

2.46 – City centre precincts - section 32 evaluation for the Proposed Auckland Unitary Plan

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1 Overview and Purpose

This evaluation should be read in conjunction with Part 1 in order to understand the context and approach for the evaluation and consultation undertaken in the development of the Proposed Auckland Unitary Plan (the Unitary Plan).

1.1 Subject Matter of this Section

The city centre is the top of the centres hierarchy and plays a pivotal role in Auckland's present and future success. The proposed City Centre zone seeks to ensure the city centre is an international centre for business and learning, innovation, entertainment, culture and urban living.

The city centre makes an important contribution to our sense of identity. Within the city centre, there are areas that have their own distinct features, character and/or function. The general provisions for the city centre zone may not be appropriate in all areas of the city centre to maintain and enhance distinctiveness of these areas. Further, areas along the city centre waterfront may benefit from an integrated approach to managing activities across land and the coastal marine area. For example, the Port of Auckland has particular operational requirements that are different to activities in the remainder of the city centre.

This section evaluates the proposed approach in the Unitary Plan to managing different areas of the City Centre zone through precincts.

1.2 Resource Management Issue to be Addressed

The city centre has different characteristics and a particular significance for Auckland in comparison with other centres. This is specifically recognised in the council's strategic documents - the Auckland Plan, City Centre Master Plan (CCMP), Waterfront Plan and Economic Development Strategy (EDS). The legacy plan approach provides provisions for particular precincts to maintain and enhance distinctiveness. However, not all of the existing precincts necessarily require separate provisions, and other areas that are not currently within specific precincts may have particular requirements not covered by the proposed City Centre zone. In particular, the legacy plan approach separates the management of land and the coastal marine area, whereas an integrated management approach may provide efficiencies and reflect the reality of activities located in city centre waterfront locations.

1.3 Significance of this Subject

The City Centre has been identified as a key transformation area within the Auckland region. Since provisions in the legacy plans were made operative, the City Centre Master Plan has been prepared. The CCMP sets a strategic direction for maintaining and enhancing distinctiveness within the City Centre, based on "quarters" which differ from the operative precincts. The Unitary Plan also provides the opportunity to integrate the coastal and district plan objectives, policies and methods across mean high water springs. The proposed policy shift to new precincts is therefore significant as it is within a different strategic policy context (the CCMP), and includes provisions for management of the coastal environment adjacent to the City Centre.

The proposed approach to managing development in specific areas of the City Centre through new precincts is a shift from the legacy approach, and does not directly align with the quarters approach in the CCMP. The development potential of sites within the proposed precincts may therefore differ from the established expectations of landowners and developers, which may have associated costs.

However, the proposed approach is considered to have economic, social, cultural and environmental benefits. Unique areas of the city centre in terms of character, function, use or transformation opportunity are covered by additional provisions through precincts. This will enable the distinctiveness of the areas to be appropriately managed and enhanced, and will

also enable integrated management of land and water along the waterfront. Areas within legacy plan precincts that do not have sufficiently distinctive requirements from the remainder of the city centre will no longer be subject to additional provisions, increasing efficiency for the management of these areas.

1.4 Auckland Plan and City Centre Masterplan

The city centre is prioritised in the Auckland Plan as one of “the two big place based initiatives” because of its significance in contributing to the region’s future economic performance. It is anticipated that Auckland city centre will be *‘highly regarded internationally as a centre for business and for learning, innovation, entertainment, culture and urban living all with a distinctly “Auckland” flavour’* (CCMP Vision and Outcomes).

The CCMP identifies a transformational change to the city centre, specifically to *‘create a global city centre and destination of international repute’*. The reasoning given for this is *‘because of its significance in contributing to the future economic performance of Auckland’*. As part of the transformational potential, the CCMP recognises that the City Centre has a cluster of distinct areas each with its own characteristics and uses that complement each other while contributing to the whole.

The CCMP identifies areas of distinctiveness through recognisable ‘quarters’. This advances an earlier approach taken in the legacy *‘Auckland CBD into the Future’* document. The CCMP identifies eight distinct areas of the city as recognisable quarters (refer Figure 1 below). The strategic direction is to strengthen the quarters to enable diversity while ensuring a coherent city centre (Factor 6 of the CCMP).



Figure 1: CCMP quarters plan

1.5 Current Objectives, Policies, Rules and Methods

The Operative RPS and Operative Central Area section of the Auckland District Plan deal variously with matters of distinctiveness within the city centre as follows:

- ARPS Strategic Policy 2.6.8.1(ii) – Urban Design which refers to urban landscapes
- ARPS Strategic Policy 2.6.8 (c) – Heritage

- Central Area Plan objective 3.5.3 – An Alive and Exciting Place
- Central Area Plan objective 4..2.3.1 –Strategic Management Areas
- Central Area Plan objective 10.3.1 - Heritage
- Regional objective 2.2.2 and district objective 3.2.3.2.4 more succinctly capture and articulate the objectives to address issues relating to distinctiveness.

Existing precincts in the legacy plan include Wynyard Quarter, Viaduct Harbour, Queen Street Valley, Aotea, Britomart, Victoria Quarter, Port, Learning Quarter, and Karangahape Road.

1.6 Information and Analysis

MfE – Summary of the Value of Urban Design

In 2004, the Ministry for the Environment – together with the Wellington City Council and the Auckland Regional Council – commissioned a team to investigate the economic, social, cultural and environmental value added by urban design. The aim was to find what proof existed of the links between urban design and these various forms of value. The team undertook an extensive literature review, analysing over 300 studies over a wide range of international and local documentary sources. The summary report was intended to help both the public and private sectors. For the public sector, it was intended to help formulate policy that supports a better urban environment, and in meeting their obligations to deliver well designed public buildings and spaces. The analysis provided in the MfE summary report is utilised in this section 32 report to assist in examining the costs and benefits of enabling distinctive local character within the City Centre area.

The summary report supported the implementation of the Ministry for the Environment’s *New Zealand Urban Design Protocol* in March 2005.

Legacy plans and CCMP

The work previously done for the legacy Council to incorporate precinct-specific provisions has been reviewed, particularly for the Auckland Council District Plan: Central Area section. Preparation of the proposed Unitary Plan has involved input from Auckland Council’s regulatory planners who have provided feedback on the appropriateness, effectiveness and efficiency of existing urban design provisions in legacy plans.

The purpose, approach and strategic direction of the City Centre quarters in the CCMP have also been reviewed to understand their context in relation to a resource management document.

1.7 Consultation Undertaken

A summary of consultation undertaken for the Unitary Plan development is provided in Section 1.8 of Chapter 1 of this section 32 report. Relevant feedback received on the draft Unitary Plan has been reviewed in detail and alternative approaches assessed. Where appropriate, changes have been made to the Unitary Plan.

Further detail on consultation with key stakeholders is provided in Section 5.2 of this report.

1.8 Decision-Making

A summary of the decision making process for developing the draft Unitary Plan is provided in Section 1.7 of Chapter 1 of this section 32 report.

Since the draft Unitary Plan feedback process, the following stages have been followed in making decisions:

1. Review of informal feedback

2. Consideration of the costs and benefits of the draft precincts and any changes sought in feedback
3. Amendment of precinct boundaries and addition of new precincts where appropriate.

1.9 Proposed Provisions

The key refinements to the location and extent of precincts in the Proposed Auckland Unitary Plan are:

- deletion of the Victoria Quarter precinct and inclusion of the Cook Street Depot and Victoria Park Market precincts within part of the same area
- adjustments to the extent of the residential precincts
- inclusion of the Westhaven precinct and the CMA subject to an occupation consent under s. 384A of the RMA
- inclusion of adjacent CMA within the Wynyard Quarter precinct
- expansion of the Viaduct Precinct to include the adjacent CMA
- inclusion of the adjacent CMA subject to an occupation consent under s. 384A of the RMA within the Port precinct
- A new Central Wharves precinct including Princes Wharf, Queens Wharf and Captains Cook Wharf and the adjacent CMA
- A new Downtown West precinct for the block bounded by lower Queen Street, Customs Street West, lower Albert Street and Quay Street.

1.10 Reference to other Evaluations

This section 32 report should be read in conjunction with the following evaluations:

- 2.4 Business
- 2.5 Building heights
- 2.6 Business building height and form
- 2.7 Design statements
- 2.8 Sustainable design
- 2.9 Accessory parking
- 2.12 Pre-1944 demolition
- 2.13 Historic heritage
- 2.14 Treaty settlements
- 2.15 Mana whenua cultural heritage
- 2.16 Maori development
- 2.17 Maori land
- 2.18 Maori and natural resources
- 2.24 Urban stormwater
- 2.25 Freshwater
- 2.33 Moorings
- 2.34 Sewage discharge - boats
- 2.38 Non-accessory parking
- 2.39 Traffic in centres
- 2.40 Cycle parking
- 2.42 Crossings on arterial roads

2 Objectives, Policies and Rules

This section provides an evaluation of the proposed Unitary Plan objectives, policies and methods relating to maintaining and enhancing distinctiveness in the City Centre.

2.1 Objectives

The following objectives are proposed in relation to maintaining and enhancing the distinctive character of areas within the City Centre:-

Regional Policy Statement (RPS): Section 2.2 – “A Quality Built Environment”

Objective 1. A quality built environment where development, including subdivision, across the site, street, block, neighbourhood and city scales:

- a. recognises Auckland’s sense of place and enriches its landscape, character, heritage and legibility (identity)
- b. provides for a rich mix of choice and opportunity for our communities and can adapt to changing needs (diversity)
- c. considers and reinforces use, activity centres, energy systems and movement networks which are well connected and provide convenient and equal access for all (integration)
- d. supports and optimises the full potential of a site’s intrinsic qualities, including its shape, landform, outlook and relationship to its surroundings (efficiency).

Also of relevance is the section 3.2 (significant infrastructure and energy) of the RPS which sets the goal to provide for the development and operation of significant infrastructure, provided adverse effects are managed including the health, safety and amenity of communities.

Appropriateness of objectives

Relevance

Auckland Council is responsible for ensuring the use and development of natural and physical resources are managed to achieve the overall objective of sustainable management. Section 59 of the RMA states that the purpose of a regional policy statement is to ‘achieve the purpose of the Act by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region’. Section 74(1) of the RMA requires the council to give consideration to Part 2 of the RMA in relation to any change to the district plan. In terms of the definition of sustainable management, the RMA envisages that integrated management, through mechanisms such as district plans, is often necessary to achieve community enablement.

Section 5 of the RMA establishes the purpose and principles of the Act, which is to ‘promote the sustainable management of natural and physical resources’. Sustainable management is defined as ‘managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being’.

Under s. 7(c) the RMA also directs council to have particular regard to ‘the maintenance and enhancement of amenity values’. ‘Amenity values’ is defined in the RMA as ‘Those natural or physical qualities and characteristics of an area that contribute to peoples appreciation of its pleasantness, aesthetic coherence, and cultural and recreation attributes’. This includes areas of distinctiveness within urban areas which are valued by the community. In this respect, physical resources include roads, buildings and community facilities, street works, parks and open space.

Within this context, Part 2 of the RMA clearly anticipates that structures in built environments must be managed sustainably to enable people and communities to provide for their social,

economic and cultural well-being. This includes significant public infrastructure, the development and operation of which, should be provided for in a sustainable manner. The maintenance and enhancement of amenity values, including the characteristics of an area, are a relevant consideration.

In 2004, the Ministry for the Environment commissioned a team of consultants to investigate the economic, social, cultural and environmental value added by urban design, including the value of local character, through undertaking a literature review of published research. The resulting 2005 report “Summary of the Value of Urban Design” included conclusions about how maintaining and enhancing the distinctive identity of a particular place can contribute to social, economic, and cultural well-being.

The report identifies that urban design to respect and support local character can:

- attract highly-skilled workers and high-tech businesses
- help in the promotion and branding of areas within cities
- reinforce a sense of identity among residents and workers, and encourage them to help actively manage their local area
- offer people meaningful choices between very distinctive places, whose differences they value.

Adopting a planning approach to manage distinctiveness within the city centre results in the identification and subsequent protection of amenity, heritage and other environmental characteristics that the RMA seeks to address. This gives effect to the overarching purpose of the Act, by managing the development of resources to enable people and communities to provide for their own social, economic and cultural well-being. Indeed, managing distinctiveness helps to establish a sense of place or community.

Usefulness and reasonableness

The objectives are useful and reasonable as they guide and assist decision-making by recognising that areas of distinctiveness within the city centre add value and promote a strong sense of place within our community. This is an important element of protecting the historic character of the city centre. This adds value to the planning process by requiring the planning of unique/distinctive areas of the city to be recognised.

Achievability

The council has the ability to implement this objective and is currently doing so through the identification of quarters and precincts within the operative Central Area Plan. This can be achieved by applying precincts across parts of the central area which are distinctive in terms of built form and/or land use.

2.1.1 Policies

Policy 9 of the City Centre zone deals specifically with the identification of precincts:

9. *Identify and encourage specific outcomes in areas of the city centre that relate to:*
 - a. *a distinctive built character; and/or*
 - b. *a concentration of particular activities; and/or*
 - c. *activities that have specific functional requirements; and/or*
 - d. *significant transformational development opportunities.*

2.1.2 Rules and other methods

The key supporting method to maintaining and enhancing distinctive character in the city centre is the identification of the following precincts within the city centre zone:

- *Arts Civic and Entertainment precinct* – at the head of Queen Street Valley

- *Britomart precinct* - bordered by Lower Queen Street, Quay Street, Britomart Place and Customs Street East
- *Cook Street Depot precinct* - located between Cook, Nelson, Wellesley and Sale streets
- *Karangahape Road precinct* – incorporating Karangahape Road and immediately adjacent properties
- *Learning precinct* - centred on the Symonds Street ridge where the University of Auckland and Auckland University of Technology have the majority of their properties
- *Port precinct* - consisting of land and coastal areas owned or controlled by POAL
- *Quay Park precinct* - located on reclaimed land at the eastern end of the city centre
- *Queen Street Valley precinct* - centred on Queen Street and includes the areas surrounding High, Lorne, O’Connell, and Fort streets
- Four *residential precincts* at Emily Place/Eden Crescent, Whitaker Place, Myers Park/Greys Avenue and Day Street
- *Victoria Park Market precinct* – incorporating Victoria Park Market as bordered by Victoria Street West, Union Street and Drake Street
- *Viaduct Harbour precinct* – incorporating Viaduct Harbour and the land fronting the harbour (including Hobson Wharf), and the adjacent CMA
- *Central Wharves precinct* - incorporating the land fronting the harbour, the CMA and finger wharves between Wynyard precinct and the Port precinct
- *Downtown West precinct* - for the block bounded by lower Queen Street, Customs Street West, lower Albert Street and Quay Street
- *Westhaven precinct* - including the land and CMA components of the marina
- *Wynyard precinct* - representing the north-western end of the city centre including the surrounding CMA.

2.1.3 Costs and Benefits of Proposed Policies and Rules

The proposed method of managing distinctiveness through precincts will generally not align with the CCMP quarter areas, as these will not be represented in any policy sense in the Unitary Plan.

It removes established planning areas such as Victoria Quarter where land owners may have expectations that land will be managed under the same regime as the operative plan. Redefining the quarters to remove areas such as Victoria Quarter risks re-considering community aspirations recently agreed for such areas.

The proposed approach will change established approaches to planning and valuation within areas of the city centre.

There is some degree of complexity, as this approach relies on layers, where policy areas sit over more generic policies and rules for certain parts of the city centre. However, these areas are targeted, somewhat reducing complexity of control.

The proposed precinct approach recognises only those unique areas of the city centre in terms of character, function, use or transformational opportunity while removing unnecessary policy direction and rules from areas which are not unique. For example, the majority of the wider Victoria Quarter is similar to land throughout the City Centre zone and could be removed under this approach.

It allows for the distinct character, function and operational characteristics of Westhaven to be addressed as a precinct within the City Centre zone. Westhaven is a marina of national significance and is recognised within the CCMP and the Waterfront Plan as an integral part of the city centre waterfront.

It provides for the integrated management of activities and development across land and the CMA within the Westhaven, Wynyard, Viaduct Harbour, Central Wharves and Port precincts, helping to better achieve council's functions under s. 31 of the RMA. Significant duplication and complexity has been removed at the interface between land and the CMA.

2.1.4 Adequacy of Information and Risk of Not Acting

The MfE review on the value of maintaining and enhancing local character, and the masterplanning process during preparation of the CCMP, provides sufficient information to evaluate the proposed precinct option.

The risks of not identifying precincts are significant, including:

- a loss in special character precincts
- a reduction in the efficiency and growth of key industry and infrastructure precincts
- a loss of amenity for many inner city residents.

2.1.5 Summary of evaluation

This approach is appropriate as it directly achieves the objective to maintain and enhance the distinctive built form, scale, historic character and functions of particular areas within and adjoining the city centre.

This approach is also effective, as it is tailored to only those areas of the city centre zone with distinct built character, function or use, or areas with unique transformational opportunity. Specific policy direction and methods dealing with these characteristics is considered to be much more effective than providing no distinction in policies and methods between these areas and other areas of the city centre zone.

This approach is efficient as the precincts only address resource management issues distinct from the city centre zone. In all other respects the City Centre zone is relied upon.

3 Alternatives – Precincts

The proposed preferred alternative is discussed in Section 2.0 above. The status quo alternative is outlined in Section 1.5 above.

Three key alternatives have been identified to the policy approach and the key supporting method to identify precincts:

1. remove all precincts and rely on the city centre zone
2. identify and manage areas of distinct built character, function or use or areas with unique transformational opportunity
3. Apply the policies and precincts to the quarters shown in the CCMP.

The following table provides an evaluation of the potential responses to the issue through the proposed provisions, and provides a comparison to the proposed alternative.

	Alternative 1 - Remove all precincts and rely on the City Centre zone	Alternative 2 – Preferred option - Identify and manage areas of distinct built character, function or use or areas with unique transformational opportunity	Alternative 3 – Apply the policies and precincts to the quarters shown in the CCMP
Description	<p>In this option, the Unitary Plan would not expressly recognise the character of distinct areas within the city centre with policies or rules. Policies and rules would be applied consistently throughout the city centre.</p> <p>While the Unitary Plan would not recognise the distinctiveness of particular areas within the city centre, the council could use non-regulatory mechanisms to enhance the character of distinct areas including, for example:</p> <ul style="list-style-type: none"> • advocacy to the development community • exemplar development of key sites • non-statutory quarter plans. 	<p>In this option, only those areas of the city centre with distinct built character, function or use or areas with unique transformational opportunity would be identified as precincts.</p> <p>This approach does not preclude wider quarter areas being included in the Unitary Plan at a descriptive level, but avoids the need for each of these to have its own objectives, policies and rules dealing with built form.</p>	<p>The CCMP advances an earlier approach taken in the legacy <i>'Auckland CBD into the Future'</i> document and identifies eight distinct areas of the city as recognisable quarters (refer Figure 1 above).</p> <p>This option involves the Unitary Plan providing for these quarters by applying specific policies and rules to each of these areas.</p>
Appropriateness	Failing to identify precincts does not achieve the objective to maintain and enhance the distinctive built form, scale, historic character and functions of particular areas within and adjoining the city centre.	This approach is appropriate as it directly achieves the objective to maintain and enhance the distinctive built form, scale, historic character and functions of particular areas within and adjoining the city centre.	Applying a policy and rule framework to eight wider quarter areas of the city does not achieve the objective to maintain and enhance the distinctive built form, scale, historic character and functions of particular areas within and adjoining the city centre.
Effectiveness	The removal of all precincts is unlikely to be effective in managing the unique operational, amenity and visual characteristics of parts of the city centre.	This approach is the most effective, as it is tailored to only those areas of the city centre zone with distinct built character, function or use, or areas with unique transformational opportunity. Specific policy direction and methods dealing with these characteristics is considered to be much more effective than providing no distinction in policies and methods between these areas and other areas of the city centre zone.	Given the quarters identified in the CCMP cover large areas exhibit and range of characteristics, the management of resource management issues within these areas is likely to be less effective.
Efficiency	<p>Removing all precincts is likely to be less efficient in achieving the objectives than the options of identifying precincts. Relying on non-statutory mechanisms may result in the character of an area being 'undone' by one inappropriate development.</p> <p>The efficiency of key industries and infrastructure providers such as the marine industry and the port is likely to be compromised by reverse sensitivity impacts and land value impacts without precincts.</p>	This approach is efficient as the precincts only address resource management issues distinct from the city centre zone. In all other respects the City Centre zone is relied upon.	It will be less efficient to develop a specific resource management approach to the larger areas of the city centre as identified in the CCMP. Unnecessary resource consents are likely to result from this approach.
Costs	<p>The character and distinctiveness of particular areas such as Britomart, Victoria Park Market may be lost as sites are re-developed.</p> <p>The unique development potential of key sites such as Cook Street Depot, and Wynyard Quarter may be lost.</p> <p>The operational characteristics and requirements of particular areas of the city centre such as the port, Westhaven and parts of Wynyard Quarter may not be appropriately recognised and enabled.</p> <p>The amenity of residential enclaves within the city centre may be compromised.</p>	<p>There will be a lack of alignment with the CCMP quarter areas, as these will not be represented in any policy sense in the Unitary Plan.</p> <p>It removes established planning areas such as Victoria Quarter where land owners may have expectations that land will be managed under the same regime as the operative plan. Redefining the quarters to remove areas such as Victoria Quarter risks re-considering recently agreed community aspirations for such areas.</p> <p>It will change established approaches to planning and valuation within areas of the city centre.</p> <p>There is some degree of complexity, as this approach relies on layers, where policy areas sit over more generic policies and rules for certain parts of the city centre. However, these areas are targeted, somewhat reducing complexity of control.</p>	<p>The quarters from the draft CCMP do not necessarily align with areas of the city centre that exhibit a particular built form character. They tend to be a larger scale. For example, the 'Engine Room' Quarter, exhibits a range of different built form characters from the development outcomes sought for Britomart, the core commercial high rise areas on the western side of Queen Street, and the lower scale historic character area on the eastern side of Queen Street.</p> <p>Division of the city centre into eight quarters, each with its own objectives, policies and rules, will be reasonably complex. Given these quarters are not necessarily aligned with built form character they will probably still require additional overlay controls to maintain and enhance character.</p>
Benefits	This enables the distinctiveness of areas within the city centre to develop organically over time, which has the potential to enhance character.	This option recognises only those unique areas of the city centre in terms of character, function, use or transformational opportunity while removing unnecessary policy direction and rules from areas which are not unique. For example, the majority of the wider Victoria Quarter is similar to land throughout	Consistent with the strategic approach set through the CCMP quarter areas.

	Alternative 1 - Remove all precincts and rely on the City Centre zone	Alternative 2 – Preferred option - Identify and manage areas of distinct built character, function or use or areas with unique transformational opportunity	Alternative 3 – Apply the policies and precincts to the quarters shown in the CCMP
	It is simple and fast, as the Unitary Plan would have fewer policy and rule layers.	<p>the Central City zone and could be removed under this approach.</p> <p>It allows for the distinct character, function and operational characteristics of Westhaven to be addressed as a precinct within the City Centre zone. Westhaven is a marina of national significance and is recognised within the CCMP and the Waterfront Plan as an integral part of the city centre waterfront.</p> <p>It provides for the integrated management of activities and development across land and the CMA within the Westhaven, Wynyard, Viaduct and Port precincts, helping to better achieve council’s functions under s. 31 of the RMA. Significant duplication and complexity has been removed at the interface between land and the CMA.</p>	
Risks	<p>The risks of not identifying precincts are significant, including:</p> <ul style="list-style-type: none"> • a loss in special character precincts • a reduction in the efficiency and growth of key industry and infrastructure precinct • a loss of amenity for many inner city residents. 	The risk with this approach is that it is seen as overly complex and multi-layered. However, it cross-references to the City Centre zone and Coastal zone provisions wherever possible and reduces current complexity at the land/CMA interface.	The risk of applying this approach is that the distinctive built form, scale, historic character and functions of particular areas within and adjoining the city centre activity will not be clearly identified and may be lost within a wider policy and method approach.

3.1 Alternatives – Port Precinct Reclamation

One significant issue within the Port precinct is the activity status of future reclamation.

Objectives 1 and 3 of the Port Precinct and supporting policy 6 state:

Objective 1 *“The efficient operation, growth and intensification of marine and port activities and marine and port facilities.”*

Objective 3 *“Adverse effects arising from activities and development are avoided, remedied or mitigated.”*

Policy 7 of the Port Precinct states: *“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.”*

Feedback on their draft port development proposals was sought by Ports of Auckland Limited (POAL) during a one month period from early May-early June 2013. The proposals were available on POAL’s website, with an online feedback survey (181 responses were received). A summary overview of the survey results, as supplied by POAL, includes the following results:

- 65% or more of respondents agreed; port proposals for greater efficiency and less expansion are heading in the right direction and; that the Port will need to become more efficient and expand moderately as Auckland’s population and freight demands grow
- 59% agreed with idea of a sub-zone in Port Precinct to signal the northern reclamation limit
- 43% indicated ‘Expand and release Captain Cook’ as their preferred port development option.

A draft Auckland Unitary Plan workshop was subsequently held on 31 July 2013. Port development was one of the topics discussed. The workshop included a presentation of the following:

- A high level summary of relevant feedback from public engagement on the draft Unitary Plan relating to development in the Port precinct
- A high level summary of feedback from public engagement on the draft Port Development Plan undertaken by POAL
- Five potential options for how reclamation could be classified in the Port precinct comprising:
 - Option 1 and 5 - status quo planning provisions, which reflect the operative coastal plan and draft Unitary Plan approach (reclamation proposals are a discretionary activity within the entire Port precinct). The difference between options 1 and 5 is that option 5 proposes further public engagement and a possible future change to the Port provisions through a submission or plan change to the AUP. It is important to note that in this context ‘status quo’ means that the same planning provisions apply in this area as have done since the Regional Plan: Coastal was made operative in October 2004.
 - Options 2, 3, and 4 these options propose methods which, to varying degrees, narrow and restrict the extent of area in the Port precinct within which reclamation proposals would be treated as a discretionary activity. This would limit the potential extent of any proposed reclamation of the Waitemata Harbour. Outside these areas reclamations would be treated as a discretionary activity where it is required for the safe and efficient operation or construction of significant infrastructure.

On 9 August 2013, the Mayor announced his intention to commission a study (commonly referred to as 'stage 2') to look at the long-term future of the Auckland Ports. He said that:

“Before we make any decisions about whether the Port expands or otherwise, we need an informed discussion with Aucklanders, underpinned by a robust study that includes consideration of economic, social and environmental factors. We need to closely look at every alternative for the delivery of port services and work out what is best for Auckland.”

Details of the scope and aim of the study will be announced in September 2013. Once this stage 2 study has concluded and the results have been considered, the council will be in a position to decide what (if any) planning provision changes it may wish to progress, either through a council submission on the Proposed Auckland Unitary Plan or through notifying a plan change as soon as the Auckland Unitary Plan is made operative. The option therefore is to make any further reclamation in the Port precinct a non-complying activity until this study is completed and a council submission is lodged on the Proposed Auckland Unitary Plan.

The following table provides an evaluation of the potential responses to the issue through the proposed provisions, and provides a comparison to the proposed alternatives.

	<p>Alternative 1 - status quo planning provisions (Option 1) or status quo planning provisions until further public engagement and the completion of the stage 2 report (Option 5).</p> <p>Option 5 – preferred option</p>	<p>Alternative 2 – (Options 2 – 4) - restrict the extent of area in the Port precinct within which reclamation proposals would be treated as a discretionary activity</p>	<p>Alternative 3 – apply a non-complying activity status until further public engagement and the completion of the stage 2 report</p>
Description	<p>In this alternative, the general discretionary activity status for reclamation within the port precinct would be retained. Under Option 5, this discretionary activity would be applied until the completion of the stage 2 port study.</p>	<p>In this option, preference to proposed reclamations within the more narrowly defined sub-areas in options 2, 3 and 4 would be given through discretionary activity status versus non-complying activity status within other areas within the precinct.</p> <p>This would involve nominating those areas where reclamation may be appropriate prior to the completion of the stage 2 port study.</p>	<p>In this alternative, the general discretionary activity status for reclamation within the port precinct would be changed to non-complying until the completion of the stage 2 port study.</p>
Appropriateness	<p>While Option 1 would be generally enabling, the public would have little certainty and guidance as to the location and extent of future port reclamation.</p> <p>Given the public interest in this topic and the potential for significant and permanent adverse cumulative effects on the harbour environment through further reclamation, Option 1 which provides no direction as to where future reclamation may occur is not considered to be the most appropriate alternative.</p> <p>Option 5 is considered to be more appropriate as it maintains the discretionary activity status until the stage 2 report is completed. This will simply 'hold' the status under the operative coastal plan and allow this status to be revised when the outcomes of the stage 2 study are known.</p>	<p>This approach more appropriately identifies areas where reclamation may be appropriate, thereby assisting to give effect to policy 9. However, as the stage 2 report has yet to be completed, this option may inappropriately identify areas which are not recommended as preferred areas for reclamation.</p>	<p>This option may be considered to be more appropriate as it will assist to avoid further reclamation until the stage 2 report is completed. However, compared to Alternative 1 - Option 5 it is not considered to be more appropriate as further reclamation prior to the release of the stage 2 report is very unlikely. It also creates an unnecessary conflict between the status of reclamation north of Bledisloe Wharf (discretionary) as this area is outside of the Port Precinct.</p>
Effectiveness	<p>Providing no guidance under Option 1 as to the extent and location of further reclamation is likely to be less effective than a directive approach of identifying areas where reclamation may be appropriate.</p> <p>Option 5 is likely to be effective over the medium – longer term as this option allows the discretionary activity status to be reviewed when the stage 2 study is completed.</p>	<p>This approach is potentially most effective, as it is tailored to identify only those areas of the port precinct where future reclamation may be acceptable. This option however may be ineffective if the recommendations of the stage 2 report do not align with this approach.</p>	<p>This option is likely to be effective in preventing reclamation prior to the completion of the stage 2 report. However, it is unlikely to be any more effective than maintaining the status quo discretionary activity status (Alternative 1 – Option 5).</p>
Efficiency	<p>Providing no guidance as to the extent and location of further reclamation is likely to be less efficient in achieving the objectives than the options of identifying areas where reclamation may be appropriate.</p> <p>The efficiency and growth of the port may be compromised if there is a lack of certainty and guidance as to where future reclamation may be appropriate.</p>	<p>This approach may be efficient if the stage 2 report aligns with the defined sub-areas where reclamation would be given discretionary activity status.</p> <p>However, this alternative will be inefficient if a change to the port precinct is required after the completion of the stage 2 report.</p>	<p>This alternative will be efficient in that it will assist to prevent further reclamation within the Port Precinct until the completion of the Stage 2 study.</p> <p>It will however be less efficient completed to Alternative 1 – Option 5 as a non-complying activity status directly conflicts with the general coastal zone approach north of Bledisloe Wharf.</p>
Costs	<p>Under Option 1 areas of the harbour within the Port Precinct may be reclaimed unnecessarily if ad hoc applications for port reclamations are granted without guidance as to where this should most efficiently occur. This could impose costs to the community and to the environment. This could also result in areas of reclamation being applied for which conflict with the outcomes of the stage 2 study.</p> <p>Conversely, the lack of guidance may frustrate and / or prevent port expansion if reclamation applications are either declined or unnecessarily delayed due to a lack of directive planning guidance. This could result in wider costs to the region, given the economic</p>	<p>This option could impose costs to the environment and the community if the sub-areas do not align with the stage 2 report.</p> <p>It is important to note that should POAL apply for a resource consent for reclamation seaward of Bledisloe Wharf, regardless of its size, it would be treated as a discretionary activity under all the options considered.</p>	<p>This alternative reduces the potential for environmental costs by applying the non-complying activity status as an interim measure until the stage 2 report is completed. This will also reduce the risk of areas of reclamation being applied for which conflict with the outcomes of the stage 2 study.</p> <p>Conversely, a non-complying activity status may frustrate and / or prevent port expansion if reclamation applications are either declined or unnecessarily delayed due to a lack of planning guidance. This could result in wider costs to the region, given the economic significance of the Auckland Port.</p>

	<p>Alternative 1 - status quo planning provisions (Option 1) or status quo planning provisions until further public engagement and the completion of the stage 2 report (Option 5).</p> <p>Option 5 – preferred option</p>	<p>Alternative 2 – (Options 2 – 4) - restrict the extent of area in the Port precinct within which reclamation proposals would be treated as a discretionary activity</p>	<p>Alternative 3 – apply a non-complying activity status until further public engagement and the completion of the stage 2 report</p>
	<p>significance of the Auckland Port.</p> <p>Option 5 reduces the potential for costs by applying the discretionary activity status as an interim measure until the stage 2 report is completed. This may potentially result in some uncertainty in the short term but will allow a submission to be made to change the activity status within areas of the Port Precinct if the outcomes of the stage 2 report direct that.</p>		
Benefits	<p>Option 1 has the benefit of maintaining the current approach and flexibility as to where reclamation could occur within the port precinct - allowing each application to be assessed on its merits.</p> <p>Option 5 maintains flexibility in the short term until the completion of the stage 2 report. Once the stage 2 report is completed, this option has the benefit of potentially directing reclamation to areas within the port precinct.</p>	<p>This alternative may have the benefit of setting a defined direction for reclamation if those nominated areas align with the outcomes of the stage 2 report.</p>	<p>This alternative assists to prevent reclamation in the short term until the completion of the stage 2 report. At that time, this option has the benefit of potentially directing reclamation to areas within the port precinct.</p>
Risks	<p>The risks of associated with Option 1 of continuing with a discretionary activity approach across the Port Precinct include:</p> <ul style="list-style-type: none"> • Ad hoc reclamation and long term environmental effects • Reclamation which conflicts with the outcomes of the stage 2 port study • a reduction in the efficiency and growth of the port if future reclamation is frustrated. <p>With Option 5, these risks are significantly reduced as further reclamation is unlikely prior to the completion of the stage 2 report.</p>	<p>The risks associated with this alternative include the potential for reclamation which conflicts with the outcomes of the stage 2 port study and a reduction in the efficiency and growth of the port if future reclamation is frustrated.</p>	<p>The risk of this approach is that it sets up a direct conflict between the status of reclamation within the General Coastal zone (discretionary activity) and the Port Precinct.</p>

4 Conclusion

Precincts

Provisions seeking to enable maintenance and enhancement of the distinctiveness of different areas of the City Centre will contribute to the vibrancy and vitality of the centre as a whole.

Having regard to their efficiency and effectiveness, and taking into account the cost and benefits, Alternative Two is most appropriate for achieving the objectives relating to distinctiveness in the City Centre.

The approach of identifying only those areas of the city centre with distinct built character, function or use or areas with unique transformational potential as precincts provides a targeted approach to the unique resource management issues within each of these areas while removing unnecessary policy direction and rules from areas of the city centre which are not unique. This approach also better achieves the integrated management of activities and development across land and the CMA within coastal areas of the city centre and removes significant duplication and complexity at the interface between land and the CMA.

Port Precinct Reclamation

Three alternatives have been considered to manage future reclamation within the port precinct. Having regard to their efficiency and effectiveness, and taking into account the cost and benefits, Alternative One – Option 5 is considered to be the most appropriate for achieving port precinct objectives 1 and 3 and supporting policy 7 relating to 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.

The alternative of maintaining the current discretionary activity approach until the completion of the Stage 2 provides an appropriate balance between enablement of port and marine activity while allowing the Council to make a submission revising this approach once the findings of the stage 2 report are available. This approach also maintains consistency with the General Coastal zone provisions (which apply north of Bledisloe wharf).

On 30 August 2013 the Auckland Plan Committee passed a resolution to set a non-complying activity status for reclamation within the Port Precinct beyond the extent of that which has already been consented.

5 Record of Development of Provisions

5.1 Information and Analysis

A comprehensive review was undertaken of all background reports to the former Auckland City plan changes 1, 2 and 4. The recommendations contained in the Auckland City Design Audit Report 2009 were also taken into account.

5.2 Consultation Undertaken

Key feedback on the identification and boundaries of City Centre precincts in the draft Unitary Plan was received from stakeholders including:

- Waterfront Auckland
- Ports of Auckland Limited
- Tram Lease and Viaduct Harbour Holdings Limited
- Heart of the City
- Urban Design Forum
- Regional Facilities Auckland
- Ministry of Justice

- Copeland Associates Limited
- Auckland University of Technology
- Ngati Whatua o Orakei Maori Trust Board
- Body Corporate of Viaduct Point residential apartments
- Auckland Harbour Bridge Pathway Trust
- Westhaven Marina User Association (WMUA)
- Infratil
- Tournament Carparking.

All feedback points have been considered and assessed against the purpose of the precincts. Generally, feedback on the approach taken to identification of City Centre precincts in the draft Unitary Plan did not request that precincts be removed altogether, or to reflect the quarters approach of the CCMP.

Most feedback regarding the precincts approach to the City Centre in the Unitary Plan requested changes to boundaries and the high level objectives for the precinct. For example, feedback was received from a number of parties regarding a potential “SkyPass” which would connect to the Harbour Bridge, to be included within the Westhaven Precinct.

Some feedback requested that new precincts be added or their purpose significantly changed.

5.3 Decision-Making

There have been no specific political decision-making processes in respect of the City Centre precincts. The general decision-making process for the development of the Unitary Plan, including the proposed precincts, is provided in Section 1.6 of the s32 report.

The Port Precinct reclamation provisions have been the subject of an Auckland Plan Committee resolution dated 30 August 2013 which set a non-complying activity status for reclamation beyond the extent of that which has already been consented.