is the potential for sediment runoff to enter the sea via stormwater discharge outlets, during a rain event. The topography of the area where the Park and Ride is proposed, is flat and I consider the implementation of appropriate silt and sediment control measures would adequately capture any runoff prior to entering the stormwater system or the sea.

The removal of a 35m length of the rock wall directly adjacent to the coast, has more potential to adversely affect the sea, however the applicant has indicated that the proposed works would occur during low tide when there is no water adjacent to the rock wall. The implementation of appropriate silt and sediment control measures together with undertaking works at low tide would ensure that minimal sediment runoff enters the sea.

In terms of the contaminated soil, although soil would be disturbed, it would ultimately be contained once the car parking area is sealed thereby preventing any runoff from the contaminated soil. A condition of consent is recommended requiring any excess soil to be removed to a registered landfill to receive contaminated soil and evidence of disposal provided accordingly.

I therefore consider that subject to the imposition of appropriate conditions relating to the implementation of appropriate silt and sediment control measures and other specified methodologies contained within the submitted Land Management Plan would ensure that any adverse effects would be no more than minor. I consider that the proposed development is not contrary to Objective 3 or the associated Policies.

OBJECTIVE	5 - Effects on ecosystem stability
POLICIES	5.3, 5.4, 5.6, 5.7,

The Hobsonville Landing Special Area has an underlying Coastal Natural Area zoning, as well as being identified as an Ecological Linkage Opportunity. To the north and south of The Landing the coastal area has an underlying Coastal Margin (20m) zoning. The present situation is that vegetation to the north and south of The Landing is fragmented, due to the location of the “hardstand area” of The Landing.

The planting of vegetation on the hardstand is not precluded, but not necessarily practical given the existing environment. Notwithstanding, there is scope to undertake replanting and weed removal beyond the “hardstand” areas in order to enhance the existing areas of vegetation and fauna habitat.

In terms of ecosystem stability, fragmentation of continuous vegetative cover has already occurred due to the establishment of the hardstand area. The proposed development would not further exacerbate this fragmentation due to the nature of vegetation removal proposed. I consider that subject to the imposition of consent conditions, the proposed development would not be contrary to Objective 5 and its associated policies.

OBJECTIVE	7 - Effects on natural character of coast, wetlands, lakes and rivers 9 - Effects on Outstanding Landscapes
POLICIES	7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7 9.3, 9.4, 9.5, 9.6, 9.7, 9.8, 9.9, 9.10, 9.11, 9.12

The proposed development involves the establishment of human made “structures” and vegetation removal within an already modified coastal environment (to varying degrees).

The “hardstand” area of The Landing itself is a large reclamation site which would have changed the local coastal dynamics of the area as well having a more widespread impact.

The proposed beach would lead to the establishment of a habitat that currently does not naturally exist within the area and the coastal boardwalk and rebuilt Hobsonville Wharf would result in structures along the coastal edge. However, Council's Ecologist, Ms Natalie Marsden is of the opinion that the adverse effects associated with constructing the proposed beach, and its existence would have no more than a minor impact on the natural ecology of the area subject to the imposition of appropriate consent conditions.

Furthermore, the physical form of the beach and coastal boardwalk are relatively low profile structures that would not be detract from the coastal environment. The proposed boardwalk would also enable weed and rubbish removal in areas of the coast which are currently inaccessible. Ms Marsden is also supportive of the vegetation proposed to be removed, subject to appropriate replanting and weed removal.

Whilst the activities proposed would change the existing character the proposed development would also result in an increase of public amenity and use. In general terms the proposed facilities all have a “coastal” character and the materials utilised in their construction would be consistent with the natural character of the area, without compromising the underlying coastal environment. Furthermore, by enabling enhanced public access to the coastal environment, the use, enjoyment and recognition of this area is increased.

I consider that although the proposed development involves more intensive development of the coast, in this instance the character of the coast has already been largely modified to some degree and would not involve development within a pristine “untouched” coastal environment. The imposition of consent conditions will ensure that any adverse effects of the proposed development on the natural character and Outstanding Coastal Landscape qualities of the area would be avoided, remedied or mitigated.

OBJECTIVE	8 - Effects on Mauri
POLICIES	8.1, 8.2, 8.3, 8.4, 8.5,

The applicant has undertaken consultation with Te Kawerau A Maki, Ngati Whatua O Orakei and Ngati Whatua O Kaipara with regard to the proposed development. Mr Saul Roberts and Mr Ngarimu Blair have provided their comments in terms of the potential impacts of the proposal on elements which are important to Iwi. In this regard, it is noted that concerns have been raised as to the potential impacts of the dredging proposed and the impacts of sand mining on the area from which the sand is derived. In his assessment Mr Blair has commented that the staging of dredging as discussed in the report prepared by Bioresearches Ltd (dated June 2009) is supported by Ngati Whatua in order to minimise potentially adverse effects. Mr Blair’s report also states that *“We would not oppose development on the basis that mature native trees are left in situ and that overall there is a net gain in appropriate native vegetation. We support Bioresearches’ comment that; “The most significant immediately adjacent habitat in ecological resource value terms is the low teatree maritime area at the north-eastern end of Catalina Bay; no modification to that area should occur.”*

The applicant has acknowledged Iwi concerns with regard to sand mining and has offered a condition of consent requiring Iwi approval in terms of sourcing the sand for the beach and to ensure any associated cultural protocols are followed. I consider therefore, subject to the imposition of appropriate consent conditions, any adverse effects on the mauri of the coastal area where the development is proposed, would be adequately avoided, remedied and mitigated by conditions of consent. Therefore the proposed development is consistent with Objective 8 and associated policies.

OBJECTIVE	12 - Effects on heritage
POLICIES	12.1, 12.4, 12.5, 12.8, 12.9,

The proposed development does not involve any changes or disturbance of heritage features. Whilst there are identified midden sites near The Landing, they will not be affected by the proposed development.

The applicant's heritage and cultural assessments have been reviewed by Ms Alina Wimmer, Council's Heritage Advisor. She has advised that no items of heritage significance are affected by the proposed development, and that she is supportive of the interpretive plaques the applicant is proposing to install along The Landing so members of the public are made aware of items that are significant in heritage terms.

In terms of existing heritage and archaeological sites, the proposed development is consistent with Objective 12 and associated Policies above.

8.2.1.1 Summary

It is considered that the proposed development is either consistent or not contrary to the objectives and policies of the District Plan. In terms of Policy 11.34. It is considered that the intent of the policy is met, but the policy is implicit for the need that no development can proceed without a Comprehensive Development Plan being in place.

However, it should be noted that the purpose of a CDP is to ensure certainty that development design will be co-ordinated. It is considered in this instance that the proposal will not compromise the ability to implement a CDP that will satisfy the outcomes of both Policy 11.34 and 11.36.

8.2.2 Rules and Assessment Criteria

The District Plan Assessment Criteria have been developed to address the issues covered in the objectives and policies and are a useful guide in assessing the effect of an activity. The proposed activity is assessed in relation to each of the relevant criteria as follows:

City Wide Rules

Rule 2 - Contaminated Sites

The establishment of the proposed Park and Ride involves development of an area of the site which has been identified as being subject to contamination. With regard to the Assessment Criteria 2(a) - 2(d) contained in Rule 2 of the City Wide Rules, the following comments are made:

- The establishment of the proposed park and ride facility involves soil disturbance which will be thereafter sealed;
- In this regard, conditions of consent have been recommended requiring any spoil created from the excavation for the preparation of the park and ride should be reused within the same area as far as is practicable;
- Any excess spoil from the location of the park and ride should be tested and disposed of at a registered landfill to receive contaminated soil. A condition of consent requiring this has been recommended accordingly;
- In order to prevent runoff resulting from the excavation for the park and ride, into coastal waters, silt and sediment control measures are proposed and management of the area has been discussed in the applicant's Land Management Plan prepared by MSC Consulting Ltd (dated November 2009); and
- Subject to the implementation of consent conditions any adverse effects associated with the establishment of the park and ride over contaminated soil, would have no more than minor adverse environmental effects.

For the reasons stated above, I consider that the proposed works on the area of the site subject to contamination would not be contrary to the Assessment Criteria 2(a) – 2(d) contained in Rule 2 of the City Wide Rules, subject to the implementation of appropriate consent conditions.

Working Environment Rules

Rule 8 - Noise

The proposal involves the establishment of a boat launching and retrieval facility associated with the building and maintenance of boats of all sizes. The launch facility would be powered by a 250 tonne (maximum) diesel powered unit which would generate a noise output no greater than L_{WA} 103dB during its operation. With regard to the Assessment Criteria 8(a) - 8(e) contained in Rule 8 of the Working Environment, the following comments are made:

- The Working Environment noise limit permitted between 7 am and 7 pm Monday to Saturday is 65dBA (L_{10}) therefore the proposed launch facility would exceed the noise limit by a maximum of 38dBA when in operation between these hours;
- The applicant has not provided any limitations in relation to the hours of operating the gantry crane associated with the launching and retrieval of boats;
- Council's Acoustic Consultant, Mr John Styles has reviewed the proposal and has suggested that limitations on the operation of the gantry be imposed in order to control noise effects on adjoining sites, including those residential sites across the harbour;
- Mr Styles has stated there would be no appreciable change to the acoustic environment for residents living in properties on the North Shore, in particular Birkenhead; and
- Consent conditions are recommended requiring limitations on the operating hours and cumulative duration of operating the gantry crane in order to ensure adverse noise effects are minimised. It is recommended that these hours be integrated into the Site Management Plan as required as a recommended condition of consent.

I consider that subject to the imposition of the recommended consent conditions, the proposed development is consistent with the Assessment Criteria 8(a) - 8 (e) contained in Rule 8 of the Working Environment.

General Natural Area

Coastal Natural Area

Rule 3 - Earthworks

The proposal involves 1,890m³ of earthworks over a plan area of 4,200m² in relation to the establishment of the proposed park and ride facility within the General Natural Area and would require 60m³ of earthworks over a plan area of 120m² within the Coastal Natural Area associated with the proposed tidal stairs. With regard to the Assessment Criteria 3(a) - 3(s) contained within Rule 3 of the General and Coastal Natural Areas, the following comments are made:

- The applicant has submitted a Land Management Plan prepared by MSC Consulting Ltd (dated November 2009) which specifies measures to be adopted to prevent soil and sediment deposition on roads and within the sea;
- The works methodology for the proposed tidal stairs is to be undertaken during low tide, when there is no water near The Landing which would minimise the potential for silt and sediment runoff to enter the sea;

- The applicant also proposes to develop a construction management plan associated with the tidal stairs which outlines how fill material will be protected so that the potential for silt and sediment entering coastal waters is minimised. A consent condition requiring this has been recommended accordingly;
- The earthworks proposed would not result in vegetation removal from the coast as the area of works is currently a concrete surface, therefore the earthworks would not compromise the integrity of the Green Network which has already been fragmented due to the establishment of The Landing hardstand and associated buildings;
- The amount of the earthworks proposed is consistent with the scale of the proposed development and they will be temporary in nature. Any adverse will be mitigated or avoided through conditions of consent requiring erosion and sediment control measures and restrictions on the hours of works;
- The earthworks proposed are of a relatively small scale and would not detract from the amenity of the existing modified coastal landscape;
- The earthworks proposed would not lead to a significant change to the topography of the site or surrounding area as the proposed park and ride facility would be established on an area that is currently relatively flat, and the proposed tidal stairs would be constructed adjacent to the hardstand following the existing contour of the land; and
- Subject to the implementation of appropriate silt and sediment control measures, the earthworks proposed would not affect the mauri of the coastal waters.

For the reasons stated above, I consider that the earthworks proposed for the establishment of the park and ride facility and the tidal stairs, are consistent with the Assessment Criteria 3(a) - 3(s) contained in Rule 3 of the General and Coastal Natural Areas.

General Natural Area
Coastal Edges Natural Area

Rule 2 - Vegetation Alteration

The proposed development involves the removal of 1350m² of protected vegetation associated with the pathways leading to the coastal boardwalk and 290m² of vegetation removal is proposed associated with the construction of the beach. Pruning and works within the dripline of protected vegetation is also proposed. Noting Assessment Criteria 2(a) - 2(u) contained in Rule 2 of the Coastal Edges Natural Area, the following comments are made:

- The applicant has provided an Arboricultural Report prepared by Karl Burgisser of Arborlab Ltd (dated 30 July 2009) which has been reviewed by Council's Ecologist, Ms Natalie Marsden;
- In relation to the proposed vegetation removal Ms Marsden has stated that the composition of the vegetation does not include the removal of significant trees of high amenity value;
- Where there is significant vegetation growing in the vicinity of the proposed coastal boardwalk, the applicant has proposed to work around the trees utilising appropriate arboricultural methodologies. In this regard Ms Marsden has accepted the comments contained in the applicant's assessment, and has recommended conditions in order to ensure any adverse effects on the trees are avoided, remedied or mitigated;
- Although the proposed vegetation removal would result in fragmentation along the route of the proposed pathways, overall the resilience, biodiversity and integrity of the Green Network would not be compromised as the vegetation would be replaced with appropriate replanting in other areas of the site, which would lead to the growth of vegetation appropriate for to the location;

- In addition to appropriately sourced replanting, the applicant has proposed to undertake a weed eradication programme which would assist in strengthening the resilience, biodiversity and integrity of the Green Network;
- Te Kawerau A Maki, Ngati Whatua O Orakei and Ngati Whatua O Kaipara have no specific issues in relation to the proposed vegetation removal, apart from replanting which they consider should be undertaken using eco-sourced plant species;
- It is further noted that the vegetation removal proposed would enable enhanced public access to the coast;
- The existing vegetation growing along Boundary Road (adjacent to the proposed beach) is self seeded and is juvenile in maturity;
- The trees to be removed for the establishment of the beach are not notable specimens of their species, however, it is noted that there are some native species within this strip of vegetation, which consists of Coprosma, Kanuka and 1 juvenile Totara tree. In this regard, Ms Marsden has no issues with the removal of this vegetation subject to the implementation of replanting elsewhere on the development site. Weed species to be removed include wattle and privet;
- The proposed vegetation removal would not compromise the Outstanding Landscape character of the locality as the scale of removal is relatively small when compared to the amount of vegetation to be retained along the coast and the replanting proposed; and
- Overall, the vegetation removal proposed does not include any threatened, endangered or uncommon plant species.

For the reasons stated above, I consider that the removal, pruning and works within the dripline of protected vegetation are not contrary to the Assessment Criteria 2(a) – 2(u) contained in Rule 2 of the Coastal Edges Natural Area.

Special Areas

Rule 21 - Hobsonville Base Village Special Area (Sunderland Head Precinct (Precinct A))

The proposed beach, coastal boardwalk and park and ride facility are all located within the Hobsonville Base Special Area, more specifically within the Sunderland Head Precinct (Precinct A). As these structures and facilities are not specifically provided for within the Sunderland Head Precinct requirements, the establishment of them are considered to be a Non-Complying Activity.

In this regard, there are no Assessment Criteria for Non-Complying Activities, however the proposed development aspects above have been assessed against the relevant District Plan Objectives and Policies (0 and 11), which essentially feed into the Assessment Criteria. The establishment of the proposed beach and coastal boardwalk, whilst not explicitly provided for under the Hobsonville Base Village Special Area and Sunderland Head Precinct requirements, are consistent with the expected outcomes of providing enhanced public access to the coast and could potentially provide a linkage to the coastal walkway requirement (Rule 21.3(g)(iv)) of the Hobsonville Base Village Special Area). Further to this, the coastal walkway promotes pedestrian and cycle accessibility to the coast which is referred to throughout the Hobsonville Village Special Area requirements and to a lesser extent within the requirements of the Sunderland Head Precinct.

The proposed park and ride facility however is not consistent with the outcomes sought for the part of the Sunderland Head Precinct where it is proposed to be located. In the long term, this area of the Sunderland Head Precinct is earmarked for mixed use development, subject to the approval of any future Comprehensive Development Plan for the Precinct. The location of the park and ride facility is therefore subject to review in order to avoid this aspect undermining future consenting and /or plan change processes.

Rule 23 - Hobsonville Landing Special Area

The proposal involves the establishment of a ferry terminal, boat launching and retrieval infrastructure and other associated structures which support marine industry activities such as the finishing berth. With regard to the Assessment Criteria 23(a) - 23(s) contained in Rule 23 of the Special Area Rules, the following comments are made:

- The size of the proposed boat launching facility would have a maximum height of approximately 16.25m and would be comprised of two concrete beams a maximum of 100m in length which would extend out over the water;
- The location of the proposed launch facility has largely been determined by the alignment of Launch Road (once it has been completed), but also enables boat launching and retrieval activities using the existing road layout;
- In terms of the design of the launch facility, bulk and scale effects are reduced due to the skeletal nature of the facility, which enables views past or through the gantry crane;
- The aural effects of the proposed launch facility have been discussed within the applicant's Acoustic Assessment undertaken by Marshall Day Acoustics (dated July 2009), which has been reviewed by Council's Consultant Acoustic Specialist, Mr John Styles. The assessments undertaken acknowledge that the operation of the launch facility would exceed the District Plan's permitted Noise requirements; however the duration of the noise emissions have not yet been established. In order to ensure that adverse noise effects are minimised, conditions of consent have been recommended limiting the hours of operating the launch facility which are to be contained within a management plan associated with the launch facility operation;
- The proposed ferry terminal and boat launching facility would both be established on a part of the coast that has already been largely modified by past human activities. The proposed ferry wharf would essentially replace an existing wharf which is in the approximate same location;
- Conditions of consent have been recommended requiring the formulation of management plans associated with the ferry operation and the launch facility, to ensure the natural character of the coastal waters is not compromised;
- Council's Ecologist Ms Natalie Marsden has reviewed the proposal in terms of potential impacts on the coastal marine environment and is generally supportive of the facilities subject to the imposition of consent conditions;
- The location, height and scale of the proposed boat launching facility would not significantly obstruct views of the site from the harbour nor would it obstruct views over the site to the harbour;
- There will be provision made for safe and efficient motor vehicle access and access for the retrieval and launching of boats;
- The proposed park and ride facility in the Sunderland Head Precinct would ensure the provision of car parking and road access in associated with the ferry activity. Furthermore, drop off and pick up points on the "hardstand" area as well as mobility parking will assist in enabling appropriate access to the ferry;
- The traffic effects associated with the proposed development would not compromise the capacity of the existing roading network on Hobsonville Peninsula nor would it detract from the character of the neighbourhood, subject to the imposition of conditions such as the provision of a Transport Management Plan and Site Management Plan;
- The traffic associated with the proposed development will not compromise the safety of pedestrians or cyclists;
- The applicant proposes undertake more detailed CPTED/IPTED analyses and provide a Lighting Assessment at the detailed design stage, a condition of consent has been recommended to ensure such reports are provided accordingly;

- No items of archaeological significance will be affected by the proposed development;
- Iwi consultation has been undertaken by the applicant, and comments have been received from Te Kawerau A Maki and Ngati Whatua. The Iwi are supportive of the proposed development of The Landing subject to further consultation in relation to sand extraction and the staging of proposed dredging. In addition, Iwi have stated that any replanting should be undertaken using eco-sourced native stock. Conditions of consent relating to these issues have been recommended accordingly; and
- Mr Sri Pulla, Council's Drainage Engineer has assessed the proposal and is satisfied that any stormwater runoff from the park and ride facility would be appropriately collected and disposed of. Accordingly, he has recommended consent conditions relating to the provision of stormwater disposal infrastructure.

8.3 Auckland Regional Policy Statement, Plan or Proposed Regional Plan (104(1)(b)(iii) and (iv))

Auckland Regional Policy Statement

The Auckland Regional Policy Statement (ARPS) sets out the broad resource management issues, objectives, policies for the Auckland Region to achieve the integrated management of its natural and physical resources. The Policy Statement functions as an umbrella policy document for environmental planning and policy development within the region under which the Waitakere District Plan has been prepared. The focus is on major natural and physical resources and regionally significant activities. The ARPS became operative in 1999.

The Operative ARPS has been amended by Proposed Plan Change 6 (which is not fully operative as there are still outstanding appeals) which seeks to give effect to the growth concept set out in the Auckland Regional Growth Strategy as required by Section 40 of the Local Government (Auckland) Amendment Act 2004 (LGAAA) and Plan Change 7 (made operative in March 2010), which related to the shifting of the Metropolitan Urban Limits in the area of the proposed development so as to include the land associated with this application.

Comment

The Operative ARPS seeks to ensure that growth is accommodated in a sustainable and integrated manner consistent with the purpose of the Resource Management Act 1991 (RMA). One of the main issues addressed in the ARPS is the need to accommodate urban development and growth in a sustainable manner that will not compromise the environmental resources that are significant to Auckland. Another key theme is the containment of growth within the Metropolitan Urban Limits.

The LGAAA 2004 directed all Councils in the Auckland Region to ensure that their land transport and land use provisions align with the Auckland Regional Growth Strategy (ARGS). Following input from Waitakere City Council the ARC proposed changes 6 and 7 to the ARPS in order to give effect to the ARGS and to extend the Metropolitan Urban Limits (MUL). The proposed extension to the metropolitan urban limit included Hobsonville Peninsula with the purpose of creating land for employment and residential activities within the City. The objectives of the plan changes sought to achieve compact and sustainable development centred on high density nodes and corridors integrated with public transport, cycling and walking. These objectives were consistent with the objectives and policies of Plan Change 13 to the Waitakere District Plan.

The proposed development seeks to create a public transport node by establishing the proposed ferry activity which would operate (as far as is practicable) in conjunction with bus services within the area. Furthermore, by incorporating the boat launching and retrieval facilities within the proposed development, the applicant recognises that the area will eventually become an important employment area, in conjunction with the Marine Industry Precinct.

Of relevance to this site are the Objectives listed under 7.3 of the RPS which discusses the Coastal Environment and acknowledges that “...*the greatest pressure on coastal resources is concentrated in a relatively narrow band of land and water either side of Mean High Water Springs (MHWS).*” This has particular relevance given the characteristics of the development proposed under this application. The RPS recognises that Auckland’s coastal environment is diverse and covers a broad spectrum of characteristics from the rugged and isolated West Coast beaches to the extensively modified beaches found in Auckland City. In addition, the RPS recognises that a number of activities within the coast are regionally and nationally significant in economic terms such as ports, wharves and boat building activities, and the challenge is the operation of these activities “...*in a way that enables sustainable management of the natural and physical resources of the coastal environment.*” The provision of public access to the coast is another theme which is evident throughout the RPS. In this regard, the proposed development does provide public access to the coast with the proposed coastal boardwalk, tidal stairs, public boat ramp and beach. However, the degree of access is restricted in other areas of the proposed development such as the marina (for security reasons), the ferry docking point (for health and safety reasons) and the launch facility when in operation.

The proposal is considered to provide appropriate access to / from and along the coastline. However, in order to ensure such public access is provided for in perpetuity, appropriate mechanisms need to be provided for which to date have not been detailed in the application documentation. As such, it is considered appropriate that a commencement condition (pursuant to Section 116) be proposed that requires the consent holder to elect an appropriate mechanism by which public access is to be secured, and to register the mechanism (e.g. an encumbrance or easement) on the Certificate of Title(s) relating to those areas of the Hobsonville Peninsula which are to be publicly accessible.

Objectives and associated Policies listed under 8.3 and 12.3 of the RPS discuss the maintenance of water quality and soil conservation and retention. In terms of the proposed development the implementation of the Land Management Plan, in compliance with the Silt and Sediment Control Appendix of the District Plan will ensure that coastal water quality in the long and short term, associated with landward side works, will have no more than minor adverse effects on coastal waters within the Waitemata Harbour.

Proposed Auckland Regional Plan: Air, Land and Water

The Proposed Regional Plan: Air, Land and Water (PRP: ALW) applies to the ARC’s management of air, land and water resources in the Auckland Region, in terms of its functions under Sections 30 (1) (c), (e), (f) and (g) of the RMA. The Auckland Regional Plan: Coastal (ARP: C) establishes the boundaries between the coastal marine area and land and freshwater areas. The ARP: C contains maps as well as agreed descriptions of the agreed river mouths and the associated coastal marine area boundary. The ARP: ALW relates to the land and freshwater areas upstream of these boundaries and landward of MHWS. The PARP: ALW was prepared to enable the ARC to implement ARPS policy through its statutory responsibilities under Section 30 of the RMA.

The PARP: ALW sets out the Objectives, Policies and Rules governing development on a “macro” scale which includes bulk earthworks, discharges to air, land and water and integrated catchment management plans associated with the disposal of wastewater and stormwater. This is distinguished from District Plans which is the governing framework for development on a more “micro” scale and involves smaller scale earthworks, vegetation alteration and bulk and location controls for example which require resource (either land use or subdivision) consent from territorial authorities. Any non-compliances relating to the PARP: ALW will be addressed by Auckland Regional Council.

Auckland Regional Plan: Coastal

The Auckland Regional Plan: Coastal provides the framework to promote the integrated and sustainable management of the Auckland region's coastal environment. One of the functions of the Auckland Regional Council, as outlined in Section 30 of the Resource Management Act (RMA), is the control of the region's coastal marine area in conjunction with the Minister of Conservation.

Sections 12, 14 and 15 of the RMA restrict certain activities in the coastal marine area unless expressly allowed by a rule in a regional coastal plan or a resource consent. This Plan contains objectives, policies and methods including rules, which establish the framework within which certain uses are permitted and proposals for development can be assessed. The Plan provides certainty for existing and potential users of the coastal marine area by the provision of these rules. The ARP: C governs those activities which take place on the seaward side of Mean High Water Springs within the boundaries of the Auckland Region. In respect of the proposed development any aspects requiring consent under the ARP: Coastal will be addressed by the Auckland Regional Council.

8.4 National Policy Statement (104(1)(b)(i)(ii))

New Zealand Coastal Policy Statement (NZCPS)

The area subject to the proposed development is within the Outstanding (Natural Character) Coastal Area in Waitakere City therefore the NZCPS is of relevance to the proposed development.

The purpose of the NZCPS is set out in Section 56 of the RMA which states:

"The purpose of a New Zealand coastal policy statement is to state policies in order to achieve the purpose of this Act in relation to the coastal environment of New Zealand."

Policy 1.1.1 of the NZCPS states that:

"it is the national priority to preserve the natural character of the coastal environment by:

- a) Encouraging appropriate subdivision, use and development in areas where the Natural Character has already been compromised and avoiding sprawling or sporadic subdivision, use or development in the coastal environment;*
- b) Taking into account the potential effects of subdivision, use or development on the values relating to the natural character of the coastal environment, both within and outside of the immediate location; and*
- c) Avoiding cumulative adverse effects of subdivision, use and development in the coastal environment.*

The intention of the NZCPS is that development in the coastal environment should be located in areas where the natural character has already been compromised to some degree. Development should therefore be located in coastal settlements or other areas where there will be no more than minor adverse effects. As referred to in Policy 3.2.2 of the NZCPS, plans should define what form of development would be appropriate in these areas.

With regard to the proposed development, it has already been established that the locality within which the development would be located, has been largely modified by past and present human activities. The proposal would also lead to development outside of the “hardstand” area of The Landing, in areas which have not been modified to the same degree.

In addition, the adverse effects associated with the proposed development are able to be appropriately avoided, remedied or mitigated by the imposition of consent conditions.

It is acknowledged that the proposed development overall would lead to a change in the existing coastal character of the locality; however the environment is not pristine nor is it geographically isolated. Furthermore, the provision of a new public transport node would enable people to utilise alternative forms of transport in order to commute to and from work. In terms of the provision of boat launching and retrieval facilities, it has been identified that the locality is in proximity to a deep water channel which would enhance the marine industry by enabling launching and retrieval of large boats.

8.5 Any Other Matters the Consent Authority considers relevant and reasonably necessary to determine the Application (104(1))(c)

The Hauraki Gulf Marine Park Act 2000 (HGMPA)

The purpose of the HGMPA 2000 is to:

- “(a) integrate the management of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments;*
- (b) establish the Hauraki Gulf Marine Park;*
- (c) establish objectives for the management of the Hauraki Gulf, its islands, and catchments;*
- (d) recognise the historic, traditional, cultural, and spiritual relationship of the tangata whenua with the Hauraki Gulf and its islands; and*
- (e) establish the Hauraki Gulf Forum.”*

The Act requires consent authorities to have regard to Sections 7 and 8 when considering applications for the Hauraki Gulf, its islands and catchments. In terms of the proposed development, The Landing is located within a catchment which drains into the Hauraki Gulf, and therefore the proposal requires consideration against the provisions of the HGMPA 2000.

Section 7 of the HGMPA 2000 relates to the recognition of the Hauraki Gulf as being of national significance and the life supporting capacity of the interrelationships between the Hauraki Gulf, its islands and catchments. Section 7 also discusses the relationship of tangata whenua of the Gulf, with the Gulf and the Gulf’s capacity to provide for the social, economic, recreational and cultural well-being of people and communities to use and maintain the resources and ecosystems unique to the Gulf.

In respect of the proposed development, the applicant has undertaken consultation with relevant Iwi and the community. The applicant has stated that further consultation with Iwi will be undertaken at different stage of the development.

In terms of maintaining the natural resources and ecosystems of the Gulf, the applicant has suggested mitigation measures which would ensure the adverse effects associated with vegetation removal and actions that impact on water quality are appropriately avoided, remedied or mitigated. This would be reinforced by imposing consent conditions to ensure that adverse effects are minimised.

Section 8 of the HGMPA 2000 relates to the national significance of the Hauraki Gulf, its islands, and catchments and lists the management objectives of the HGMPA 2000. The objectives under Section 8 of the Act refer to the protection and enhancement of:

- the life-supporting capacity of the Gulf environment;
- the natural, historic and physical resources of the Gulf, its islands and catchments; and
- those natural, historic and physical resources of the Gulf, islands and catchments with which tangata whenua have an historic, cultural, traditional and spiritual relationship.

The maintenance and enhancement of:

- The contribution of the Gulf to the social and economic well-being of people and communities of the Hauraki Gulf and New Zealand; and
- The natural, historic and physical resources of the Gulf which contribute to the recreation and enjoyment of the Gulf of people and communities in New Zealand.

In term of the proposed development, the maintenance of the life supporting capacity of the Gulf environment and its resources will be ensured by the imposition of consent conditions relating to the implementation of mitigating measures such as appropriate silt and sediment control and replanting. As stated above, the applicant has undertaken consultation with tangata whenua of the area (Te Kawerau A Maki and Ngati Whatua) and other interest groups. Furthermore as the application was publicly notified all New Zealanders have had the opportunity to voice any concerns in relation to the proposed development. By implementing the mitigation measures, the maintenance, protection and enhancement of the Gulf and its resources is ensured and the proposed development will not compromise those characteristics for which the Hauraki Gulf is recognised as being of national importance.

The proposed development is not contrary to the purpose or objectives of the HGMPA 2000 and will enable people and communities to provide for their social and economic well-being by providing recreational opportunities as well as providing launch facilities for the boat building industry.

Precedent Effect

The proposed activity is non-complying for a number of aspects and includes:

- Construction of tidal stairs, and recreational boat ramp that go beyond the scope of boat launching / retrieval and ferry facilities (both considered a Discretionary Activity) within the Hobsonville Landing Special Area;
- The establishment of a park and ride facility, wharf and beach within the Hobsonville Base Special Area. These aspects are not supported within an approved Comprehensive Development Plan; and
- Vegetation Removal associated with the beach and boardwalk.

It is considered appropriate to consider matters of integrity and precedent, given the advanced nature of Plan Change 13.

For a consent authority to grant consent to a non-complying activity, there should generally be some unusual element to the proposal. If such unusual circumstances do not exist, then the proposal could potentially compromise the integrity of the District Plan, and public confidence in the consistent administration of the Plan may be undermined.

It is not considered that this proposal is necessary unusual as the proposed activities and structures are those which are normally associated with the coastal environment.

In terms of vegetation being removed, the proposal does not impact upon any notable vegetation, and weed clearance is considered to enhance the biodiversity and resilience of the Green Network. Proposed re-planting in the long-term using native species will improve its integrity.

Facilities within the Hobsonville Landing Special Area are considered ancillary (but not necessarily connected) to boat launching / retrieval and ferry facilities but they do not compromise the ability for future community engagement in terms of a (future) Plan Change process associated with the Hobsonville Landing Special Area.

The park and ride facility primarily supports and facilitates ferry services. By being subject to review (as part of wider Transport Management) in terms of both location and capacity means that such a facility cannot be viewed as permanent and as such will not compromise the long-term outcomes for the Sunderland Head Precinct as laid out in Policy 11.36 as the facility may be required to be re-sited with such a facility provided for as part of a CDP and / or Plan Change.

The wharf and beach do not compromise or undermine the ability to achieve the outcomes of the District Plan, and both support an environment that facilitates increased public access.

Whilst there is both an absence of a plan change (for certain activities) within the Hobsonville Landing Special Area and a Comprehensive Development Plan elsewhere, the nature and extent of the proposed activities is not contrary to the overall Objectives and Policies of the District Plan. It is considered that the aims (including the implementation of CDP's and /or Plan Changes) have not been unduly compromised.

As such, the proposal is not considered in this instance to give rise to matters of District Plan integrity or generate an unwelcome precedent effect.

8.5.1 Other Issues Raised by Submitters Not Covered Elsewhere in Report

Some submitters have raised concerns with regard to the lack of consultation about the proposal prior to notification. In this respect, however, it is considered that as the application was publicly notified, members of the public, including those who have raised concerns, have had an opportunity to make submissions in relation to the development proposed.

8.5.2 Monitoring

The performance of the activities under this consent will be subject to Council's standard monitoring procedures. These procedures include scheduled inspections to ascertain compliance with conditions of consent, together with periodic inspections as and when required to establish whether conditions are being complied with on an ongoing basis. In particular, attention is likely to be directed toward the implementation of conditions relating to vegetation alteration, earthworks and the provision of plans as required for traffic, parking and site management.

8.5.3 Any Other Relevant Non-Statutory Documents

Auckland Regional Growth Strategy (ARGS)

The ARGS aims to ensure growth within the Auckland Region over the next 50 years is accommodated to meet the needs of the people living in the Region. It envisions strong supportive communities, high quality living environments, a region that is easy to get around and protection of the coast and natural environments. The Growth Concept foreshadows the changes to the Regional Policy Statement developing the strategy to manage growth through the intensification of urban centres rather than allowing urban sprawl to continue. The outcome of this type of growth, focused on town centres, is expected to produce higher density living with a range of housing, employment, businesses, shops, services, recreational facilities and mixed use activities. The Growth Concept vision for 2050 includes Westgate and the former Hobsonville Airbase as two of the areas in Waitakere City for concentrated growth to occur.

The present application responds to the above strategy by the provision of a public transport node and providing infrastructure for the growing boat building industry, which will eventually be based on the Peninsula. Whilst the proposed development does not involve residential or retail development, it is an integral part of the overall Urban Concept Plan for the Peninsula as it will indirectly enhance employment opportunities by supporting the marine industry and provide enhanced access to the coastal environment and provide pedestrian, cycling and transport amenities which will be important due to the high density residential development envisaged for the Peninsula.

Auckland Regional Land Transport Strategy

The Auckland Regional Land Transport Strategy focuses on what the Auckland Region needs in order to achieve a transport system that will cope with the additional demands expected up until 2015. The ARLTS supports and gives effect to the ARGS and the ARPS. The vision of the ARLTS is to provide a transport system where:

- People and goods are able to move when necessary;
- Transport supports vibrant town centres;
- Streets are also community places;
- Getting around by all modes is integrated, safe and effective;
- People have choices which enable them to participate in society;
- The environment and human health are protected and enhanced; and
- Transport resources are used efficiently.

The objectives of the ARLTS include matters such as economic development, safety and security, access and mobility, public health, environmental sustainability, supporting the ARGS and achieving economic efficiency in Auckland.

It is considered that the proposed development will satisfy the above vision and objectives with a sustainable approach to providing transport for people travelling to the Peninsula, within the Peninsula, to the surrounding area and the wider Auckland Region.

8.6 Lapsing of Consent

Under Section 125 of the Act, unless given effect to earlier, a consent lapses either on the date that is specified within the consent or, if no date is specified, 5 years after the date of commencement of the consent.

The applicant has requested that should consent be granted, a ten year lapse period be allowed. It is considered that because of the scale and nature of the activity that this would be appropriate. The recommended conditions of consent have regard to this timeframe.

9.0 PART II OF THE RESOURCE MANAGEMENT ACT 1991

The purpose and principles of the Resource Management Act 1991 have primacy over all other considerations that are set out in section 104 of the legislation.

Section 5 in Part II of the Act identifies the purpose of the Act as being the sustainable management of natural and physical resources. This means managing the use of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being whilst: sustaining those resources for future generations; protecting the life supporting capacity of ecosystems; and avoiding, remedying or mitigating adverse environmental effects.

The proposal, primarily by its location needs to be considered having regard to the following matters of natural importance (Section 6) which are impacted upon to varying degrees:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;
- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers;
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;
- (f) the protection of historic heritage from inappropriate subdivision, use, and development; and
- (g) the protection of recognised customary activities.

In this regard the following points are made:

- The proposal avoids significant indigenous vegetation. Vegetation being removed is not of high quality, and subject to re-planting, weed and rubbish removal, the proposal will enhance the biodiversity and resilience of the Green Network. Proposed re-planting in the long-term using native species will improve its integrity;
- The proposed development on and adjacent to the coastal edge is predominantly within areas previously modified of which most notably includes the “hardstand” area of the Landing. Elsewhere, whilst the proposal introduces change, this is not considered to be of detriment to the natural (albeit) modified natural character, and will not undermine the amenities and landscape qualities associated with this identified outstanding natural landscape;
- The proposed development provides for the enhancement of public access to and along the coastal marine area (subject to some minor exclusions for operational reasons). This will be required to be secured through appropriate mechanisms;
- The proposal does not materially impact upon buildings considered to be of heritage value; and

- A Draft Cultural Heritage Assessment prepared by Saul Roberts and a Heritage Assessment prepared by Ngarimu Blair have been submitted as part of the application. A submission was received from Ngati Whatua O Kaipara with raised concerns about the potential for adverse impacts on the water due to the proposed dredging of the harbour. It is understood that Ngati Whatua O Kaipara intends to speak in support of their submission.

As part of the Heritage Assessment, Te Kawerau A Maki have advised that they have reached a Deed of Mandate recognised by the Crown (October 2009) and are presently working through an Agreement in Principle (AIP). As of 24 June 2009, the Crown, through their principle negotiator Sir Douglas Graham, has proposed a settlement to the Iwi of Tamaki Makaurau. These AIP's were to be finalised by December 2009. These matters are outside of the scope of consideration for this resource consent application as they will be dealt with by the Waitangi Tribunal.

It is considered that the proposed development is consistent with sustainable resource management. The proposed ferry terminal, boat launching and retrieval facilities and other aspects of the development will enable people to provide for their social, cultural and economic well-being whilst also enabling public access to the coast and protecting the community's health and safety. The proposed public transport node, pedestrian and cycle routes and the provision of public open space will integrate with other development on the Peninsula to create a sustainable, compact form of urban growth.

Section 7 of the Act identifies "other matters" to be given particular regard by Council in the consideration of any assessment for resource consent, and includes the efficient use of natural and physical resources, and the maintenance and enhancement of amenity values.

With the imposition of the recommended conditions it is considered that any adverse effects of the proposal on the environment can be avoided, remedied and mitigated.

Sections 7(c) and (f) require that particular regard be had to the maintenance and enhancement of amenity values and the quality of the environment. As discussed extensively in this report, it is considered that the proposal would not adversely affect amenity values associated with this neighbourhood.

The proposed development does not raise any section 8 (Treaty of Waitangi) issues.

Overall, it is considered that the granting of this application would not be contrary to the purpose of the Act. The proposal will enable people and communities to provide for their economic, social and cultural well-being and their health and safety without significantly compromising the needs of future generations or the life supporting capacity of natural resources such as air, water and soils. Through the imposition of appropriate conditions of consent, it is considered that the proposed activity can sufficiently avoid, remedy or mitigate any adverse effects on the environment.

It is concluded that the granting of this consent would promote the sustainable management of natural and physical resources and would achieve the purpose of the Act.

10.0 EVALUATION IN ACCORDANCE WITH SECTION 104D OF THE RESOURCE MANAGEMENT ACT 1991

The threshold test in Section 104D of the Resource Management Act 1991 states that a consent authority must not grant consent to a non-complying activity unless it is satisfied that the adverse effects on the environment will be minor (104D (a)) or the activity will not be contrary to the objectives and policies of a plan or proposed plan (104D(b)).

It is considered that the threshold test for a non-complying activity has been met as the proposal satisfies section 104D(a), in that subject to appropriate conditions of consent requiring mitigation the adverse effects on the environment of the proposal will be no more than minor.

It is acknowledged that the proposal is considered contrary to Policy 11.34 in that the development is not supported by an approved Comprehensive Development Plan for development located within the Sunderland Head Precinct.

The ability to grant consent has therefore been established.

11.0 CONCLUSION

The applicant seeks consent to establish a ferry wharf and service, public waiting deck, boat launching, retrieval and maintenance facilities, rebuild the historic Hobsonville Wharf, establish a coastal boardwalk, a new public boat ramp, beach and park and ride facility on Hobsonville Peninsula on the area of the site known as The Landing Special Area, with the beach, park and ride facility, coastal boardwalk and historic Hobsonville Wharf located within the Sunderland Head Precinct of the Hobsonville Base Village Special Area.

The site is zoned Landing Special Area, Hobsonville Base Village Special Area, Coastal Natural Area, General Natural Area and Coastal Edges Natural Area. The proposed development would involve the following infringements: earthworks, vegetation alteration, noise, establishment of activities not provided for under the Landing Special Area requirements and not provided for under the Hobsonville Base Village Special Area requirements.

It is considered that the proposal meets the criteria for granting consent as the adverse environmental effects are minor and can adequately be mitigated through the imposition of appropriate conditions of consent. It is considered the proposed development will not lead to a decline in the amenity values of the area in which it seeks to locate.

Whilst there is both an absence of a plan change (for certain activities) within the Hobsonville Landing Special Area and a Comprehensive Development Plan elsewhere, the nature and extent of the proposed activities is not contrary to the overall Objectives and Policies of the District Plan. It is considered that the aims (including the implementation of CDP's and /or Plan Changes) have not been unduly compromised.

In summary, the proposal:

- Maintains and enhances those natural and physical characteristics (amenity values) that contribute to the wellbeing of residents and workers;
- Achieve a quality of settlement and associated activities within each of the City's Human Environments which is sympathetic to, and protects and enhances, the dominant natural and physical (including building) features which contribute to the amenity value and the neighbourhood character of the area;
- Manage growth in such a way that will ensure the City develops a sustainable compact urban form;
- Manage the effects of land use on the environment and in particular avoid, remedy or mitigate effects on the quantity and quality of the City's water resources;
- Protect and enhance the amenity of the urban area through the provision of a range of activities but also maintaining the residential coherence of the neighbourhood;
- Protect the City's native vegetation and fauna habitat;

- Protect processes of natural regeneration within the City, and promote and maintain links between areas of significant and outstanding native vegetation and fauna habitat, so that their resilience is protected and enhanced; and
- Protection of the environment for the long term benefit of future generations.

It is considered that the issues raised by the submitters can be adequately addressed through the imposition of appropriate conditions.

Subject to any additional or contrary evidence being presented at the hearing, it is concluded that the application **merits consent** in accordance with Section 104 of the Resource Management Act 1991.

12.0 RECOMMENDATION

- A. That pursuant to Section 37 of the Resource Management Act 1991, and subject to additional or contrary information being presented at Hearing, the following late submission be accepted:
- Ngati Whatua Nga Rima O Kaipara Trust, P O Box 226, Te Awaroa, Helensville.
- B. That pursuant to Sections 104,104B, 104D, 108 and 113 of the Resource Management Act 1991, and subject to additional or contrary information being presented at the hearing, consent be **granted** to the application by Hobsonville Land Company to construct facilities that primarily support activities and structures both adjacent and in the coastal marine area within The Landing Special Area and The Hobsonville Base Special Area, Precinct A (Sunderland Head) being Lot 1 DP 206311; Lot 3 DP 206311; and The Hardstand Area within the area identified as Area A on SO60255 for the following reasons:
- (i) Any actual and potential effects on the environment by the proposal are considered to be no more than minor and will be adequately avoided, remedied or mitigated by appropriate conditions of consent;
 - (ii) The proposed earthworks would be consistent with the level of development being undertaken, will be temporary in duration, and are able to be controlled by the imposition of appropriate consent conditions;
 - (iii) The proposed development would be generally consistent with the amenity and character of the existing modified coastal environment;
 - (iv) The natural character of the locality would not be compromised by the proposed development, subject to the imposition of appropriate consent conditions;
 - (v) The establishment of a ferry facility and boat launching and retrieval facilities are consistent with the objectives and policies specified by Plan Change 13;
 - (vi) The operation of the proposed launch facility will exceed the permitted level of noise at The Landing; however conditions of consent will control the hours of operation and ensure that any adverse noise effects are adequately mitigated;
 - (vii) The parking, and/or associated transport management required is considered sufficient to serve the proposed use and is considered appropriate (by also allowing flexibility) to accommodate expected peak demands for the activity in order to protect nearby and adjacent amenities, provide a safe and accessible environment, and to not cause detriment to matters of road safety;

- (viii) The proposal is considered to provide appropriate access to / from and along the coastline. However, in order to ensure such public access is provided for in perpetuity, appropriate mechanisms need to be provided for which to date have not been detailed in the application documentation. As such, it is considered appropriate that a commencement condition (pursuant to Section 116) be proposed that requires the consent holder to elect an appropriate mechanism by which public access is to be secured, and to register the mechanism (e.g. an encumbrance or easement) on the Certificate of Title(s) relating to those areas of the Hobsonville Peninsula which are to be publicly accessible;
- (ix) The proposed facilities will be constructed to a high standard, consistent with the amenity and to ensure that the visual amenity of the locality is not degraded;
- (x) Any excess contaminated soil from the earthworks required for the proposed park and ride facility will be disposed of at a registered landfill;
- (xi) The proposal avoids significant indigenous vegetation. Vegetation being removed is not of high quality, and subject to re-planting, weed and rubbish removal, the proposal will enhance the biodiversity and resilience of the Green Network. Proposed re-planting in the long-term using native species will improve its integrity;
- (xii) The proposal would not be contrary to the relevant Objectives, Policies, Rules and Assessment Criteria of the Waitakere District Plan;
- (xiii) Policy 11.34 requires that no development proceeds without a Comprehensive Development Plan being in place. In light of the nature of development within the Sunderland Head Precinct A (beach, boardwalk and park'n'ride facility). The absence of a Comprehensive Development Plan will not preclude the outcomes as outlined in Policy 11.34 and 11.36 being achieved. In this regard, the location of the park'n'ride facility is subject to review;
- (xiv) Whilst there is both an absence of a plan change (for certain activities) within the Hobsonville Landing Special Area and a Comprehensive Development Plan elsewhere, the nature and extent of the proposed activities is not contrary to the overall Objectives and Policies of the District Plan. It is considered that the aims (including the implementation of CDP's and /or Plan Changes) have not been unduly compromised;
- (xv) The proposal would not be contrary to the relevant provisions of the New Zealand Coastal Policy Statement, Auckland Regional Policy Statement, Regional Plans and the Hauraki Gulf Marine Park Act 2000; and
- (xvi) The proposal would not be contrary to Part II of the Resource Management Act 1991.

Consent shall be subject to the following conditions:

COMMENCEMENT OF CONSENT

- CC1. Pursuant to Section 116 of the Resource Management Act 1991, this consent shall not commence until the consent holder has registered the appropriate legal mechanism to in order to secure, in perpetuity, public access to those areas identified in the application documentation as being open for public access. The locations and mechanisms utilised shall be approved, in writing, by the Manager, Resource Consents prior to being registered.

GENERAL

1. The development shall proceed in accordance with the following plans and information:
 - Assessment of Effects, Volume 1, prepared by Beca Consultants Ltd, dated 23 December 2009;
 - Assessment of Effects, Volume 2, prepared by Beca Consultants Ltd, dated 21 December 2009;
 - Design Principles entitled "*Hobsonville – The Landing, Appendix 3: Coastal Structures Design Principles,*" prepared by Architectus, dated September 2009;
 - Report entitled, "*Hobsonville, The Landing, Coastal Consent Report,*" prepared by Architectus, dated November 2009;
 - Preliminary Design Drawings prepared by Beca Infrastructure Ltd and entitled:
 - *Locality Plan & Drawing List, ref: 312140-C-100;*
 - *Existing Site Plan, ref: 312140-C-101;*
 - *Proposed Coastal Structures, and Overall Works Layout, ref: 312410-C-110;*
 - *Geotechnical Investigation Borehole Locations, ref: 312410-C-111;*
 - *Ferry Wharf, Deck and Tidal Steps Layout, ref: 312410-C-112;*
 - *Marina Layout, ref: 312410-C-113;*
 - *Finishing Berth Layout, ref: 312410-C-114;*
 - *Launch Structure Layout; ref: 312410-C-115;*
 - *Beach and Recreational Boat Ramp Layout, ref: 312410-C-116;*
 - *Coastal Boardwalk Layout, ref: 312410-C-117;*
 - *Overall Dredging Extents: ref: 312410-C-120;*
 - *Extents of Dredging (sheet 1 of 2),ref: 312410-C-121;*
 - *Extents of Dredging (sheet 2 of 2), ref: 312410-C-122;*
 - *Ferry Wharf Cross Sections, ref: 312410-C-130;*
 - *Boardwalk Cross Sections, ref: 312410-C-131;*
 - *Finishing Berth Cross Section, ref: 312140-C-132;*
 - *Launch Structure & Recreational Boat Ramp Cross Section, ref: 312140-C-133;*
 - *Beach and Headland Cross Sections, ref: 312410-C-134;*
 - *Ferry Wharf Elevations, ref: 312410-C-135;*
 - *Structural General Arrangement, Ferry Wharf, ref: 312410-S-100;*
 - *Timber Fender Piles Typical Details & Sections, ref: 3121410-S-101; and*
 - *Structural Arrangement Finishing Berth Layout & Sections, ref: 3121410-S-102.*
 - Landscape Assessment entitled "*Hobsonville: The Landing, Proposed Development,*" prepared by Boffa Miskell Ltd, dated 22 November 2009;
 - Coastal Assessment entitled "*Coastal Processes in the Waitemata Harbour,*" prepared by Beca Infrastructure Ltd, dated 21 August 2009;
 - Draft Cultural Heritage Assessment entitled "*Cultural Heritage Assessment, Hobsonville Peninsula, The Landing; Te Kawerau A Maki,*" prepared by Te Kawerau Iwi Tribal Authority, dated June 2009;

- Ecological Assessment entitled “*Hobsonville Land Company Ltd, Hobsonville Landing Development, Marine Ecological Assessment,*” prepared by Bioresearches Consulting Biologists and Archaeologists Ltd, dated June 2009;
- Heritage Assessment entitled “*The Landing, Former Hobsonville Airbase, Heritage Impact Statement,*” prepared by Dave Pearson Architects Ltd, dated December 2009;
- Archaeological Assessment entitled “*Hobsonville Landing AEE (Archaeology),*” prepared by Rod Clough and Sarah Macready, dated November 2009;
- Noise Assessment entitled “*The Landing, Hobsonville, Noise Survey and Assessment,*” prepared by Marshall Day Acoustics Ltd, dated July 2009;
- Geotechnical Report entitled “*Hobsonville - The Landing – Factual Geotechnical Report,*” prepared by Beca Infrastructure Ltd, dated 11 September 2009;
- Traffic and Parking Assessment entitled “*The Landing, Coastal Structures, Transport Assessment,*” prepared by Flow Transportation Specialists Ltd, dated October 2009;
- Arborist Report entitled “*Arboricultural Assessment, Hobsonville Marine Industry Precinct, Boardwalk,*” prepared by Arborlab Tree Research and Diagnostic Services Ltd, dated 30 July 2009;
- Earthworks Management Plan entitled “*Land Management Plan,*” prepared by MSC Consulting Ltd, dated November 2009;
- Contamination Assessment entitled “*New Zealand Defence Force, Hobsonville Base Environmental Audit Stage 1, Phase 1 Report,*” prepared by Tonkin & Taylor Ltd, dated October 2000;
- Sampling Plan entitled “*Site Plan and Sampling Locations,*” prepared by Pattle Delamore & Partners Ltd, dated December 2009;
- Soil Sample Results entitled “*Hobsonville Land Company – Park and Ride Soil Sampling Investigation,*” prepared by Pattle Delamore & Partners Ltd, dated December 2009;
- Report entitled “*CPTED Analysis,*” prepared by Beca Consultants Ltd, dated December 2009;

all referenced by Council as LUC2009-1302 and the information, including further information, submitted with the application.

2. Pursuant to section 125 of the Resource Management Act 1991, this consent shall lapse after a period of ten (10) years after the commencement of the consent.
3. A copy of this resource consent and conditions shall be kept on site at all times throughout the period of work. Prior to works commencing, it shall be the responsibility of the consent holder to **explain the Conditions of Consent to all contractors, sub-contractors and work site supervisory staff that are carrying out any works associated with the project.**

MONITORING CONDITIONS

4. A consent compliance monitoring fee of \$1459.00 (inclusive of G.S.T.) shall be paid to the Council. This fee is to recover the actual and reasonable costs incurred ensuring compliance with the conditions of this consent. If, on inspection all conditions have not been satisfactorily met, a re-inspection shall be required at the relevant hourly rate applicable at the time the re-inspection is carried out.

The \$1,459.00 fee shall be paid as part of the resource consent and the resource consent holder shall be advised of any further monitoring fees if they are required.

5. Within 6 (six) months of the granting of consent or 2 (two) months prior to the operation of the public ferry facility, whichever is sooner, a Transport Management Plan shall be approved in writing by the Manager, Resource Consents and the Manager Transport Strategy. The Transport Management Plan shall include (but not be limited to):
 - Traffic, parking, and vehicle access associated with the ferry facility, the beach, boat trailer parking, marina and the public boat ramp;
 - The location of bus stops, associated amenities (e.g. shelter, seating toilets, cycle facilities), and connectivity to the wider public transport network;
 - The safety, capacity and efficiency of the roading network within and immediately adjacent to the Landing (e.g. Boundary Road, Hudson Bay Road extension);
 - The capacity, management and location of the park and ride facility (including boat trailer parking provision);
 - The provision of mobility parking on the “hardstand” area of The Landing in close proximity to the public transport facilities;
 - Safe pedestrian and cycle access to and from (but not limited to) the Landing, the coastal edge, the beach and shall address pedestrian and cycle access via Hudson Bay Road extension; and
 - Incorporates the recommendations and requirements of the Crime Prevention Through Environmental Design (CPTED), Injury Prevention Through Environmental Design (IPTED) and Universal Access requirements as required by Condition (6).

- A232-A267 6. Within 6 (six) months of the granting of consent or at the receipt of the Transport Management Plan required by Condition (5) above, the consent holder shall submit for the written approval of the Manager, Resource Consents and the Manager, Planning and Urban Design (or equivalent), detailed assessments relating to Crime Prevention Through Environmental Design (CPTED), Injury Prevention Through Environmental Design (IPTED) and Universal Access requirements and shall include the principles and considerations outlined in the preliminary CPTED assessment entitled “*CPTED Analysis*,” prepared by Beca Consultants Ltd, dated December 2009 and shall address the matters identified in the report entitled “*The Landing Resource Consent Application LUC2009-1302*,” prepared by Mr Mark Maxlow, Safe Waitakere Team Leader, dated 25 March 2010, attached at pages A232 to A267 as Appendix 11. The CPTED/IPTED and Universal Access assessments should address (but not be limited to) the following matters:
 - (i) The park and ride facility;
 - (ii) Movement between the park and ride and the ferry terminal;
 - (iii) The ferry terminal and bus interchange; and
 - (iv) Movement of buses, vehicles and bicycles.

7. Prior to the establishment of the boat launching and retrieval facility, a Site Management Plan shall be approved in writing by the Manager, Resource Consents and shall include (but not be limited to):
 - Noise, duration and hours of operation of the launching and retrieval facility.

8. Boat launching and/or retrieval operations shall not commence until such a time as Launch Road (or any equivalent) has been established, to the satisfaction of the Manager, Resource Consents.

Note: If LUC2009-1637 is granted and given effect to, this is deemed to have satisfied the condition above.

PRE-START CONDITIONS

9. **Prior to the commencement of any works on site**, the consent holder shall organise a pre-start meeting with Council's Environmental Monitoring Officer (EMO), the consent holder's appointed Arborist and Engineer, and all site works contractors to discuss the conditions of consent onsite. The consent holder shall ensure that their representative and all contractors' representatives are present at this meeting. The Consent Holder's representative shall also minute the meeting and circulate those minutes to all in attendance.

Inspections must be requested by calling Council's Call Centre (09 839-0400) and requesting a Monitoring Inspection. Council's response time can be up to five (5) working days.

The Pre-Start Meeting shall address the following:

- Tree protection measures and the proposed works procedures relating to retained vegetation can be explained by the Consent Holder and Work's Arborist to the work site supervisory staff of all contractors and sub-contractors engaged to carry out any works associated with this consent;
 - The extent of the vegetation clearance (as approved by this consent) shall be agreed at this meeting and this shall be marked out on site using warning tape or equivalent;
 - Ensuring the final location and design of the sediment and erosion control measures are constructed in accordance with Auckland Regional Council Technical Publication No.90 "*Erosion and Sediment Control Guideline for Earthworks*";
 - The Draft Construction Management Plan associated with the earthworks and establishment of the tidal stairs shall be provided for the approval of Council's Environmental Monitoring Officer;
 - Provide the name, phone number and signed confirmation that a road sweeping contractor has been engaged to sweep the roads on an as-needed basis to ensure stormwater quality is not affected;
 - Designated site entry and stabilisation requirements; and
 - Any stockpile locations.
10. Prior to the commencement of any works associated with the approved landscape plans (as required by Conditions (30) and (33) below), the consent holder shall arrange onsite meetings in relation to the works within open and public spaces.

EARTHWORKS

11. Before the commencement of any works and until completion of exposed site works, adequate sediment and erosion control measures discussed in the Land Management Plan prepared by MSC Consulting Ltd (dated November 2009), Job No: 30322C shall be constructed and maintained by the consent holder. **The consent holder shall notify Council's Environmental Monitoring Officer when controls are in place by calling 09 839-0400. Work shall not commence until approval has been gained in writing from the Manager, Resource Consents.** The control measures must be maintained until the site has been adequately stabilised against erosion and sediment laden runoff. The construction and maintenance shall be in accordance with the Erosion/Sediment Control Measures Appendix to the Natural Area Rules of the District Plan.

12. All earthworks, stockpiles of earth and the storage of other construction materials/works shall be excluded from the dripline of all vegetation to be retained on site. A protective fence shall be erected around the affected area prior to the commencement of any work on the site and shall remain in place until the completion of all site works.
13. All development works on the site involving earthworks and the use of associated heavy machinery shall be undertaken between the following hours only:

Monday to Friday: 7.30 am to 7.00 pm
Saturday: 8.00 am to 5.30 pm
Sunday and Public Holidays: No work
14. All excess and unsuitable excavated material shall be removed from the site before or immediately following earthworks, and shall be disposed of at a landfill registered to receive contaminated soil. Evidence of disposal shall be provided to the Manager, Resource Consents, in the form of a receipt, invoice or similar documentation.
15. All dirt tracked onto the surrounding roads as a result of the earthworks associated with this consent shall be cleaned by sweeping on a daily basis at the expense of the consent holder. In cases of repeated non-compliance with this condition, Council may engage the road cleaning contractor nominated by the applicant to carry out the road cleaning. Council's Environmental Monitoring Officer may engage the road sweeping contractor to carry out road cleaning if it is the monitoring officer's opinion that the dirt on roads and/or footpath is creating an adverse effect on the environment. The road cleaning contractor shall be engaged at the cost of the consent holder.
16. All necessary action shall be taken to prevent a dust nuisance to neighbouring properties; including but not limited to, the staging of areas of works, the retention of existing shelter belts and hedgerows, the installation and maintenance of wind fences and vegetated strips, watering of all haul roads and manoeuvring areas during dry periods, spraying of load dumping operations, and suspension of all operations if necessitated by the prevailing conditions to the satisfaction of the Manager, Resource Consents. The site, or parts thereof as appropriate shall be re-grassed or otherwise protected from wind erosion immediately on the completion of bulk earthworks whether or not other works are completed.

VEGETATION ALTERATION

17. Subject to the conditions outlined below, the vegetation alteration and ecological works shall proceed in accordance with the information submitted with the application, referenced by the Council as LUC2009-1302. Vegetation alteration and ecological works shall be limited to work within the dripline, vegetation removal and ecological works as referenced and outlined within the Arboricultural Assessment by Karl Burgisser for Arborlab Consultancy Services Limited, dated 30 July 2009; Ecological Assessment of Marine Ecological Effects by Bioresearches Ltd, dated July 2009; Preliminary Assessment of Coastal Birds by Bioresearches Ltd, dated July 2009; and Ecological Summer Coastal Bird Assessment by Bioresearches Ltd, dated March 2010.

18. All works pertaining to this resource consent shall be executed in accordance with the submitted information described in the above Condition, **except where superseded by the following Vegetation Alteration Conditions:**
19. Within six (6) months of granting of Consent, or six (6) weeks prior to the removal of the Pine Trees, whichever is sooner, a Vegetation Removal Methodology Report shall be submitted for the written approval of the Manager, Resource Consents.
20. Within six (6) months of granting of Consent, or six (6) weeks prior to any rubbish, weed removal and replanting works, whichever is sooner, A Vegetation Management Plan (which covers replanting, weed, pest and rubbish removal in the area) shall be submitted for the written approval of the Manager, Resource Consents.
21. Within six (6) months of granting of Consent, or six (6) weeks prior to works commencing on the coastal boardwalk, whichever is sooner; A Boardwalk Construction, Design and Arboricultural Methodology Report shall be submitted to the Manager, Resource Consents for approval.
22. The Consent Holder shall employ a suitably qualified independent Works Arborist with proven experience to monitor, direct and supervise all works within the dripline of all protected vegetation (including the Phoenix Palms adjacent to the Park and Ride Facility), within and alongside the site, for the duration of works. All works shall be undertaken in the best interest of the physiological and structural welfare of the protected vegetation.
23. The Works Arborist shall submit a final completion report to the Manager, Resource Consents within one month of completion of works. The Arboricultural Report will include a statement on effects of the development on the trees; that works were carried out in accordance with the provided methodology, including photographic evidence, and recommendations for any further remedial work to remedy any detrimental effects.
24. The removal of any protected vegetation as described in the application shall be undertaken by appropriately trained and skilled persons in accordance with modern arboricultural practices to avoid damage or death of other protected vegetation growing beneath or alongside.
25. No storage of materials, cement/concrete washings and leaching of chemicals, tracking of any machinery, stockpiling of spoil, trenching or alteration of soil grade, or other contamination shall occur within any protected vegetation dripline areas.

PARKS CONDITIONS

26. At Engineering Plan Approval stage, detailed design of the Public Deck, Tidal Stairs, Landing Boardwalk, Public Boat Ramp, Coastal Boardwalk and Beach shall be submitted for the development and approval in writing by the Manager, Parks and Green Assets (or equivalent) and Manager, Resource Consents.
27. At Engineering Plan Approval stage, a materials palette in relation to open and public spaces shall be submitted for the approval in writing by the Manager, Parks and Green Assets (or equivalent) , The materials palette shall include the design and construction of the Public Deck, Tidal Stairs, Landing Boardwalk, Public Boat Ramp, Coastal Boardwalk and Beach. The palette shall include all material, paving, lighting, planting details which are to be used within these spaces.

28. At Engineering Plan Approval stage, the detailed design and locations for the pedestrian connections and associated streetscapes shall be submitted for the approval in writing by the Manager, Parks and Green Assets (or equivalent) and Manager, Resource Consents. The materials and details shall be consistent with the agreed materials palette required by Condition (27) above.

WEED REMOVAL, LANDSCAPING AND MANAGEMENT

29. At Engineering Plan Approval stage, a weed removal and management plan shall be submitted for the approval in writing from the Manager, Resource Consents and the Manager, Parks and Green Assets (or equivalent). The plan shall identify existing weeds and environmentally damaging plants, removal methods and management over a two year period.
30. At Engineering Plan Approval stage, a re-vegetation planting plan with a two year maintenance period shall be submitted for the approval in writing provided for the approval of the Manager, Parks and Green Assets (or equivalent).
31. The consent holder shall remove all rubbish and debris within the open and public spaces including any dead, dying or unstable trees within the reserves or immediately adjacent to any reserves, to the satisfaction of the Manager, Parks and Green Assets. The required removal shall be undertaken prior to the commencement of planting as approved by Condition (30) and (33) and will be continued until the end of the maintenance period.
32. All hard and soft landscape works (including boardwalks and timber structures, plants, species, methods for planting and accessways) required under this consent must comply with the requirements set out in Section 7 of Waitakere City Council's "*Code of Practice for City Infrastructure and Land Development*".
33. At Engineering Plan Approval stage, the spacing and locations of street and specimen trees shall be submitted for the approval in writing of the Manager, Parks and Green Assets (or equivalent). All street and specimen trees shall have a grade size of no less than 150 litres and be of healthy stock. Shrubs are to have a minimum size of PB3 or PB5 and have at maximum 1m spacings between them. All trees and plants shall be mulched to 100mm depth and trees are to be staked and planted in accordance with Section 7 of the Council's "*Code of Practice for City Infrastructure and Land Development*". The Consent Holder shall advise the Manager, Parks and Green Assets of the name of the nursery from where stock will be sourced at the engineering stage. All plant species shall be eco-sourced where practicable.
34. All landscape plans provided for Engineering Approval must be prepared by a qualified landscape architect and plans must include plant species, locations, numbers of plants, and areas of each type of planting. The plans are to be suitable for use as built plants for landscape works and should use calculations for areas provided in relevant survey plans.
35. All hard and soft landscape works and maintenance approved under Conditions (30) and (33) shall be undertaken by a suitably qualified and experienced landscaper that is registered with LIANZ. Prior to appointing the contractor the consent holder will provide at least three quotes to the Manager, Parks and Green Assets, of the costs of the landscape works for approval of costs and the contractor by the Manager, Parks and Green Assets.

36. On completion of hard and soft landscape works as required by the above Conditions, all public and open spaces as well as streetscapes and pedestrian connections must be clean, tidy and clear of rubbish, debris and building material. The grassed areas shall be mowed and all areas should be suitable for ongoing maintenance in accordance with the requirements of *Code of Practice for City Infrastructure and Land Development*, to the satisfaction of the Council's Environmental Monitoring Officer (or equivalent).
37. Within six (6) months of the completion of hard and soft landscaping works as required by the above Conditions including street tree plans, the Consent Holder shall provide to the Council's Environmental Monitoring Officer (or equivalent) as built plans which show:
 - (a) All finished hard and soft landscape asset locations and type, and any planted areas must be shown to scale with the square metres of planting, species and number of plants;
 - (b) All underground services, irrigation and drainage; and
 - (c) All paint colours, graffiti coatings, pavers and concrete types with names of products to be included on the assets schedule.

UNCOMPLETED WORKS BOND

38. In accordance with Section 108(2)(b), where any weed removal, rubbish removal, landscape planting, street tree planting, or hard landscape works as required under the Parks Department conditions of this consent, have not been completed to the satisfaction of the Manager, Parks and Green Assets (or equivalent) , then prior to the issue of any certificate for public use under Section 36A of the Building Act 2004 for building works within the site, the Manager, Parks and Green Assets (or equivalent) may request the consent holder to pay a refundable bond to the Council in respect of the uncompleted works. The value of the Uncompleted Works Bond will be the value of contracted costs of the uncompleted works with a multiplier of 1.5.

MAINTENANCE AND MAINTENANCE BONDS

39. The consent holder must ensure that all soft landscape works required by this consent are established by undertaking a maintenance programme for a period of two years from the completion date of the landscape works. A planting maintenance programme, including rubbish removal, must be provided to the Manager, Parks and Green Assets for approval at least three months prior to completion of the landscape works. The landscape works must be completed prior to the issue of any certificate for public use under Section 36A of the Building Act 2001 for building works within the site.
40. In accordance with Section 108(2)(b) of the Resource Management Act 1991, the consent holder shall, pay to the Council a refundable maintenance bond in respect of any weed removal and management, planting or landscape works or rubbish removal required under the conditions of this consent, prior to the issue of any certificate for public use under Section 36A of the Building Act 2004 for building works within the site. The value of the Maintenance Bond will be the value of the contracted maintenance costs with a multiplier of 1.5.

URBAN DESIGN

41. At Engineering Plan Approval stage, the detailed design requirements and the locations for the pedestrian access ways connecting Boundary Road to the Landing shall be submitted for the approval in writing of a by the Manager, Resource Consents and the Manager, Urban Planning and Design.

TRAFFIC AND PARKING

42. At Engineering Plan Approval stage, the detailed design of the Park and Ride facility shall be submitted for the approval in writing of the Manager, Resource Consents and the Manager, Transport Assets (or equivalent).
43. At Engineering Plan Approval stage, the detailed design of footpaths and road layout shall be submitted for the approval in writing of the Manager, Resource Consents and the Manager, Transport Assets (or equivalent).
44. At Engineering Plan Approval stage, the detailed design, number and location of car parking for people with limited mobility shall be submitted to the Manager, Resource Consents and the Manager, Transport Assets (or equivalent) for approval.
45. At Engineering Plan Approval stage, the detailed design and location of covered shelter and seating on the hardstand of The Landing, for bus and ferry passengers waiting for public transport, shall be submitted for the approval in writing of to the Manager, Resource Consents and the Manager, Transport Assets (or equivalent).

GEOTECHNICAL

46. All geotechnical data including all borehole logs, test pit logs, hand auger logs and scala penetrometer results associated with the development shall be provided to the Manager, Resource Consents.
47. The slope stability assessment of cut slopes shall be assessed. Where potential instability impacts proposed structures or retaining walls, remedial retention measures shall be designed and approved.

NOISE

48. All noise generated by construction works associated with this consent shall comply with, and be measured and assessed in accordance with NZS6803:1999, *Acoustics - Construction Noise*.
49. The noise emissions from the operation of the boat launching and retrieval gantry shall not exceed L_{WA} 103dB (based on L_{10} measurements) at any one time.
50. The noise generated by any activity undertaken pursuant to this consent, (except for those activities subject to noise limits in conditions 48 and 49), shall comply with the following noise limits, measured and assessed at or within the boundary of any property not under common ownership with the subject site in accordance with NZS6801:1991 *Measurement of Sound* and NZS6802:1991 *Assessment of Environmental Sound*:

Receiving Environment	North Shore City		Waitakere City	
	L ₁₀	L _{max}	L ₁₀	L _{max}
7 am to 10 pm	50dBA		65dBA	
10 pm to 7 am	40dBA	75dBA	60dBA 70dB @ 63Hz 65dB @ 125Hz	75dBA

51. The boat launching and retrieval facility shall only be operated between the following hours:

- 7.00 am to 7.00 pm from Monday to Friday.

Outside of the above times, the launching and retrieval facility can only be utilised for emergency or unforeseen circumstances. In such events, a written record shall be undertaken (including reason(s) and duration, The Manager, Resource Consents shall be notified no later than 48 hours.

Note: The consent holder is reminded of their obligations under Section 16 of the Resource Management Act to avoid unreasonable noise.

HERITAGE

52. The Consent Holder shall install a minimum of two and a maximum of five interpretive panels which relate the history of Hobsonville, its buildings, sites and cultural significance to the satisfaction of the Manager, Resource Consents. The location of these panels shall be determined at the detailed design stage.

IWI CONSULTATION

53. Prior to sourcing any sand required for the establishment of the beach, the consent holder shall consult with the relevant iwi authorities as to the suitability of the materials proposed to be used and the consent holder shall provide a written record of such consultation.

INFRASTRUCTURE

54. The Park and Ride facility car parking area shall not be constructed until Manager's Approval has been obtained regarding the changes to the network discharge consent (need to provide references) and the Integrated Catchment Management Plan (need to provide references) for the locality. Evidence of this approval shall be provided prior to the commencement of works, to the satisfaction of the Manager, Resource Consents.

55. Design, provide and install a complete stormwater quality treatment system for the Park and Ride Facility in accordance with Auckland Regional Council's Technical Publication No. 10 "Stormwater Management Devices Design Guideline Manual," and Waitakere City Council's "Code of City Infrastructure and Land Development" (refer to Section 4). Provide a copy of the Auckland Regional Council's consent conditions, engineering plans and calculations to Council for approval prior to commencing works.

Please Note: This maybe a combination of Storm Filter proposed under Yard 37 and temporary private devices for the car park.

REVIEW CONDITION

56. Pursuant to Section 128 of the Resource Management Act 1991, the Council may review Condition (5), (7), (28) (41), (49) and (50) of this consent within 1 year following the grant of this consent and at any time thereafter for the purposes of:
- (i) Dealing with any adverse effect on the environment that may arise from the exercise of this consent at a later stage;
 - (ii) Dealing with any adverse effect on the environment caused by traffic and parking resulting from the exercise of this consent, including the amendment or imposition of conditions; and
 - (iii) Requiring the adoption of the best practicable option to remove or reduce any adverse effect on the environment.

The actual and reasonable costs incurred by the Council in undertaking this review shall be paid by the consent holder within one month of being invoiced.

ADVICE NOTES

1. The consent holder is advised that the location of the park and ride facility, approved under this consent, is only an interim location, and that the location (and other aspects) of the park and ride facility will be subject to review.

Report prepared by: Ceilla Govind- Resource Planner.

