

## **I208. Port Precinct**

### **I208.1. Precinct description**

The purpose of the Port Precinct is to provide for a nationally and regionally significant component of Auckland and New Zealand's transport infrastructure and trade network. The precinct primarily consists of land and coastal areas owned or controlled by Ports of Auckland Limited.

The zoning of the land within the Port Precinct is the Business – City Centre Zone and the zoning of the part of the Port Precinct within the coastal marine area is the Coastal – General Coastal Marine Zone.

The Port Precinct includes the land and the coastal marine area north of Quay Street between the western side of Marsden Wharf and the eastern side of the Fergusson Reclamation. The reclaimed land and wharf structures named Bledisloe Terminal, Bledisloe Wharf, Jellicoe Wharf, Freyberg Wharf, and Fergusson Wharf and Fergusson Terminal are primary vessel loading and unloading areas. Cargo storage, cargo handling and ancillary port activities are undertaken on the balance of the area fronting Quay Street. Teal Park and a range of community and emergency facilities and food and beverage activities are located at the eastern end of the precinct.

The Port Precinct includes structures and activities located both on land and within the coastal marine area. For this reason, the activities and development within the precinct on land and within the coastal marine area (including wharves) are generally defined under the same activity category.

Within the precinct it is recognised that the coastal environment has already been modified by structures and port activities and that the land adjoining the coastal marine area provides for the infrastructure to service the marine and port activities. It is therefore appropriate to suitably recognise this, and make provision for the continued use and development of the precinct, while avoiding, remedying, or mitigating adverse effects.

Development within the precinct is guided by Precinct plans 1 – 3. Precinct plan 1 sets out the maximum height controls across the Port Precinct. Precinct plan 2 shows the area (named Area A) within the Port Precinct where buildings require design assessment due to their proximity and visibility from Quay Street and Queens Wharf. Precinct Plan 3 sets out the inner and outer noise control boundaries. Coordinates for the precinct boundary in the coastal marine area are shown on Precinct plan 4.

### **I208.2. Objectives [rcp/dp]**

[The regional coastal plan [rcp] provisions (for activities or resources in the coastal marine area) are not operative until the Minister of Conservation has formally approved the regional coastal plan part of the Auckland Unitary Plan.]

- (1) The efficient operation, growth and intensification of marine and port activities and marine and port facilities, including the development of the Port's capacity for shipping and its connections with other transport modes.
- (2) The use and development of non-port related activities and buildings do not compromise the existing or future operation of the precinct.

- (3) Adverse effects arising from activities and development are avoided, remedied or mitigated.
- (4) Adverse reverse sensitivity effects on the efficient and safe operation of marine and port activities are avoided, remedied or mitigated.
- (5) Buildings adjacent to Quay Street complement and enhance the gateway to the city centre, while recognising any functional and operational requirements of marine and port activities.
- (6) Public access to, and use and enjoyment of, the coastal marine area is maintained, and where practicable, enhanced, provided it does not adversely affect the efficient and safe operation of marine and port activities and development of the precinct.

The overlay, Auckland-wide, Business – City Centre Zone and Coastal – General Coastal Marine Zone objectives apply in this precinct in addition to those specified above.

### **I208.3. Policies [rcp/dp]**

[The regional coastal plan [rcp] provisions (for activities or resources in the coastal marine area) are not operative until the Minister of Conservation has formally approved the regional coastal plan part of the Auckland Unitary Plan.]

The policies are as listed in the Coastal – General Coastal Marine Zone for the coastal marine area in the precinct in addition to those specified below, with the exception of Policy F2.5. 3(4).

The Business – City Centre Zone Policies H8.3(1), (11), (19), (21) – (23), (25), (30), (35) and (37) apply to land within the precinct in addition to those specified below.

- (1) Enable the consolidation, intensification, redevelopment and growth within the precinct for a wide range of marine and port activities and associated structures, to provide for the development of the Port's capacity for shipping, and its connections with other transport modes.
- (2) Provide a wide range of berthage facilities to accommodate vessels of different types and sizes.
- (3) Ensure that non-port related activities or non-port related development within the precinct does not compromise the primary function or development of the precinct for marine and port activities and marine and port facilities.
- (4) Require activities within the precinct to avoid, remedy or mitigate adverse effects on the land and coastal environment, particularly noise, lighting and amenity effects and effects on the surrounding road network.
- (5) Require the establishment of dwellings outside of the precinct to avoid, remedy or mitigate adverse effects on efficient and safe operation of marine and port activities.
- (6) Restrict public access to the coastal marine area only where it is necessary to protect human health and/or safety, to facilitate the efficient and safe operation of

activities including the requirements of customs and quarantine, or to maintain security.

- (7) Provide for intensification, development and maintenance of marine and port facilities and associated works which contribute to the efficient use, operation, and management of marine and port activities while avoiding, remedying or mitigating potential adverse effects on the environment.
- (8) Limit maximum building height to an appropriate scale to provide a transition in height between the city centre core and the harbour, with the exception of specifically identified container and cargo-handling facilities, vessels, structures and equipment associated with marine and port activities.
- (9) Encourage buildings within Area A on Precinct plan 2, to be of a high quality design to complement and enhance this city centre gateway and to contribute positively to the visual quality, amenity, interest and public safety of streets and public open spaces, while recognising any functional and operational requirements of marine and port activities.
- (10) Avoid further reclamation, unless:
  - (a) there are no practicable alternative methods of providing the proposed activity, including on land outside the costal marine area;
  - (b) the activity which requires reclamation can only occur in or adjacent to the costal marine area;
  - (c) it will provide a significant regional or national benefit;
  - (d) it is the most appropriate form and design of development; and
  - (e) potential adverse effects will be avoided, remedied or mitigated.
- (11) Provide for minor reclamations and for reclamations carried out as part of rehabilitation or remedial works of an existing reclamation or costal marine area structure, while avoiding, remedying or mitigating any adverse effects on the environment.
- (12) Enable dredging within the precinct that is necessary to provide for the safe and efficient navigation, manoeuvring, and berthing of vessels, while avoiding, remedying or mitigating any adverse effects.
- (13) Require port operators to take all practicable steps to avoid contamination of coastal waters, substrate, ecosystems and habitats that is more than minor.
- (14) Require the provision of adequate and convenient facilities for:
  - (a) the collection of rubbish from vessels;
  - (b) sewage and waste from vessels; and

- (c) the containment and disposal of residues from vessel servicing, repairs and maintenance.

#### **I208.4. Activity table**

The activities, standards and assessment criteria in the overlays and Auckland-wide rules apply in the Port Precinct, unless otherwise specified below.

The activities, standards and assessment criteria in the underlying General Coastal Marine zone apply to the coastal marine area in the Port Precinct, unless otherwise specified below.

The activities, standards and assessment criteria in the Business – City Centre Zone do not apply to land in the Port Precinct, unless otherwise specified below.

Table I208.4.1 Activity table specifies the activity status for land use and development activities pursuant to section 9(3) of the Resource Management Act 1991 and the activity status for works, occupation and use in the coastal marine area pursuant to sections 12(1), 12(2), and 12(3) of the Resource Management Act 1991, or any combination of all of the above sections where relevant.

- (1) The activities in the Coastal – General Coastal Marine Zone apply to the coastal marine area in the Port Precinct unless otherwise specified in the Port Precinct activity table below.
- (2) The following table also specifies the activity status of activities on land in the Port Precinct.
- (3) Those activities marked with \* have the listed activity status only when that activity is located on a coastal marine area structure (e.g. a new building on an existing wharf). If that activity is located directly in the coastal marine area (e.g. a new wharf) a different activity status will apply.
- (4) In this table, the activity status for occupation of the common marine and coastal area (section 12(2) of the Resource Management Act 1991) has the same as the activity status for the use or activity (section 12(3) of the Resource Management Act 1991) or for the construction of a structure (section 12(1) of the Resource Management Act 1991) that the occupation relates to.

#### **Table I208.4.1 Activity table**

[The regional coastal plan [rcp] provisions (for activities or resources in the coastal marine area) are not operative until the Minister of Conservation has formally approved the regional coastal plan part of the Auckland Unitary Plan.]

Activity		Activity status	
		CMA [rcp]	Land [dp]
<b>Works in the coastal marine area pursuant to sections 9(3) and 12(1) of the Resource Management Act 1991</b>			
(A1)	Maintenance or repair of a reclamation or drainage system	P	P
(A2)	Minor reclamation for the purpose of maintaining, repairing or upgrading a	RD	NA

I208 Port Precinct

	reclamation		
(A3)	Reclamation or drainage not otherwise provided for	D	NA
(A4)	Declamation	RD	RD
(A5)	Maintenance dredging, including dredging within a historic heritage overlay area	C	NA
(A6)	Capital works dredging, including dredging within a historic heritage overlay area	RD	NA
<b>Use and activities pursuant to sections 9(3) and 12(3) of the Resource Management Act 1991 and associated occupation of the common marine and coastal area pursuant to section 12(2) of the Resource Management Act 1991</b>			
Residential			
(A7)	Workers accommodation	P*	P
Commerce			
(A8)	Offices accessory to marine and port activities	P*	P
(A9)	Offices within a building existing at 22 January 2015 located within the 30m height area identified on Precinct Plan 1 not accessory to marine and port activities	NA	RD
(A10)	Maritime passenger operations	P	P
(A11)	Food and beverage east of Solent Street	NA	P
(A12)	Marine retail	NA	P
(A13)	Alterations, additions or the total or partial reconstruction of the existing service station located on the corner of Quay and Tinley Streets	NA	RD
(A14)	Service stations not otherwise provided for on those sites with frontage to Quay Street, between the western boundary of the Port Precinct and Plumer Street	NA	D
(A15)	Aquaculture activities (including any activities under RMA s.12(1), s. 12(2), s. 12(3) and s.15)	Pr	NA
Community			
(A16)	Artworks	P	P
(A17)	Community facilities, education facilities and healthcare facilities east of Solent Street	P*	P
(A18)	Information facilities	P*	P
(A19)	Emergency services	P	P
(A20)	Helicopter facilities (including the landing and taking off of helicopters and associated fuelling and service facilities), except as specified below	D	D
Industry			

I208 Port Precinct

(A21)	Marine and port activities, including the landing and taking off of helicopters associated with the loading and unloading of cargo	P	P
(A22)	Artificial lighting	P*	P
<b>Development pursuant to sections 9 and 12(1) of the Resource Management Act 1991, occupation of the common marine and coastal area pursuant to section 12(2) of the Resource Management Act 1991, and their use pursuant to section 12(3) of the Resource Management Act 1991</b>			
(A23)	Marine and port facilities other than wharves, landings and drydocks	P	P
(A24)	Wharves, landings and drydocks, including, including alterations and additions to these structures	RD	RD
(A25)	Maritime passenger facilities	P	P
(A26)	Marine and port accessory structures and services	P	P
(A27)	Repair and maintenance services ancillary to marine and port activities	NA	P
(A28)	New buildings and alterations and additions to buildings on land or on costal marine area structures outside of Area A shown on Precinct plan 2	P*	P
(A29)	Minor cosmetic alterations and additions to a building within Area A shown on Precinct plan 2 that does not change its external design or appearance	P*	P
(A30)	Maintenance, repair and reconstruction of existing costal marine area structures or buildings	P	P
(A31)	New buildings, and alterations and additions to buildings not otherwise provided for within Area A shown on Precinct Plan 2	RD*	RD
(A32)	Alterations and additions to existing costal marine area structures or buildings not otherwise provided for	P	P
(A33)	Demolition or removal of buildings or costal marine area structures except as otherwise specified below	P	P
(A34)	Public amenities	P*	P
(A35)	Hard protection structures including wave attenuation devices	RD	RD
(A36)	Observation areas, viewing platforms and boardwalks	P	P
(A37)	New and existing swing moorings and pile moorings including occupation and use by vessel to be moored	P	NA

## I208 Port Precinct

(A38)	Occupation of the CMCA by an activity that would otherwise be permitted where the area to be occupied is already the subject of an existing occupation consent	RD	NA
(A39)	Buildings not listed as a permitted or restricted discretionary activity	D	D

### **I208.5. Notification**

- (1) An application for resource consent for a controlled activity listed in Table I208.4.1 above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.
- (2) Any application for resource consent for an activity listed in Table I208.4.1 which is not listed in I208.5(1) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

### **I208.6. Standards**

#### **I208.6.1. Land and water standards**

The land and water use standards in the Coastal – General Coastal Marine Zone apply to the coastal marine area in the Port Precinct, unless otherwise specified below, except that the following Coastal – General Coastal Marine Zone standards do not apply:

- F2.21.1.1 Noise and vibration;
- F2.21.1.2 Lighting;
- F2.21.2.1 Maintenance or repair of a lawful reclamation or drainage systems; and
- F2.21.9.4 Parking on coastal marine area structures for loading and unloading passengers and cargo to vessels.

The Business – City Centre Zone standards do not apply to land in the Port Precinct, unless otherwise specified below.

The Auckland-wide Lighting rules E24 and Noise rules E25.6.2 - E25.6.13; E25.6.23 - E25.6.26; E25.6.27 - E25.6.29 and E25.6.31; E25.6.32; E25.6.33 do not apply to land and the coastal marine area in the Port Precinct.

#### **I208.6.1.1. Noise**

- (1) These standards do not apply to temporary activities allowed under the E40 Temporary activities rules.

- (2) Within the costal marine area, these standards do not apply to the operational requirements of commercial vessels including cargo vessels, tugs, passenger liners, naval vessels and commercial fishing vessels.
- (3) The  $L_{Aeq}(15 \text{ min})$  noise level and maximum noise levels ( $L_{AFmax}$ ) arising from any activity (except construction or blasting activities) within the Port Precinct must not exceed the following:
  - (a) when measured 1m from the façade of any building (measured as the incident level with facade reflections excluded) located on the southern side of Quay Street, beyond the inner control boundary shown on Precinct plan 3:

**Table I208.6.1.1 Noise levels 1**

Time	Noise level
11pm to 7am	60dB $L_{Aeq}$ 85dB $L_{AFmax}$

- (b) when measured 1m from the façade of any residential building (measured as the incident level with facade reflections excluded) located beyond the outer control boundary shown on Precinct plan 3:

**Table I208.6.1.2 Noise levels 2**

Time	Noise level
7am to 11pm	55dB $L_{Aeq}$
11pm to 7am	50dB $L_{Aeq}$ 75dB $L_{AFmax}$

- (4) In determining compliance with the above the following applies:
  - (a) the long term average sound level, averaged over any 7 days (i.e. 7 days of short-term average levels) must not exceed the specified levels by more than 3dBA due to statistical variation over those days;
  - (b) there must be no exceedance of the specified short-term average levels by more than 5dBA. The short-term  $L_{Aeq(15 \text{ min})}$  sound level will be the average of any four  $L_{Aeq(15 \text{ min})}$  values obtained during a single night or day when the wind speed at the site where measurement is taken is less than 2m per second. If the wind speed in the vicinity of both the subject site and the receiver, or any intervening area is known to have exceeded 2m per second during any measurement interval or a temperature inversion is present, then that measurement



must not be used to determine the short-term average sound level. Measurements must be accompanied by records of air temperature. There must be no other restrictions on weather conditions;

- (c) care must be taken to ensure that the short-term average sound level represents noise from port activities and is not influenced by noise from other sources. The time period between 3:00am and 5:00am is the preferred time for noise measurements. If the short-term average level is wholly or partly determined from measurements at other times, then records must be adequate to demonstrate that the short-term average sound level was not influenced by noise from non-port sources;
- (d) except as noted above, the noise levels must be measured and assessed in accordance with New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008) and New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008).

#### **I208.6.1.2. Construction noise**

- (1) Construction noise within the Port Precinct must not exceed the levels specified in E25.6.28 Construction noise levels in the Business – City Centre Zone and the Business – Metropolitan Centre Zone, when measured 1m from the façade of any building located outside of the Port Precinct.

#### **I208.6.1.3. Lighting**

- (1) Artificial lighting illuminance must not exceed 150 lux, measured at any point on the site containing the light source, in a horizontal or vertical plane at ground level.
- (2) Illumination associated with vehicles, mobile plant, and quay cranes are exempt from this control.
- (3) Lighting sources must be sited, directed and screened to avoid, as far as practicable, creating a navigation safety hazard.

#### **I208.6.1.4. Parking**

- (1) Standard E27.6.2 Number of parking and loading spaces does not apply to land and costal marine area west of Solent Street.

#### **I208.6.1.5. Maintenance or repair of a lawful reclamation or drainage system**

- (1) The work must not change the area occupied by the reclamation or drainage system.
- (2) Any visible disturbance to the substrate of the costal marine area must be remedied or restored within 48 hours of the completion of the works in

ONC, ONF and SEA-M1 overlay areas and within seven days in other areas of the coastal marine area.

- (3) There must be an emergency spill plan in place to address the unforeseen release of contaminants from equipment being used for the activity.
- (4) All equipment and materials must be removed from the foreshore and seabed on the completion of works or activities.
- (5) Written advice must be given to the council at least 10 working days prior to the work starting.

#### **I208.6.1.6. Public access**

- (1) Standard E38.7.3.2 Subdivision establishing an esplanade reserve does not apply to subdivision within the Port Precinct.

#### **I208.6.1.7. Natural Hazards and flooding:**

The activity status for activities listed in Table E36.4.1 of E36 Natural hazards and flooding do not apply and are replaced by standards I208.6.1.7.1 and I208.6.1.7.2 below:

- (1) Buildings or structures including fences and retaining walls located in 1 per cent annual exceedance probability (AEP) overland flow paths:
  - (a) any ponding of floodwater caused by any new building or structure must not extend beyond (upstream of) the inland boundary of the Port Precinct; or an alternative flow path of equivalent hydraulic capacity must be provided within the site; and
  - (b) the entry point of the flow path into the Precinct must not be altered.
- (2) Habitable rooms of new buildings shall be located above the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise (CSI1).

#### **I208.6.1.8. Building height**

Purpose: manage the height of buildings to achieve Policy I208.3(8) of the Port Precinct.

- (1) Buildings, structures, marine and port facilities, maritime passenger facilities and marine and port accessory structures and services must not exceed the heights specified on Precinct Plan 1.
- (2) For the avoidance of doubt, building height excludes: reefer gantries, cargo and containers, telecommunications equipment, masts, lighting poles and associated equipment and aerials that are accessory to marine and port activities.

- (3) The height of buildings and structures on land must be measured in accordance with Standard H8.6.8 Measuring building height in the Business – City Centre Zone rules.
- (4) The height of buildings and structures within the coastal marine area must be measured above mean sea level.

### **I208.7. Assessment – controlled activities**

#### **I208.7.1. Matters of control**

The Council will reserve its control to the following matters when assessing a controlled activity resource consent application:

- (1) maintenance dredging:
  - (a) effects on water quality;
  - (b) effects on harbour traffic, navigation and safety; and
  - (c) duration and monitoring.

#### **I208.7.2. Assessment criteria**

The Council will consider the relevant assessment criteria below for controlled activities:

- (1) maintenance dredging:
  - (a) effects on water quality:
    - (i) whether methods are implemented to avoid, remedy or mitigate the release of contaminated sediment.
  - (b) effects on harbour traffic, navigation and safety:
    - (i) whether methods are implemented to avoid, remedy or mitigate effects on harbour traffic, navigation and safety.
  - (c) duration and monitoring:
    - (i) whether monitoring, including periodic monitoring of sediment quality, is required in order to demonstrate the extent and type of effects of the dredging on water and sediment quality and the degree to which the effects are remedied or mitigated during the activity.

### **I208.8. Assessment – restricted discretionary activities**

#### **I208.8.1. Matters of discretion**

The Council will reserve its discretion to all the following matters when assessing a restricted discretionary resource consent application:

- (1) minor reclamation for the purpose of maintaining, repairing or upgrading a reclamation and reclamation or drainage carried out as part of rehabilitation or remedial works:

- (a) form and design of the reclamation;
  - (b) contaminated material;
  - (c) the safe and efficient operation of marine and port activities;
  - (d) construction or works methods, timing and hours of operation;
  - (e) effects on natural hazards, coastal processes, ecological values and water quality; and
  - (f) consent duration and monitoring
- (2) declamation:
- (a) construction or works methods, timing and hours of construction works;
  - (b) location, extent, design and materials used;
  - (c) effects on coastal processes, ecological values and water quality;
  - (d) effects on public access, navigation and safety;
  - (e) effects on existing uses and activities;
  - (f) effects on Mana Whenua values; and
  - (g) consent duration and monitoring
- (3) capital works dredging:
- (a) effects on coastal processes, ecological values and water quality;
  - (b) effects on other users of the costal marine area, navigation and safety; and
  - (c) consent duration and monitoring.
- (4) hard protection structures including wave attenuation devices:
- (a) location and design of the hard protection structure;
  - (b) effects on navigation, safety and existing activities;
  - (c) effects on coastal processes including wave hydraulics;
  - (d) construction or works methods, timing and hours of operation; and
  - (e) consent duration and monitoring.
- (5) new buildings, and alterations and additions to buildings not otherwise provided for within Area A shown on Precinct Plan 2:
- (a) building design and external appearance;
  - (b) effects on public access, navigation and safety; and

- (c) potential adverse effects of any ponding or diversion of floodwater upstream of the Port Precinct caused by changes to the overland flow path.
- (6) offices within a building existing at 22 January 2015 located within the 30m height area identified on Precinct Plan 1 not accessory to marine and port activities:
  - (a) efficient use of port precinct land and resources;
  - (b) public access; and
  - (c) duration of consent.
- (7) alterations, additions or the total or partial reconstruction of the existing service station located on the corner of Quay and Tinley Streets:
  - (a) the matters of discretion in H8.8.1(1) of the Business – City Centre Zone rules apply;
  - (b) location and design of vehicle and pedestrian access; and
  - (c) provision for the on-site manoeuvring of vehicles and pedestrians.
- (8) occupation of the CMCA by an activity that would otherwise be permitted where the area to be occupied is already the subject of an existing occupation consent:
  - (a) the matters of discretion in F2.23.1(1) and F2.23.1(2)(c) of the Coastal – General Coastal Marine Zone apply; and
  - (b) effects on the safe and efficient use, operation and development of the coastal marine area subject to Ports of Auckland's existing occupation consents.
- (9) wharves, landings and drydocks within the Port Precinct:
  - (a) location and design;
  - (b) construction or works methods, timing and hours of operation;
  - (c) effects on coastal processes;
  - (d) effects on navigation and safety;
  - (e) effects on the visual amenity values of the Waitemata Harbour;
  - (f) effects on Mana Whenua values; and
  - (g) consent duration and monitoring.
- (10) noise and construction noise
  - (a) effects on land uses beyond the precinct;

- (b) measures to avoid, remedy and mitigate the adverse effects of noise; and
- (c) operational requirements of the Port of Auckland.

(11) lighting:

- (a) effects on adjacent land uses;
- (b) measures to avoid, remedy and mitigate the adverse effects of lighting;  
and
- (c) operational requirements of the Port of Auckland.

(12) building height:

- (a) building scale and dominance / visual amenity effects;
- (b) effects on the current or planned future form and character of the precinct;  
and
- (c) reasons for the non-compliance.

**I208.8.2. Assessment criteria**

The Council will consider the relevant assessment criteria below for restricted discretionary activities:

- (1) minor reclamation for the purpose of maintaining, repairing or upgrading a reclamation and reclamation or drainage carried out as part of rehabilitation or remedial works:
  - (a) whether reclamation, as far as practicable, mitigates adverse effects through their form and design, taking into account:
    - (i) the compatibility of the design with the location;
    - (ii) the ability to avoid consequential erosion and accretion, and other natural hazards;
    - (iii) the effects on coastal processes; and
    - (iv) the effects on hydrology.
  - (b) whether the use of contaminated material in a reclamation is avoided unless it is contained in a way that avoids, remedies or mitigates adverse effects on water quality, aquatic ecosystems and biodiversity;
  - (c) whether the reclamation enables the efficient operation of port infrastructure; and
  - (d) whether construction works avoid, remedy or mitigate the adverse effects of construction, particularly through the management of silt, contaminated sediments, and other contaminants.

(2) declamation:

- (a) whether the adverse effects of declamation are avoided, remedied or mitigated in respect of the effects of the final land/water configuration on:
    - (i) the marine environment including coastal processes, water quality, sediment quality and ecology of the costal marine area;
    - (ii) hydrogeology (ground water) and hydrology; and
    - (iii) sediment accumulation and the need for on-going maintenance dredging of the costal marine area.
  - (b) whether declamation works, including the construction of seawalls, avoid, remedy or mitigate the adverse effects of construction, particularly through the management of silt, contaminated soils and groundwater, and other contaminants; and
  - (c) whether declamation east of Solent Street is located and designed so that the adjacent land area can provide adequate public open space adjacent to, and public access around along the water's edge whether on land or on the adjacent water space;
  - (d) the extent to which declamation will affect Mana Whenua values.
- (3) capital works dredging:
- (a) whether measures are taken to avoid, remedy or mitigate adverse effects on coastal processes, ecological values, and water quality;
  - (b) whether effects on other users of the costal marine area during the dredging are avoided, remedied or mitigated;
  - (c) whether consent duration is limited to the minimum duration reasonably necessary for the functional or operational needs of the activity; and
  - (d) whether monitoring is required in order to demonstrate the extent and type of effects of the dredging, and the degree to which the effects are remedied or mitigated during and after the activity.
- (4) hard protection structures including wave attenuation devices:
- (a) whether the location and design of the hard protection structure avoid, remedy or mitigate adverse effects on existing activities including marine related industries, other marine activities and/or adjoining coastal activities;
  - (b) whether the location and design of the hard protection structure avoid, remedy or mitigate adverse effects of wave hydraulics on other users of the costal marine area and on the adjacent coastline; and
  - (c) whether construction works avoid, remedy or mitigate the adverse effects of construction, particularly through the management of silt, contaminated sediments, and other contaminants.

- (5) new buildings, and alterations and additions to buildings not otherwise provided for within Area A shown on Precinct plan 2:
- (a) the assessment H8.8.2(1)(a)(i), (ix), (xii), (xiii), (xv), (xvi), (xviii), (xix) and (c)(xi) of the Business – City Centre Zone rules apply in addition to the criteria below;
  - (b) the extent to which buildings within Area A shown on precinct plan 2 have clearly defined public fronts that address the street to positively contribute to the public realm and pedestrian safety. Where this is not possible, where practicable be designed to avoid long, unrelieved frontages and excessive bulk and scale when viewed from Quay Street;
  - (c) the extent to which building mass is visually broken up into distinct elements. Techniques include the use of recesses, variation in building height and roof form, horizontal and vertical rhythms and façade modulation and articulation;
  - (d) the extent to which any parking, loading and servicing activities including the storage and collection of wastes associated with a building is screened and occur behind the buildings and away from Quay Street;
  - (e) the extent to which the quality of building design reflects and recognises Quay Street's importance as a gateway to the city centre. In particular, it should have regard to the area's high visibility in views along Quay Street
  - (f) the extent to which the functional and operational requirements of marine and port activities to be accommodated within the building are recognised when considering the assessment criteria above; and
  - (g) the extent to which the adverse effects of any ponding or diversion of floodwater upstream of the Port Precinct caused by changes to the overland flow path will be avoided or mitigated.
- (6) offices within a building existing at 22 January 2015 located within the 30m height area identified on Precinct plan 1 not accessory to marine and port activities:
- (a) whether the office activity reduces or compromises the efficient use of port land or resources or the future growth or intensification of port activities and facilities;
  - (b) whether safe and unencumbered public access is provided between the building and the city centre; and
  - (c) whether the duration of consent is limited to ensure the building is available for marine and port activity when the demand arises.
- (7) alterations, additions or the total or partial reconstruction of the existing service station located on the corner of Quay and Tinley Streets:



- (a) the assessment criteria in H8.8.2(1) of the Business – City Centre Zone rules apply;
  - (b) whether separate pedestrian and vehicle access is provided to and through the site and there is adequate manoeuvring space for vehicles on the site; and
  - (c) the extent to which the design of any alterations or additions contribute to the visual quality, interest and safety of Quay Street and Tinley Street, where practicable.
- (8) occupation of the CMCA by an activity that would otherwise be permitted where the area to be occupied is already the subject of an existing occupation consent:
- (a) the assessment criteria in clause F2.23.2(1) and F2.23.2(9) of the Coastal – General Coastal Marine Zone apply in addition to the criteria below; and
  - (b) whether the actual or potential adverse effects on the safe and efficient use, operation and development of the coastal marine area occupied by Ports of Auckland are avoided.
- (9) wharves, landings and drydocks within the Port Precinct:
- (a) whether the location and design of the structure avoid, remedy or mitigate adverse effects on existing activities, marine related industries, other marine and port activities and navigation and safety;
  - (b) whether the location and design of the structure avoid, remedy or mitigate adverse effects on coastal processes and on other users of the coastal marine area;
  - (c) whether construction works avoid, remedy or mitigate the adverse effects of construction, particularly through the management of silt, contaminated sediments, and other contaminants;
  - (d) whether duration for construction is limited to the minimum duration reasonably necessary;
  - (e) the extent to which monitoring of construction is required in order to demonstrate the extent and type of effects of the activity, and the degree to which the effects are remedied or mitigated during and after the activity; and
  - (f) whether the form, scale and design of the wharf, landing or drydock structures avoid, remedy or mitigate adverse visual amenity effects to and from the Waitemata Harbour;
- (10) noise and construction noise:

(a) the extent to which adverse effects on the health and amenity values of people who may be affected beyond the Port precinct are avoided, remedied and mitigated, taking into account the existing noise environment, the frequency and duration of the proposed infringement and the practicality of managing the noise emissions;

(b) the operational requirements of the Port of Auckland.

(11) lighting:

(a) the extent to which adverse effects on the health and amenity values of people who may be affected beyond the Port precinct are avoided, remedied and mitigated, taking into account existing light levels;

(b) the operational requirements of the Port of Auckland.

(12) building height:

(a) building height may be exceeded where it would provide an attractive and integrated roof form that also meets the purpose of the standard;

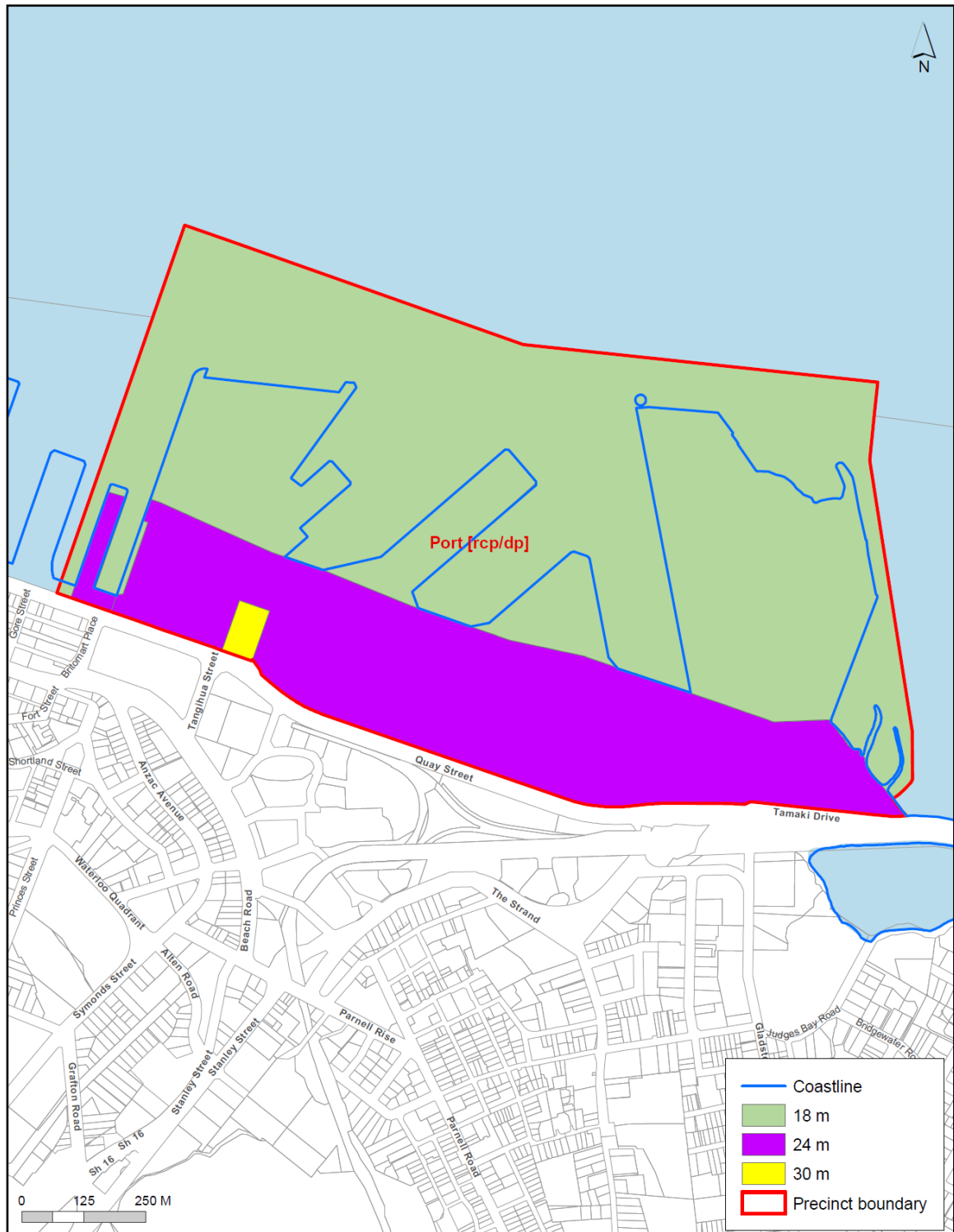
(b) where building height is exceeded, Policy I208.3(1) and (8) of the Port Precinct and Policy H8.3(30) of the Business – City Centre Zone should be considered.

#### **I208.9. Special information requirements**

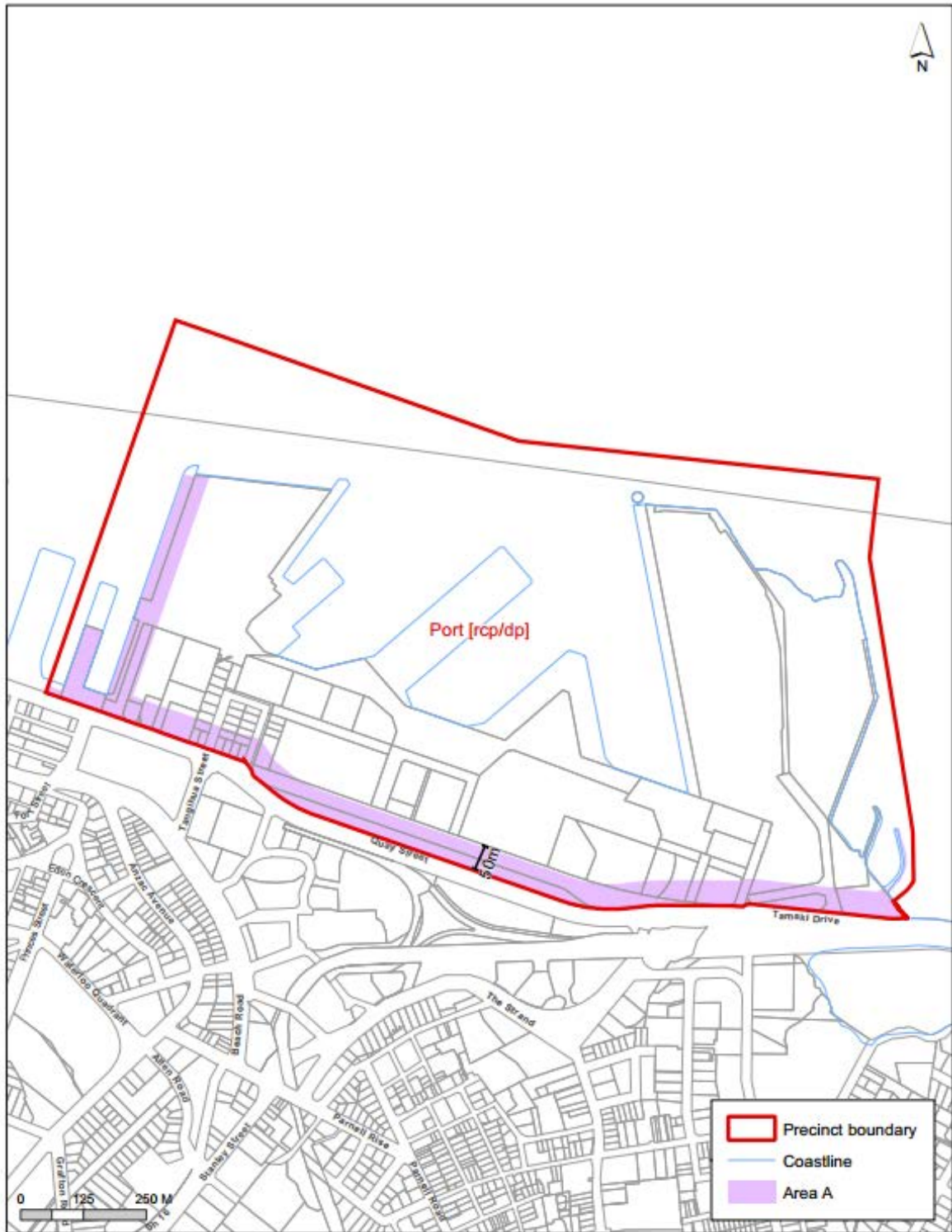
(1) The special information requirements of the Coastal – General Coastal Marine Zone do not apply in the Port Precinct.

#### **I208.10. Precinct plans**

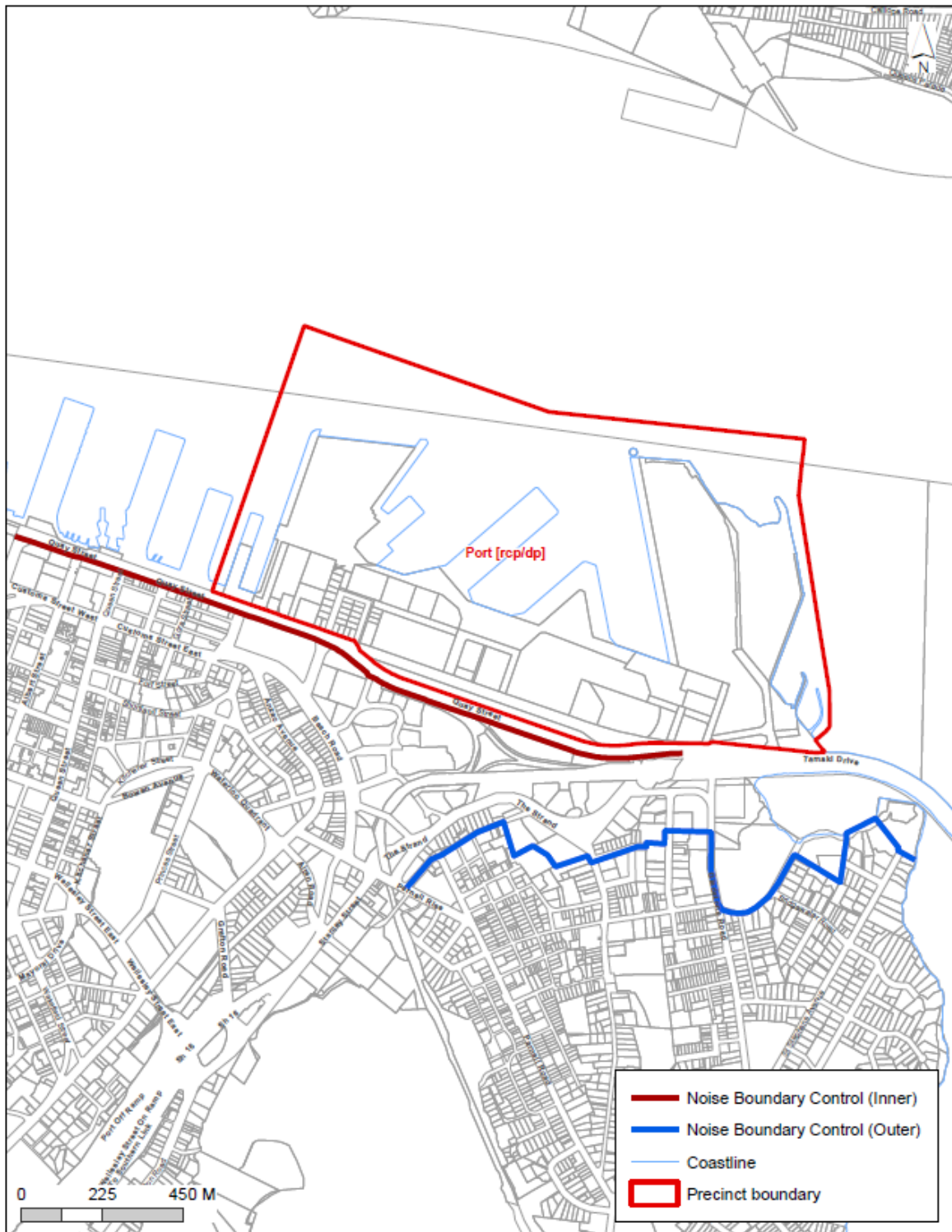
I208.10.1 Port: Precinct plan 1 - Building height



I208.10.2 Port: Precinct plan 2 - Extent of Area A



I208.10.3 Port: Precinct plan 3 - Noise boundaries



**I208.10.4 Port: Precinct plan 4 - Precinct boundary coordinates in the coastal marine area**

