

## Marina latest: Council seeks costs and

Auckland Council is seeking costs of \$24,427.73 from the protest group leading the charge to prevent a marina at Kennedy Point.

On Friday 20 December Auckland Council filed a memorandum with the Environment Court seeking a 50 percent contribution to its costs from Save Kennedy Point Inc.

The costs relate to applications lodged with the court by SKP, including an application for discovery, one for adjournment, one for the appointment of a Māori Land Court judge to the panel, an application for recusal of Judge Laurie Newhook from proceedings, and one for their rehearing of SKP's appeal on the granting of consent. All applications were refused.

Chair of SKP, David Baigent, says the group will be considering this carefully at the next possible meeting time.

Director of legal and planning for Kennedy Point Boatharbour Ltd, Kitt Littlejohn, says the company will also be filing for costs in the New Year unless SKP makes a reasonable offer to settle its costs which were in excess of \$150,000.

While the major players argue over money, politicians are continuing to voice

concern over the project.

Waitematā and Gulf Islands councillor Pippa Coom says she has been briefed on the Environment Court decision and the background to the resource consent and was "concerned about the impact on the marine environment and the exclusive occupation of a substantial area of the coast".

"I understand any construction is currently on hold while a couple of variations to the consent are considered and until the iwi mandate is determined by the Māori Land Court in February."

Waiheke Local Board member Robin Tucker says she is saddened the Environment Court has given the go-ahead for the marina.

"The appropriation of this bay for the wealthy few is something that should never have passed the first hurdle. The loss of amenity for the island population, along with the massive environmental

impacts to the area that a marina will bring, is an abhorrent decision in the light of the push in every other area in New Zealand to preserve our environment. It's a short-sighted decision," says Ms Tucker.

The local board has little authority in respect of the consenting process, she says, and the board's only ability will be to advocate on



Waiheke Local Board member Robin Tucker.

behalf of the community.

Fellow board member Paul Walden says many Waiheke residents will be disappointed with the success of the marina application.

"Waiheke Islanders have been staunch protectors of our common places for generations.

The marina is a privatisation of the commons for the privileged. This is not public infrastructure for a public good. The car park is an offensive use of the bay and has no place in any bay in the Hauraki Gulf, certainly not at our secondary gateway," he says.

"I will not be surprised to see organised direct action protests frustrating development as our communities oppose this development," says Mr Walden.

Local board member Kylee Matthews felt that in a climate emergency it was hypocritical for a marina to go ahead.

"I felt that the marina should never have gone through," she says. "The next State of the Gulf report is coming out in January and things aren't looking rosey out there for the Hauraki Gulf," she says, adding that a marina turned the area around it into an industrial zone.

• Erin Johnson

### Petition mooted for Parliament early in the year

A petition that was taken to Wellington by Sue Pawley, her sheep Multi and their supporters last winter could be presented to Parliament early in 2020.

MP Nikki Kaye says she received the petition at Parliament in August 2019 and handed a copy to ministers.

"At the time it was not able to be presented to Parliament formally for consideration due to legal action," says Ms Kaye.

Save Kennedy Point Inc's application

for a rehearing of its appeal against consent was heard in the Environment Court in September. The court completed legal proceedings regarding the consent on 13 December when it issued its decision declining the request for a rehearing.

Ms Kaye says she has spoken with Sue previously about presenting the petition once the court process was complete and says she will follow up to see if Sue wishes for that to happen in February. •

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# politicians voice concerns



An artist's impression of the Kennedy Point Marina proposal that has been granted consent.

## KP Marina: What shape will it take?

Although a marina at Kennedy Point has been consented, its final size and form is not yet confirmed.

As it stands, Kennedy Point Boatharbour Limited was granted consent on 18 May 2017 to build a 186-berth marina within the Coastal Marine Area at Kennedy Point Bay.

The overall consented footprint of the marina is 70,500m<sup>2</sup> with 6023m<sup>2</sup> of inter-

nal marina structures, a 2300m<sup>2</sup> floating carpark with 72 parking spaces and 408 marina piles.

In November 2018, KPBL lodged an application for variation to the consent, maintaining the overall footprint of the marina but reducing the number of berths to 181.

The variation application includes re-

ducing the area of internal structures to 4535m<sup>2</sup> and the area of the floating carpark to 2150m<sup>2</sup> with 70 parking spaces. The number of marina piles required for the variation would be 345.

The application for variation to the consent is currently on hold. However director of legal and planning for KPBL, Kitt Littlejohn, says the company is now ready to start work on mana whenua consultation for the variation application.

The current consented design for the marina uses piles to keep floating breakwaters in place. In June this year, KPBL lodged a new coastal consent application to change to a breakwater anchoring system that uses anchors and chains to secure the two breakwaters.

This latest consent is currently on hold pending the results of engineering work to determine the depth of piles and the decision of a Māori Appellate Court hearing to be held in the new year.

## Hoping for a hot, hot summer?

Weather watchers are predicting a warm summer for Waiheke - although potentially with a few wet days.

In 2019, New Zealand experienced its hottest November on record, according to NIWA climate scientists. Data from NIWA's Seven Station Series, which began in 1909, showed November temperatures were 1.55°C above the 30-year average.

Previously, the hottest November on record was jointly reached in 1954 and 2013 when the temperature was 1.38°C above average.

The predominance of warmer oceans tend to drive higher surface air temperatures, which, according to Leo Salinger of Weatherwise Auckland, means beach weather for the rest of us.

"Although it's expected that rainfall is average, we anticipate the first half of summer to be drier than normal and the second half to be wetter - if extreme

weather conditions occur, like rainfall events, the chances are we'll see those in February and March."

Leo says average maximums in 2019 were 0.3°C above last year. Despite this, average minimums were 0.2°C cooler.



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