

## PART 14.8 - PORT PRECINCT

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#### Plan modification annotations - key



Indicates where content is affected by proposed plan modification x.  
Refer to plan modification folder or website for details.



Indicates where the content is part of plan modification x, which is  
subject to appeal.

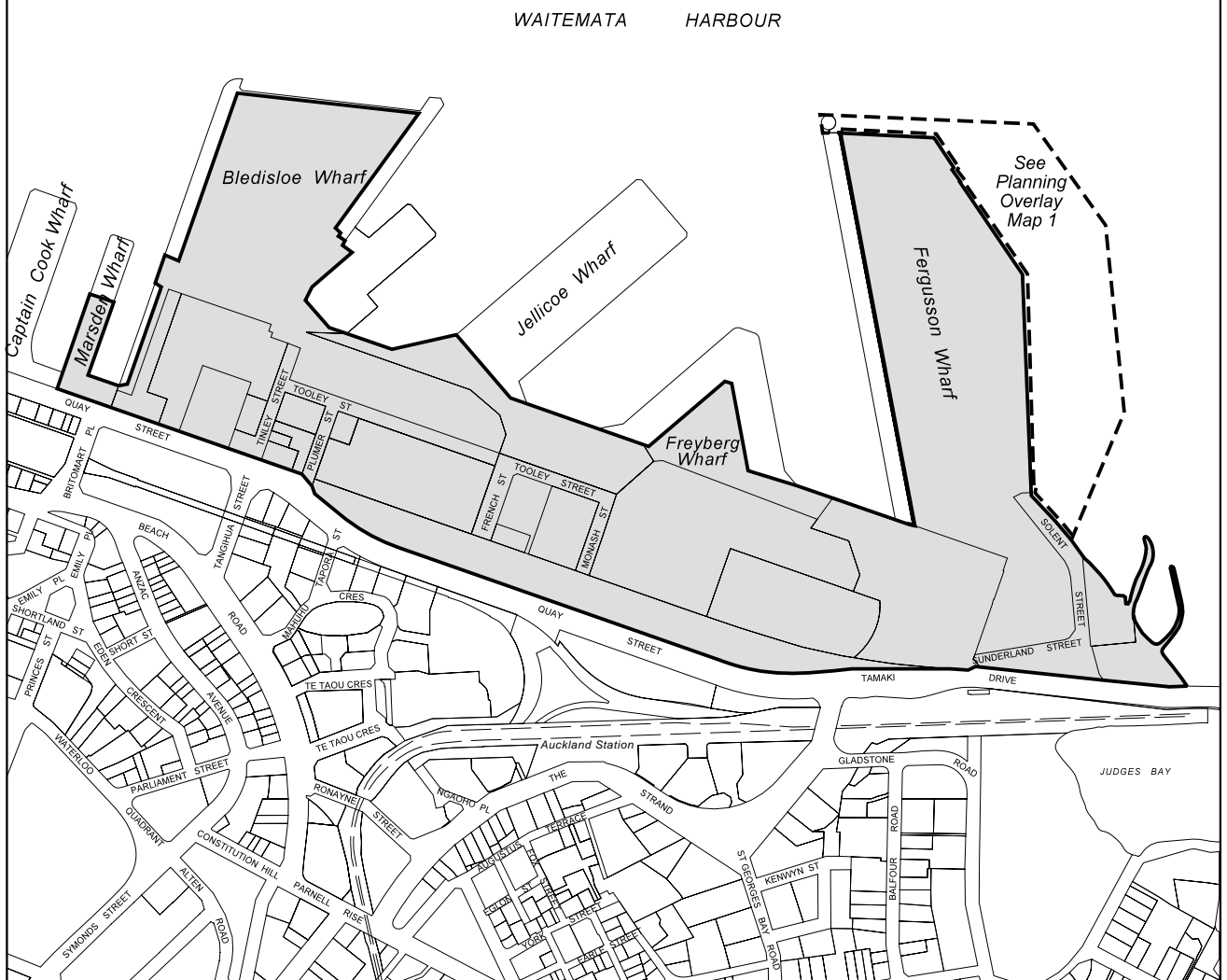
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Locality Map



## PORT PRECINCT

### 14.8.1 INTRODUCTION

#### 14.8.1.1 DESCRIPTION

The Port Precinct extends from Quay Street in the South up to the boundary with the Proposed Regional Plan: Coastal in the north. Its western boundary is the Mean High Water Springs (MHWS) mark on the western side of Marsden Wharf. The easternmost limit of the Precinct is at the MHWS mark along the eastern side of Fergusson Container Terminal (see Port Precinct Plans attached).

The Port Precinct consists of land reclaimed from the Waitemata Harbour and is owned by the Ports of Auckland Limited (POAL). Its primary activities are container and breakbulk cargo handling as well as a limited amount of bulk cargo handling. The Precinct also accommodates a range of other port-related activities which include commercial undertakings.

#### 14.8.1.2 STRATEGIC CONTEXT

The reform of the New Zealand economy over the past decade has significantly increased GDP growth and resultant trade volumes. Auckland is New Zealand's largest general cargo port handling more ships and services than any other New Zealand port. Studies indicate that over 90,000 people are employed within the region as a direct result of trade through the port and a further 180,000 outside the region, making the port a physical resource of both regional and national importance.

The area identified as the Port Precinct which includes the Bledisloe Terminal and the Fergusson Container Terminal is the focus of cargo handling.

The existing land and facilities held by the Ports of Auckland are now reaching the limits of their operational capacity. The POAL is seeking to increase the existing capacity by operational improvements, intensifying the use of existing facilities and developing additional capacity.

### 14.8.2 RESOURCE MANAGEMENT ISSUES

- The recognition that the primary activity of the Port Precinct is one of strategic importance affecting the region and the country.
- The recognition that port cargo handling is a highly specialised activity and that its potential to achieve compatibility with other activities is limited.
- The acknowledgment that provision must be made for the continued operation and development of port facilities and activities.
- The potential to limit the expansion of heavy cargo handling activities.
- The recognition that the current and future operations carried out in the Port Precinct could generate significant adverse environmental effects on views, noise, light spill, traffic and pedestrian amenity and that these need to be avoided, remedied or mitigated.
- The potential to manage the expansion of the port in such a way that public access to the harbour and particularly to the central wharves is not compromised except where it is necessary to restrict access in order to protect public health or safety.

### 14.8.3 RESOURCE MANAGEMENT OBJECTIVES AND POLICIES

#### 14.8.3.1 OBJECTIVE

*To provide for the continued efficient operation of port activities in the Port Precinct.*

#### Policies

- By adopting controls which provide for a wide range of port and port-related activities and development.
- By providing for activities and development which sustain the efficient management of a modern port.



### 14.8.3.2 OBJECTIVE

*To ensure that any adverse effect of port activity on the environment of the Central Area and surrounding areas is avoided, remedied or mitigated.*

#### Policies

- a) By adopting rules that ensure that in general only port activities and those activities which are related to port activities be allowed to locate in the Port Precinct.
- b) By adopting rules for development that avoid, remedy or mitigate adverse effects.
- c) By requiring acceptable noise levels at the boundary between the Port Precinct and the remainder of the Harbour Edge Strategic Management Area.
- d) By controlling any significant adverse effects arising from the erecting of signs.
- e) By controlling the detrimental effects generated by artificial lighting.
- f) By the imposition of rules to ensure the safe handling, use and storage of hazardous substances.
- g) By controlling the effects of traffic generated by activities.
- h) By encouraging pedestrian access to the water's edge where this does not conflict with safety and security considerations and port operations.

### 14.8.4 RESOURCE MANAGEMENT STRATEGY

The provisions recognise the change in circumstances relating to the POAL's operations along the harbour edge. These changes have been manifested by the following:

- the reduced significance of the Viaduct Basin for commercial port operations
- the opening up of the western and central wharves including most of Princes Wharf and Hobson Wharf to accommodate people-orientated activities as well as the traditional port activities
- intensification and expansion of the eastern area including the Bledisloe Terminal (incorporating Jellicoe and Freyberg Wharves) and Fergusson Container Terminal, and
- the continued use of Queen's Wharf, Captain Cook Wharf and Marsden Wharf for berthage and other port activities.

The provisions seek to reinforce the strategic direction assumed in the various planning documents relating to the Port Precinct including consolidation of heavy cargo activities in the eastern part of the harbour edge.

It is therefore important that the provisions contribute to the more efficient use of the Port Precinct for port activity. To achieve this the rules must ensure that this primary activity is protected from the intrusion or location nearby of other activities that could compromise the efficient use and development of the port facility. This will also reduce the pressure for the port to expand prematurely in other areas of the region.

The more intensive use of existing facilities and the planned expansion of the Port Precinct is likely to have some adverse effects which could impact on the surrounding areas. The provisions adopted in the Plan therefore seek to avoid, remedy or mitigate such effects, to the fullest practicable extent.

### 14.8.5 ANTICIPATED ENVIRONMENTAL RESULTS

It is expected that the provisions for the Port Precinct will contribute to the following outcomes.

- a) Port activities will operate more efficiently.
- b) Future expansion of the port will occur predominantly in or beside the Precinct.
- c) Any adverse effects of activities and development affecting the surrounding areas, including the Eastern SMA, the Core SMA and Parnell, will be avoided, remedied or mitigated.

### 14.8.6 RULES - ACTIVITIES

The following table specifies the activities provided for in the Port Precinct. The permitted activities are allowed without a resource consent where they comply in all other respects with the relevant Plan development controls and rules



Activity	Consent Required
Accessory buildings or ancillary services for any of the activities listed in this table	P
Building, including external alterations and additions, exceeding 18 metres above MSL and up to 24 metres above MSL in Area 3 as shown on Precinct Plan A.#	RC
Building, including external alterations and additions, exceeding 18 metres above MSL and up to 30 metres above MSL in Area 4 as shown on Precinct Plan A.#	RC
Car parking ancillary to permitted activities	P
Community Care facilities	P
Fish processing, curing, cleaning and treatment of by-products and associated coolstores including premises for the whole-sale and retail sale of fish	P
Demolition and removal of buildings and structures	P
Drydocks	P
Industrial storage associated with the harbour or port.	P
Industry which provides a direct service to shipping, port or harbour activities.	P
Information centres	P
Observation areas, viewing platforms and related structures	P
Offices ancillary to permitted activities	P
Port and harbour facilities, including wharves and premises, for the handling of any seaborne cargoes, workshops and slipways	P

Activity	Consent Required
Provision and use of artificial lighting, producing an illuminance in excess of 150 lux, measured at any point on the site containing the light source, in a horizontal or vertical plane at ground level	D
Provision and use of lighting together with support structures, fittings, cables and pipes other than provided for as a discretionary activity	P
Public toilets	P
Quick vehicle service and facilities only on sites with frontage to Quay Street, between the western boundary of the Port Precinct and Plumer Street.	D
Refuelling (from mobile refuelling facilities), resupply and unloading of vessels	P
Refuelling of vessels from permanent refuelling facilities	P
Helicopter flights	D
Residential accommodation for people whose duties require them to live on site	P
Marine Rescue Centre	P
Embarking, disembarking and transit of passengers	P
Restaurants in that part east of Solent Street	P
Landscaped open space	P

P = Permitted Activity  
C = Controlled Activity  
D = Discretionary Activity



**Explanation**

*Activities nominated as permitted activities in the Port Precinct are those which provide specifically for port related activities.*

*The discretionary activities are those which may be consented to by the Council in accordance with the relevant criteria set out in Clause 5.6.3.1(b), Clause 7.19.2 and Clause 9.8.3. They may be subject to conditions to avoid or mitigate potential significant adverse effects.*

*An application for a discretionary activity consent shall be accompanied by an assessment of the environmental effects of the proposed activity in terms of the relevant criteria contained in Clauses 5.6.3.1(b), 7.19.2 and 9.8.3.*

- # Cosmetic repairs that do not change the design and appearance of the existing building are a permitted activity.

#### **14.8.6.1 ASSESSMENT CRITERIA FOR RESTRICTED CONTROLLED ACTIVITIES**

The Council will have regard to the assessment criteria set out below when considering an application under section 104 of the Act:

- a) The quality of building design should acknowledge Quay Street's importance as a gateway to the CBD and the area's location at the interface of port operations and the central city. In particular, it should have regard to the area's high visibility in views along Quay Street and from a range of overlooking viewpoints, whilst acknowledging the functional and operational requirements of port and marine industrial activities.
- b) The design of buildings located along exposed frontages to Quay Street should avoid unrelieved flat planes or continuous blank walls. Where the ability to achieve this is constrained by the functional requirements of port and marine industrial facilities, the visual effects of unrelieved flat planes or continuous blank walls should be mitigated by techniques such as architectural features or compositional elements, or projecting or recessed surfaces or elements.
- c) In Precinct Area 4 the building design, including massing, form, façade articulation, materials and colours should recognise the particular location of the area adjacent to Quay Street and its potential for a more visible feature building using the additional height limit of 30 metres, whilst acknowledging the functional and operational requirements of any port activities that may be undertaken in any new building.

- d) Rooflines for buildings in Precinct Areas 3 and 4 should contribute positively to the overall visual interest of the building, whilst acknowledging the functional and operational requirements of the port.

#### **14.8.6.2 CONSENT CONDITIONS**

In granting consent to a restricted controlled activity the Council may impose conditions in respect of the matters specified in section 108 of the Act and the external design and appearance of the building.

#### **14.8.7 RULES - DEVELOPMENT**

All development within the Precinct is subject only to the development controls in clauses 14.8.7.1 and 14.8.7.2 and the following development controls:

- Maximum height
- The Special Height Controls shown on Planning Overlay Map No 4
- Rooftop Control (see clause 6.6)
- Glare Control for new buildings fronting onto Quay Street only (see clause 6.13)

#### **14.8.7.1 MAXIMUM HEIGHT**

The height of any building or structure in the Port Precinct shall not exceed the specified maximums shown on Precinct Plan A.

Notwithstanding the definition of height under section 16 of the Plan, aerials, lift towers, lighting poles, cranes, derricks, cargo stacking and lifting devices, conveyors, machinery rooms and flag poles are exempt from this rule.

Note: An application to exceed this rule may be considered under Clause 15.3.1.2(b) as a restricted discretionary activity and will also be assessed under the criteria of clause 14.8.6.1.

**Explanation**

*The height limit specified on Precinct Plan A ensure that harbour views from Parnell and the Eastern SMA are not adversely affected by buildings and structures (other than those exempted above) erected in the precinct.*



### 14.8.7.2 MAXIMUM BUILDING COVERAGE

The maximum coverage for buildings in Area 3 on Precinct Plan A is 33%.

#### Explanation

*The building coverage control mitigates the potential adverse effects of building bulk and scale in Precinct Area 3 which covers a significant proportion of the Port Precinct adjacent to the central city. The control encourages some clustering of building bulk to retain view corridors of the working port and harbour from overlooking parts of the central city.*

### 14.8.8 RULES - NOISE

Noise arising from any activity (except construction or blasting activities) within the Port Precinct shall not exceed the following levels:

- a) Measured noise levels shall not exceed the following:
- i) when measured 1m from the facade of any building on the southern side of Quay Street:

On all days 11pm to 7am	L10 60dBA Lmax 85dBA
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- ii) when measured at or within the boundary of any property subject to the Auckland City Operative District Plan 1999 (Isthmus Section) with a residential activity zoning:

On all days 7am to 11pm	L10 55dBA
On all days 11pm to 7am	L10 50dBA Lmax 75dBA

- b) In determining compliance with these noise levels the following shall apply:
- i) The long-term average sound level, averaged over any 7 days (ie 7 days of short-term average sound levels) shall not exceed the specified levels by more than 3 dBA due to statistical variation over those days.
  - ii) There shall be no exceedance of the specified short-term average levels by more than 5dBA. The short-term average sound level shall be the average of any four L10(15 minute) values obtained during a single night or day, when the wind speed at the

site where the measurement is taken is less than 2 metres per second.

- iii) Care shall 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 daily shall be the preferred time for noise measurements. If the short-term average level is wholly or partly determined from measurements at other times, then records shall be adequate to demonstrate that the short-term average sound level was not influenced by noise from non-port sources.

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/s during any measurement interval, then that measurement shall not be used to determine the short-term average sound level. Measurements shall be accompanied by records of air temperature. There are no other restrictions on weather conditions.

Except as noted above the noise levels shall be measured and assessed in accordance with the requirements of NZS6801:1991 "Measurement of Sound" and NZS 6802:1991 "Assessment of Environmental Sound". The noise shall be measured with a sound level meter complying at least with the International Standard IEC 651 (1979) Sound Level Meters, Type 1.

#### Explanation

*The noise limits for the Port Precinct are considered appropriate, particularly as this is a significant resource management issue in that most of the port activities involving cargo handling occur on a 24-hour basis. Furthermore it is intended that the proposed expansion of the port facilities is to be focused in the eastern part. The noise levels for this part of the Port Precinct are similar to those for the proposed extension of Ferguson Wharf which is currently subject to appeal before the Environment Court.*

*It should be noted that the noise rules applied reflect background noise levels that do not necessarily originate from the Port Precinct. For example noise levels measured in Quay Street are affected by the traffic environment except during the period between 2:00 am and 5:00 am. The noise rules are considered adequate to address noise effects on the closest land zoned for residential purposes which is located approximately 250m to the south.*





### 14.8.9 REFERENCES

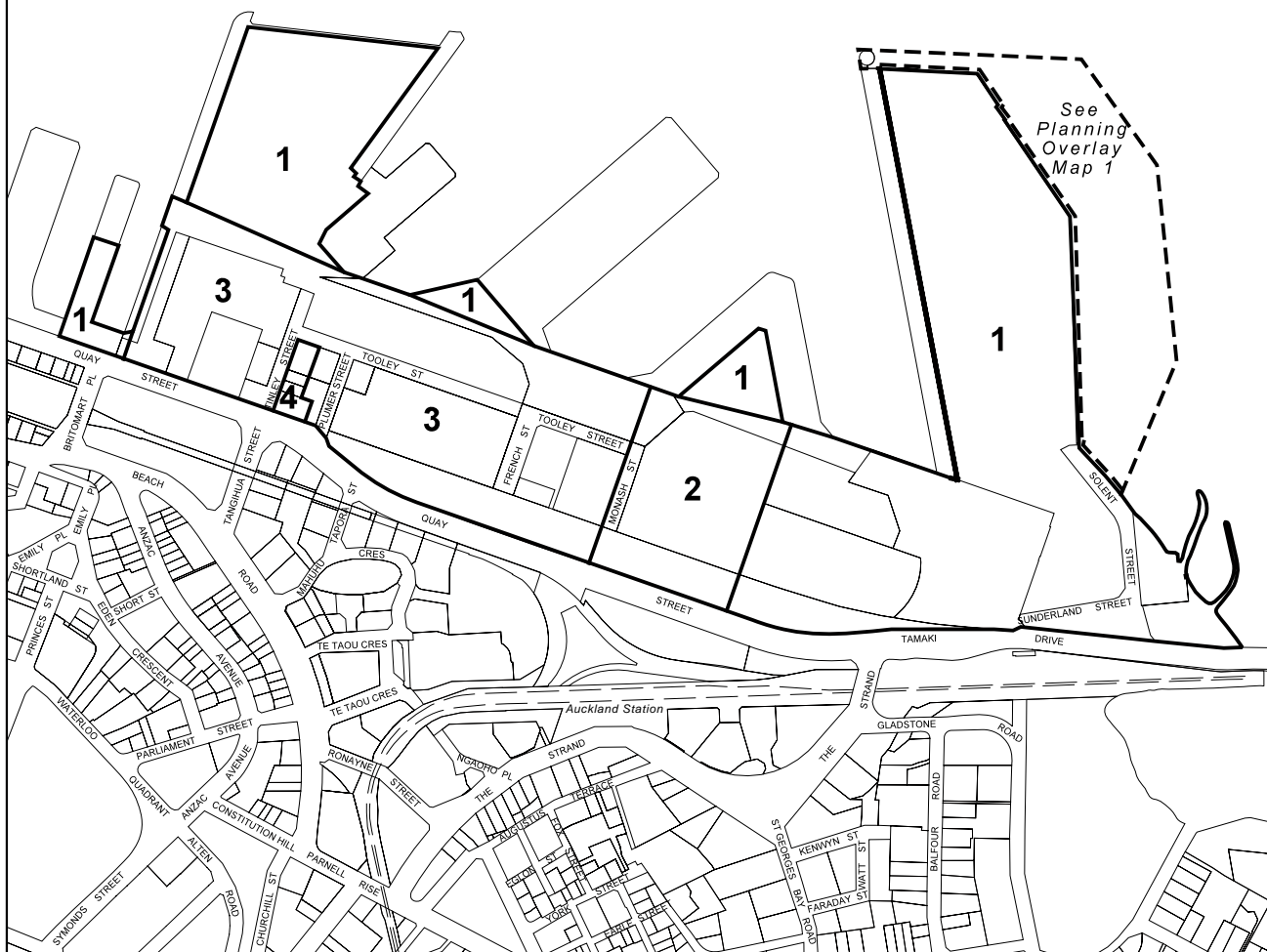
Reference should also be made to the following parts of the Plan:

- Part 4 .....Strategic Management Areas
- Part 5 .....Activities
- Part 6 .....Development Controls
- Part 7 .....Noise, Signs and Lighting
- Part 8 .....Financial Contributions
- Part 9 .....Transportation
- Part 10 .....Heritage
- Part 11 .....Hazardous Facilities
- Part 12 .....Network Utility Services
- Part 13 .....Subdivision
- Part 14 .....Precincts and Quarters
- Part 15 .....General Rules/Designations
- Part 16 .....Definitions and Interpretations.



Precinct Plan A

WAITEMATA HARBOUR



**MAXIMUM HEIGHT (refer clause 14.8.7.1)**

	Boundary of Precinct
	15m above mean street level
	18m above mean street level
	18m above mean street level (permitted activity) Exceeding 18m to a maximum of 24m above mean street level (restricted controlled activity - see clause 14.8.6.1) 33% coverage - see clause 14.8.7.2
	18m above mean street level (permitted activity) Exceeding 18m to a maximum of 30m above mean street level (restricted controlled activity - see clause 14.8.6.1)

