

Memo

Date 21 March 2024

To: Phill Reid - Manager Auckland-wide
 From: Sarah El Karamany – Planning Technician

Subject: **Plan Modification: Clause 20A error correction to Auckland Unitary Plan (Operative in Part 2016) or Hauraki Gulf Islands District Plan (Operative 2018)**

I seek your approval to correct an error pursuant to clause 20A, schedule 1, Resource Management Act 1991:





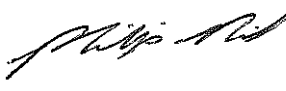
A local authority may amend, without using the process in this schedule, an operative policy statement or plan to correct any minor errors.

You have delegated authority, as a tier four manager, to make a decision to correct an error under clause 20A. Schedule 2A of the Auckland Council Combined Chief Executives Delegation Register authorises all powers, functions, and duties under RMA’s first schedule (except clause 17 which cannot be delegated) to tier four positions.

Provision in AUP or HGI District Plan	AUP
Subject site and legal description (if applicable)	
Nature of error	<p>The Auckland Unitary Plan was made Operative in Part on 15 November 2016 with the text “... of the Resource Management Act 1991” missing in Chapters I208 Port Precinct and F6 Coastal – Ferry Terminal Zone and requires correction as a minor error under Clause 20A of the RMA:</p> <p><u>I208 Port Precinct</u> I208.4.1(A15) – ‘Aquaculture activities (including any activities under RMA s.12(1), s. 12(2), s. 12(3) and s.15)’ missing text “... of the Resource Management Act 1991”</p> <p><u>F6 Coastal – Ferry Terminal Zone</u> F6.4.2(A5) – ‘Aquaculture activities (including any activities under RMA sections 12(1), 12(2), 12(3) and 15’ missing text “... of the Resource Management Act 1991”</p> <p>Plan Change 43 was made Operative on 12 November 2021 and the prohibited activity status of I444.4.1(A2) was written as “PR” when it should have been “Pr”. This minor error requires correction under Clause 20A of the RMA as follows:</p> <p><u>I444 Wiri Precinct</u> I444.4.1(A2) – PR should be Pr</p>
Effect of change	<p>The change:</p> <ul style="list-style-type: none"> • is to correct a minor error • is neutral (it would not affect the rights of some members of the

	public)																								
Changes required to be made (text and/or in-text diagrams)	Amend I208.4.1(A15) in Chapter I208 Port Precinct.																								
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		precinct A			
	(A5)	Commerical sexual services	NC	NC	NC
	...				
Changes required to be made (AUP or HGI maps)	N/A				
Attachments	Attachment 1: Corrected text				

Maps prepared by: N/A Geospatial Specialist	Text Entered by: Diana Luong Planning Technician
Signature: 	Signature: 
Prepared by: Sarah El Karamany Planning Technician	Reviewed by: Therese Strickland Team Leader
Signature: 	Signature: 
Decision: I agree to correct the error under clause 20A, schedule 1, RMA 1991 using my delegated authority Phill Reid Manager Planning – Auckland-wide Date:	
Signature: 	

**F6 Coastal - Ferry
Terminal Zone Clean Text**

F6. Coastal – Ferry Terminal Zone

F6.1. Zone description

The purpose of the Coastal – Ferry Terminal Zone is to provide for the integrated and efficient operation and development of ferry terminal facilities. These sites play an important part in Auckland's public transport network. Due to this there is a need to restrict inappropriate use and development on land and in the coastal marine area that could compromise the use of these facilities as key passenger transport nodes.

The zone applies to terminals at Devonport (includes Devonport and Victoria wharves), Stanley Bay, Northcote, Birkenhead, Beach Haven, Hobsonville, Mātiatia (Waiheke Island), Kennedy Point (Waiheke Island), Whangaparapara, Tryphena and Port Fitzroy (Great Barrier Island).

Several ferry terminal facilities are components of larger coastal developments. Their operation and growth, and relationship with surrounding activities, must be considered in an integrated and comprehensive manner. The ferry terminals at Devonport and Mātiatia are large complexes of ferry-related and complementary activities.

The existing facilities at Gulf Harbour, Bayswater, West Harbour, Half Moon Bay and Pine Harbour are within marinas. These ferry terminal facilities form an important part of the ferry network but are managed within the Coastal – Marina Zone.

Stand-alone ferry terminal facilities that form part of the public ferry transport network are particularly important for local communities, including the smaller facilities on the Waitematā Harbour, and at Waiheke Island and Great Barrier Island.

Ferry terminal facilities in the inner and upper Waitematā include a landward component that provides for activities associated with the provision of ferry services, such as passenger facilities, ancillary facilities supporting passenger operations, commuter and short-term parking, public amenities and small-scale food and beverage operations.

The city centre facilities at the ferry terminal, Queens Wharf and at Wynyard Wharf are vital components of the ferry network. They are managed through the waterfront precincts of the Business – City Centre Zone to recognise their strong relationship with the city centre.

The provisions in [F2 Coastal – General Coastal Marine Zone](#) apply to the coastal marine area in the Coastal – Ferry Terminal Zone unless otherwise specified.

F6.2. Objectives [rcp/dp]

- (1) The safe and efficient development and operation of ferry services and ferry terminal facilities which are transport nodes in the Auckland public transport network.
- (2) The ability of existing ferry services and ferry terminal facilities to provide for public transport is not compromised by subdivision, use and development.
- (3) Appropriate expansion of existing ferry services and ferry terminal facilities within existing Coastal – Ferry Terminal Zone, or the development of new ferry services

and ferry terminal facilities elsewhere in the coastal marine area, is enabled in appropriate locations where a transport need is identified.

- (4) Public access, use and enjoyment of the coastal marine area is maintained and, where practicable enhanced, and any associated use and development does not compromise the ability of ferry services and ferry terminal facilities to provide for public transport passenger and goods needs.
- (5) Efficient use is made of the structures and water space of the coastal marine area in and adjacent to ferry terminal facilities.
- (6) Ferry terminals are located and designed so they are vibrant, active, high-quality public spaces that complement and integrate with the local surroundings, including by maintaining the historic heritage values of the terminal site.
- (7) The Coastal – Ferry Terminal Zone provides, where practicable, for activities associated with ferry terminal facilities and ferry services in an integrated manner across the boundary between land and the coastal marine area.

F6.3. Policies [rcp/dp]

- (1) Maintain and enhance the safe and efficient operation and development of ferry services and ferry terminals by:
 - (a) enabling use and development that provides for safe and convenient passenger access and circulation, and cargo transfer;
 - (b) enabling accessory activities that support ferry services and ferry terminal facilities and visitor and tourist use such as administration offices, shops, cafes and services located in the coastal marine area only where there is no demonstrated practicable alternative on land;
 - (c) enabling accessory activities on land that support ferry services and ferry terminal facilities and visitor and tourist use, such as administration offices, shops, cafes and services, while minimising adverse effects on the amenities of adjacent residential and open space zoned land;
 - (d) requiring ferry terminal redevelopment to provide enough sheltered passenger waiting areas convenient to the ferry berthage area to comfortably accommodate peak service users;
 - (e) requiring sufficient loading facilities;
 - (f) supporting linkages and facilities for other public transport modes such as buses, walking and cycling; and
 - (g) managing and locating facilities to minimise conflict between different uses and activities.

- (2) Avoid subdivision, use, or development which adversely affects the continued operation of ferry services and ferry terminals located within the Coastal – Ferry Terminal Zone.
- (3) Maintain, and where practicable enhance, public access, use and enjoyment within the Coastal – Ferry Terminal Zone where this will not adversely affect the terminal's development, operation and maintenance.
- (4) Maintain and enhance the visual and amenity values of ferry terminal facilities by requiring any further development to:
 - (a) integrate the height, bulk and form of any new structure with existing structures that are to be retained, so they are compatible with or complement the character of the surrounding land and the coastal marine area;
 - (b) make adequate provision for land-based activities associated with the development;
 - (c) avoid, remedy or mitigate any adverse effects on amenity values of adjacent residential properties, particularly from noise, lighting, traffic or the erection of structures;
 - (d) avoid or where it cannot be avoided minimise the obstruction of views from the facility out to the coastal marine area, particularly from public areas and accessways;
 - (e) be designed with regard to how the structure will be viewed from public places as well as from the coastal marine area, including consideration of how any development on Devonport and Victoria wharves will be viewed from Victoria Street, Devonport;
 - (f) include high-quality public spaces with a sense of spaciousness, particularly in any internal accessways and public areas; and
 - (g) require building materials, colours and any proposed signage to be sensitive to, and complement, the maritime context and prominent visual location.
- (5) Avoid, remedy or mitigate any significant adverse effects on the environment from the development, operation and maintenance of the ferry terminal facilities, particularly on coastal processes, water quality and historic heritage.
- (6) Limit the size of any new structures to the minimum necessary to support ferry services and ferry terminal operations and associated activities.
- (7) Require the provision of adequate and convenient facilities for the containment, collection and appropriate disposal of:
 - (a) rubbish from the public, passengers and vessels;
 - (b) sewage and bilge water from vessels;

- (c) recyclable material including waste oils;
 - (d) residues from vessel construction and maintenance;
 - (e) spills from refuelling operations and refuelling equipment;
 - (f) spills, residues and debris from cargo operations; and
 - (g) the discharge of stormwater generated from the ferry terminal complex.
- (8) Require use and development at Devonport and Victoria wharves to:
- (a) retain the open space and beach between the wharves and Marine Square free of structures and available for recreational use, unless new structures would enhance public experiences and connections between the land and ferry terminal facility while retaining some public visibility of the beach;
 - (b) include a mix of commercial and public uses that support and complement the primary role of Devonport Wharf as a ferry terminal so that the wharf is an active and vibrant space that adds to the urban form and activities of the Devonport town centre;
 - (c) not include private residential or hotel accommodation on Devonport Wharf, and restrict office activities other than a ferry administration office to only the upper levels of the Devonport Wharf facility; and
 - (d) provide adequate bicycle and bus parking spaces and facilities to support the transport node.
- (9) Provide for the appropriate development and use of expanded or new ferry services and ferry terminal facilities outside the Coastal – Ferry Terminal Zone, provided any:
- (a) proposal is not inconsistent with the objectives and policies in the Plan for the Auckland public transport network;
 - (b) proposal is consistent with the objectives and policies for ferry terminal facilities in the Coastal – Ferry Terminal Zone; and
 - (c) adverse effects on the environment are avoided, remedied or mitigated, with particular regard to effects on traffic, parking, amenity, water quality and coastal processes.

F6.4. Activity table

Table F6.4.1 Activity table below specifies the activity status of works in the coastal marine area pursuant to sections 12(1) of the Resource Management Act 1991.

The activities, standards and assessment of [F2 Coastal – General Coastal Marine Zone](#) apply unless otherwise specified in the following table.

Resource Management (National Environmental Standards for Freshwater) Regulations 2020

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 ('Freshwater NES') came into force on 3 September 2020. Currently, there may be duplication or conflict between specific plan rules and the Freshwater NES.

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 apply to any part of the coastal marine area that is upstream from the mouth of a river.

If an activity provided for in rules F6.4.1 to F6.9, including any associated matters of discretion, is also regulated by the Freshwater NES, where there is conflict then the most restrictive provision will prevail.

If the Freshwater NES regulations do not apply to an activity, then the plan rules apply.

Duplication or conflict between plan rules and the Freshwater NES will be addressed in the plan as soon as practicable.

Table F6.4.1 Activity table

Activity		Activity status	
		Coastal marine area [rcp]	Land [dp]
(A1)	Reclamation other than maintenance or repair of a lawful reclamation or drainage system, or minor reclamation for the purpose of maintaining, repairing or upgrading a lawful reclamation	D	NA
(A2)	Maintenance dredging	RD	NA
(A3)	Capital works dredging	RD	NA

Table F6.4.2 Activity table below specifies the activity status of use and activities on land pursuant to section 9(3) of the Resource Management Act 1991; use and activities in the coastal marine area pursuant to section 12(3) of the Resource Management Act 1991; the associated occupation of the common marine and coastal area pursuant to section 12(2) of the Resource Management Act 1991; and the discharge of contaminants into water pursuant to section 15 of the Resource Management Act 1991.

The activities, standards and assessment of [F2 Coastal – General Coastal Marine Zone](#) apply unless otherwise specified in the following table.

Table F6.4.2 Activity table

Activity		Activity status	
		Coastal marine area [rcp]	Land [dp]
(A4)	Maritime passenger operations established at or after 30 September 2013	P	P
(A5)	Aquaculture activities (including any activities under RMA sections 12(1), 12(2), 12(3) and 15 of the Resource Management Act 1991.	Pr	NA
(A6)	Public amenities	P	P
(A7)	Public transport facilities	NA	P
(A8)	Food and beverage	P	P
(A9)	Offices that are accessory to ferry terminal facilities and services	P	P
(A10)	Offices at Devonport Wharf that are not otherwise a permitted activity and not at ground floor level	P	P
(A11)	Retail other than at Devonport Wharf	D	D
(A12)	Retail at Devonport Wharf	P	P
(A13)	Clubrooms for marine-related clubs	NC	NC
(A14)	Mangrove and mangrove seedling removal	P	NA

Table F6.4.3 Activity table below specifies the activity status of structures in the coastal marine area and the occupation of the common marine and coastal area pursuant to sections 12(1) and 12(2) of the Resource Management Act 1991.

The activities, standards and assessment of [F2 Coastal – General Coastal Marine Zone](#) apply unless otherwise specified in the following table.

Those activities marked with ¹ 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.

Table F6.4.3 Activity table

Note 1. Rule F6.4.3(A24) applies where occupation is proposed in an area that has an existing occupation consent. Rule F6.4.3(A24) does not apply if an activity is proposed by the party who holds the existing occupation consent or has received the written approval of that party (and is in accordance with that consent).

Activity		Activity status	
		Coastal marine area [rcp]	Land [dp]
(A15)	Coastal marine area structures or buildings not listed as a permitted activity ¹	RD	NA
(A16)	Marine and port facilities	RD	NA
(A17)	Marine and port accessory structures and services excluding new pile moorings	P	NA
(A18)	Wave attenuation devices	RD	NA
(A19)	Observation areas, viewing platforms and boardwalks	RD	NA
(A20)	Pile moorings existing at 30 September 2013 including occupation and use by the vessel to be moored	P	NA
(A21)	New pile moorings established after 30 September 2013 including occupation and use by the vessel to be moored	RD	NA
(A22)	Maimai	NC	NA
(A23)	Exclusive occupation of the common marine and coastal area by a structure or activity that would otherwise be permitted unless it is within the area of an existing coastal permit for occupation and that permit allows for exclusive occupation by that type of structure or activity	RD	NA
(A24)	Occupation of the common marine and coastal area by a structure or activity that would otherwise be permitted where the area to be occupied is already the subject of an existing occupation consent	RD	NA

F6.5. Notification

- (1) Any application for resource consent for an activity listed in Tables F6.4.1, F6.4.2 and F6.4.3 will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) 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\(4\)](#).

F6.6. Standards

F6.6.1. Structures and works

- (1) Structures and works in the coastal marine area must comply with the standards in [F2.6 Coastal – General Coastal Marine Zone](#).

F6.6.2. Building height

- (1) Buildings must not exceed the height specified in Table F6.6.2.1 Building height.

Table F6.6.2.1 Building height

Location	Maximum height in the coastal marine area	Maximum height on land
Devonport, Matiatia and Birkenhead wharves	9m above wharf deck level	9m above ground level
Other ferry terminals	5m above wharf deck level	5m above ground level

F6.6.3. Ceiling height

- (1) At Devonport Wharf, the average floor to ceiling height above wharf deck level must not be less than 4m with a minimum height of 3m.

F6.6.4. Marine and port accessory structures and services

- (1) Pontoons must be no more than 30m long.

F6.6.5. Yards and open space protection

- (1) No part of any building or structure may be constructed in the open space between Devonport and Victoria wharves and Marine Square.
- (2) Any structures on Victoria Wharf must maintain a 7m wide vehicle accessway and a 3m wide pedestrian accessway.
- (3) At Devonport Wharf, no less than 30 per cent of the building floor area at wharf level must be freely available for public use and access. This public use area must include an indoor passenger waiting area adjacent to the ferry berth.

F6.6.6. Gross floor area

- (1) Other than at Devonport Wharf, the gross floor area of:
- (a) office premises must not exceed 100m²; and
 - (b) food and beverage premises must not exceed 100m²; and
 - (c) premises used for retail accessory to public transport facilities must not exceed 25m².

F6.7. Assessment – controlled activities

There are no controlled activities in this section.

F6.8. Assessment – restricted discretionary activities

F6.8.1. Matters of discretion

The Council will restrict its discretion to all the following matters and the matters in the Coastal – General Coastal Marine Zone when assessing a restricted discretionary resource consent application.

- (1) for all restricted discretionary activities:
 - (a) the effects from the construction or works methods, timing and hours of operation.
 - (b) the effects of the location, extent, design and materials used.
 - (c) the effects on coastal processes, ecological values, water quality and natural character.
 - (d) the effects on public access, navigation and safety.
 - (e) the effects on existing uses and activities.
 - (f) consent duration and monitoring.

F6.8.2. Assessment criteria

The Council will consider the relevant assessment criteria the Coastal – General Coastal Marine Zone in addition to the matters below.

- (1) for all restricted discretionary activities:
 - (a) whether there will be any adverse effects on the operation of the ferry terminal facility.
 - (b) effects on views and visual amenity:
 - (i) whether the quality of building design reflects the high visibility of ferry terminals from surrounding areas and the functional and operational requirements of marine and port activities;
 - (ii) whether buildings have interactive frontages where they face public streets and public accessways;
 - (iii) whether the height of the building adversely affects the natural character, landscape and visual amenity of the area, taking into account the following:
 - visual dominance of the building in terms of views from adjoining areas including the coastal marine area;
 - the interface and amenity of adjacent zones, particularly residential zones;
 - the scale and location of the proposed building in relation to any nearby industrial plant and buildings;

- the type, including colour, of exterior materials used for construction;
 - any lighting proposed on the building; and
 - any signs proposed to be attached to or painted on proposed building.
- (iv) whether the height of the building contributes to any adverse cumulative effects of development in the area, taking into account the following:
- visual amenity of the area;
 - the scale and intensity of existing development; and
 - character of the zone.
- (2) For food and beverage and offices that do not meet the gross floor area standards:
- (a) whether the proposal demonstrates how it will avoid, remedy or mitigate any adverse effects on the transport network.
 - (b) the extent to which measures are taken to address reverse sensitivity effects on the surrounding the Coastal – Ferry Terminal Zone activities.
 - (c) whether the proposed use is complementary to the primary use of the site for ferry terminal purposes.
 - (d) whether the proposal demonstrates how it will avoid, remedy or mitigate any adverse effects on the amenity of the locality arising from use of the facility, including noise and hours of operation.

F6.9. Special information requirements

There are no special information requirements in this section.

**I208 Port Precinct
Clean Precinct Text**

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]

- (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 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 coastal marine area;
 - (b) the activity which requires reclamation can only occur in or adjacent to the coastal 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 coastal 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, including any associated discharges of contaminants or water into water pursuant to section 15 of the Resource Management Act 1991, or any combination of all of the above sections where relevant. 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.

- (1) The following table also specifies the activity status of activities on land in the Port Precinct.
- (2) 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.
- (3) 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 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.

Resource Management (National Environmental Standards for Freshwater) Regulations 2020

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 ('Freshwater NES') came into force on 3 September 2020. Currently, there may be duplication or conflict between specific plan rules and the Freshwater NES.

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 apply to any part of the coastal marine area that is upstream from the mouth of a river.

If an activity provided for in rules I208.4.1 to I208.9, including any associated matters of discretion, is also regulated by the Freshwater NES, where there is conflict then the most restrictive provision will prevail.

If the Freshwater NES regulations do not apply to an activity, then the plan rules apply.

Duplication or conflict between plan rules and the Freshwater NES will be addressed in the plan as soon as practicable.

Table I208.4.1 Activity table

Activity		Activity status	
		CMA [rcp]	Land [dp]
Works in the coastal marine area			
(A1)	Maintenance or repair of a reclamation or drainage system	P	P
(A2)	Minor reclamation for the purpose of maintaining, repairing or upgrading a reclamation	RD	NA
(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
Use and activities and associated occupation			
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	Pr	NA

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	under RMA s.12(1), s. 12(2), s. 12(3) and s.15) of the Resource Management Act 1991.		
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			
(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
Development			
(A23)	Marine and port facilities other than wharves, landings and drydocks	P	P
(A24)	Wharves, landings and drydocks, 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 coastal 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 coastal 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 coastal marine area structures or buildings not otherwise provided for	P	P
(A33)	Demolition or removal of buildings or coastal	P	P

	marine area structures except as otherwise specified below		
(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
(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(9) 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 - E25.6.29](#) and [E25.6.31 - 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 coastal 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 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 coastal 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 coastal 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 NZVD2016.

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 coastal 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 coastal marine area;
 - (ii) hydrogeology (ground water) and hydrology; and
 - (iii) sediment accumulation and the need for on-going maintenance dredging of the coastal 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 coastal 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 coastal 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;

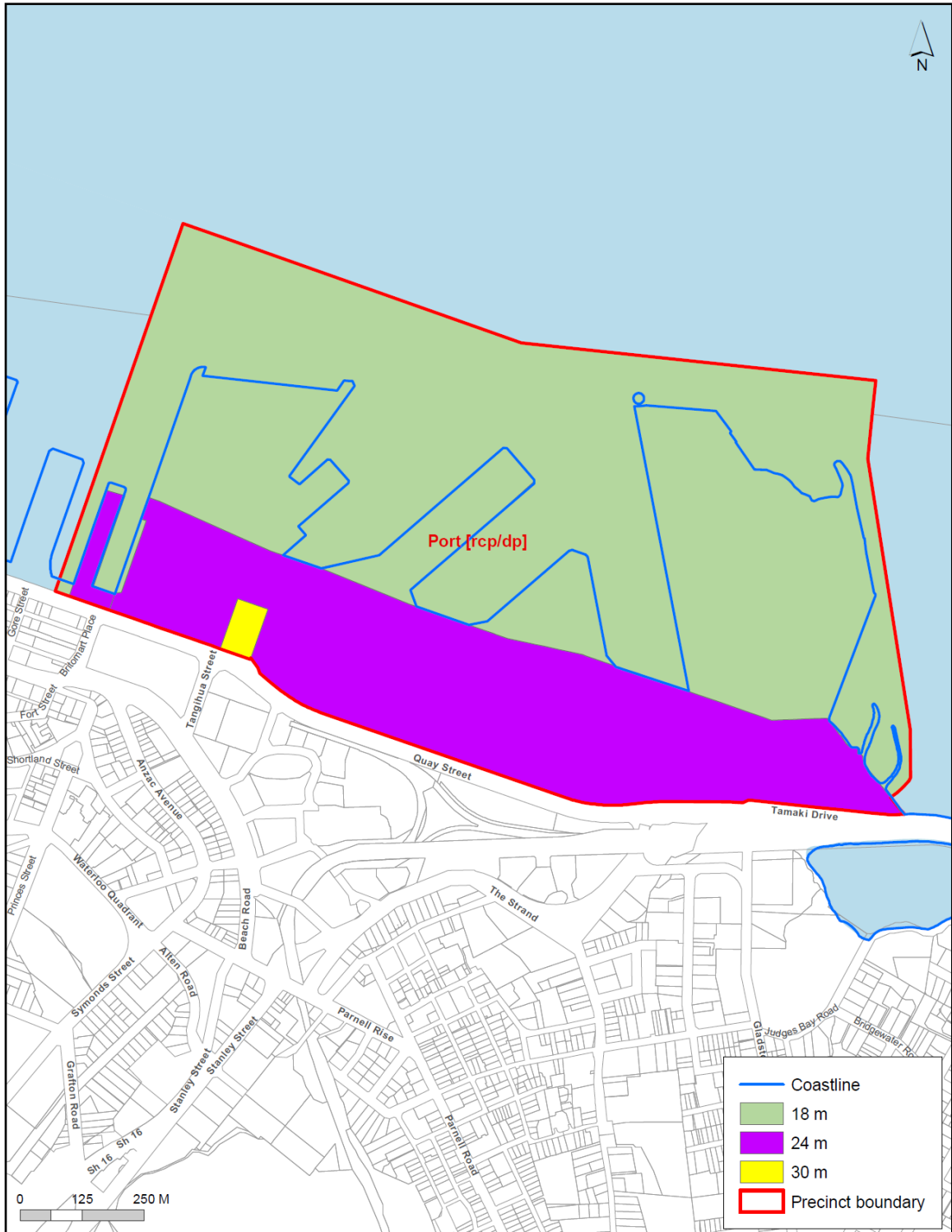
- (b) whether the location and design of the structure avoid, remedy or mitigate adverse effects on coastal processes and on other users of the coastal marine area;
 - (c) whether construction works avoid, remedy or mitigate the adverse effects of construction, particularly through the management of 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

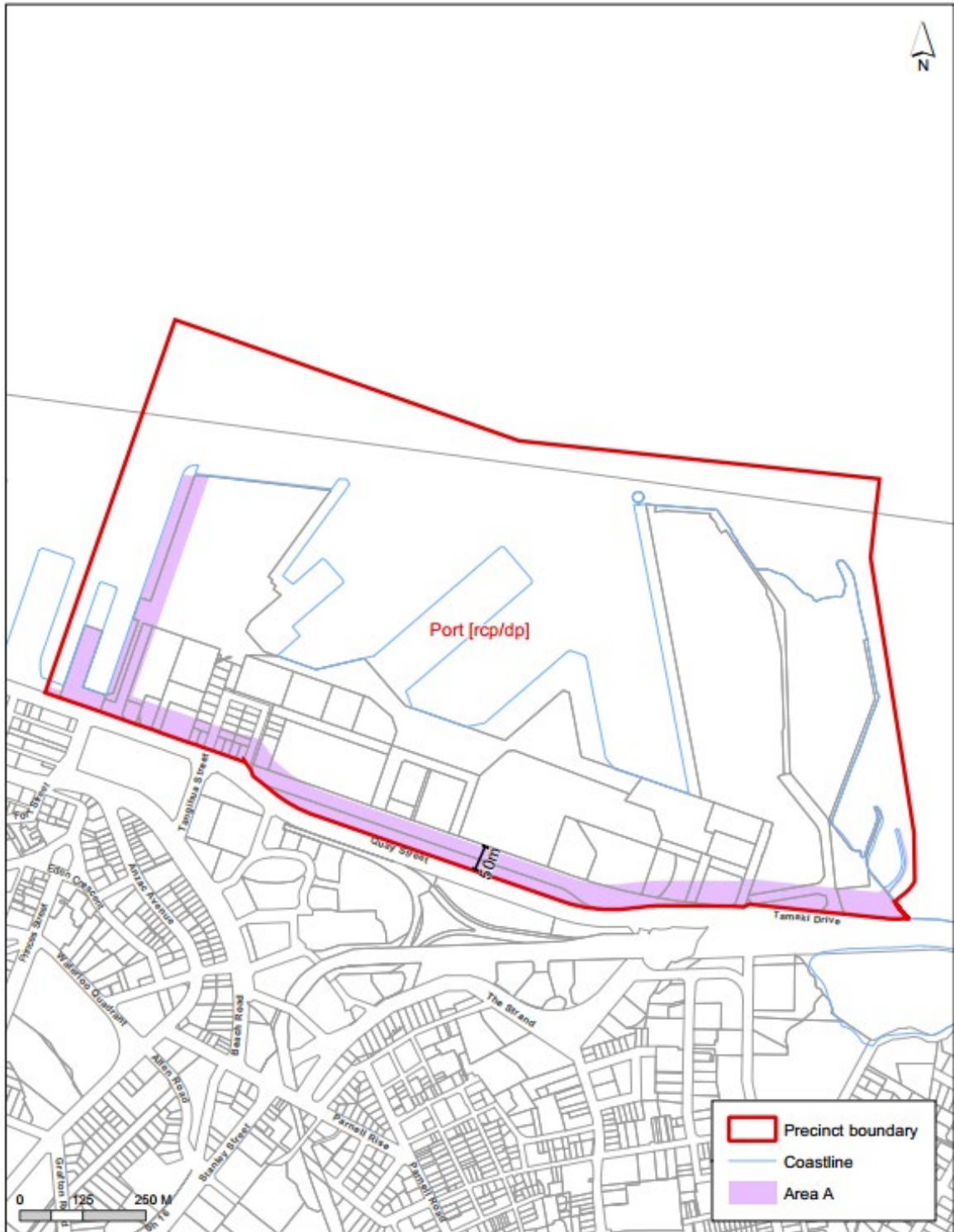
- (1) The special information requirements of the Coastal – General Coastal Marine Zone do not apply in the Port Precinct.

I208.10. Precinct plans

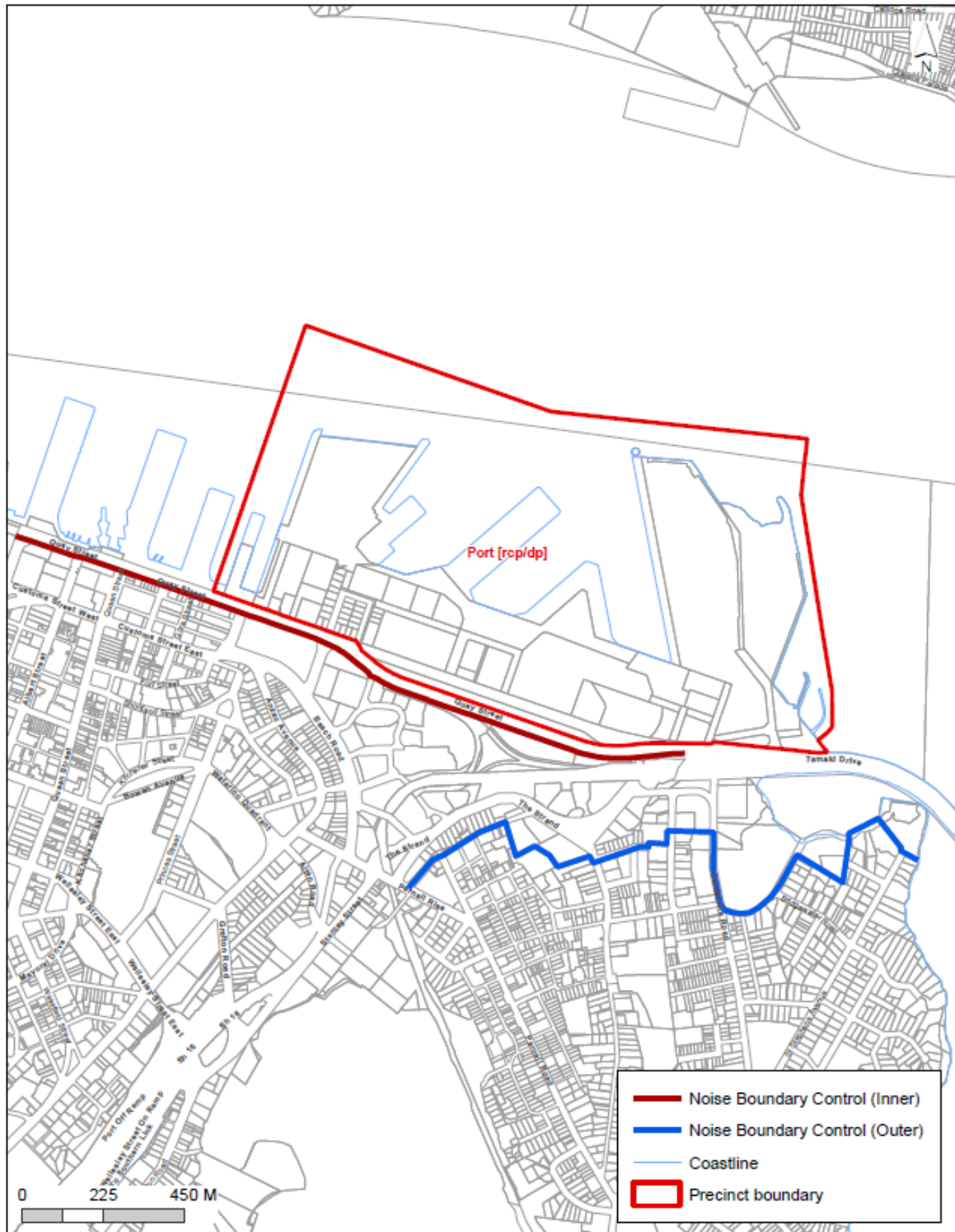
I208.10.1 Port: Precinct plan 1 - Building height



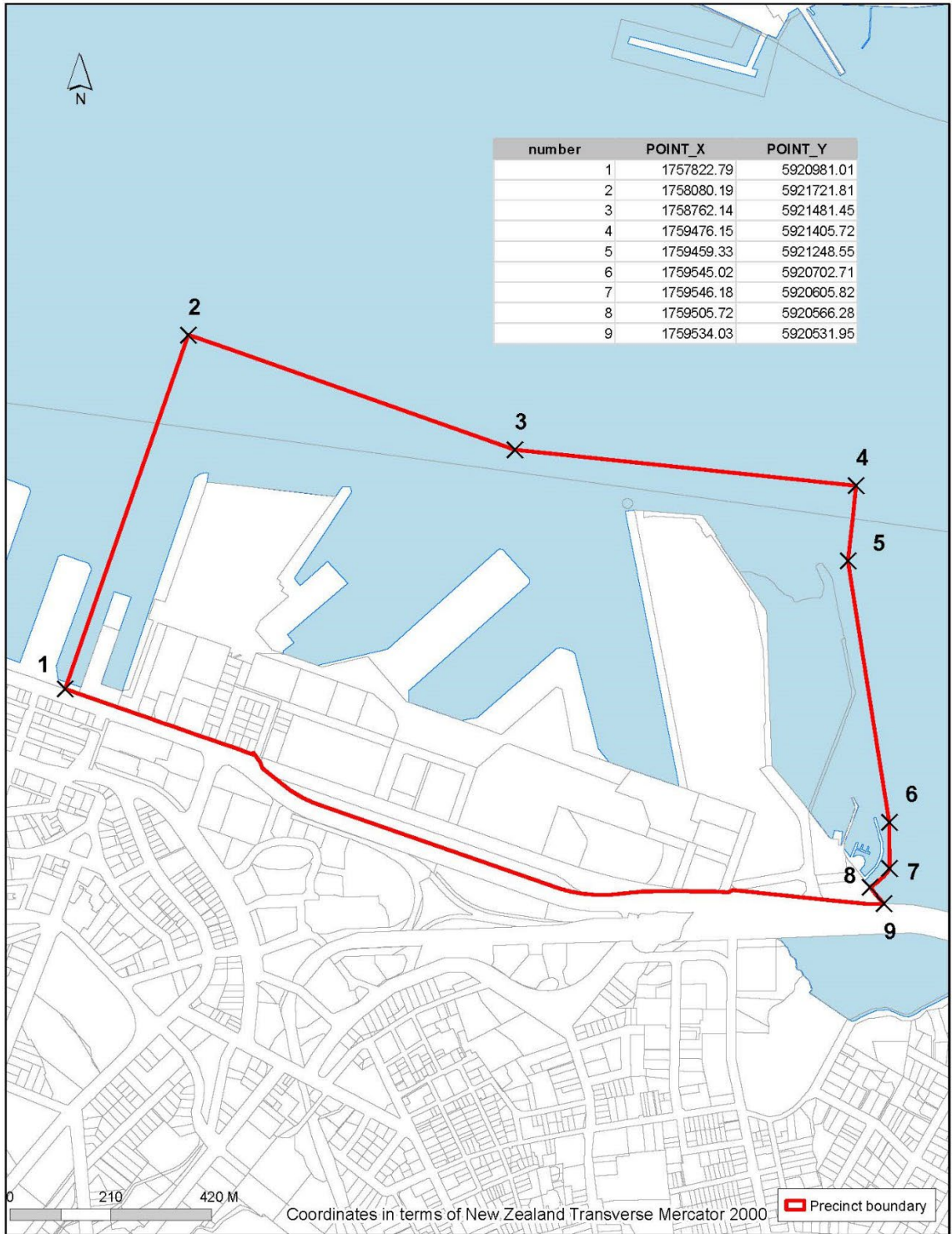
I208.10.2 Port: Precinct plan 2 - Extent of Area A



I208.10.3 Port: Precinct plan 3 - Noise boundaries



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



**I444 Wiri Precinct
Clean Precinct Text**

I444. Wiri Precinct

I444.1. Precinct Description

The Wiri Precinct is located in the Wiri Industrial Area and is the site of the former McLaughlins Quarry. By 2009, all quarrying activities had ceased. Prior to 12 November 2021, Wiri Precinct was zoned Special Purpose – Quarry Zone, and the area within sub-precinct A, comprising the rehabilitated quarry floor, had already been developed for industrial activities in accordance with approved resource consents.

The Wiri Precinct is bounded by Puhinui Creek along the southern and western boundaries, with Maunga Matukutūreia (McLaughlins Mountain) and the Matukuturua Stonefields adjoining the eastern boundary.

The purpose of the Wiri Precinct is to enable the continued use of sub-precinct A area for industrial activities, and to enable the establishment of new industrial activities in the remainder of the Wiri Precinct (sub-precincts B and C), while recognising the important cultural, ecological, and geological values present with the precinct.

The Wiri Precinct adjoins the Heavy Industry zoning applied to the wider Wiri Industrial area, contributing to the importance of Wiri as an industrial hub in the urban south area of Auckland.

Open Space – Informal Recreation Zone is applied to the land along the margins of Puhinui Creek and all of the mapped extent of the Matukuturua Lava Field and Explosion Crater Outstanding Natural Feature within the Precinct.

Mana Whenua cultural landscape and values

The Wiri area and the Puhinui peninsula reveal a complex but unique cultural environment of inter-related settlements, travel routes, and fishing, gardening and food and resource gathering areas all closely associated with a series of prominent natural features and waterways that together form an integral part of the stories, genealogy, mythology and histories of Mana Whenua.

Matukutūreia and Matukuturua are natural landmarks and terraced pā sites that were occupied by the ancestors of Te Ākitai Waiohū. The ‘twin’ maunga of Wiri are known collectively as Ngāa Matukurua or ‘the two bitterns’. The surrounding land was cultivated with kumara and food gardens, parts of which are sectioned off with stone walls as found in the Matukuturua Stonefields. Puhinui Creek and Stream were used for travel and to supplement fresh water sources, a traditional fish trap is evident in the creek.

Matukutūreia can clearly be seen from Pūkaki Marae, and preservation of this volcanic viewshaft is a priority to Te Ākitai Waiohū in the future development of Wiri. The significance of the relationship between the maunga, Puhinui Creek and Stream, and the Manukau Harbour as a physical link to the histories and whakapapa of Te Ākitai Waiohū is also important. Cultural values to be protected encompass the history, spiritual, geological, the coastal, archaeological and ecological features within the precinct.

Natural environment

The western and southern boundary of the precinct follows the Puhinui Creek, which flows into the Manukau Harbour, both of which are Significant Ecological Areas. In recognition of these receiving environments, the Wiri Precinct applies the Open Space – Informal Recreation Zone to the land along the margins of Puhinui Creek. Within sub-precinct A, the riparian margin areas have been revegetated and vested in Auckland Council ownership. Within sub-precinct B, the riparian margins of Puhinui Creek are to be enhanced through native vegetation planting.

Sub-precinct A

Sub-precinct A is located on the footprint of the backfilled quarry. This area has been subdivided to enable the establishment of industrial land uses.

The northern portion of sub-precinct A contains a precinct viewshaft from Pūkaki Marae to Maunga Matukutūreia to maintain a visual linkage and connection with Ngā Matukurua.

Sub-precinct B

Sub-precinct B contains an explosion crater which is an important geological feature being part of Outstanding Natural Feature 93 (Matukutūreia and Matukuturua lava field and explosion crater). Contained within the explosion crater is a wetland, which is identified as a Significant Ecological Area (ID SEA_T_8443). Half of the wetland is located within sub-precinct B, and the other half is located within the adjoining Matukuturua Stonefield site. An Open Space – Informal Recreation Zone has been applied to the Outstanding Natural Feature, its margins and the SEA. This is to assist in ensuring the continued protection in recognition of the important cultural, ecological and geological values.

Sub-precinct C

Sub-precinct C is a small area located between Harbour Ridge Drive to the north and the large wetland (described within sub-precinct B) to the south. Sub-precinct C seeks to deliver development that is sympathetic to and integrates with the Open Space – Informal Recreation Zone adjoining it.

I444.2. Objectives [rp/dp]

- (1) The cultural, spiritual and historic values held by Mana Whenua and their relationships associated with the māori cultural landscape (set out in Map 14.9.5) are recognised, and the identified values (set out in Policy 10) are protected or enhanced.
- (2) The natural character and ecological values of Puhinui Creek and wetland (SEA_T_8443) are maintained and enhanced.
- (3) New buildings within the Wiri sub-precincts B and C are located and designed in a manner that reflects the relationship of these sub-precincts to the surrounding open space, geological and cultural environment.

All relevant overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

I444.3. Policies [rp/dp]

- (1) Protect the visual integrity of the Wiri Precinct viewshaft from Pūkaki Marae to Matukutūreia to maintain a visual linkage and connection with Ngā Matukurua.
- (2) Require planting of native vegetation along the riparian margins of Puhinui Creek.
- (3) Require planting of appropriate vegetation within the wetland margin areas (of SEA_T_8443) having regard to the wetland's hydrological and ecological functions, and the status of the wetland as an Outstanding Natural Feature.
- (4) Apply the Open Space – Informal Recreation Zone to the Outstanding Natural Feature 93 (Matukutūreia and Matukuturua lava field and explosion crater) to ensure its continued protection in recognition of its important cultural, ecological and geological values.
- (5) Require open space areas to adjoin Puhinui Creek to ensure accessibility to the Puhinui Creek environment.
- (6) Within sub-precincts B and C require development to take into account the surrounding Open Space – Informal Recreation Zone (including the Outstanding Natural Feature 93 (Matukutūreia and Matukuturua lava field and explosion crater and SEA_T_8443), Puhinui Creek), identified archaeological sites in Wiri Precinct Plan 1) and māori cultural values, in the site layout, building design and landscaping.
- (7) Within sub-precinct C, require a development of a land use activity type, scale, and built form (including building design, orientation and placement), that integrates with, and positively contributes to, the Open Space – Informal Recreation Zone adjoining it.
- (8) Manage reverse sensitivity effects on the development and operation of the Wiri Oil Terminal by avoiding the establishment of dwellings and integrated residential development in sub-precinct A, and avoiding, remedying or mitigating the establishment of activities sensitive to hazardous facilities and infrastructure in sub-precincts A, B and C.
- (9) Recognise, protect and enhance the cultural, spiritual and historical values and relationships associated with the māori cultural landscape at Wiri. These values include but are not limited to:
 - (a) Important sites, places and areas, waahi tapu and other taonga.
 - (b) Views and connections between Maunga Matukutūrei, Puhinui Stream and Manukau Harbour.
 - (c) Coastal edge and waterways.

(d) Freshwater quality.

(e) Mauri, particularly in relation to freshwater and coastal resources.

(10) Encourage the provision and enhancement of access for Mana Whenua to Puhinui Creek and its margins, particularly access to scheduled sites or features of for the purposes of Karakia, monitoring, customary purposes and ahi kaa roa.

All relevant overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

I444.4. Activity table [rp/dp]

All relevant overlay, Auckland-wide and zone activity tables apply in this precinct unless otherwise specified below.

Activity Table I444.4.1 specifies the activity status of land use and development activities pursuant to section 9(2) and section 9(3) of the Resource Management Act 1991, and activities in, on, under or over streams pursuant to section 13 of the Resource Management Act 1991.

Where ‘NA’ has been included in the activity status column, the activity is not applicable in that particular section of the activity table.

Table I444.4.1 Activity table [rp/dp]

Activity		Activity status		
		Sub-precinct A	Sub-precinct B	Sub-precinct C
Activities				
(A1)	Activities sensitive to hazardous facilities and infrastructure (excluding dwellings and integrated residential development in sub-precinct A)	NC	NC	NC
(A2)	Dwellings and integrated residential development in sub-precinct A	Pr		
(A3)	Commerical sexual services	NC	NC	NC
Reclamation				
(A4)	Reclamation of intermittent stream shown in the Wiri Precinct Plan 4 – Location of Intermittent Stream Refer to Note 1		D	
Development				
(A5)	New buildings	P	C	D
(A6)	Activities that do not comply with the following Standards:	D	D	D

	(i) Standard I444.6.2 Building platform			
(A7)	Activities that do not comply with the following Standards: (i) Standard I444.6.1 Building height (ii) Standard I444.6.5 Planting of Riparian margin areas (iii) Standard I444.6.6 Planting of Wetland margin areas (iv) Standard I444.6.7 Archaeological Management Plan		D	D
(A8)	Buildings that do not comply with Standard I444.6.3 Pūkaki Marae – Matukutūreia viewshaft	NC		
(A9)	Activities that do not comply with Standard I444.6.4 Archaeological sites	NC	NC	NC

Note 1

No offset as set out in Chapter E3 Lakes, rivers, streams and wetlands will be required for the reclamation of the intermittent stream as this is deemed to be part of the revegetation of the Riparian Margin Areas and Wetland Margin Areas shown in Precinct Plan 1.

I444.5. Notification

- (1) Any application for resource consent for an activity listed in Activity Table I444.4.1 above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purpose of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

I444.6. Standards

The overlay, Auckland-wide and zone standards apply in this precinct in addition to the following standards.

All permitted, controlled and restricted discretionary activities must comply with the following standards.

I444.6.1. Building height

Purpose: to manage the effects of building height, including dominance, on the open space areas within Wiri sub-precinct B and to maintain the views from the summit of Maunga Matukutūreia to the Manukau Harbour.

(1) Buildings must not exceed the building height limits specified below:

	Maximum building height	Maximum building roof height (in metres above sea level)
Sub-precinct B	15m	RL 29
Sub-precinct C	9m	RL 24.5

I444.6.2. Building platform

Purpose: to ensure that buildings are not located within parts of the Wiri precinct that are identified as having important ecological, cultural and geological values which are sought to be protected, revegetated or enhanced.

(1) All buildings must be located outside the Open Space –Informal Recreation Zone areas and No Building Area identified in Wiri Precinct Plan 1.

I444.6.3. Pūkaki Marae – Matukutūreia Viewshaft

Purpose: to protect the visual integrity of the local viewshaft from Pūkaki Marae to Maunga Matukutūreia to maintain a visual linkage and connection with Ngā Matukurua.

(1) Buildings and structures within sub-precinct A must not penetrate the floor height of the Wiri Precinct viewshaft identified in Precinct Plan 2 - Pūkaki Marae – Matukutūreia Viewshaft.

Note: the floor of the viewshaft is determined in accordance with the survey coordinates contained in Table I444.6.3.1 below and Precinct Plan 3 - Pūkaki Marae – Matukutūreia Viewshaft, and “height” is to be measured using the rolling height method.

Table I444.6.3.1 Schedule of Coordinates

PT	Mt Eden circuit		Height (AGL)	NZ Map Grid	
	Northing	Easting		Northing	Easting
IS1	787316.27	404106.31	9.29	5904259.71	1761093.45
IS2	787333.30	404183.63	9.53	5904275.30	1761171.07
3	785179.79	407301.46	54.48	5902064.32	1764248.53
4	785119.81	407259.67	54.33	5902005.13	1764205.64
5	785684.81	406505.35	43.30	5902584.03	1763461.89

I444.6.4. Archaeological sites

Purpose: to enable the protection of identified archaeological sites within the Wiri Precinct.

- (1) Any activity (including earthworks) must not be undertaken within the areas identified as archaeological sites in Precinct Plan 1.

I444.6.5. Planting of Riparian margin areas

Purpose: to achieve areas of continuous indigenous vegetation within the riparian margin areas taking into account restoration of riparian margins, extension of existing ecological corridors and enhancement of existing vegetation.

- (1) As part of the first stage of development within sub-precinct B, areas identified as Riparian Margin Areas (excluding identified archaeological sites) in Wiri Precinct Plan 1 must be planted with locally sourced indigenous species in general accordance with Appendix 16 Guidelines for Native Vegetation Plantings.

I444.6.6. Planting of Wetland margin areas

Purpose: to achieve planting of appropriate vegetation within the wetland margin areas having regard to both the hydrological and ecological function of the wetland, and the status the wetland as an outstanding geological feature.

- (1) As part of the first stage of development within sub-precinct B, areas identified as Wetland Margin Areas (excluding identified archaeological sites) in Wiri Precinct Plan 1 must be planted in accordance with a Wetland Margin Planting Plan prepared by an ecologist. The Wetland Margin Planting Plan must include appropriate indigenous wetland buffer species composition and densities for planting in the emergent, littoral and terrestrial zones and must be in general accordance with Appendix 16 Guidelines for Native Vegetation Plantings.

I444.6.7. Archaeological Management Plan

Purpose: to develop a management strategy for identified archaeological sites shown in Wiri to ensure their long term preservation.

- (1) As part of the first stage of development within sub-precinct B or C, An Archaeological Management Plan must be prepared by an archaeologist, in consultation with mana whenua, council and Heritage New Zealand Pouhere Taonga.

I444.6.8. Stormwater treatment devices

Purpose: to ensure that the effects of stormwater runoff on the high value receiving environments are mitigated.

- (1) Stormwater runoff from all impervious areas in sub-precinct B must be treated by stormwater management device(s) that meets the following standards:
 - (a) the device or system must be sized and designed in accordance with “Guidance Document 2017/001 Stormwater Devices in the Auckland Region (GD01)” or
 - (b) where alternative devices are proposed, the device must demonstrate it is designed to achieve equivalent level of contaminant or sediment removal

performance to that of “Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region (GD01)”

I444.7. Assessment – controlled activities

I444.7.1. Matters of control

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

- (1) New buildings in sub-precinct B:
 - (a) Site layout
 - (b) Building design and appearance
 - (c) Landscaping
 - (d) Māori cultural values
 - (e) The matters set out in policy 7.

I444.7.2. Assessment criteria

The council will consider the relevant assessment criteria below for controlled activities.

- (1) New buildings:
 - (a) The extent to which site layout and configuration:
 - (i) Integrates the development within the context of the open space environment forming part of sub-precinct B. The site layout and configuration should enhance relationship to Harbour Ridge Drive and the surrounding open space areas.
 - (ii) Enables passive surveillance of Harbour Ridge Drive and contributes to streetscape amenity.
 - (iii) Car parking areas are designed and located to ensure an attractive site layout, particularly when viewed from Harbour Ridge Drive and the open spaces.
 - (b) The extent to which design and external appearance of buildings
 - (i) modulates the mass of the buildings by incorporating transitional elements or the use of contrast (such as colour and materials), to reduce the apparent scale and bulk of the buildings.
 - (c) The extent to which landscaping design and planting:
 - (i) Complements and enhances the existing landscape character of the area.
 - (ii) Is used to provide visual softening of large buildings.

- (iii) is used as a means to integrate the development within the context of the open space environment forming part of sub-precinct B.
- (iv) is used to enhance the overall appearance of the development.
- (d) The extent to which impacts of development on māori cultural values are avoided, remedied or mitigated:
 - (i) the ability to incorporate maatauranga māori and tikanga māori, recognising and providing for the outcomes articulated by Mana Whenua.
 - (ii) the incorporation of building design elements, art works, naming and historical information to reflect the values and relationship Mana Whenua have with the Puhinui area.
 - (iii) native landscaping, vegetation and design including removal and replanting.
 - (iv) minimising landform modification where practicable, and respecting the Māori cultural landscape values identified in Precinct Plan 5: Māori Cultural Landscape Values
 - (v) maintenance of views from Maunga Matukutūreia to the Manukau Harbour within the areas marked as “No Building Area” within Precinct Plan 1.
- (e) Refer to Policy 7.

I444.8. Special information requirements

I444.8.1. Development or subdivision of land in sub-precincts B and C

(1) Planting and landscape plan:

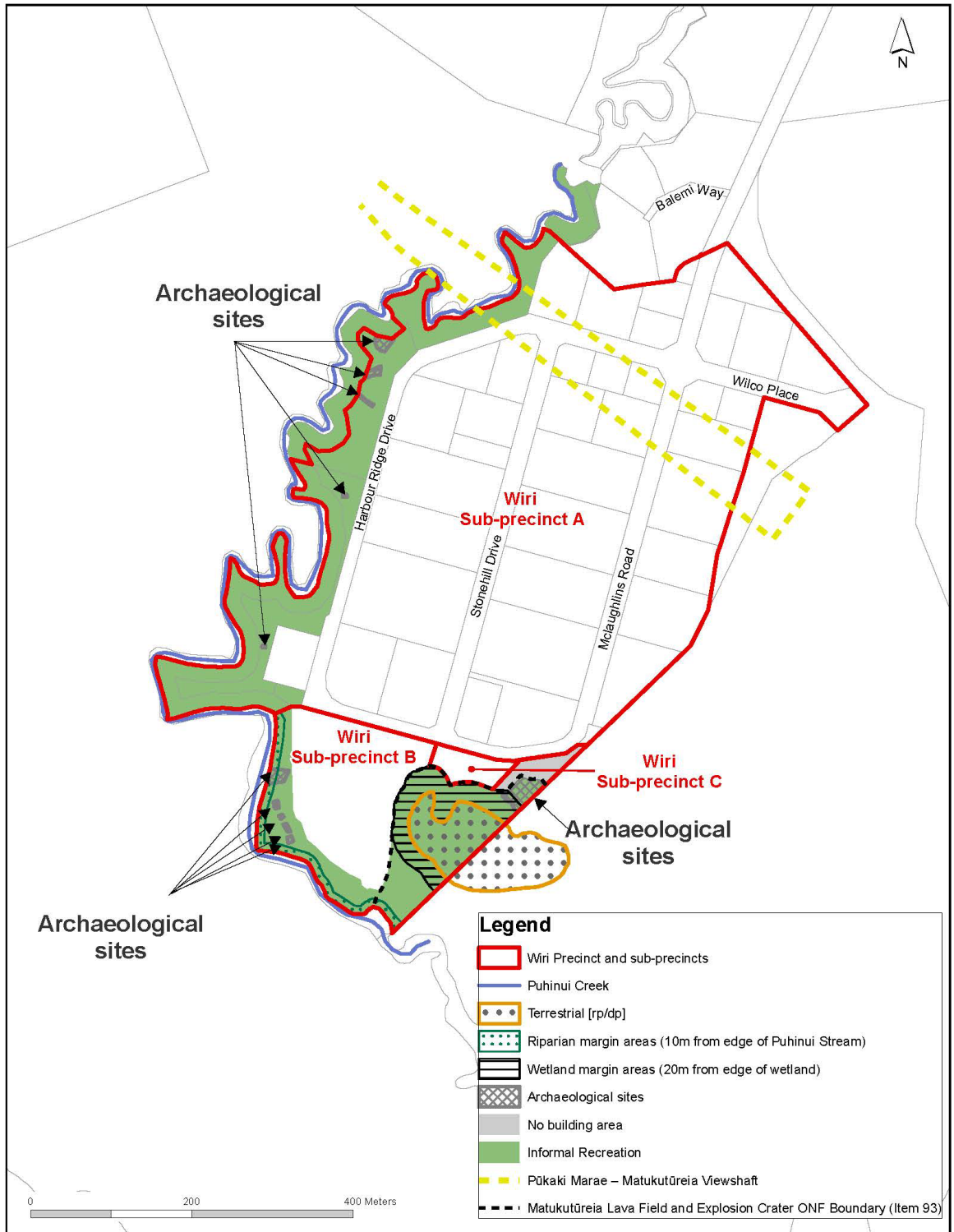
A landscape plan must be submitted showing planting of the site. The landscape plan must include the following information:

- (i) a schedule of plant species;
 - (ii) planting specifications including the number, size and location of individual trees and shrubs;
 - (iii) planting management plan, including weed management;
 - (iv) the location and design of public amenity features;
 - (v) retention and enhancement of native vegetation, existing significant trees and natural features and recognition of plant species once found within the site.
- (2) Evidence of consultation with Kaitiaki / Mana Whenua in respect of new buildings proposed within sub-precincts B and C.

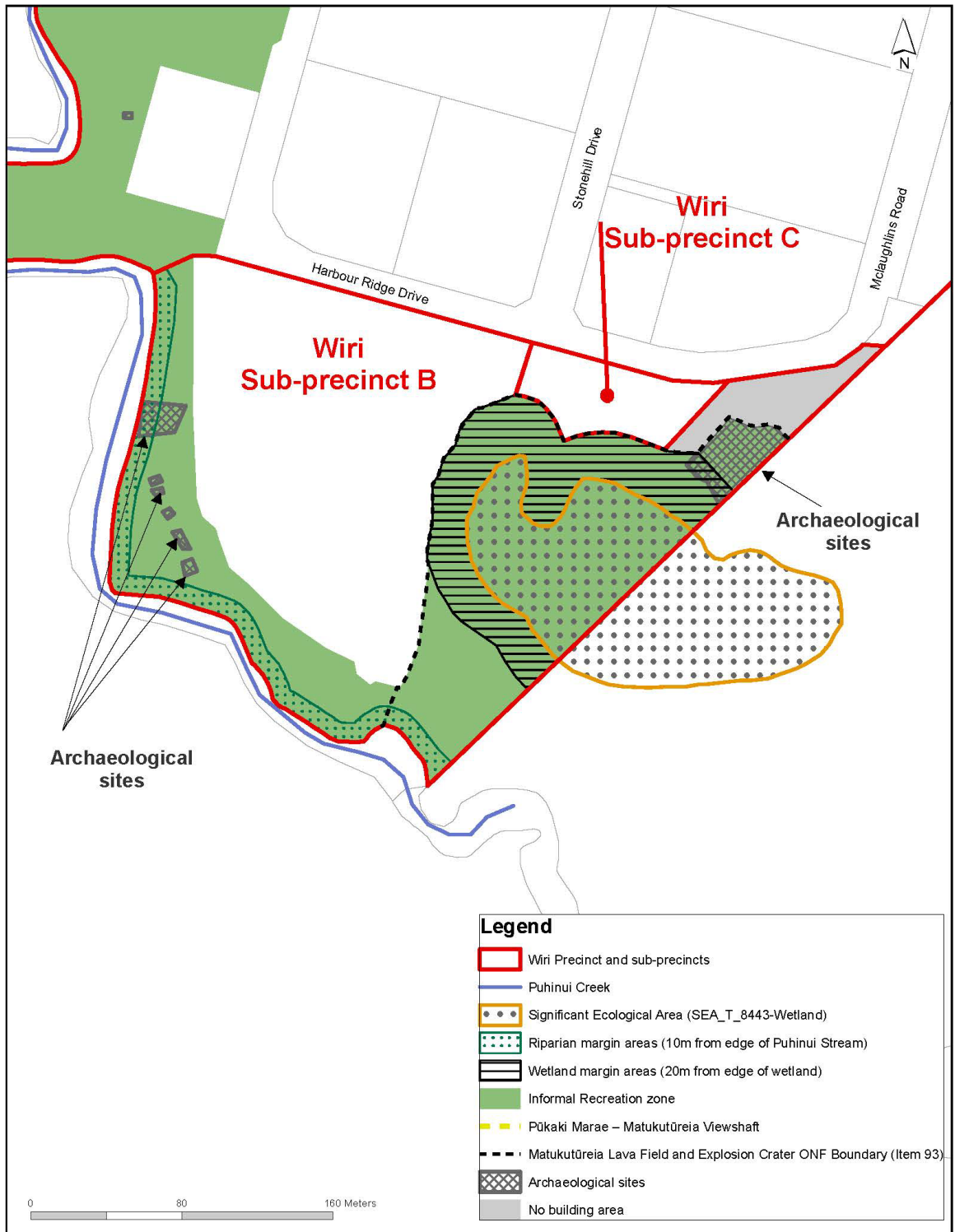
I444.9. Precinct plans

I444.9.1. Wiri Precinct Plan 1

I444.9.1.1. Wiri Precinct Plan 1: Figure 1



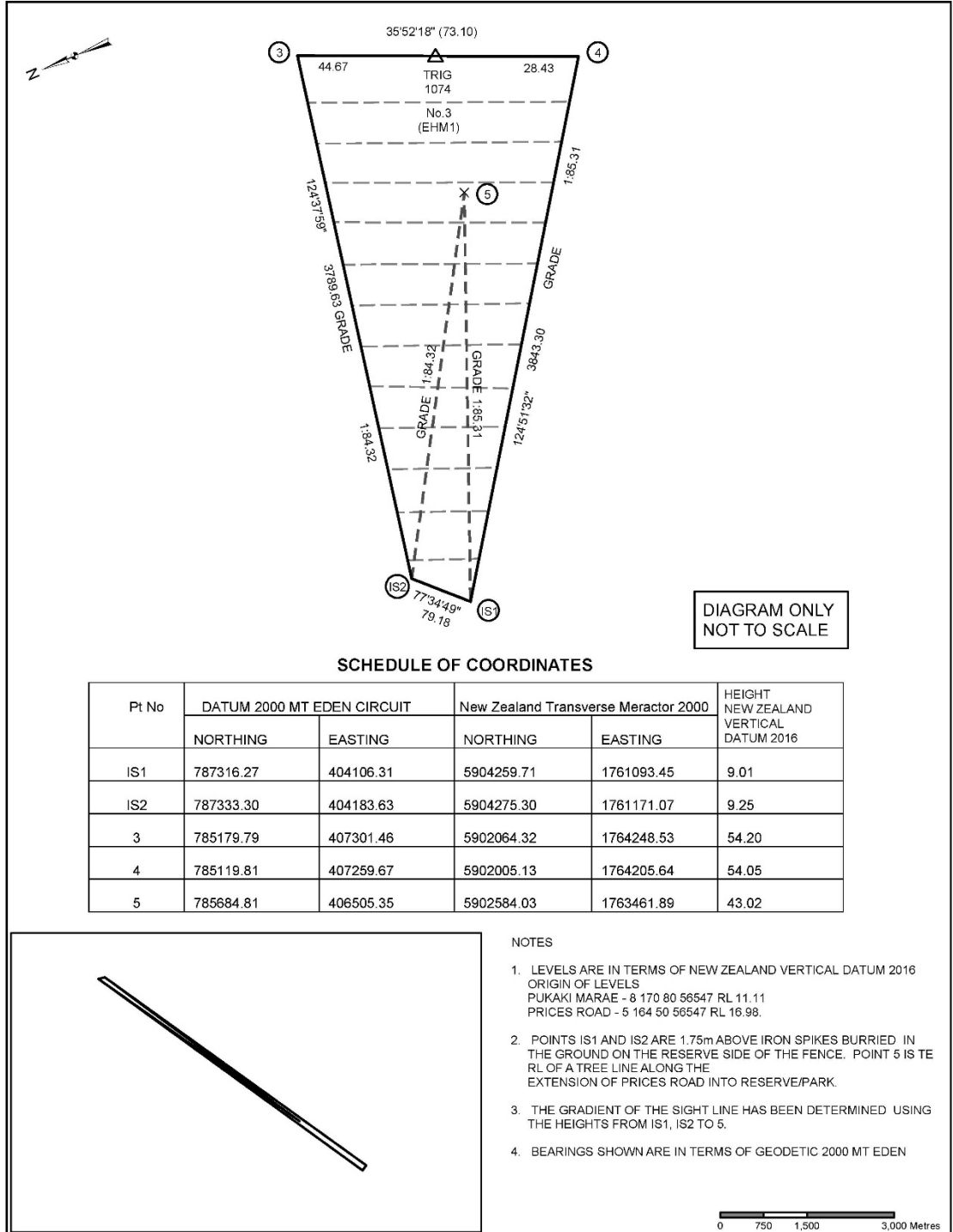
I444.9.1.2. Wiri Precinct Plan 1: Figure 2



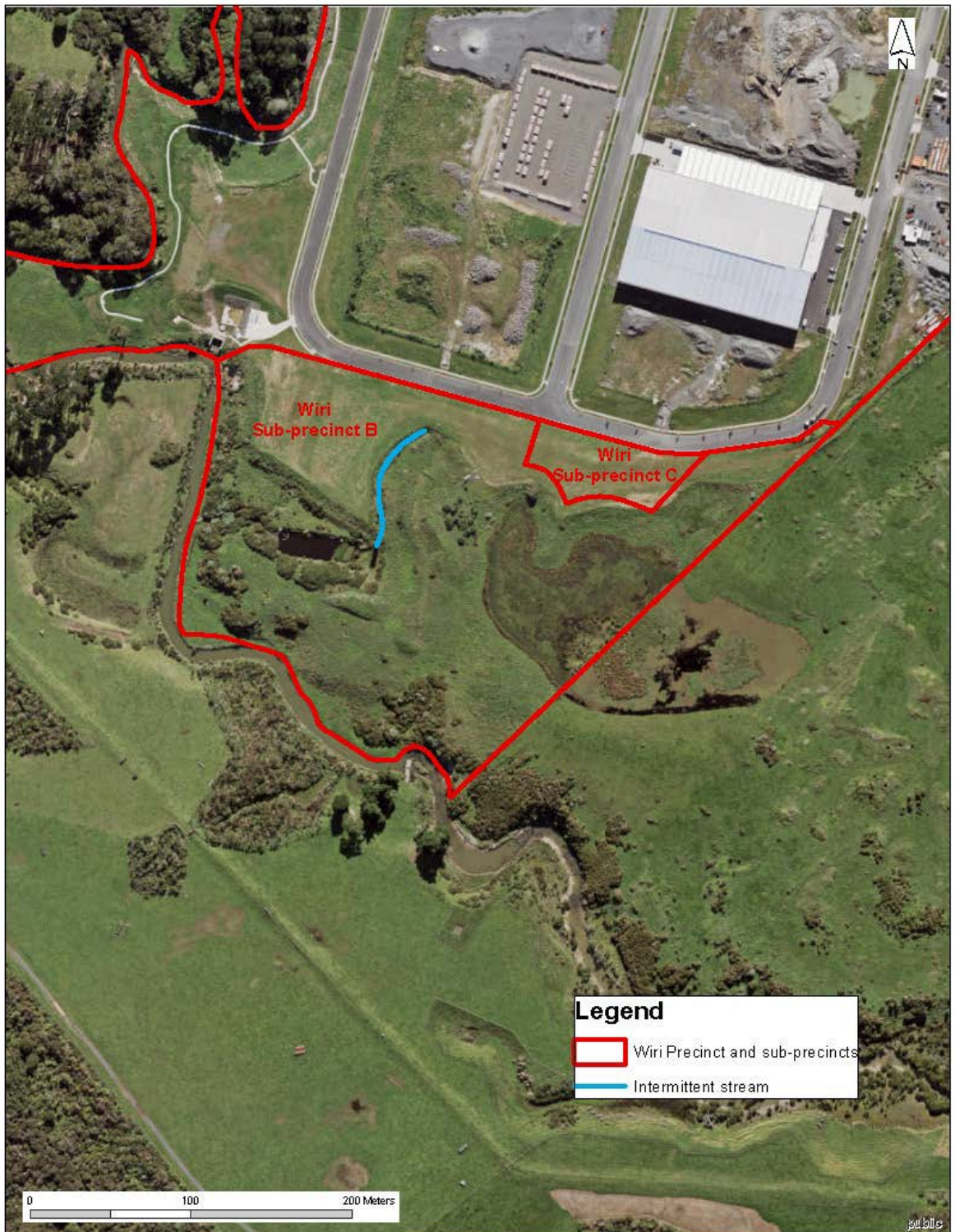
I444.9.2. Wiri Precinct Plan 2 - Pūkaki Marae – Matukutūreia viewshaft



I444.9.3. Wiri Precinct Plan 3: Pūkaki Marae – Matukutūreia Viewshaft (survey diagram)



I444.9.4. Wiri Precinct Plan 4: Location of intermittent stream within sub-precinct B



I444.9.5. Wiri Precinct Plan 5: Māori Cultural Landscape Values

