

**IN THE ENVIRONMENT COURT
AT AUCKLAND**

ENV-2013-AKL-000174

IN THE MATTER of the Resource Management Act 1991 (Act)
IN THE MATTER an application under section 87G of the Act
BETWEEN **WAIHEKE MARINAS LIMITED**
Applicant
AND **AUCKLAND COUNCIL**
Respondent

**NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act 1991**

TO: the Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

By Email: matiatia@justice.govt.nz

1. [Virginia Mary MacKinnon](#) [full name]

wish to be party to the following proceedings:

ENV-2013-AKL-000174

An application under section 87G of the Resource Management Act 1991(the Act)

Waiheke Marinas Limited-Applicant

2. I made a submission on the following resource consent applications the subject of the proceedings:
Coastal Permit 41032, 41747, 41748
Discharge Permit .41522
Land Use R/LUC/2013/934
3. I am not a trade competitor for the purposes of section 308CA of the Act.
4. I am interested in all of the proceedings

5. I am interested in the following particular issues:

- a. Effects are more than minor and are contrary to objectives and policies of the relevant regional and district plans
- b. Social wellbeing of the Waiheke community
- c. Amenity and landscape of the Matiatia gateway
- d. Issues during construction
- ~~e. Economic well being of the visitor economy and future economy of Waiheke~~
- ~~f. e.~~ Strategic regional planning integration of transportation infrastructure at the Matiatia Gateway
- ~~g. f.~~ Maori Waahi Tapu issues
- ~~h. g.~~ Ecological well being for coastal marine biota
- ~~i. h.~~ Alternative sites identified for marina development on Waiheke (although not specifically stated in my original submission)
- ~~j. i.~~ Noise – both construction and operational
- ~~k. j.~~ Hydrology and sedimentation patterns
- ~~l. k.~~ Other-consequential effects

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6. I oppose the granting of the resource consent applications

7. My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:

a. Effects

The effects will be more than minor and the proposal is contrary to the objectives and policies of the relevant regional and district plans

b. Social well being

- i. Threat of self-interest and so called “progress” to our Waiheke local community social contract
- ii. Threat to Waiheke as my “turangawaewae” or “place to stand”
- iii. Threat of restricted access to our common property seabed, coastal and esplanade reserves and coastal marine area (CMA)
- iv. Threat to local community well being as local marina ownership dissipates offshore over time
- v. Threat to use of the CMA for the benefit of exclusive future business endeavours

c. Amenity and landscape

- i. Threat from marina to Matiatia as an integrated gateway amenity and welcoming home-coming
- ii. Threat from breakwaters to landscape amenity and the feng shui of Matiatia Bay

d. Issues during construction

- i. Threat from congestion due to the 21 month period of construction
- ii. Threat to Coastal Marine Area from inappropriate dredging and reclamation

e. Economic well being

- i. Threat to the visitor economy due to impaired tourism gateway & distinctive point of difference
- ii. Threat to the visitor economy due to impaired local character and natural environment
- iii. Threat to the visitor economy from traffic manoeuvring and congestion issues
- iv. Threat to visitor economy from breakwaters and impaired feng shui
- v. Threat to our future economy from breakwaters and marina and foregone future port access
- vi. Threat to our future economy from marina and foregone eco-cluster opportunities

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f.e. Integrated Planning & Strategic Integration of transportation Infrastructure

- i. Threat to foregone efficiencies due to the lack of integrated planning analysis and considerations especially with respect to future Auckland Council Property Ltd development plans for the visitor industry, rental car infrastructure matters, wharf expansion and development, commuter transportation matters, car parking costs and access matters; and from associated cumulative effects, including the need to adopt a precautionary approach

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g.f. Maori Waahi Tapu issues

- i. Threat to iwi cultural well being due to its imposition upon waahi tapu matters

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h.g. Ecological Well Being

- i. Threat to the protection and maintenance of the life-supporting capacity of the environment including its ecosystems
- ii. Threat to the marine wildlife that occupy Matiatia Harbour

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i. Alternative Sites

- i. Threat to the efficient use of resources due to insufficient consideration of alternative sites identified on Waiheke

j. Noise

- i. Threat of uncontrolled noise from the rigging of berthed craft

k. Hydrology and Sedimentation

- i. Threat to the present efficient seawater flow and movement within Matiatia
- ii. Threat to water quality from turbidity and sediments created by marina users

l. Other

- i. threats from whatsoever other associated or consequential matters

8. Accordingly I agree with the Auckland Council report findings that the positioning of the marina in this strategic transport location will constrain and potentially preclude

options for future wharf-related operations and expansion to meet the growth needs of the wider community.

| 9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.

10 I wish to support the submission and s274 request of DirectionMatiatia in its entirety.

Name:

| [full name] Virginia Mary MacKinnon

| **Date:** 23 December 23, 2013

Address for Service:

C/- Direction Matiatia Incorporated

Email:

directionmatiatia.co.nz

IN THE MATTER of the Resource Management Act 1991 (Act)
IN THE MATTER an application under section 87G of the Act
BETWEEN **WAIHEKE MARINAS LIMITED**
Applicant
AND **AUCKLAND COUNCIL**
Respondent

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Section 274 Resource Management Act 1991**

TO: the Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

By Email: matiatia@justice.govt.nz

✓ 1. I [full name] *Tracey Mance*

wish to be party to the following proceedings:

ENV-2013-AKL-000174

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Waiheke Marinas Limited-Applicant

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Land Use R/LUC/2013/934
- ✓ 3. I am not a trade competitor for the purposes of section 308CA of the Act.
- ✓ 4. I am interested in all of the proceedings

✓5. I am interested in the following particular issues:

- ✓a. Effects are more than minor and are contrary to objectives and policies of the relevant regional and district plans
- ✓b. Social wellbeing of the Waiheke community
- ✓c. Amenity and landscape of the Matiatia gateway
- ✓d. Issues during construction
- ✓e. Economic well being of the visitor economy and future economy of Waiheke
- ✓f. Strategic regional planning integration of transportation infrastructure at the Matiatia Gateway
- ✓g. Maori Waahi Tapu issues
- ✓h. Ecological well being for coastal marine biota
- ✓i. Alternative sites identified for marina development on Waiheke
 - j. Noise – both construction and operational
- ✓k. Hydrology and sedimentation patterns
- ✓l. Other-consequential effects

✓6. I oppose the granting of the resource consent applications

✓7. My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:

✓a. **Effects**

The effects will be more than minor and the proposal is contrary to the objectives and policies of the relevant regional and district plans

✓b. **Social well being**

- ✓i. Threat of self-interest and so called “progress” to our Waiheke local community social contract
- ✓ii. Threat to Waiheke as my “turangawaewae” or “place to stand”
- ✓iii. Threat of restricted access to our common property seabed, coastal and esplanade reserves and coastal marine area (CMA)
- ✓iv. Threat to local community well being as local marina ownership dissipates offshore over time
- ✓v. Threat to use of the CMA for the benefit of exclusive future business endeavours

✓c. **Amenity and landscape**

- ✓i. Threat from marina to Matiatia as an integrated gateway amenity and welcoming home-coming
- ✓ii. Threat from breakwaters to landscape amenity and the feng shui of Matiatia Bay

✓d. **Issues during construction**

- ✓i. Threat from congestion due to the 21 month period of construction
- ✓ii. Threat to Coastal Marine Area from inappropriate dredging and reclamation

✓ **e. Economic well being**

- ✓ i. Threat to the visitor economy due to impaired tourism gateway & distinctive point of difference
- ✓ ii. Threat to the visitor economy due to impaired local character and natural environment
- ✓ iii. Threat to the visitor economy from traffic manoeuvring and congestion issues
- ✓ iv. Threat to visitor economy from breakwaters and impaired feng shui
- ✓ v. Threat to our future economy from breakwaters and marina and foregone future port access
- ✓ vi. Threat to our future economy from marina and foregone eco-cluster opportunities

✓ **f. Integrated Planning & Strategic Integration of transportation Infrastructure**

- ✓ i. Threat to foregone efficiencies due to the lack of integrated planning analysis and considerations especially with respect to future Auckland Council Property Ltd development plans for the visitor industry, rental car infrastructure matters, wharf expansion and development, commuter transportation matters, car parking costs and access matters; and from associated cumulative effects, including the need to adopt a precautionary approach

~~g. Maori Waahi Tapu issues~~

- ~~i. Threat to iwi cultural well being due to its imposition upon waahi tapu matters~~

✓ **h. Ecological Well Being**

- i. Threat to the protection and maintenance of the life-supporting capacity of the environment including its ecosystems
- ii. Threat to the marine wildlife that occupy Matiatia Harbour

✓ **i. Alternative Sites**

- i. Threat to the efficient use of resources due to insufficient consideration of alternative sites identified on Waiheke

~~j. Noise~~

- ~~i. Threat of uncontrolled noise from the rigging of berthed craft~~

✓ **k. Hydrology and Sedimentation**

- ✓ i. Threat to the present efficient seawater flow and movement within Matiatia
- ✓ ii. Threat to water quality from turbidity and sediments created by marina users

✓ **l. Other**

- ✓ i. threats from whatsoever other associated or consequential matters

- ✓ 8. Accordingly I agree with the Auckland Council report findings that the positioning of the marina in this strategic transport location will constrain and potentially preclude options for future wharf-related operations and expansion to meet the growth needs of the wider community.

✓ 9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.

✓ 10 I wish to support the submission and s274 request of DirectionMatiatia in its entirety.

Name:
[full name]

Tracey Mancer

Date:

17.12.13

Address for Service:

C/- Direction Matiatia Incorporated

Email:

directionmatiatia.co.nz

**IN THE ENVIRONMENT COURT
AT AUCKLAND**

ENV-2013-AKL-000174

IN THE MATTER of the Resource Management Act 1991 (Act)

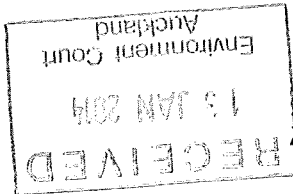
IN THE MATTER an application under section 87G of the Act

BETWEEN **WAIHEKE MARINAS LIMITED**

Applicant

AND **AUCKLAND COUNCIL**

Respondent



**NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act 1991**

TO: the Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

By Email: matiatia@justice.govt.nz

1. I [full name] *Shona Melvor*

wish to be party to the following proceedings:

ENV-2013-AKL-000174

An application under section 87G of the Resource Management Act 1991(the Act)

Waiheke Marinas Limited-Applicant

2. I made a submission on the following resource consent applications the subject of the proceedings:
Coastal Permit 41032, 41747, 41748
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Land Use R/LUC/2013/934
3. I am not a trade competitor for the purposes of section 308CA of the Act.
4. I am interested in all of the proceedings

5. I am interested in the following particular issues:
- a. Effects are more than minor and are contrary to objectives and policies of the relevant regional and district plans
 - b. Social wellbeing of the Waiheke community
 - c. Amenity and landscape of the Matiatia gateway
 - d. Issues during construction
 - e. Economic well being of the visitor economy and future economy of Waiheke
 - f. Strategic regional planning integration of transportation infrastructure at the Matiatia Gateway
 - g. Maori Waahi Tapu issues
 - h. Ecological well being for coastal marine biota
 - i. Alternative sites identified for marina development on Waiheke
 - ~~j. Noise – both construction and operational~~
 - k. Hydrology and sedimentation patterns
 - l. Other-consequential effects
6. I oppose the granting of the resource consent applications
7. My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:
- a. Effects**

The effects will be more than minor and the proposal is contrary to the objectives and policies of the relevant regional and district plans
 - b. Social well being**
 - i. Threat of self-interest and so called "progress" to our Waiheke local community social contract
 - ii. Threat to Waiheke as my "turangawaewae" or "place to stand"
 - iii. Threat of restricted access to our common property seabed, coastal and esplanade reserves and coastal marine area (CMA)
 - iv. Threat to local community well being as local marina ownership dissipates offshore over time
 - v. Threat to use of the CMA for the benefit of exclusive future business endeavours
 - c. Amenity and landscape**
 - i. Threat from marina to Matiatia as an integrated gateway amenity and welcoming home-coming
 - ii. Threat from breakwaters to landscape amenity and the feng shui of Matiatia Bay
 - d. Issues during construction**
 - i. Threat from congestion due to the 21 month period of construction
 - ii. Threat to Coastal Marine Area from inappropriate dredging and reclamation
-

e. Economic well being

- i. Threat to the visitor economy due to impaired tourism gateway & distinctive point of difference
- ii. Threat to the visitor economy due to impaired local character and natural environment
- iii. Threat to the visitor economy from traffic manoeuvring and congestion issues
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f. Integrated Planning & Strategic Integration of transportation Infrastructure

- i. Threat to foregone efficiencies due to the lack of integrated planning analysis and considerations especially with respect to future Auckland Council Property Ltd development plans for the visitor industry, rental car infrastructure matters, wharf expansion and development, commuter transportation matters, car parking costs and access matters; and from associated cumulative effects, including the need to adopt a precautionary approach

g. Maori Waahi Tapu issues

- i. Threat to iwi cultural well being due to its imposition upon waahi tapu matters

h. Ecological Well Being

- i. Threat to the protection and maintenance of the life-supporting capacity of the environment including its ecosystems
- ii. Threat to the marine wildlife that occupy Matiatia Harbour

i. Alternative Sites

- i. Threat to the efficient use of resources due to insufficient consideration of alternative sites identified on Waiheke

~~**j. Noise**~~

- ~~i. Threat of uncontrolled noise from the rigging of berthed craft~~

k. Hydrology and Sedimentation

- i. Threat to the present efficient seawater flow and movement within Matiatia
- ii. Threat to water quality from turbidity and sediments created by marina users

l. Other

- i. threats from whatsoever other associated or consequential matters

8. Accordingly I agree with the Auckland Council report findings that the positioning of the marina in this strategic transport location will constrain and potentially preclude options for future wharf-related operations and expansion to meet the growth needs of the wider community.

9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.

10 I wish to support the submission and s274 request of DirectionMatiatia in its entirety.

Name:

[full name] Shona Melver S-MGV

Date: 8-1-14

Address for Service:

C/- Direction Matiatia Incorporated

Email:

directionmatiatia.co.nz

IN THE ENVIRONMENT COURT
AT AUCKLAND

ENV-2013-AKL-000174

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BETWEEN **WAIHEKE MARINAS LIMITED**
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Respondent

NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act 1991

TO: the Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

By Email: matiatia@justice.govt.nz

1. I [full name] **Lyndsay Lee Meager**

wish to be party to the following proceedings:



ENV-2013-AKL-000174

An application under section 87G of the Resource Management Act 1991 (the Act)

Waiheke Marinas Limited-Applicant

2. I made a submission on the following resource consent applications the subject of the proceedings:
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- g. 
- h. Ecological well being for coastal marine biota
- i. Alternative sites identified for marina development on Waiheke
- j. 

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

6. I oppose the granting of the resource consent applications

7. My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:

a. Effects

The effects will be more than minor and the proposal is contrary to the objectives and policies of the relevant regional and district plans

b. Social well being

- i. 
- ii. Threat of restricted access to our common property seabed, coastal and esplanade reserves and coastal marine area (CMA)
- iii. 
- iv. Threat to use of the CMA for the benefit of exclusive future business endeavours

Deleted: <#>Threat of self-interest and so called "progress" to our Waiheke local community social contract¶Threat to Waiheke as my "turangawaewae" or "place to stand"


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c. Amenity and landscape

- i. Threat from marina to Matiatia as an integrated gateway amenity and welcoming home-coming
- ii. Threat from breakwaters to landscape amenity of Matiatia Bay


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d. Issues during construction

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- ii. Threat to Coastal Marine Area from inappropriate dredging and reclamation

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e. Economic well being

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- iii. 

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iv. Threat to our future economy from foregone future port access

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v.

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f. Integrated Planning & Strategic Integration of transportation Infrastructure

i. Threat to foregone efficiencies due to the lack of integrated planning

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g. Ecological Well Being

i. Threat to the protection and maintenance of the life-supporting capacity of the environment including its ecosystems

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j. Noise

ft

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k.

Deleted: Hydrology and Sedimentation . ¶

- i. . Threat to the present efficient seawater flow and movement within Matiatia ¶

ii. Threat to water quality from turbidity and sediments created by marina users ¶

8. Accordingly I agree with the Auckland Council report findings that the positioning of the marina in this strategic transport location will constrain and potentially preclude options for future wharf-related operations and expansion to meet the growth needs of the wider community.

9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.

10 I wish to support the submission and s274 request of Direction Matiatia in its entirety.

Name: Lyndsay Lee Meager

[full name]

Date: 16 01 2014

Address for Service:

C/- Direction Matiatia Incorporated

Email:

directionmatiatia.co.nz

IN THE MATTER of the Resource Management Act 1991 (Act)

IN THE MATTER an application under section 87G of the Act

BETWEEN **WAIHEKE MARINAS LIMITED**

Applicant

AND **AUCKLAND COUNCIL**

Respondent

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TO: the Registrar
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PO Box 7147
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By Email: matiatia@justice.govt.nz

1. I, Johannes Paulus Meeuwssen [on behalf of 5 others]

wish to be party to the following proceedings:

ENV-2013-AKL-000174

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Waiheke Marinas Limited-Applicant

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 - b. Amenity and landscape of the Matiatia gateway
 - c. Issues during construction
 - d. Maori Waahi Tapu issues
 - e. Other-consequential effects

6. I oppose the granting of the resource consent applications

7. My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:
 - a. Effects**

The effects will be more than minor and will have a major detrimental visual impact in a small bay and involve unwarranted reduction in the size of that bay through land reclamation.

 - b. Amenity and landscape**
 - i. Threat from marina to Matiatia as an integrated gateway amenity and welcoming home-coming
 - ii. Threat from breakwaters to landscape amenity and the feng shui of Matiatia Bay

 - c. Issues during construction**
 - i. Threat to Coastal Marine Area from inappropriate dredging and reclamation
 - ii. Impact of tens of thousands of cubic metres of materials on the ecology of the Bay

 - d. Maori Waahi Tapu issues**
 - i. Threat to iwi cultural well being due to its imposition upon waahi tapu matters

 - e. Ecological Well Being**
 - i. Threat to the protection and maintenance of the life-supporting capacity of the environment including its ecosystems
 - ii. Threat to the marine wildlife that occupy Matiatia Harbour

 - k. Hydrology and Sedimentation**
 - i. Threat to the present efficient seawater flow and movement within Matiatia
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 - l. Other**
 - i. threats from whatsoever other associated or consequential matters

8. Accordingly I agree with the Auckland Council report findings that the positioning of the marina in this strategic transport location will constrain and potentially preclude options for future wharf-related operations and expansion to meet the growth needs of the wider community.
9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.
- 10 I wish to support the submission and s274 request of Direction Matiatia in its entirety.

Name:

Johannes Paulus Meeuwsen

Date: 9 January 2014

Address for Service:

54 Hekerua Road Oneroa 1081 Auckland

Email:

John.meeuwsen39@gmail.com

IN THE MATTER of the Resource Management Act 1991 (Act)

IN THE MATTER an application under section 87G of the Act

BETWEEN **WAIHEKE MARINAS LIMITED**

Applicant

AND **AUCKLAND COUNCIL**

Respondent

**NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act 1991**

TO: the Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

By Email: matiatia@justice.govt.nz

1. We Andreas Mikellis and Sharon Evans-Mikellis

wish to be party to the following proceedings:

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Waiheke Marinas Limited-Applicant

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 - j. Noise – both construction and operational
 - k. Hydrology and sedimentation patterns
 - l. Other-consequential effects

6. We oppose the granting of the resource consent applications

7. Our reasons why the proposal cannot be granted consent as a non-complying activity are as follows:
 - a. Effects**

The effects will be more than minor and the proposal is contrary to the objectives and policies of the relevant regional and district plans

 - b. Social well being**
 - i. Threat of self-interest and so called “progress” to our Waiheke local community social contract
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 - c. Amenity and landscape**
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 - g. Maori Waahi Tapu issues**
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 - l. Other**
 - i. threats from whatsoever other associated or consequential matters
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9. We agree to participate in mediation or other alternative dispute resolution of the proceedings.

10 We wish to support the submission and s274 request of DirectionMatiatia in its entirety.

Name: [full name]

Andreas Mikellis and Sharon Evans-Mikellis

Handwritten signature in blue ink, reading "A. Mikellis S. Evans - Mikellis". The signature is written on a light blue horizontal line.

Date: 12th January 2014

Address for Service:

C/- Direction Matiatia Incorporated

Email:

directionmatiatia.co.nz

**IN THE ENVIRONMENT COURT
AT AUCKLAND**

ENV-2013-AKL-000174

**IN THE MATTER of the Resource Management Act 1991(Act)
IN THE MATTER an application under section 87G of the Act
BETWEEN WAIHEKE MARINAS LIMITED
Applicant
AND AUCKLAND COUNCIL
Respondent**

1. I, Paul Derek Monin, wish to be party to the following proceedings:
ENV-2013-AKL-000174
Waiheke Marinas Limited-Applicant
2. I made a submission on the following resource consent applications the subject of the proceedings:
Coastal Permit 41032, 41747, 41748
Discharge Permit 41522
Land Use R/LUC/2013/934
3. I am not a trade competitor for the purposes of section 308CA.

**Cultural, Historical and Transport matters relating to the
Waiheke Marinas Limited proposal
by Paul Monin
on behalf of Direction Matiatia Incorporated**

Introduction

1. My name is Paul Derek Monin. My academic qualifications are M.A. in History (University of Canterbury) and M.A. in Politics (McMaster University) Canada. After a career in secondary school teaching, I embarked upon work as a freelance history researcher and writer. I am the author of *Waiheke Island: A History* (1992), the 'Hauraki Gulf Islands' report commissioned by the Waitangi Tribunal (1995), *Hauraki Contested* (2001), and *Matiatia: Gateway to Waiheke* (2012) and. I have also contributed to *The New Oxford History of New Zealand* (2009) and *Te Ara: The Encyclopaedia of New Zealand* (2011).
2. My specialist areas of study are the history of Waiheke Island and the Hauraki-Coromandel region; and Maori economics 1840-1870.
3. This submission aims to only supply cultural and historical information (and comment) additional to that already before the Environment Court. I have examined three documents in particular:
 - 'Cultural and Heritage Impact Assessment, Matiatia Marina Project', September 2010, Peter Rikys;
 - 'Matiatia Marina, Waiheke Island Archaeological Survey and Assessment Effects', March 2013, Don Prince. (TDE);
 - Technical Memo- Heritage Unit –Environmental Strategy & Policy, Auckland Council, 21 November 2013, Mica Plowman.

Maori cultural values – the koiwi

4. I am very much an 'outsider' on matters relating to Maori cultural values in the northern part of Matiatia Bay, the area affected by the marina proposal. I do not belong to the mana whenua and was not commissioned by them to carry out research on Matiatia. Instead, my research into the written and oral record on Matiatia was in connection with the writing of my book, *Matiatia: Gateway to Waiheke* (2012).
5. As a point of information, when Ngati Paoa representatives were consulted in 1991 over plans for the new wharf and terminal at Matiatia, they 'commented that they

were pleased that there would be no reclamations into the bay.’¹ By contrast, when a younger generation of Ngati Paoa representatives were consulted over the marina proposal in 2010, they appear not to have adopted a similar position regarding the land reclamation for the 3,000 square metre carpark. No reference is made to this feature of the marina proposal in the Rikys Ngati Paoa cultural assessment, September 2010.

6. The Maori block adjoining the part of Matiatia Bay proposed for the marina was named Ahipao, 48 acres 2 roods in size, a creation of the 1897 partition of the Te Huruhi block into 13 parts ² (**Attachment 1**). It is also known as Te Huruhi 11. The owners were Maihi Te Kapua, Hoete Maihi, Eru Maihi and Te Reha Tairiri, equally. They were of Ngati Paoa, probably related to Rawiri Takurua, (a brother of Wiremu Hoete, Ngati Paoa’s leading rangatira in 1840.)
7. Ahipao was alienated by lease in 1905 and eventually by sale to A.R. (Fred) Alison, after a long process of buying out successors to the original owners. The descendants of these successors are the mana whenua most closely connected with the foreshore at Matiatia that is affected by the marina proposal.
8. It is possible that some of the koiwi (human remains) found at various times on Matiatia’s northern beach belong to this whanau of Ngati Paoa.
9. However, the conversion of Ngati Paoa to Christianity in the 1830s led them to adopt more-delineated, English style cemetery plots on Waiheke (like the urupa on Matiatia’s southern foreshore or at Church Bay). Hence the koiwi in question may date from much earlier times.
10. Bruce Croll, a son of Don Croll, Fred Alison’s farm manager, 1920-1955, has been my guide on many historical walks around Matiatia.³ He informed me that the Ngati Paoa farm workers employed by Fred Alison in the 1930s and 40s instructed him and his siblings to keep away from the place(s) where the koiwi have been found in recent times.⁴ This wahi tapu prohibition was respected without question by the Croll children and their parents.
11. There is little chance that we will learn very much more about these koiwi at this late stage. Time and tide (quite literally) have taken their toll, physically and on the oral record. On the basis of my experience on Waiheke since the early 1970s, it seems that only in more recent decades have such discoveries been reported automatically to the authorities. Even if reported, for very good reason authorities and the press have generally taken steps to keep their precise locations secret.⁵
12. In my view, despite the toll of time and the elements, the wahi tapu status of Matiatia’s northern beachfront must stand undiminished.

¹ ‘Matiatia Bay – Waiheke Island Proposed Wharf and Terminal, Environmental Impact Assessment’, Prepared for Auckland City Council by Beca Carter Hollings & Ferner Ltd, June 1991, p. 116.

² Mr. Rikys spells the block ‘Ohiparo’ on p2 of his report, while the spelling in the Maori Land Court records is ‘Ahipao’.

³ Pers comm ,Bruce Croll, particularly 1999 & 2001.

⁴ See the TDE report, pp. 10-12.

⁵ e.g. ‘Old Bones Found’, *Gulf News*, August 5 1983, p. 47.

13. Nicole Plowman, Senior Planner for Auckland Council states: ‘Until more information is provided, and in particular until effects on koiwi are able to be better understood and assessed by persons qualified to do so, it is not able to be concluded that the effects of the proposal on cultural and spiritual values will be minor.’⁶ I concur with this assessment, with the qualification that in my view the information standard she sets has already been met. The effects of the proposal on cultural and spiritual values will most certainly not be minor.

Recent Maori history

14. An area of historical values yet to be considered is the role of mana whenua labour on the Alison farm from the 1920s to the 1960s. The beachfront close to the woolshed, stock yards, dipping races and the scow landing was the location of much of this work. The part of the bay proposed for the marina lies directly opposite this beachfront.
15. The Crolls and the Alisons developed strong relationships with those Maori who chose to remain on Waiheke after the mass departure of whanau to the Miranda coast in 1916. Tom Karaka (Clarke), George Kawhi (Coffey) and Tu Wiki Thompson were employed on the farm. Bill Royal joined them after returning from the First World War.⁷ These families moved to properties in Hamilton Road, Surfdale, on the opening of the Surfdale subdivision in 1921.
16. The Alison farm was the last part of Waiheke to pass from Maori to European land ownership and usage, as a result of land transfers in the early decades of the twentieth century. (Only the 2100-acre Te Huruhi block had remained in Maori ownership after 1869.) The stories of these last Maori workers on land once owned by their ancestors for generations are important, and stories are better kept alive if their settings remain as undisturbed as possible.
17. Pio Rehutai (Tom Clarke’s father) lived on the farm in the Alison ‘shack’ for some years before his death in 1935.⁸ The ‘shack’ was the Alison bach located on the shelf overlooking the beach to the immediate north of the small headland, which was demolished in the 1930s.⁹ The reserve in the Church Bay Estate is named after Pio Rehutai in acknowledgement of his importance at western Waiheke, 1880s- 1930s.
18. Rawiri Puhata, a son of Rawiri Takurua who became an important Ngati Paoa leader in the late nineteenth and early twentieth centuries, was born at Ahipao.¹⁰ (He is buried in the Blackpool urupa.) Hence, two important persons in the last land-owning generation of mana whenua at Matiatia are connected with the land adjoining the proposed marina.

Maritime Heritage – the MA Doran

⁶ ‘Report ... on notified resource consent applications by Waiheke Marinas Ltd ...’, Nicole Bremner, Nov. 2013., p. 2

⁷ Paul Monin, *Matiatia: Gateway to Waiheke*, p. 54.

⁸ *Ibid.*, pers. comm. Bruce Croll.

⁹ Photograph, Monin, *Matiatia*, p. 48.

¹⁰ Hauraki Minute Book 44, p. 88.

19. Sadly, the remains of the *MA Doran* have disappeared in circumstances unknown. When I visited the hulk site in October 2011, at a particularly low spring tide, the fore-section was clearly visible, comprising extensive heavy bottom timbers, copper sheathing and metalwork. The site was well known to a few locals, especially to Mr. Richard Powell of Rocky Bay and myself. His periodic visits to the site date back to the 1980s, while mine date back to the early 1990s. Provided one arrived at very low tide, there was no difficulty finding the site which is located next to the slipway posts and in front of the woolshed.
20. Mr. Powell undertook extensive research on the *MA Doran* in the early 1990s, contacting archives in Canada, the ship's country of origin. He has shared these findings with me. Mr. Powell lamented the disappearance of the *MA Doran*'s remains in a letter to the *Gulf News* 20 June 2013. I visited the site a week later, sadly having to confirm the loss in an article, 'Requiem for a sailing ship', in the *Gulf News* 11 July 2013. (**Attachment 2**).
21. Hence there were no remains for Ms Plowman to find when she visited the site for her heritage assessment of the proposal, presumably in October or early November 2013.¹¹ Her assessment was released on 21 November 2013. Quite simply, the remains had disappeared between October 2011 and June 2013.
22. Ms Bremner comments that 'The MA Doran has some historic heritage significance',¹² but now there is nothing to appreciate or protect.

The transport hub

23. The present is a product of the past. For more than half a century, Matiatia has been the 'gateway' to Waiheke, its transport hub on which passenger sea services and roads converge. My book *Matiatia: Gateway to Waiheke* seeks to explain how this came about.
24. On the opening of the 1916-1923 subdivisions, the island's transport history became a struggle to maintain wharves and services to each of the six subdivisions. By the 1950s this was no longer economically possible. The Waiheke Shipping Company's resort to constant fare increases in attempts to balance the books engendered rising local protest that reached the ears of politicians in Wellington. Inquiries into the island's transport needs were held in 1953, 1957 and 1960.
25. In 1960 Matiatia wharf became the last commercial wharf on Waiheke (Ostend wharf provided limited services until 1963). Kennedy Point wharf opened for freight and vehicular services in 1971. The focus of transport on Waiheke had well and truly shifted to the western end. Prospects of establishing passenger services between Auckland and Kennedy Point (or somewhere else on Waiheke), at some future time, seem remote.
26. Annual passenger numbers through Matiatia increased steadily after 1960, reaching 400,000 in 1981 and over 1,800,000 in 2013.¹³ The arrival of the fast ferries, which

¹¹ Plowman memo, p. 4.

¹² Bremner, Report, November 2013, p. 180.

¹³ Fullers, consultation statement, 25 March 2013.

greatly improved the prospects of commuting to Auckland for work, gave this growth a great fillip in 1987. Matiatia wharf became one of the country's busiest ferry terminals, surpassed only by the inter-island ferry terminals. These numbers can only continue to grow, along with the island's popularity as a visitor destination.

27. Matiatia has been many other things as well: a harbour for commercial fishing boats, an anchorage for recreational boats, a sprawling carpark, a parking area for rental vehicles, a venue for concerts, the reception for Sculpture on the Gulf, the site of a restaurant and bar, a base for kayaking, and the start of the Matietie Historic Reserve walkway.
28. Arguably, Matiatia is now a 'choke point' –a point of congestion or obstruction, a bottleneck –or if it is not, it is certainly very close to becoming one. The only way to ease a choke point is to direct some of its existing functions elsewhere and definitely not to add an additional function such as a marina.

Conclusions

29. The effects of the marina proposal on cultural and spiritual values will not be minor.
30. Matiatia Bay must be reserved for transport services, given the inevitability of continuing growth in passenger numbers and the desirability of keeping future transport options open.
31. Matiatia Bay is common space that must be used for the benefit of the whole Waiheke community.
32. I wish to support the submission and s274 request of DirectionMatiatia Inc. in its entirety.

Name: Paul Derek Monin

Signature:

Date:

Address for Service:

22A Church Bay Road

Oneroa

Waiheke Island

Auckland 1081

Email:

pdcmonin@xtra.co.nz

IN THE MATTER of the Resource Management Act 1991 (Act)

IN THE MATTER an application under section 87G of the Act

BETWEEN **WAIHEKE MARINAS LIMITED**

Applicant

AND **AUCKLAND COUNCIL**

Respondent

-
NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act 1991

TO: the Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

By Email: matiatia@justice.govt.nz

1. I ~~{full name}~~ Janet Sonia Moore

wish to be party to the following proceedings:

ENV-2013-AKL-000174

An application under section 87G of the Resource Management Act 1991(the Act)

Waiheke Marinas Limited-Applicant

2. I made a submission on the following resource consent applications the subject of the proceedings:

Coastal Permit 41032, 41747, 41748

Discharge Permit .41522

Land Use R/LUC/2013/934

3. I am not a trade competitor for the purposes of section 308CA of the Act.

4. I am interested in all of the proceedings

5. I am interested in the following particular issues:
 - a. Effects are more than minor and are contrary to objectives and policies of the relevant regional and district plans
 - b. Social wellbeing of the Waiheke community
 - c. Amenity and landscape of the Matiatia gateway
 - d. Issues during construction
 - e. Economic well being of the visitor economy and future economy of Waiheke
 - f. Strategic regional planning integration of transportation infrastructure at the Matiatia Gateway
 - g. ~~Maori Waahi Tapu issues~~
 - h. Ecological well being for coastal marine biota
 - i. Alternative sites identified for marina development on Waiheke
 - j. Noise – both construction and operational
 - k. Hydrology and sedimentation patterns
 - l. Other-consequential effects

6. I oppose the granting of the resource consent applications

7. My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:
 - a. Effects**

The effects will be more than minor and the proposal is contrary to the objectives and policies of the relevant regional and district plans

 - b. Social well being**
 - i. Threat of self-interest and so called “progress” to our Waiheke local community social contract
 - ii. ~~Threat to Waiheke as my “turangawaewae” or “place to stand”~~
 - iii. Threat of restricted access to our common property seabed, coastal and esplanade reserves and coastal marine area (CMA)
 - iv. Threat to local community well being as local marina ownership dissipates offshore over time
 - v. Threat to use of the CMA for the benefit of exclusive future business endeavours

 - c. Amenity and landscape**
 - i. Threat from marina to Matiatia as an integrated gateway amenity and welcoming home-coming
 - ii. Threat from breakwaters to landscape amenity and the feng-shui visual continuity and harbor integrity of Matiatia Bay

 - d. Issues during construction**
 - i. Threat from congestion due to the 21 month period of construction
 - ii. Threat to Coastal Marine Area from inappropriate dredging and reclamation

e. Economic well being

- i. Threat to the visitor economy due to impaired tourism gateway & distinctive point of difference
- ii. Threat to the visitor economy due to impaired local character and natural environment
- iii. Threat to the visitor economy from traffic manoeuvring and congestion issues
- iv. Threat to visitor economy from breakwaters and impaired ~~feng-shui~~ visual continuity and harbor integrity.
- v. Threat to our future economy from breakwaters and marina and foregone future port access
- vi. Threat to our future economy from marina and foregone eco-cluster opportunities

f. Integrated Planning & Strategic Integration of transportation Infrastructure

- i. Threat to foregone efficiencies due to the lack of integrated planning analysis and considerations especially with respect to future Auckland Council Property Ltd development plans for the visitor industry, rental car infrastructure matters, wharf expansion and development, commuter transportation matters, car parking costs and access matters; and from associated cumulative effects, including the need to adopt a precautionary approach

g. Maori Waahi Tapu issues

- i. ~~Threat to iwi cultural well being due to its imposition upon waahi tapu matters~~

h. Ecological Well Being

- i. Threat to the protection and maintenance of the life-supporting capacity of the environment including its ecosystems
- ii. Threat to the marine wildlife that occupy Matiatia Harbour

i. Alternative Sites

- i. Threat to the efficient use of resources due to insufficient consideration of alternative sites identified on Waiheke

j. Noise

- i. Threat of uncontrolled noise from the rigging of berthed craft

k. Hydrology and Sedimentation

- i. Threat to the present efficient seawater flow and movement within Matiatia
- ii. Threat to water quality from turbidity and sediments created by marina users

l. Other

- i. threats from whatsoever other associated or consequential matters

8. Accordingly I agree with the Auckland Council report findings that the positioning of the marina in this strategic transport location will constrain and potentially preclude options for future wharf-related operations and expansion to meet the growth needs of the wider community.
9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.
- 10 I wish to support the submission and s274 request of DirectionMatiatia in its entirety.

Name:

[full name]

Date: December 18, 2013

Address for Service:

C/- Direction Matiatia Incorporated

Email:

directionmatiatia.co.nz

**IN THE ENVIRONMENT COURT
AT AUCKLAND**

ENV-2013-AKL-000174

IN THE MATTER of the Resource Management Act 1991 (Act)
IN THE MATTER an application under section 87G of the Act
BETWEEN **WAIHEKE MARINAS LIMITED**
Applicant
AND **AUCKLAND COUNCIL**
Respondent

**NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act 1991**

TO: the Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

By Email: matiatia@justice.govt.nz

1. I [Robert Paul Morton](#) ~~[full name]~~

wish to be party to the following proceedings:

ENV-2013-AKL-000174

An application under section 87G of the Resource Management Act 1991(the Act)

Waiheke Marinas Limited-Applicant

2. I made a submission on the following resource consent applications the subject of the proceedings:
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~~i. Alternative sites identified for marina development on Waiheke~~

~~j.i. Noise – both construction and operational~~

~~k.j. Hydrology and sedimentation patterns~~

~~l.k. Other-consequential effects~~

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6. I oppose the granting of the resource consent applications

7. My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:

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- ii. Threat to the marine wildlife that occupy Matiatia Harbour

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- ~~i. Threat to the efficient use of resources due to insufficient consideration of alternative sites identified on Waiheke~~

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j. Noise

- i. Threat of uncontrolled noise from the rigging of berthed craft

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k. Hydrology and Sedimentation

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8. Accordingly I agree with the Auckland Council report findings that the positioning of the marina in this strategic transport location will constrain and potentially preclude options for future wharf-related operations and expansion to meet the growth needs of the wider community.

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10 I wish to support the submission and s274 request of DirectionMatiatia in its entirety.

| **Name:** [Robert Paul Morton](#)
[full name]

| **Date:** [10 January 10, 2014](#)

Address for Service:

C/- Direction Matiatia Incorporated

Email:

directionmatiatia.co.nz

IN THE ENVIRONMENT COURT
AT AUCKLAND

ENV-2013-AKL-000174

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IN THE MATTER an application under section 87G of the Act
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Section 274 Resource Management Act 1991

TO: the Registrar
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PO Box 7147
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By Email: matiatia@justice.govt.nz

1. ~~I~~ ~~[full name]~~ We Julia Rachael Mount and Faye Rose Mount

wish to be party to the following proceedings:

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10 I wish to support the submission and s274 request of DirectionMatiatia in its entirety.

Name:

| ~~{full name}~~ Julia Rachael Mount and Faye Rose Mount

| **Date:** 5/1/14

Address for Service:

C/- Direction Matiatia Incorporated

Email:

directionmatiatia.co.nz

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By Email: matiatia@justice.govt.nz

1. I ~~[full name]~~ Peter Malcolm Muir

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ENV-2013-AKL-000174

An application under section 87G of the Resource Management Act 1991 (the Act)

Waiheke Marinas Limited-Applicant

- I made a submission on the following resource consent applications the subject of the proceedings:
Coastal Permit 41032, 41747, 41748
Discharge Permit .41522
Land Use R/LUC/2013/934
- I am not a trade competitor for the purposes of section 308CA of the Act.
- I am interested in all of the proceedings

5. I am interested in the following particular issues:

- a. Effects are more than minor and are contrary to objectives and policies of the relevant regional and district plans
- b. Social wellbeing of the Waiheke community
- c. Amenity and landscape of the Matiatia gateway
- d. Issues during construction
- e. Economic well being of the visitor economy and future economy of Waiheke
- f. Strategic regional planning integration of transportation infrastructure at the Matiatia Gateway
- g.
- h. Ecological well being for coastal marine biota
- i. Alternative sites identified for marina development on Waiheke
- j.
- k. Hydrology and sedimentation patterns
- l. Other-consequential effects

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- ~~g. Maori Waahi Tapu issues~~
- ~~h. Ecological well being for coastal marine biota~~
- ~~i. Alternative sites identified for marina development on Waiheke~~
- ~~j. Noise — both construction and operational~~
- ~~k. Hydrology and sedimentation patterns~~
- ~~l. Other consequential effects~~

6. I oppose the granting of the resource consent applications

7. My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:

a. Effects

The effects will be more than minor and the proposal is contrary to the objectives and policies of the relevant regional and district plans

b. Social well being

- i. Threat of self-interest and so called “progress” to our Waiheke local community social contract
- ii. Threat to Waiheke as my “turangawaewae” or “place to stand”

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~~v. Threat to use of the CMA for the benefit of exclusive future business endeavours~~

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ii. Threat from breakwaters to landscape amenity and the feng shui of Matiatia Bay

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~~iv. Threat to our future economy from breakwaters and marina and foregone future port access~~

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- ~~i. Threat of uncontrolled noise from the rigging of berthed craft~~

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l. Other

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8. Accordingly I agree with the Auckland Council report findings that the positioning of the marina in this strategic transport location will constrain and potentially preclude options for future wharf-related operations and expansion to meet the growth needs of the wider community.

9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.

10 I wish to support the submission and s274 request of Direction Matiatia in its entirety.

Name:

~~{full name}~~ Peter Malcolm Muir

Date: 8 January, 2014

Address for Service:

C/- Direction Matiatia Incorporated

Email:

directionmatiatia.co.nz

**IN THE ENVIRONMENT COURT
AT AUCKLAND**

ENV-2013-AKL-000174

IN THE MATTER of the Resource Management Act 1991 (Act)
IN THE MATTER an application under section 87G of the Act
BETWEEN **WAIHEKE MARINAS LIMITED**
Applicant
AND **AUCKLAND COUNCIL**
Respondent

**NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act 1991**

TO: the Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

By Email: matiatia@justice.govt.nz

1. I [Susi Newborn](#)

wish to be party to the following proceedings:

ENV-2013-AKL-000174

An application under section 87G of the Resource Management Act 1991(the Act)

Waiheke Marinas Limited-Applicant

2. I made a submission on the following resource consent applications the subject of the proceedings:
Coastal Permit 41032, 41747, 41748
Discharge Permit .41522
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3. I am not a trade competitor for the purposes of section 308CA of the Act.
4. I am interested in all of the proceedings

5. I am interested in the following particular issues:

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- g. Maori Waahi Tapu issues
- h. Ecological well being for coastal marine biota
- i. Alternative sites identified for marina development on Waiheke
- j. Noise – both construction and operational
- k. Hydrology and sedimentation patterns
- l. Other-consequential effects

6. I oppose the granting of the resource consent applications

7. My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:

a. Effects

The effects will be more than minor and the proposal is contrary to the objectives and policies of the relevant regional and district plans

b. Social well being

- i. Threat of self-interest and so called “progress” to our Waiheke local community social contract
- ii. Threat to Waiheke as my “turangawaewae” or “place to stand”
- iii. Threat of restricted access to our common property seabed, coastal and esplanade reserves and coastal marine area (CMA)
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- v. Threat to use of the CMA for the benefit of exclusive future business endeavours

c. Amenity and landscape

- i. Threat from marina to Matiatia as an integrated gateway amenity and welcoming home-coming
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- i. Threat from congestion due to the 21 month period of construction
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 - i. Threat to the present efficient seawater flow and movement within Matiatia
 - ii. Threat to water quality from turbidity and sediments created by marina users
 - l. Other**
 - i. threats from whatsoever other associated or consequential matters
8. Accordingly I agree with the Auckland Council report findings that the positioning of the marina in this strategic transport location will constrain and potentially preclude options for future wharf-related operations and expansion to meet the growth needs of the wider community.

9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.

10 I wish to support the submission and s274 request of DirectionMatiatia in its entirety.

| Name: [Susan Alice Newborn](#)

| Date: [16th December 2013](#)

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Address for Service:

C/- Direction Matiatia Incorporated

Email:

directionmatiatia.co.nz

IN THE MATTER of the Resource Management Act 1991 (Act)

IN THE MATTER an application under section 87G of the Act

BETWEEN **WAIHEKE MARINAS LIMITED**

Applicant

AND **AUCKLAND COUNCIL**

Respondent

**NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act 1991**

TO: the Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

By Email: matiatia@justice.govt.nz

1. I Kathryn Anne Reremoana NGAPO

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 - h. Ecological well being for coastal marine biota
 - i. Alternative sites identified for marina development on Waiheke
 - j. Noise – both construction and operational
 - k. Hydrology and sedimentation patterns
 - l. Issues with the provision of infrastructure such as power, water, sewage
 - m. Other-consequential effects

6. I oppose the granting of the resource consent applications

7. My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:
 - a. Effects**

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The marina development at Matiatia is wrong because:

- it puts at future risk, the current role which Matiatia fulfills, in terms of its use by the Waiheke Community and tourists as a proven safe harbor which is economically the start /end point of the shortest route to Downtown Auckland, and therefore the cheapest route for almost 2 million passenger trips a year.
- it will make the harbor more unsafe due to decreased open marine space and increased private boat traffic in the main harbor channel. On land, foot passengers, public transport operators and other private vehicles will be at risk because of the issues with the siting of the marina carpark.
- It changes and cheapens the natural landscape character of Matiatia, within the greater context of linking with, and belonging to the broader sea and landscape of the Hauraki Gulf Marine Park.
- it changes the aesthetic and landscape of the bay and people's emotional response to it, which currently resonates with locals as a welcome home and with tourists as the promise of a place which is natural and offers freedom from some of the usual urban constraints.
- the bones of Maori ancestors sleeping in the bottom of the harbor will be disturbed and disinterred by the construction, dredging and reclamation operation; and the bones of ancestors which have been interred safely on land are now within metres of the marina reclamation for the car park.

For this and other reasons –social, economic, aesthetic, cultural and economic, the marina development is out of context at Matiatia and should be sited in another more suitable location.

8. Accordingly I agree with the Auckland Council report findings that the positioning of the marina in this strategic transport location will constrain and potentially preclude options for future wharf-related operations and expansion to meet the growth needs of the wider community.
9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.
- 10 I wish to support the submission and s274 request of Direction Matiatia in its entirety.

Name:

Kathryn Anne Reremoana Ngapo

Date: 17 January,2014

Address for Service:

151 Wilma Road, Surfdale, Waiheke Island

Email:Kathryn_n2002@yahoo.co.nz

IN THE ENVIRONMENT COURT
AT AUCKLAND

ENV-2013-AKL-000174

IN THE MATTER of the Resource Management Act 1991 (Act)
IN THE MATTER an application under section 87G of the Act
BETWEEN **WAIHEKE MARINAS LIMITED**
Applicant
AND **AUCKLAND COUNCIL**
Respondent



NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act 1991

TO: the Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

By Email: matiatia@justice.govt.nz

1. I [full name] *Robert Nicholson*

wish to be party to the following proceedings:

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~~g~~ **Maori Waahi Tapu issues**

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~~h~~ **Ecological Well Being**

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9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.

10 I wish to support the submission and s274 request of DirectionMatiatia in its entirety.

Name:
[full name]

R. R. M. i. l.

Date:

9-1-14

Address for Service:

C/- Direction Matiatia Incorporated

Email:

directionmatiatia.co.nz

Before the Environment Court at Auckland

ENV-2013-AKL-000174

Under the Resource Management Act 1991

And

In the Matter of a direct referral to the Environment Court
under Section 87G requesting the granting of resource consents to
Waiheke Marinas Limited to establish a Marina
at Matiatia Bay, Waiheke Island, in the Hauraki
Gulf

**Notice of Motion
on behalf of Ngati Paoa Iwi Trust**

Dated 02 July 2014

Solicitor:
Sharon Skinner
Skinner Law Limited
P.O. Box 25458
Featherston Street
Wellington
T: 027 487 7186
E: sharon@skinnerlaw.co.nz

Counsel:
Rob Enright
Barrister
T: 021 276 5787
E: rob@publiclaw9.com

To: The Registrar
Environment Court
Auckland

- 1 Ngati Paoa Iwi Trust applies under:
 - a. S274(1)(d) RMA (person with interest greater than the public generally);
 - b. S281(1)(a)(b) RMA (waiver in relation to time for filing s274 Notice, method of service and persons to be served);
 - c. Court's powers on direct referral under s87G RMA.

- 2 The following Orders are sought:
 - a. Waiver to lodge s274 Notice out of time;
 - b. Waiver in relation to service of documents so that service of this application and the s274 Notice (if leave is granted) is limited to parties that have indicated they wish to be heard at the fixture for this appeal;
 - c. Direction that Ngati Paoa Iwi Trust comply with the existing timetable for exchange of evidence by s274 parties by 22 July 2014.

- 3 The grounds for the application are:

- 4 Ngati Paoa Iwi Trust is a mandated representative of the mana whenua of Waiheke Island;

- 5 There is an identified information gap in relation to cultural effects of the marina proposal. This is articulated in the evidence of the applicant's

cultural expert (Pita Rikys¹) and in the evidence of Council's planning expert (Nicole Bremner²). If leave is not granted, then the Court will not have before it material evidence as to adverse cultural impacts from the proposal under s5 (cultural wellbeing), s6(e)(f), s7(a), s8 RMA;

- 6 Ngati Paoa Iwi Trust has an interest greater than the public generally in the proposal. Matiatia Bay forms part of a cultural landscape and important ancestral lands for Ngati Paoa, containing a number of waahi tapu and urupa sites, and long standing ancestral relationships between Ngati Paoa and Matiatia Bay;
- 7 Sections 6-8 Hauraki Gulf Marine Park Act 2000, Objective 3 and Policy 2 of the NZCPS; and Objective 3.3 and Policy 3.4 of the Auckland Regional Policy Statement support tangata whenua being heard in relation to cultural effects on the coastal and marine environment of the Hauraki Gulf;
- 8 There is no undue prejudice to any party to the proposal:
 - a. cultural effects are already at issue in the proceedings;
 - b. expert witnesses have identified the need for this issue to be adequately considered by the Court;
 - c. Ngati Paoa Iwi Trust will comply with the existing evidence timetable and the applicant will have the opportunity to file rebuttal evidence;

¹ Statement of Evidence of Pita Rikys at [8]-[9]:

"8. As noted my evidence will address cultural values in the widest sense, waahi tapu with a particular focus on burials and burial areas / urupa, Koiwi, archaeological sites and cultural landscape values.

9. I note in his evidence that Don Prince suggests that an assessment of cultural values can only be made by effected Tangata Whenua. It is my expert view that the position of Mana Whenua must be given primacy across these areas. We are hampered in making these assessments by the fact that Ngati Paoa ultimately elected not to make submission on the proposal. It is dangerous to read too much into this position but as I state in my evidence much can be gleaned from work undertaken with the iwi and knowledge derived from it."

² Statement of Evidence of Nicole Bremner at [20]:

"20. At this time I still remain in some doubt as to whether some parts of the Bay would be regarded as waahi tapu and what the extent and significance of the impacts of the Proposal on Maori cultural and spiritual associations might be. "

- d. caucusing is not completed until August 2014 and Court assisted caucusing was not directed in relation to cultural witnesses³;
- e. Ngati Paoa will not add unduly to the length of time required for hearing, important Part 2 RMA issues are triggered in relation to cultural effects and these go to the proportionality of any claimed prejudice.

- 9 Ngati Paoa Iwi Trust has particularised the issues of concern to it, and does not intend to go beyond these issues. These are identified in the intended s274 Notice as follows:
- a. Tangible and intangible adverse cultural effects of proposal under sections s5 (cultural wellbeing), s6(e)(f), s7(a), s8 RMA and sections 6-10 Hauraki Gulf Marine Park Act 2000;
 - b. Process concerns relating to consultation and assessment of cultural impacts;
 - c. Planning instruments in relation to cultural effects;
 - d. Inability of application to meet s104 and s104D statutory requirements in relation to cultural effects.
- 10 Ngati Paoa Iwi Trust is directly affected by cultural impacts of the proposal that also adversely affect the environment .
- 11 Ngati Paoa Iwi Trust is not a trade competitor and the issues raised do not relate to trade competition.
- 12 The further grounds raised in the affidavit of Morehu Wilson sworn 01 July 2014.
- 13 If leave is granted then the Intended s274 Notice is attachment 2.

I attach the following documents:

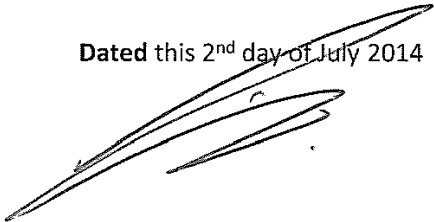
- (a) An affidavit by Morehu Wilson in support of this application;

³ Court minute dated 4 April 2014:

[13] Given the indication from Mr Littlejohn that DMI will call evidence from 3 Kaumatua, it seems to me that it would be of benefit that the Applicant's iwi cultural expert meet with those Kaumatua to see if any common ground can be reached. I don't at this stage direct facilitated conferencing. Leave is given to apply if a party or parties see this differently."

- (b) A list of names and addresses of persons to be served with a copy of this notice is attachment 1 (waiver is sought of service on those s274 parties that have indicated they do not seek to be heard);
- (c) The Intended s274 Notice (in the event that leave is granted).

Dated this 2nd day of July 2014



R B Enright
Counsel for Ngati Paoa Iwi Trust

Advice to recipients of copy of Notice of Motion

How to become party to proceedings

If you wish to be heard on this application, you must lodge a notice in [form 37](#) with the Environment Court within 15 working days after you were served with this notice or within such time as is directed by the Environment Court (subject to the directions of the Court, a lesser timeframe may apply).

Advice

If you have any questions about this notice, contact the Environment Court in Auckland.

Attachment 1: Names and Addresses of persons to be served with this Notice

Applicant by its Counsel (richard@brabant.co.nz ; jeremy@brabant.co.nz)

Auckland Council by its Solicitors (allan@brookfields.co.nz)

Auckland Transport by its Solicitors (nicky.mcindoe@kensingtonswan.com)

Direction Matiatia Inc by its Counsel (littlejohn@quaychambers.co.nz)

Other s274 parties:

Counsel requests service details from Auckland Council of those parties that are identified as participating in the hearing and not otherwise represented by Direction Matiatia Ltd.

Before the Environment Court at Auckland

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under Section 87G requesting the granting of resource consents to
Waiheke Marinas Limited to establish a Marina
at Matiatia Bay, Waiheke Island, in the Hauraki
Gulf

**Evidence of Morehu Anthony Dean Wilson
on behalf of Ngati Paoa Iwi Trust**

Sworn 01 July 2014

Solicitor:

Sharon Skinner

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Counsel:

Rob Enright

Barrister

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I, Morehu Anthony Dean Wilson, Treaty Negotiator of Ngāti Paoa, Auckland, swear:

Introduction

- 1 Ngāti Paoa is the iwi with mana whenua in relation to Waiheke Island. It is part of the confederation of Hauraki and Marutūāhu iwi.
- 2 I am one of two mandated Tribal Negotiators with the Crown in relation to Ngāti Paoa's claims for redress under the Treaty of Waitangi settlement process.
- 3 I am authorized to provide this affidavit on behalf of Ngāti Paoa Iwi Trust. I address the following issues:
 - a. Ngāti Paoa Iwi Trust
 - b. Cultural significance of Matiatia (Matietie) Bay and opposition to marina proposal

Ngāti Paoa Iwi Trust

- 4 Ngāti Paoa Iwi Trust was established in early October 2013 by way of a ratification process and vote by the iwi of Ngāti Paoa. It is intended to operate as the post settlement governance entity on behalf of the iwi.
- 5 Ngāti Paoa is presently negotiating with the Crown (through the Office of Treaty Settlements) to finalise a comprehensive historical deed of settlement. Once the deed is confirmed, all registered adult members of the iwi will have the opportunity to vote on the deed (ratification). Initialling of the deed by the Crown and Ngāti Paoa is expected to take place by end July 2014. Consideration by registered adult members and ratification will follow.
- 6 The draft deed of settlement proposes to transfer ownership from the Crown to Ngāti Paoa Iwi Trust of a number of cultural redress properties. This includes a Statutory Acknowledgement over conservation land at Matiatia Bay (Ngāti Paoa consider the proper name to be Matietie, for reasons explained below).
- 7 The Ngāti Paoa Trust Board is a separate governance entity, with different Trustees. Unfortunately, communication lines between the two Trust entities have been fraught with misunderstanding. The two parties are presently engaged in discussion regarding responsibilities and asset transfer. According to Council records, Ngāti Paoa Trust Board may have been notified of the Marina proposal, giving it the ability to become a s274 party in January 2014.



8 To the best of my knowledge, Council and the applicant did not notify Ngāti Paoa Iwi Trust of the direct referral of the proposal to the Environment Court and its ability to become involved (under s274). We were not consulted either. Because of the significant number of RMA applications, we rely on the Council to notify us, as an iwi partner in the Auckland region, rather than reviewing public notifications generally.

9 I understand that Pita Rikys states in his evidence for the applicant that:

"8. As noted my evidence will address cultural values in the widest sense, waahi tapu with a particular focus on burials and burial areas / urupa, Koiwi, archaeological sites and cultural landscape values.

9. I note in his evidence that Don Prince suggests that an assessment of cultural values can only be made by effected Tangata Whenua. It is my expert view that the position of Mana Whenua must be given primacy across these areas. We are hampered in making these assessments by the fact that Ngati Paoa ultimately elected not to make submission on the proposal. It is dangerous to read too much into this position but as I state in my evidence much can be gleaned from work undertaken with the iwi and knowledge derived from it."

10 Ngāti Paoa Iwi Trust did not make a submission/seek to join the hearing in January 2014 because it was not aware of its ability to do so. To the best of my knowledge we did not become aware of this lost opportunity until the NZ Herald published an article on the marina proposal on Saturday June 14, 2014. We first received legal advice of our ability to apply for a waiver to join the proceedings on Friday 20 June 2014.

11 Attachment "A" is an initial response prepared by me on behalf of Ngāti Paoa Iwi Trust on the high cultural values at Matiatia Bay (Matietie). Ngāti Paoa Iwi Trust is opposed to the proposed marina because it is not compatible with those cultural values. I confirm its contents as correct. As stated in attachment A, there have been land based burials (urupa) as well as battles fought in the bay. Some of the land based burials are now actually under water. The marina introduces more intensive use into the bay. We are also concerned about the failure to consult or involve us in the process.

12 This affidavit has been prepared under urgency and I expect that we will provide more detailed information if we are given leave to join the proceedings.



SWORN at Auckland)
this 1st day of July 2014)
before me)



Morehu Anthony Dean Wilson


Justice of the Peace / Solicitor of the High Court of New Zealand

Paramjeet S Pabla

SOLICITOR
AUCKLAND

Attachment "A"

This is the attachment marked "A" referred to in the affidavit of Morehu Anthony Dean Wilson sworn before me this 1st day of July 2014


Justice of the Peace / Solicitor of the High Court of New Zealand

Paramjeet S Pabla
SOLICITOR
AUCKLAND

Matietie Bay (Waiheke Island)

Matietie Bay has historical, spiritual, cultural, and traditional significance for Ngāti Paoa. This coastal area includes flat terrain where the kāinga Ahipao was once situated as well as sloping terrain leading to the important site of Mokemoke Pā, an ancient defended Pā site that has retained its structural characteristics as a powerful remnant of the history of our ancestors.

Ahakoā he iti, he pounamu – although small in appearance, its value is highly prized. The bay is surrounded by medium high terrain with precipitous rock particularly on the northern and southern parallel sides of the bay. Matiatia is the general name for the area, including the Bay, yet the historic reserve was known to Ngāti Paoa as Matietie, which has a similar meaning to the word 'wharo' (cough/sneeze). Matietie also supposedly describing the type of fauna growing on the flat lands there which included swampy reeds and grass.

Waiheke was originally occupied by the early inhabitants of surrounding region. Oral traditions bequeath to us a history of ethereal beings (Tūrehu and Patupaiarehe) as inhabiting the early forested landscapes of Waiheke. With the arrival of different voyagers and chronologically spaced adventurers from the islands of the Pacific came the fusion of identities and culture. Maruiwi and Te Tini o Toi are recognised as the early people of that process.

Over time, and with the later arrival of ancestral waka from the Great Migration, came the chiefly influence of both the Tainui and Te Arawa waka to this island. The Tainui waka and crew propitiating the Māori Gods and performing the necessary protocols of arrival in a new land at Horuhoru, a large rock north of the eastern end of Waiheke. Horuhoru is currently in Ngāti Paoa Māori Freehold Title ownership.

The Te Arawa waka beached at Pūtiki Bay, and the area was named Rangihoua (Day of renewal) to commemorate their arrival. As the name Rangihoua suggests, Tama te Kapua and his crew landed here to carry out maintenance and renovations before further preparations were made to sail onward until they eventually landed at Maketu in the Bay of Plenty.



These layers of iwi interests remain as a foundation to the history of this beautiful isle. In time, the older established Hauraki iwi came to hold authority on the island. That was until the tribal collective of Marutūāhu expelled them from the island around the second half of the 17th Century as a result of the deaths of significant Marutūāhu Chiefs. The Marutūāhu Confederation of iwi then peacefully co-existed on the island until the late 18th Century.

During this time, Ngāti Paoa along with other iwi were drawn in to conflict with neighbouring and distant tribes that resulted in a decade of violence and warfare. Ngāti Paoa managing to hold fast to a vast tract of land from Te Hoe of Tainui in the south, through to Mahurangi in the north.

In the early 19th Century, there was a time of relative peace as many iwi had wearied of war. The influence of the early Missionaries upon the Māori was considerable; native philosophical and customary beliefs of utu (reciprocity, vengeance), were in conflict with the new religious teachings. Alliances through marriages were made to maintain the stability.

However, when the body of the Ngāti Paoa chief Rongomaurikura was found washed up on the shores of the Coromandel Peninsula after having recently been on a fishing expedition; Ngāti Paoa blamed another Marutūāhu iwi for the calamity and in suspecting that Rongomaurikura's body was then eaten by that same Marutūāhu iwi, participated in battles at Waiheke (Hangaura, Matietie and Owhanake) and in the Coromandel in acts of vengeance and retribution. Samuel Marsden, the CMS Missionary brokered a meeting between the two iwi and was able to arrange peace between them, although resentment and suspicion remained.

In the latter half of 1821, the northern tribes arrived with an arsenal of muskets and launched attack after attack on each of the strongholds of Ngāti Paoa and Marutūāhu. Ngāti Paoa and Marutūāhu iwi fleeing from the area and retiring to the shelter provided in the south. After a period of relative peace in the south – Ngāti Paoa and the Marutūāhu iwi returned to their former bases. Ngāti Paoa returned to find Waiheke virtually vacant and available for sole occupancy.

In 1840, Kahukoti, son of the Ngāti Paoa chief Te Haupa, was said to have been cursed by an individual from a tribal member of another Marutūāhu iwi which further provoked and incensed Ngāti Paoa's resolve to receive compensation through new methods recently introduced by the British sovereignty. At another meeting between the two tribes, and attended by the Colonial Official Donald McLean, Ngāti Paoa were in receipt of land on Waiheke as an affirmation of traditional acknowledgement of the wrong doing carried out on behalf of the Marutūāhu tribe.

The Ngāti Paoa hapū at Matietie in the late 19th Century and in the early 20th Century were Ngāti Hura. The Western portion of Waiheke, known as Te Huruhi (approx. 2,100



acres) was set aside as a Reserve for Ngāti Paoa by the Crown and an inalienable title was imposed for a period of 21 years in 1869. At Matietie Bay, Ngāti Hura cultivated on the land in the mid upper reaches of the flat terrain adjacent to the southern stream. The lower reaches of the terrain were regarded as sacred.

Following the expiration of Inalienable title for Te Huruhi; the Native Land Court then imposed the partitioning of land and the land was eventually awarded in portions to representatives of different families. This set in motion the alienation of Ngāti Paoa's traditional lands.

Matietie remains an important area for Ngāti Paoa, as unearthed koiwi within the vicinity of Matiatia Bay have been reinterred by Ngāti Paoa at Matietie. Ngāti Paoa regard the Bay as culturally significant and our oral traditions indicate that there are likely to be many remains of Ngāti Paoa ancestors scattered around the foreshore, and hidden within the crevices of the rock formations and cliffs.



Before the Environment Court at Auckland

ENV-2013-AKL-000174

Under the Resource Management Act 1991

And

In the Matter of a direct referral to the Environment Court
under Section 87G requesting the granting of resource consents to
Waiheke Marinas Limited to establish a Marina
at Matiatia Bay, Waiheke Island, in the Hauraki
Gulf

(Intended) s274 RMA Notice for Ngati Paoa Iwi Trust

Dated 02 July 2014

Solicitor:
Sharon Skinner
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Counsel:
Rob Enright
Barrister
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To the Registrar
Environment Court
Auckland

Ngati Paoa Iwi Trust wishes to be a party to the following proceedings:

ENV-2013-AKL-000174

(Application for resource consents by Waiheke Marinas Ltd to establish a Marina at Matiatia Bay, Waiheke Island, in the Hauraki Gulf)

Ngati Paoa Iwi Trust is a person who has an interest in the proceedings that is greater than the interest that the general public has (refer particulars below).

Ngati Paoa Iwi Trust is not a trade competitor for the purposes of section 308C of the Resource Management Act 1991.

Ngati Paoa Iwi Trust is directly affected by an effect of the subject of the appeal that—

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Ngati Paoa Iwi Trust is interested in all the proceedings.

Ngati Paoa Iwi Trust is interested in the following particular issues:

- Tangible and intangible adverse cultural effects of the proposal under sections s5 (cultural wellbeing), s6(e)(f), s7(a), s8 RMA and sections 6-10 Hauraki Gulf Marine Park Act 2000;
- Process concerns relating to consultation and assessment of cultural impacts;
- Planning instruments in relation to cultural effects;
- Inability of application to meet s104 and s104D statutory requirements in relation to cultural effects.

Ngati Paoa Iwi Trust opposes the application for resource consents because—

- 1 Ngati Paoa Iwi Trust is a mandated representative of the mana whenua of Waiheke Island;
- 2 There is an identified information gap in relation to cultural effects of the marina proposal. This is articulated in the evidence of the applicant's cultural

expert (Pita Rikys¹) and in the evidence of Council's planning expert (Nicole Bremner²).

- 3 The proposal results in adverse cultural impacts under s5 (cultural wellbeing), s6(e)(f), s7(a), s8 RMA and sections 6-10 of the Hauraki Gulf Marine Park Act 2000;
- 4 Ngati Paoa Iwi Trust has an interest greater than the public generally in the proposal. Matiatia Bay forms part of a cultural landscape and important ancestral lands for Ngati Paoa, containing a number of waahi tapu and urupa sites, and long standing ancestral relationships between Ngati Paoa and Matiatia Bay;
- 5 Sections 6-8 Hauraki Gulf Marine Park Act 2000, Objective 3 and Policy 2 of the NZCPS; and Objective 3.3 and Policy 3.4 of the Auckland Regional Policy Statement support tangata whenua being heard in relation to cultural effects on the coastal and marine environment of the Hauraki Gulf;
- 6 The further grounds raised in the affidavit of Morehu Wilson sworn 01 July 2014.

(To the extent relevant) Ngati Paoa Iwi Trust agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated 02 July 2014

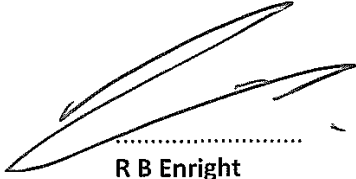
¹ Statement of Evidence of Pita Rikys at [8]-[9]:

"8. As noted my evidence will address cultural values in the widest sense, waahi tapu with a particular focus on burials and burial areas / urupa, Koiwi, archaeological sites and cultural landscape values.

9. I note in his evidence that Don Prince suggests that an assessment of cultural values can only be made by effected Tangata Whenua. It is my expert view that the position of Mana Whenua must be given primacy across these areas. We are hampered in making these assessments by the fact that Ngati Paoa ultimately elected not to make submission on the proposal. It is dangerous to read too much into this position but as I state in my evidence much can be gleaned from work undertaken with the iwi and knowledge derived from it."

² Statement of Evidence of Nicole Bremner at [20]:

"20. At this time I still remain in some doubt as to whether some parts of the Bay would be regarded as waahi tapu and what the extent and significance of the impacts of the Proposal on Maori cultural and spiritual associations might be. "



R B Enright
Counsel for Ngati Paoa Iwi Trust

Address for service of person wishing to be a party: by email to rob@publiclaw9.com
and sharon@skinnerlaw.co.nz

Postal: PO Box 106938, Auckland City 1143

Telephone: 021 276 5787

Email: rob@publiclaw9.com

Advice

If you have any questions about this notice, contact the Environment Court in
Auckland, Wellington, or Christchurch.

IN THE MATTER of the Resource Management Act 1991 (Act)

IN THE MATTER an application under section 87G of the Act

BETWEEN **WAIHEKE MARINAS LIMITED**

Applicant

AND **AUCKLAND COUNCIL**

Respondent

**NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act 1991**

TO: the Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

By Email: matiatia@justice.govt.nz

1. I Vyvean Anthea Oakley

wish to be party to the following proceedings:

ENV-2013-AKL-000174

An application under section 87G of the Resource Management Act 1991(the Act)

Waiheke Marinas Limited-Applicant

2. I made a submission on the following resource consent applications the subject of the proceedings:
Coastal Permit 41032, 41747, 41748
Discharge Permit .41522
Land Use R/LUC/2013/934
3. I am not a trade competitor for the purposes of section 308CA of the Act.
4. I am interested in all of the proceedings

5. I am interested in the following particular issues:
- a. Effects are more than minor and are contrary to objectives and policies of the relevant regional and district plans
 - b. Social wellbeing of the Waiheke community
 - c. Amenity and landscape of the Matiatia gateway
 - d. Issues during construction
 - e. Economic well being of the visitor economy and future economy of Waiheke
 - f. Strategic regional planning integration of transportation infrastructure at the Matiatia Gateway
 - g. Maori Waahi Tapu issues
 - h. Ecological well being for coastal marine biota
 - i. Alternative sites identified for marina development on Waiheke
 - j. Noise – both construction and operational
 - k. Hydrology and sedimentation patterns
 - l. Other-consequential effects
6. I oppose the granting of the resource consent applications
7. My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:
- a. Effects**

The effects will be more than minor and the proposal is contrary to the objectives and policies of the relevant regional and district plans
 - b. Social well being**
 - i. Threat of self-interest and so called “progress” to our Waiheke local community social contract
 - ii. Threat to Waiheke as my “turangawaewae” or “place to stand”
 - iii. Threat of restricted access to our common property seabed, coastal and esplanade reserves and coastal marine area (CMA)
 - iv. Threat to local community well being as local marina ownership dissipates offshore over time
 - v. Threat to use of the CMA for the benefit of exclusive future business endeavours
 - c. Amenity and landscape**
 - i. Threat from marina to Matiatia as an integrated gateway amenity and welcoming home-coming
 - ii. Threat from breakwaters to landscape amenity and the feng shui of Matiatia Bay
 - d. Issues during construction**
 - i. Threat from congestion due to the 21 month period of construction
 - ii. Threat to Coastal Marine Area from inappropriate dredging and reclamation

- e. Economic well being**
 - i. Threat to the visitor economy due to impaired tourism gateway & distinctive point of difference
 - ii. Threat to the visitor economy due to impaired local character and natural environment
 - iii. Threat to the visitor economy from traffic manoeuvring and congestion issues
 - iv. Threat to visitor economy from breakwaters and impaired feng shui
 - v. Threat to our future economy from breakwaters and marina and foregone future port access
 - vi. Threat to our future economy from marina and foregone eco-cluster opportunities

 - f. Integrated Planning & Strategic Integration of transportation Infrastructure**
 - i. Threat to foregone efficiencies due to the lack of integrated planning analysis and considerations especially with respect to future Auckland Council Property Ltd development plans for the visitor industry, rental car infrastructure matters, wharf expansion and development, commuter transportation matters, car parking costs and access matters; and from associated cumulative effects, including the need to adopt a precautionary approach

 - g. Maori Waahi Tapu issues**
 - i. Threat to iwi cultural well being due to its imposition upon waahi tapu matters

 - h. Ecological Well Being**
 - i. Threat to the protection and maintenance of the life-supporting capacity of the environment including its ecosystems
 - ii. Threat to the marine wildlife that occupy Matiatia Harbour

 - i. Alternative Sites**
 - i. Threat to the efficient use of resources due to insufficient consideration of alternative sites identified on Waiheke

 - j. Noise**
 - i. Threat of uncontrolled noise from the rigging of berthed craft

 - k. Hydrology and Sedimentation**
 - i. Threat to the present efficient seawater flow and movement within Matiatia
 - ii. Threat to water quality from turbidity and sediments created by marina users

 - l. Other**
 - i. threats from whatsoever other associated or consequential matters
8. Accordingly I agree with the Auckland Council report findings that the positioning of the marina in this strategic transport location will constrain and potentially preclude options for future wharf-related operations and expansion to meet the growth needs of the wider community.

9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.

10 I wish to support the submission and s274 request of DirectionMatiatia in its entirety.

Name:

Vyvean Anthea Oakley

Date: 29.12.13

Address for Service:

C/- Direction Matiatia Incorporated

Email:

dmiwaiheke@gmail.com

Phone

Phone (09) 372 9212



IN THE MATTER of the Resource Management Act 1991 (Act)
IN THE MATTER an application under section 87G of the Act
BETWEEN **WAIHEKE MARINAS LIMITED**
Applicant
AND **AUCKLAND COUNCIL**
Respondent

NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act 1991

TO: the Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

By Email: matiatia@justice.govt.nz

1. I [full name] *KATHLEEN MARY O'SULLIVAN*

wish to be party to the following proceedings:

ENV-2013-AKL-000174

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Waiheke Marinas Limited-Applicant

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3. I am not a trade competitor for the purposes of section 308CA of the Act.
4. I am interested in all of the proceedings

5. I am interested in the following particular issues:
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 - d. Issues during construction
 - e. Economic well being of the visitor economy and future economy of Waiheke
 - f. Strategic regional planning integration of transportation infrastructure at the Matiatia Gateway
 - g. Maori Waahi Tapu issues
 - h. Ecological well being for coastal marine biota
 - i. ~~Alternative sites identified for marina development on Waiheke~~
 - j. Noise – both construction and operational
 - k. Hydrology and sedimentation patterns
 - l. Other-consequential effects
6. I oppose the granting of the resource consent applications
7. My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:
- a. Effects**

The effects will be more than minor and the proposal is contrary to the objectives and policies of the relevant regional and district plans
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 - i. Threat of self-interest and so called “progress” to our Waiheke local community social contract
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 - iii. Threat of restricted access to our common property seabed, coastal and esplanade reserves and coastal marine area (CMA)
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 - i. threats from whatsoever other associated or consequential matters
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9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.

10 I wish to support the submission and s274 request of DirectionMatiatia in its entirety.

Name:
[full name]

Khuo'sun

Date:

09/01/14

Address for Service:

C/- Direction Matiatia Incorporated

Email:

directionmatiatia.co.nz

**IN THE ENVIRONMENT COURT
AT AUCKLAND**

ENV-2013-AKL-000174

IN THE MATTER of the Resource Management Act 1991 (Act)
IN THE MATTER an application under section 87G of the Act
BETWEEN **WAIHEKE MARINAS LIMITED**
Applicant
AND **AUCKLAND COUNCIL**
Respondent

**NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act 1991**

TO: the Registrar
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Auckland

By Email: matiatia@justice.govt.nz

1. I [full name [Janis Paranihi](#)

Deleted: ej

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7. My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:

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The effects will be more than minor and the proposal is contrary to the objectives and policies of the relevant regional and district plans

b. Social well being

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 - j. Noise**
 - i. Threat of uncontrolled noise from the rigging of berthed craft

 - k. Hydrology and Sedimentation**
 - i. Threat to the present efficient seawater flow and movement within Matiatia
 - ii. Threat to water quality from turbidity and sediments created by marina users

 - l. Other**
 - i. threats from whatsoever other associated or consequential matters
8. Accordingly I agree with the Auckland Council report findings that the positioning of the marina in this strategic transport location will constrain and potentially preclude

options for future wharf-related operations and expansion to meet the growth needs of the wider community.

9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.

10 I wish to support the submission and s274 request of DirectionMatiatia in its entirety.

| **Name:** [Janis Paranihi](#)
[full name]

| **Date:** [17.12.2013](#)

Address for Service:

C/- Direction Matiatia Incorporated

Email:

directionmatiatia.co.nz

**IN THE ENVIRONMENT COURT
AT AUCKLAND**

ENV-2013-AKL-000174

IN THE MATTER of the Resource Management Act 1991 (Act)
IN THE MATTER an application under section 87G of the Act
BETWEEN **WAIHEKE MARINAS LIMITED**
Applicant
AND **AUCKLAND COUNCIL**
Respondent

**NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act 1991**

TO: the Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

By Email: matiatia@justice.govt.nz

1. I [full name [John Paranihi](#)

Deleted: ej

wish to be party to the following proceedings:

ENV-2013-AKL-000174

An application under section 87G of the Resource Management Act 1991 (the Act)

Waiheke Marinas Limited-Applicant

2. I made a submission on the following resource consent applications the subject of the proceedings:
Coastal Permit 41032, 41747, 41748
Discharge Permit ..41522
Land Use R/LUC/2013/934
3. I am not a trade competitor for the purposes of section 308CA of the Act.
4. I am interested in all of the proceedings

5. I am interested in the following particular issues:

- a. Effects are more than minor and are contrary to objectives and policies of the relevant regional and district plans
- b. Social wellbeing of the Waiheke community
- c. Amenity and landscape of the Matiatia gateway
- d. Issues during construction
- e. Economic well being of the visitor economy and future economy of Waiheke
- f. Strategic regional planning integration of transportation infrastructure at the Matiatia Gateway
- g. Maori Waahi Tapu issues
- h. Ecological well being for coastal marine biota
- i. Alternative sites identified for marina development on Waiheke
- j. Noise – both construction and operational
- k. Hydrology and sedimentation patterns
- l. Other-consequential effects

6. I oppose the granting of the resource consent applications

7. My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:

a. Effects

The effects will be more than minor and the proposal is contrary to the objectives and policies of the relevant regional and district plans

b. Social well being

- i. Threat of self-interest and so called “progress” to our Waiheke local community social contract
- ii. Threat to Waiheke as my “turangawaewae” or “place to stand”
- iii. Threat of restricted access to our common property seabed, coastal and esplanade reserves and coastal marine area (CMA)
- iv. Threat to local community well being as local marina ownership dissipates offshore over time
- v. Threat to use of the CMA for the benefit of exclusive future business endeavours

c. Amenity and landscape

- i. Threat from marina to Matiatia as an integrated gateway amenity and welcoming home-coming
- ii. Threat from breakwaters to landscape amenity and the feng shui of Matiatia Bay

d. Issues during construction

- i. Threat from congestion due to the 21 month period of construction
- ii. Threat to Coastal Marine Area from inappropriate dredging and reclamation

- e. Economic well being**
 - i. Threat to the visitor economy due to impaired tourism gateway & distinctive point of difference
 - ii. Threat to the visitor economy due to impaired local character and natural environment
 - iii. Threat to the visitor economy from traffic manoeuvring and congestion issues
 - iv. Threat to visitor economy from breakwaters and impaired feng shui
 - v. Threat to our future economy from breakwaters and marina and foregone future port access
 - vi. Threat to our future economy from marina and foregone eco-cluster opportunities

 - f. Integrated Planning & Strategic Integration of transportation Infrastructure**
 - i. Threat to foregone efficiencies due to the lack of integrated planning analysis and considerations especially with respect to future Auckland Council Property Ltd development plans for the visitor industry, rental car infrastructure matters, wharf expansion and development, commuter transportation matters, car parking costs and access matters; and from associated cumulative effects, including the need to adopt a precautionary approach

 - g. Maori Waahi Tapu issues**
 - i. Threat to iwi cultural well being due to its imposition upon waahi tapu matters

 - h. Ecological Well Being**
 - i. Threat to the protection and maintenance of the life-supporting capacity of the environment including its ecosystems
 - ii. Threat to the marine wildlife that occupy Matiatia Harbour

 - i. Alternative Sites**
 - i. Threat to the efficient use of resources due to insufficient consideration of alternative sites identified on Waiheke

 - j. Noise**
 - i. Threat of uncontrolled noise from the rigging of berthed craft

 - k. Hydrology and Sedimentation**
 - i. Threat to the present efficient seawater flow and movement within Matiatia
 - ii. Threat to water quality from turbidity and sediments created by marina users

 - l. Other**
 - i. threats from whatsoever other associated or consequential matters
8. Accordingly I agree with the Auckland Council report findings that the positioning of the marina in this strategic transport location will constrain and potentially preclude

options for future wharf-related operations and expansion to meet the growth needs of the wider community.

9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.

10 I wish to support the submission and s274 request of DirectionMatiatia in its entirety.

| **Name:** [John Paranihi](#)
[full name]

| **Date:** [17.12.2013](#)

Address for Service:

C/- Direction Matiatia Incorporated

Email:

directionmatiatia.co.nz

IN THE MATTER of the Resource Management Act 1991 (Act)

IN THE MATTER an application under section 87G of the Act

BETWEEN **WAIHEKE MARINAS LIMITED**

Applicant

AND **AUCKLAND COUNCIL**

Respondent

-
NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act 1991

TO: the Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

By Email: matiatia@justice.govt.nz

1. I [\[full name\]Kirsty Anne Richards](#)

wish to be party to the following proceedings:

ENV-2013-AKL-000174

An application under section 87G of the Resource Management Act 1991(the Act)

Waiheke Marinas Limited-Applicant

2. I made a submission on the following resource consent applications the subject of the proceedings:
Coastal Permit 41032, 41747, 41748
Discharge Permit .41522
Land Use R/LUC/2013/934
3. I am not a trade competitor for the purposes of section 308CA of the Act.
4. I am interested in all of the proceedings

5. I am interested in the following particular issues:
- a. Effects are more than minor and are contrary to objectives and policies of the relevant regional and district plans
 - b. Social wellbeing of the Waiheke community
 - c. Amenity and landscape of the Matiatia gateway
 - d. Issues during construction
 - e. Economic well being of the visitor economy and future economy of Waiheke
 - f. Strategic regional planning integration of transportation infrastructure at the Matiatia Gateway
 - g. Maori Waahi Tapu issues
 - h. Ecological well being for coastal marine biota
 - i. Alternative sites identified for marina development on Waiheke
 - j. Noise – both construction and operational
 - k. Hydrology and sedimentation patterns
 - l. Other-consequential effects
6. I oppose the granting of the resource consent applications
7. My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:
- a. Effects**

The effects will be more than minor and the proposal is contrary to the objectives and policies of the relevant regional and district plans
 - b. Social well being**
 - i. Threat of self-interest and so called “progress” to our Waiheke local community social contract
 - ii. Threat to Waiheke as my “turangawaewae” or “place to stand”
 - iii. Threat of restricted access to our common property seabed, coastal and esplanade reserves and coastal marine area (CMA)
 - iv. Threat to local community well being as local marina ownership dissipates offshore over time
 - v. Threat to use of the CMA for the benefit of exclusive future business endeavours
 - c. Amenity and landscape**
 - i. Threat from marina to Matiatia as an integrated gateway amenity and welcoming home-coming
 - ii. Threat from breakwaters to landscape amenity and the feng shui of Matiatia Bay
 - d. Issues during construction**
 - i. Threat from congestion due to the 21 month period of construction
 - ii. Threat to Coastal Marine Area from inappropriate dredging and reclamation

- e. Economic well being**
 - i. Threat to the visitor economy due to impaired tourism gateway & distinctive point of difference
 - ii. Threat to the visitor economy due to impaired local character and natural environment
 - iii. Threat to the visitor economy from traffic manoeuvring and congestion issues
 - iv. Threat to visitor economy from breakwaters and impaired feng shui
 - v. Threat to our future economy from breakwaters and marina and foregone future port access
 - vi. Threat to our future economy from marina and foregone eco-cluster opportunities

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 - i. Threat to foregone efficiencies due to the lack of integrated planning analysis and considerations especially with respect to future Auckland Council Property Ltd development plans for the visitor industry, rental car infrastructure matters, wharf expansion and development, commuter transportation matters, car parking costs and access matters; and from associated cumulative effects, including the need to adopt a precautionary approach

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 - i. Threat to iwi cultural well being due to its imposition upon waahi tapu matters

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 - i. Threat to the protection and maintenance of the life-supporting capacity of the environment including its ecosystems
 - ii. Threat to the marine wildlife that occupy Matiatia Harbour

 - i. Alternative Sites**
 - i. Threat to the efficient use of resources due to insufficient consideration of alternative sites identified on Waiheke

 - j. Noise**
 - i. Threat of uncontrolled noise from the rigging of berthed craft

 - k. Hydrology and Sedimentation**
 - i. Threat to the present efficient seawater flow and movement within Matiatia
 - ii. Threat to water quality from turbidity and sediments created by marina users

 - l. Other**
 - i. threats from whatsoever other associated or consequential matters
8. Accordingly I agree with the Auckland Council report findings that the positioning of the marina in this strategic transport location will constrain and potentially preclude options for future wharf-related operations and expansion to meet the growth needs of the wider community.

9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.

10 I wish to support the submission and s274 request of DirectionMatiatia in its entirety.

Name:

| ~~[full name]~~ [Kirsty Anne Richards](#)

| **Date:** [17 January 2014](#)

Address for Service:

C/- Direction Matiatia Incorporated

Email:

directionmatiatia.co.nz

IN THE MATTER of the Resource Management Act 1991 (Act)
IN THE MATTER an application under section 87G of the Act
BETWEEN **WAIHEKE MARINAS LIMITED**
Applicant
AND **AUCKLAND COUNCIL**
Respondent

-
NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act 1991

TO: the Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

By Email: matiatia@justice.govt.nz

1. I [David Alan Ritchie](#)[full name]

wish to be party to the following proceedings:

ENV-2013-AKL-000174

An application under section 87G of the Resource Management Act 1991(the Act)

Waiheke Marinas Limited-Applicant

2. I made a submission on the following resource consent applications the subject of the proceedings:
Coastal Permit 41032, 41747, 41748
Discharge Permit .41522
Land Use R/LUC/2013/934
3. I am not a trade competitor for the purposes of section 308CA of the Act.
4. I am interested in all of the proceedings

5. I am interested in the following particular issues:
 - a. Effects are more than minor and are contrary to objectives and policies of the relevant regional and district plans
 - b. Social wellbeing of the Waiheke community
 - c. Amenity and landscape of the Matiatia gateway
 - d. Issues during construction
 - e. Economic well being of the visitor economy and future economy of Waiheke
 - f. Strategic regional planning integration of transportation infrastructure at the Matiatia Gateway
 - g. Maori Waahi Tapu issues
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 - i. Alternative sites identified for marina development on Waiheke
 - j. Noise – both construction and operational
 - k. Hydrology and sedimentation patterns
 - l. Other-consequential effects

6. I oppose the granting of the resource consent applications

7. My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:
 - a. Effects**

The effects will be more than minor and the proposal is contrary to the objectives and policies of the relevant regional and district plans

 - b. Social well being**
 - i. Threat of self-interest and so called “progress” to our Waiheke local community social contract
 - ii. Threat to Waiheke as my “turangawaewae” or “place to stand”
 - iii. Threat of restricted access to our common property seabed, coastal and esplanade reserves and coastal marine area (CMA)
 - iv. Threat to local community well being as local marina ownership dissipates offshore over time
 - v. Threat to use of the CMA for the benefit of exclusive future business endeavours

 - c. Amenity and landscape**
 - i. Threat from marina to Matiatia as an integrated gateway amenity and welcoming home-coming
 - ii. Threat from breakwaters to landscape amenity and the feng shui of Matiatia Bay

 - d. Issues during construction**
 - i. Threat from congestion due to the 21 month period of construction
 - ii. Threat to Coastal Marine Area from inappropriate dredging and reclamation

- e. Economic well being**
 - i. Threat to the visitor economy due to impaired tourism gateway & distinctive point of difference
 - ii. Threat to the visitor economy due to impaired local character and natural environment
 - iii. Threat to the visitor economy from traffic manoeuvring and congestion issues
 - iv. Threat to visitor economy from breakwaters and impaired feng shui
 - v. Threat to our future economy from breakwaters and marina and foregone future port access
 - vi. Threat to our future economy from marina and foregone eco-cluster opportunities

 - f. Integrated Planning & Strategic Integration of transportation Infrastructure**
 - i. Threat to foregone efficiencies due to the lack of integrated planning analysis and considerations especially with respect to future Auckland Council Property Ltd development plans for the visitor industry, rental car infrastructure matters, wharf expansion and development, commuter transportation matters, car parking costs and access matters; and from associated cumulative effects, including the need to adopt a precautionary approach

 - g. Maori Waahi Tapu issues**
 - i. Threat to iwi cultural well being due to its imposition upon waahi tapu matters

 - h. Ecological Well Being**
 - i. Threat to the protection and maintenance of the life-supporting capacity of the environment including its ecosystems
 - ii. Threat to the marine wildlife that occupy Matiatia Harbour

 - i. Alternative Sites**
 - i. Threat to the efficient use of resources due to insufficient consideration of alternative sites identified on Waiheke

 - j. Noise**
 - i. Threat of uncontrolled noise from the rigging of berthed craft

 - k. Hydrology and Sedimentation**
 - i. Threat to the present efficient seawater flow and movement within Matiatia
 - ii. Threat to water quality from turbidity and sediments created by marina users

 - l. Other**
 - i. threats from whatsoever other associated or consequential matters
8. Accordingly I agree with the Auckland Council report findings that the positioning of the marina in this strategic transport location will constrain and potentially preclude options for future wharf-related operations and expansion to meet the growth needs of the wider community.

9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.

10 I wish to support the submission and s274 request of DirectionMatiatia in its entirety.

Name:

| [\[David Alan Ritchiefull-name\]](#)

| **Date:** [15 12 2013](#)

Address for Service:

C/- Direction Matiatia Incorporated

Email:

| directionmatiatia.co.nz

| dmiwaiheke@gmail.com

| [3729212](tel:3729212)

**IN THE ENVIRONMENT COURT
AT AUCKLAND**

ENV-2013-AKL-000174

IN THE MATTER of the Resource Management Act 1991 (Act)

IN THE MATTER an application under section 87G of the Act

BETWEEN **WAIHEKE MARINAS LIMITED**

Applicant

AND **AUCKLAND COUNCIL**

Respondent

**NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act 1991**

TO: the Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

By Email: matiatia@justice.govt.nz

I, [Denise Roche](#), wish to be party to the following proceedings:

ENV-2013-AKL-000174

An application under section 87G of the Resource Management Act 1991 (the Act) with **Waiheke Marinas Limited** as the Applicant

I made a submission on the following resource consent applications the subject of the proceedings:

- Coastal Permit 41032, 41747, 41748
- Discharge Permit .41522
- Land Use R/LUC/2013/934.

I am not a trade competitor for the purposes of section 308CA of the Act.

I have lived on Waiheke Island for 16 years and it has been my privilege to represent the community of Waiheke as an Auckland City Councillor (2007-2010) and Waiheke Local Board member (2010 – 2012) and am currently a Green Party list Member of Parliament. I am interested in all of the proceedings

I am interested in the following particular issues:

- a. Effects are more than minor and are contrary to objectives and policies of the relevant regional and district plans
- b. Social wellbeing of the Waiheke community
- c. Amenity and landscape of the Matiatia gateway
- d. Issues during construction
- e. Economic well being of the visitor economy and future economy of Waiheke
- f. Strategic regional planning integration of transportation infrastructure at the Matiatia Gateway
- g. Maori Waahi Tapu issues
- h. Ecological well being for coastal marine biota
- i. Alternative sites identified for marina development on Waiheke
- j. Noise – both construction and operational
- k. Hydrology and sedimentation patterns
- l. Other-consequential effects

I oppose the granting of the resource consent applications

My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:

a. Effects

The effects will be more than minor and the proposal is contrary to the objectives and policies of the relevant regional and district plans

b. Social well being

- i. Threat of self-interest and so called “progress” to our Waiheke local community social contract
- ii. Threat to Waiheke as my “turangawaewae” or “place to stand”
- iii. Threat of restricted access to our common property seabed, coastal and esplanade reserves and coastal marine area (CMA)
- iv. Threat to local community well being as local marina ownership dissipates offshore over time
- v. Threat to use of the CMA for the benefit of exclusive future business endeavours

c. Amenity and landscape

- i. Threat from marina to Matiatia as an integrated gateway amenity and welcoming home-coming
- ii. Threat from breakwaters to landscape amenity and the feng shui of Matiatia Bay

d. Issues during construction

- i. Threat from congestion due to the 21 month period of construction
- ii. Threat to Coastal Marine Area from inappropriate dredging and reclamation

e. Economic well being

- i. Threat to the visitor economy due to impaired tourism gateway & distinctive point of difference
- ii. Threat to the visitor economy due to impaired local character and natural environment
- iii. Threat to the visitor economy from traffic manoeuvring and congestion issues
- iv. Threat to visitor economy from breakwaters and impaired feng shui
- v. Threat to our future economy from breakwaters and marina and foregone future port access
- vi. Threat to our future economy from marina and foregone eco-cluster opportunities

f. Integrated Planning & Strategic Integration of transportation Infrastructure

- i. Threat to foregone efficiencies due to the lack of integrated planning analysis and considerations especially with respect to future Auckland Council Property Ltd development plans for the visitor industry, rental car infrastructure matters, wharf expansion and development, commuter transportation matters, car parking costs and access matters; and from associated cumulative effects, including the need to adopt a precautionary approach

g. Maori Waahi Tapu issues

- i. Threat to iwi cultural well being due to its imposition upon waahi tapu matters.
- ii. The marina will include building over areas that have special cultural and spiritual values for Maori. In 2010 I joined with kaumatua and kuia from Ngati Paoa to re-inter koiwi that had been exposed in the area where Waiheke Marina Ltd are proposing to build a car park. The foreshore, the sea and the land is wahi tapu and should not be meddled with.
- iii. It is only in the last few years that our community was able to pressure Auckland City Council into removing the cars that were parked on the graves on the esplanade reserve on the other side of the bay and have that area officially recognised as an urupa and a wahi tapu.
- iv. To knowingly recreate the insult of parking cars on human remains on the other side of the bay is unacceptable and I believe it breaches the partnership outlined in the Treaty of Waitangi.

h. Ecological Well Being

- i. Threat to the protection and maintenance of the life-supporting capacity of the environment including its ecosystems
- ii. Threat to the marine wildlife that occupy Matiatia Harbour

i. Alternative Sites

- i. Threat to the efficient use of resources due to insufficient consideration of alternative sites identified on Waiheke

j. Noise

- i. Threat of uncontrolled noise from the rigging of berthed craft

k. Hydrology and Sedimentation

- i. Threat to the present efficient seawater flow and movement within Matiatia
- ii. Threat to water quality from turbidity and sediments created by marina users

l. Other

- i. threats from whatsoever other associated or consequential matters

Accordingly I agree with the Auckland Council report findings that the positioning of the marina in this strategic transport location will constrain and potentially preclude options for future wharf-related operations and expansion to meet the growth needs of the wider community.

I agree to participate in mediation or other alternative dispute resolution of the proceedings.

I wish to support the submission and s274 request of Direction Matiatia in its entirety.

Name:

Denise Roche

Date: 15th January 2014

Address:

44 Shelly Beach Road
Surfdale
Waiheke Island
Auckland 1081

Email:

deniseonthefarm@hotmail.com

Phone:

021 180 2506 or (09) 372 6578

IN THE MATTER of the Resource Management Act 1991 (Act)
IN THE MATTER an application under section 87G of the Act
BETWEEN **WAIHEKE MARINAS LIMITED**
Applicant
AND **AUCKLAND COUNCIL**
Respondent

NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act 1991

TO: the Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

By Email: matiatia@justice.govt.nz

① I [full name] *Joan Francis ROYAL*

wish to be party to the following proceedings:

ENV-2013-AKL-000174

An application under section 87G of the Resource Management Act 1991(the Act)

Waiheke Marinas Limited-Applicant

② I made a submission on the following resource consent applications the subject of the proceedings:

Coastal Permit 41032, 41747, 41748

Discharge Permit .41522

Land Use R/LUC/2013/934

③ I am not a trade competitor for the purposes of section 308CA of the Act.

④ I am interested in all of the proceedings

5. I am interested in the following particular issues:

- a. Effects are more than minor and are contrary to objectives and policies of the relevant regional and district plans
- b. Social wellbeing of the Waiheke community
- c. Amenity and landscape of the Matiatia gateway
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- f. Strategic regional planning integration of transportation infrastructure at the Matiatia Gateway
- g. Maori Waahi Tapu issues
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- i. Alternative sites identified for marina development on Waiheke
- j. Noise – both construction and operational
- k. Hydrology and sedimentation patterns
- l. Other-consequential effects

6. I oppose the granting of the resource consent applications

7. My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:

a. Effects

The effects will be more than minor and the proposal is contrary to the objectives and policies of the relevant regional and district plans

b. Social well being

- i. Threat of self-interest and so called "progress" to our Waiheke local community social contract
- ii. Threat to Waiheke as my "turangawaewae" or "place to stand"
- iii. Threat of restricted access to our common property seabed, coastal and esplanade reserves and coastal marine area (CMA)
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c. Amenity and landscape

- i. Threat from marina to Matiatia as an integrated gateway amenity and welcoming home-coming
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- i. Threat from congestion due to the 21 month period of construction
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g. Maori Waahi Tapu issues

- i. Threat to iwi cultural well being due to its imposition upon waahi tapu matters

h. Ecological Well Being

- i. Threat to the protection and maintenance of the life-supporting capacity of the environment including its ecosystems
- ii. Threat to the marine wildlife that occupy Matiatia Harbour

i. Alternative Sites

- i. Threat to the efficient use of resources due to insufficient consideration of alternative sites identified on Waiheke

j. Noise

- i. Threat of uncontrolled noise from the rigging of berthed craft

k. Hydrology and Sedimentation

- i. Threat to the present efficient seawater flow and movement within Matiatia
- ii. Threat to water quality from turbidity and sediments created by marina users

l. Other

- i. threats from whatsoever other associated or consequential matters

8. Accordingly I agree with the Auckland Council report findings that the positioning of the marina in this strategic transport location will constrain and potentially preclude options for future wharf-related operations and expansion to meet the growth needs of the wider community.

9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.

10 I wish to support the submission and s274 request of DirectionMatiatia in its entirety.

Name:
[full name]

JOAN FRANCIS ROYAL



Date:

17th December

Address for Service:

C/- Direction Matiatia Incorporated

Email:

directionmatiatia.co.nz

IN THE MATTER of the Resource Management Act 1991 (Act)

IN THE MATTER an application under section 87G of the Act

BETWEEN **WAIHEKE MARINAS LIMITED**

Applicant

AND **AUCKLAND COUNCIL**

Respondent

-
NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act 1991

TO: the Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

By Email: matiatia@justice.govt.nz

1. I **Rosalind Clare Sainsbury****[full name]**

wish to be party to the following proceedings:

ENV-2013-AKL-000174

An application under section 87G of the Resource Management Act 1991(the Act)

Waiheke Marinas Limited-Applicant

2. I made a submission on the following resource consent applications the subject of the proceedings:
Coastal Permit 41032, 41747, 41748
Discharge Permit .41522
Land Use R/LUC/2013/934
3. I am not a trade competitor for the purposes of section 308CA of the Act.
4. I am interested in all of the proceedings

5. I am interested in the following particular issues:
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 - l. Other-consequential effects
6. I oppose the granting of the resource consent applications
7. My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:
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 - iv. Threat to local community well being as local marina ownership dissipates offshore over time
 - v. Threat to use of the CMA for the benefit of exclusive future business endeavours
 - c. Amenity and landscape**
 - i. Threat from marina to Matiatia as an integrated gateway amenity and welcoming home-coming
 - ii. Threat from breakwaters to landscape amenity and the feng shui of Matiatia Bay
 - d. Issues during construction**
 - i. Threat from congestion due to the 21 month period of construction
 - ii. Threat to Coastal Marine Area from inappropriate dredging and reclamation

- e. Economic well being**
 - i. Threat to the visitor economy due to impaired tourism gateway & distinctive point of difference
 - ii. Threat to the visitor economy due to impaired local character and natural environment
 - iii. Threat to the visitor economy from traffic manoeuvring and congestion issues
 - iv. Threat to visitor economy from breakwaters and impaired feng shui
 - v. Threat to our future economy from breakwaters and marina and foregone future port access
 - vi. Threat to our future economy from marina and foregone eco-cluster opportunities

 - f. Integrated Planning & Strategic Integration of transportation Infrastructure**
 - i. Threat to foregone efficiencies due to the lack of integrated planning analysis and considerations especially with respect to future Auckland Council Property Ltd development plans for the visitor industry, rental car infrastructure matters, wharf expansion and development, commuter transportation matters, car parking costs and access matters; and from associated cumulative effects, including the need to adopt a precautionary approach

 - g. Maori Waahi Tapu issues**
 - i. Threat to iwi cultural well being due to its imposition upon waahi tapu matters

 - h. Ecological Well Being**
 - i. Threat to the protection and maintenance of the life-supporting capacity of the environment including its ecosystems
 - ii. Threat to the marine wildlife that occupy Matiatia Harbour

 - i. Alternative Sites**
 - i. Threat to the efficient use of resources due to insufficient consideration of alternative sites identified on Waiheke

 - j. Noise**
 - i. Threat of uncontrolled noise from the rigging of berthed craft

 - k. Hydrology and Sedimentation**
 - i. Threat to the present efficient seawater flow and movement within Matiatia
 - ii. Threat to water quality from turbidity and sediments created by marina users

 - l. Other**
 - i. threats from whatsoever other associated or consequential matters
8. Accordingly I agree with the Auckland Council report findings that the positioning of the marina in this strategic transport location will constrain and potentially preclude options for future wharf-related operations and expansion to meet the growth needs of the wider community.

9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.

10 I wish to support the submission and s274 request of DirectionMatiatia in its entirety.

Name:

| Rosalind Clare Sainsbury[full name]

| **Date:** 12 December 2013

Address for Service:

C/- Direction Matiatia Incorporated

| **Email:** rozs@slingshot.co.nz

directionmatiatia.co.nz

IN THE MATTER of the Resource Management Act 1991 (Act)

IN THE MATTER an application under section 87G of the Act

BETWEEN **WAIHEKE MARINAS LIMITED**

Applicant

AND **AUCKLAND COUNCIL**

Respondent

**NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act 1991**

TO: the Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

By Email: matiatia@justice.govt.nz

1. I [full name] **David Leslie Smith**

wish to be party to the following proceedings:

ENV-2013-AKL-000174

An application under section 87G of the Resource Management Act 1991(the Act)

Waiheke Marinas Limited-Applicant

2. I made a submission on the following resource consent applications the subject of the proceedings:

Coastal Permit 41032, 41747, 41748

Discharge Permit .41522

Land Use R/LUC/2013/934

3. I am not a trade competitor for the purposes of section 308CA of the Act.

4. I am interested in all of the proceedings

5. I am interested in the following particular issues:
 - a. Effects are more than minor and are contrary to objectives and policies of the relevant regional and district plans
 - b. Social wellbeing of the Waiheke community
 - c. Amenity and landscape of the Matiatia gateway
 - d. Issues during construction
 - e. Economic well being of the visitor economy and future economy of Waiheke
 - f. Strategic regional planning integration of transportation infrastructure at the Matiatia Gateway
 - g. Maori Waahi Tapu issues
 - h. Ecological well being for coastal marine biota
 - i. Alternative sites identified for marina development on Waiheke
 - j. Hydrology and sedimentation patterns
 - k. Other-consequential effects

6. I oppose the granting of the resource consent applications

7. My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:
 - a. Effects**

The effects will be more than minor and the proposal is contrary to the objectives and policies of the relevant regional and district plans

 - b. Social well being**
 - i. Threat of self-interest and so called “progress” to our Waiheke local community social contract
 - ii. Threat to Waiheke as my “turangawaewae” or “place to stand”
 - iii. Threat of restricted access to our common property seabed, coastal and esplanade reserves and coastal marine area (CMA)
 - iv. Threat to local community well being as local marina ownership dissipates offshore over time
 - v. Threat to use of the CMA for the benefit of exclusive future business endeavours

 - c. Amenity and landscape**
 - i. Threat from marina to Matiatia as an integrated gateway amenity and welcoming home-coming
 - ii. Threat from breakwaters to landscape amenity and the feng shui of Matiatia Bay

 - d. Issues during construction**
 - i. Threat from congestion due to the 21 month period of construction
 - ii. Threat to Coastal Marine Area from inappropriate dredging and reclamation

 - e. Economic well being**

- i. Threat to the visitor economy due to impaired tourism gateway & distinctive point of difference
 - ii. Threat to the visitor economy due to impaired local character and natural environment
 - iii. Threat to the visitor economy from traffic manoeuvring and congestion issues
 - iv. Threat to visitor economy from breakwaters and impaired feng shui
 - v. Threat to our future economy from breakwaters and marina and foregone future port access
 - vi. Threat to our future economy from marina and foregone eco-cluster opportunities
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- g. Maori Waahi Tapu issues**
- i. Threat to iwi cultural well being due to its imposition upon waahi tapu matters
- h. Ecological Well Being**
- i. Threat to the protection and maintenance of the life-supporting capacity of the environment including its ecosystems
 - ii. Threat to the marine wildlife that occupy Matiatia Harbour
- i. Alternative Sites**
- i. Threat to the efficient use of resources due to insufficient consideration of alternative sites identified on Waiheke
- k. Hydrology and Sedimentation**
- i. Threat to the present efficient seawater flow and movement within Matiatia
 - ii. Threat to water quality from turbidity and sediments created by marina users
- l. Other**
- i. threats from whatsoever other associated or consequential matters
8. Accordingly I agree with the Auckland Council report findings that the positioning of the marina in this strategic transport location will constrain and potentially preclude options for future wharf-related operations and expansion to meet the growth needs of the wider community.
9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.

10 I wish to support the submission and s274 request of DirectionMatiatia in its entirety.

Name:

[full name] David Leslie Smith

Date:10 January 2014

Address for Service:

C/- Direction Matiatia Incorporated

Phone 09 372 9212

dmiwaiheke@gmail.com

Email:

directionmatiatia.co.nz

IN THE MATTER of the Resource Management Act 1991 (Act)

IN THE MATTER an application under section 87G of the Act

BETWEEN **WAIHEKE MARINAS LIMITED**

Applicant

AND **AUCKLAND COUNCIL**

Respondent

**NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act 1991**

TO: the Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

By Email: matiatia@justice.govt.nz

1. I [full name] Janice Elizabeth Smith

wish to be party to the following proceedings:

ENV-2013-AKL-000174

An application under section 87G of the Resource Management Act 1991(the Act)

Waiheke Marinas Limited-Applicant

2. I made a submission on the following resource consent applications the subject of the proceedings:

Coastal Permit 41032, 41747, 41748

Discharge Permit .41522

Land Use R/LUC/2013/934

3. I am not a trade competitor for the purposes of section 308CA of the Act.

4. I am interested in all of the proceedings

5. I am interested in the following particular issues:
- a. Effects are more than minor and are contrary to objectives and policies of the relevant regional and district plans
 - b. Social wellbeing of the Waiheke community
 - c. Amenity and landscape of the Matiatia gateway
 - d. Issues during construction
 - e. Economic well being of the visitor economy and future economy of Waiheke
 - f. Strategic regional planning integration of transportation infrastructure at the Matiatia Gateway
 - g. Maori Waahi Tapu issues
 - h. Ecological well being for coastal marine biota
 - i. Alternative sites identified for marina development on Waiheke
 - j. Hydrology and sedimentation patterns
 - k. Other-consequential effects
6. I oppose the granting of the resource consent applications
7. My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:
- a. Effects**

The effects will be more than minor and the proposal is contrary to the objectives and policies of the relevant regional and district plans
 - b. Social well being**
 - i. Threat of self-interest and so called “progress” to our Waiheke local community social contract
 - ii. Threat to Waiheke as my “turangawaewae” or “place to stand”
 - iii. Threat of restricted access to our common property seabed, coastal and esplanade reserves and coastal marine area (CMA)
 - iv. Threat to local community well being as local marina ownership dissipates offshore over time
 - v. Threat to use of the CMA for the benefit of exclusive future business endeavours
 - c. Amenity and landscape**
 - i. Threat from marina to Matiatia as an integrated gateway amenity and welcoming home-coming
 - ii. Threat from breakwaters to landscape amenity and the feng shui of Matiatia Bay
 - d. Issues during construction**
 - i. Threat from congestion due to the 21 month period of construction
 - ii. Threat to Coastal Marine Area from inappropriate dredging and reclamation
 - e. Economic well being**

- i. Threat to the visitor economy due to impaired tourism gateway & distinctive point of difference
 - ii. Threat to the visitor economy due to impaired local character and natural environment
 - iii. Threat to the visitor economy from traffic manoeuvring and congestion issues
 - iv. Threat to visitor economy from breakwaters and impaired feng shui
 - v. Threat to our future economy from breakwaters and marina and foregone future port access
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- i. Threat to iwi cultural well being due to its imposition upon waahi tapu matters
- h. Ecological Well Being**
- i. Threat to the protection and maintenance of the life-supporting capacity of the environment including its ecosystems
 - ii. Threat to the marine wildlife that occupy Matiatia Harbour
- i. Alternative Sites**
- i. Threat to the efficient use of resources due to insufficient consideration of alternative sites identified on Waiheke
- k. Hydrology and Sedimentation**
- i. Threat to the present efficient seawater flow and movement within Matiatia
 - ii. Threat to water quality from turbidity and sediments created by marina users
- l. Other**
- i. threats from whatsoever other associated or consequential matters
8. Accordingly I agree with the Auckland Council report findings that the positioning of the marina in this strategic transport location will constrain and potentially preclude options for future wharf-related operations and expansion to meet the growth needs of the wider community.
9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.

10 I wish to support the submission and s274 request of DirectionMatiatia in its entirety.

Name:

[full name] Janice Elizabeth Smith

Date: 10 January 2014

Address for Service:

C/- Direction Matiatia Incorporated

Phone: 09 372 9212

dmiwaiheke@gmail.com

Email:

directionmatiatia.co.nz

IN THE ENVIRONMENT COURT
AT AUCKLAND

ENV-2013-AKL-000174

IN THE MATTER of the Resource Management Act 1991 (Act)
IN THE MATTER an application under section 87G of the Act
BETWEEN **WAIHEKE MARINAS LIMITED**
Applicant
AND **AUCKLAND COUNCIL**
Respondent

NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act 1991

TO: the Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

By Email: matiatia@justice.govt.nz

1. [Hanne Westlund Sorensen](#) ~~[full name]~~

wish to be party to the following proceedings:

ENV-2013-AKL-000174

An application under section 87G of the Resource Management Act 1991(the Act)

Waiheke Marinas Limited-Applicant

2. I made a submission on the following resource consent applications the subject of the proceedings:
Coastal Permit 41032, 41747, 41748
Discharge Permit .41522
Land Use R/LUC/2013/934
3. I am not a trade competitor for the purposes of section 308CA of the Act.
4. I am interested in all of the proceedings

5. I am interested in the following particular issues:

- a. Effects are more than minor and are contrary to objectives and policies of the relevant regional and district plans
- b. Social wellbeing of the Waiheke community
- c. Amenity and landscape of the Matiatia gateway
- d. Issues during construction
- e. Economic well being of the visitor economy and future economy of Waiheke
- f. Strategic regional planning integration of transportation infrastructure at the Matiatia Gateway
- g. Maori Waahi Tapu issues
- h. Ecological well being for coastal marine biota

[i. Alternative sites identified for marina development on Waiheke](#)

[j. i. Noise – both construction and operational](#)

[k. j. Hydrology and sedimentation patterns](#)

[l. k. Other-consequential effects](#)

6. I oppose the granting of the resource consent applications

7. My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:

a. Effects

The effects will be more than minor and the proposal is contrary to the objectives and policies of the relevant regional and district plans

b. Social well being

- i. Threat of self-interest and so called “progress” to our Waiheke local community social contract
- ii. Threat to Waiheke as my “turangawaewae” or “place to stand”
- iii. Threat of restricted access to our common property seabed, coastal and esplanade reserves and coastal marine area (CMA)
- iv. Threat to local community well being as local marina ownership dissipates offshore over time
- v. Threat to use of the CMA for the benefit of exclusive future business endeavours

c. Amenity and landscape

- i. Threat from marina to Matiatia as an integrated gateway amenity and welcoming home-coming
- ii. Threat from breakwaters to landscape amenity and the feng shui of Matiatia Bay

d. Issues during construction

- i. Threat from congestion due to the 21 month period of construction
- ii. Threat to Coastal Marine Area from inappropriate dredging and reclamation

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e. Economic well being

- i. Threat to the visitor economy due to impaired tourism gateway & distinctive point of difference
- ii. Threat to the visitor economy due to impaired local character and natural environment
- iii. Threat to the visitor economy from traffic manoeuvring and congestion issues
- iv. Threat to visitor economy from breakwaters and impaired feng shui
- v. Threat to our future economy from breakwaters and marina and foregone future port access
- vi. Threat to our future economy from marina and foregone eco-cluster opportunities

f. Integrated Planning & Strategic Integration of transportation Infrastructure

- i. Threat to foregone efficiencies due to the lack of integrated planning analysis and considerations especially with respect to future Auckland Council Property Ltd development plans for the visitor industry, rental car infrastructure matters, wharf expansion and development, commuter transportation matters, car parking costs and access matters; and from associated cumulative effects, including the need to adopt a precautionary approach

g. Maori Waahi Tapu issues

- i. Threat to iwi cultural well being due to its imposition upon waahi tapu matters

h. Ecological Well Being

- i. Threat to the protection and maintenance of the life-supporting capacity of the environment including its ecosystems
- ii. Threat to the marine wildlife that occupy Matiatia Harbour

~~i. **Alternative Sites**~~

- ~~i. Threat to the efficient use of resources due to insufficient consideration of alternative sites identified on Waiheke~~

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j. Noise

- i. Threat of uncontrolled noise from the rigging of berthed craft

k. Hydrology and Sedimentation

- i. Threat to the present efficient seawater flow and movement within Matiatia
- ii. Threat to water quality from turbidity and sediments created by marina users

l. Other

- i. threats from whatsoever other associated or consequential matters

8. Accordingly I agree with the Auckland Council report findings that the positioning of the marina in this strategic transport location will constrain and potentially preclude options for future wharf-related operations and expansion to meet the growth needs of the wider community.

9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.

10 I wish to support the submission and s274 request of DirectionMatiatia in its entirety.

Name:

| ~~[full name]~~ [Hanne Westlund Sorensen](#)

Date:

| [January 10, 2014](#)

Address for Service:

C/- Direction Matiatia Incorporated

Email:

directionmatiatia.co.nz

IN THE ENVIRONMENT COURT
AT AUCKLAND

ENV-2013-AKL-000174

IN THE MATTER of the Resource Management Act 1991 (Act)
IN THE MATTER an application under section 87G of the Act
BETWEEN **WAIHEKE MARINAS LIMITED**
Applicant
AND **AUCKLAND COUNCIL**
Respondent

NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act 1991

TO: the Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

By Email: matiatia@justice.govt.nz

1. I **Andy Spence (Andrew Charles Spence)**

Deleted: [full name]

wish to be party to the following proceedings:

ENV-2013-AKL-000174

An application under section 87G of the Resource Management Act 1991 (the Act)

Waiheke Marinas Limited-Applicant

2. I made a submission on the following resource consent applications the subject of the proceedings:

Coastal Permit 41032, 41747, 41748

Discharge Permit .41522

Land Use R/LUC/2013/934

3. I am not a trade competitor for the purposes of section 308CA of the Act.

4. I am interested in all of the proceedings

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5. I am interested in the following particular issues:

- a. Effects are more than minor and are contrary to objectives and policies of the relevant regional and district plans
- b. Social wellbeing of the Waiheke community
- c. Amenity and landscape of the Matiatia gateway
- d. Issues during construction
- e. Economic well being of the visitor economy and future economy of Waiheke
- f. Strategic regional planning integration of transportation infrastructure at the Matiatia Gateway
- g. Maori Waahi Tapu issues
- h. Ecological well being for coastal marine biota
- i. Alternative sites identified for marina development on Waiheke
- j. Noise – both construction and operational
- k. Hydrology and sedimentation patterns
- l. Other-consequential effects

6. I oppose the granting of the resource consent applications

7. My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:

a. Effects

The individual and cumulative effects will be more than minor and the proposal is contrary to the objectives and policies of the relevant regional and district plans

b. Social well being

- i. Threat of self-interest and so called “progress” to our Waiheke local community social contract
- ii. Threat to Waiheke as my “turangawaewae” or “place to stand” There has to come a point when a community has the right to draw a line in the sand and declare “Thou Shalt not pass”.
- iii. Threat of restricted access to our common property seabed, coastal and esplanade reserves and coastal marine area (CMA) The area is already overused and restricted access . To place any more demands on the area is not responsible. This is THE most important and highly congested place on the island with very restricted ability to cope with ever increasing visitor demand and to alienate part of it for private use is unfeasible.
- iv. Threat to local community well being as local marina ownership dissipates offshore over time
- v. Threat to use of the CMA for the benefit of exclusive future business endeavours). This is an alienation of a very limited and highly used public space for the benefit of a few over the needs of the many.
- vi.

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c. Amenity and landscape

- i. Threat from marina to Matiatia as an integrated gateway amenity and welcoming home-coming.
 - ii. Threat from breakwaters to landscape amenity and the feng shui of Matiatia Bay
- d. Issues during construction**
- i. Threat from congestion due to the 21 month period of construction
 - ii. Threat to Coastal Marine Area from inappropriate dredging and reclamation
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- i. Threat to the visitor economy due to impaired tourism gateway & distinctive point of difference
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- f. Integrated Planning & Strategic Integration of transportation Infrastructure**
- i. Threat to foregone efficiencies due to the lack of integrated planning analysis and considerations especially with respect to future Auckland Council Property Ltd development plans for the visitor industry, rental car infrastructure matters, wharf expansion and development, commuter transportation matters, car parking costs and access matters; and from associated cumulative effects, including the need to adopt a precautionary approach
- g. Maori Waahi Tapu issues**
- i. Threat to iwi cultural well being due to its imposition upon waahi tapu matters
- h. Ecological Well Being**
- i. Threat to the protection and maintenance of the life-supporting capacity of the environment including its ecosystems
 - ii. Threat to the marine wildlife that occupy Matiatia Harbour
- i. Alternative Sites**
- i. Threat to the efficient use of resources due to insufficient consideration of alternative sites identified on Waiheke. The fact that the applicant has made no attempt to canvass public opinion and decide on an area that might be agreeable to the greater Waiheke public is vexation in the extreme, wasting huge amounts of public time and energy in a futile process. This is a completely inappropriate place to site a marina on Waiheke Island. A marina at Kennedy Point would most likely have met with almost universal approval.
- j. Noise**

i. Threat of uncontrolled noise from the rigging of berthed craft

k. Hydrology and Sedimentation

- i. Threat to the present efficient seawater flow and movement within Matiatia
- ii. Threat to water quality from turbidity and sediments created by marina users

l. Other

i. threats from whatsoever other associated or consequential matters

8. Accordingly I agree with the Auckland Council report findings that the positioning of the marina in this strategic transport location will constrain and potentially preclude options for future wharf-related operations and expansion to meet the growth needs of the wider community.

9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.

10 I wish to support the submission and s274 request of DirectionMatiatia in its entirety.

Name:

Andrew Charles Spence,

Deleted: [full name]

Date:

16 January 2014

Address for Service:

C/- Direction Matiatia Incorporated

(16 Hobson Terrace, Waiheke Island for private residence of submitter)

Email:

directionmatiatia.co.nz

(mayandy@xtra.co.nz for email address of individual submitter,

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IN THE ENVIRONMENT COURT
AT AUCKLAND

ENV-2013-AKL-000174



IN THE MATTER of the Resource Management Act 1991 (Act)
IN THE MATTER an application under section 87G of the Act
BETWEEN **WAIHEKE MARINAS LIMITED**
Applicant
AND **AUCKLAND COUNCIL**
Respondent

**NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act 1991**

TO: the Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

By Email: matiatia@justice.govt.nz

1. I [full name]

LYNNE PATRICIA STEWART

wish to be party to the following proceedings:

ENV-2013-AKL-000174

An application under section 87G of the Resource Management Act 1991(the Act)

Waiheke Marinas Limited-Applicant

2. I made a submission on the following resource consent applications the subject of the proceedings:

- ✓ Coastal Permit 41032, 41747, 41748
- ✓ Discharge Permit .41522
- ✓ Land Use R/LUC/2013/934

✓ 3. I am not a trade competitor for the purposes of section 308CA of the Act.

✓ 4. I am interested in all of the proceedings

5. I am interested in the following particular issues:

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- ✓ b. Social wellbeing of the Waiheke community
- ✓ c. Amenity and landscape of the Matiatia gateway
- ✓ d. Issues during construction
- ✓ e. Economic well being of the visitor economy and future economy of Waiheke
- ✓ f. Strategic regional planning integration of transportation infrastructure at the Matiatia Gateway
- ✓ g. Maori Waahi Tapu issues
- ✓ h. Ecological well being for coastal marine biota
- i. ~~Alternative sites identified for marina development on Waiheke~~
- j. ~~Noise – both construction and operational~~
- k. ~~Hydrology and sedimentation patterns~~
- l. Other-consequential effects

6. I oppose the granting of the resource consent applications

7. My reasons why the proposal cannot be granted consent as a non-complying activity are as follows:

a. Effects

- ✓ The effects will be more than minor and the proposal is contrary to the objectives and policies of the relevant regional and district plans

b. Social well being

- i. Threat of self-interest and so called “progress” to our Waiheke local community social contract
- ii. Threat to Waiheke as my “turangawaewae” or “place to stand”
- iii. Threat of restricted access to our common property seabed, coastal and esplanade reserves and coastal marine area (CMA)
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- i. Threat from marina to Matiatia as an integrated gateway amenity and welcoming home-coming
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g. Maori Waahi Tapu issues

- i. Threat to iwi cultural well being due to its imposition upon waahi tapu matters

h. Ecological Well Being

- i. Threat to the protection and maintenance of the life-supporting capacity of the environment including its ecosystems
- ii. Threat to the marine wildlife that occupy Matiatia Harbour

i. Alternative Sites

- i. Threat to the efficient use of resources due to insufficient consideration of alternative sites identified on Waiheke

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- i. Threat of uncontrolled noise from the rigging of berthed craft

k. Hydrology and Sedimentation

- i. Threat to the present efficient seawater flow and movement within Matiatia
- ii. Threat to water quality from turbidity and sediments created by marina users

l. Other

- i. threats from whatsoever other associated or consequential matters

8. Accordingly I agree with the Auckland Council report findings that the positioning of the marina in this strategic transport location will constrain and potentially preclude options for future wharf-related operations and expansion to meet the growth needs of the wider community.

9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.

10 I wish to support the submission and s274 request of DirectionMatiatia in its entirety.

Name:
[full name]

Lynne Patricia Stewart

~~L.P. Stewart~~

182
Awarua Road
Waiheke Is

Date:

23 DEC 2013

Address for Service:

C/- Direction Matiatia Incorporated

Email:

directionmاتيatia.co.nz

dmw@dmw.co.nz

phone (09) 3729212